

Atlantic States Marine Fisheries Commission

Business Session

*February 5, 2014
2:00 – 3:00 p.m.
Alexandria, Virginia*

Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

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|----|---|---------|
| 1. | Welcome; Introductions (<i>L. Daniel</i>) | 2:00 pm |
| 2. | Board Consent (<i>L. Daniel</i>) <ul style="list-style-type: none">• Approval of Agenda• Approval of Proceedings from October 2013 | 2:00 pm |
| 3. | Public comment | 2:05 pm |
| 4. | Review Public Comment on Draft 2014-2018 Strategic Plan | 2:10 pm |
| 5. | Consider Approval of Draft 2014-2018 Strategic Plan FINAL ACTION | 2:30 pm |
| 6. | Other Business/Adjourn | 2:55 pm |

The meeting will be held at the Crowne Plaza Hotel, 901 North Fairfax Street, Alexandria, Virginia; 703-683-6000

Working towards healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015.

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
BUSINESS SESSION**

**The King & Prince Beach and Golf Resort
St. Simons Island, Georgia
October 28 & 30, 2013**

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1. **Approval of Agenda** by consent (Page 1).
2. **Move to include the highlighted section with the focus on long-term ecological sustainability** (Page 4). Motion by Louis Daniel; second by Douglas Grout. Motion carried (Page 5).
3. **Move to strike the entire highlighted language under Decision Point 3 of the Strategic Plan** (Page 7). Motion by Mitchell Feigenbaum; second by Roy Miller. Motion defeated (Page 8).
4. **Move to change the words “mean more jobs” to “vibrant resources often means more opportunity for those that live along the coast”** (Page 8). Motion by Adam Nowalsky; second by Robert Boyles. Motion carried (Page 8).
5. **Move to adopt the new underlined language at the bottom of Goal Number 1** (Page 8). Motion by Robert Boyles; second by James Gilmore. Motion carried (Page 8).
6. **Move under Decision Point Number 5, Goal Number 3, to accept the third option, which is promote compliance with fishery management plans to ensure sustainable use of coastal fisheries (Page 8)**. Motion by Robert Boyles; second by Douglas Grout. Motion carried (Page 9).
7. **Move to Adjourn** by consent (Page 20).

Board Members

Attendance

Terry Stockwell, ME, proxy for P. Keliher (AA)	Loren Lustig, PA (GA)
Doug Grout, NH (AA)	Leroy Young, PA, proxy for J. Arway (AA)
G. Ritchie White, NH (GA)	David Saveikis, DE (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Roy Miller, DE (GA)
Paul Diodati, MA (AA)	Bernie Pankowski, DE, proxy for Sen. Venables (LA)
Bill Adler, MA (GA)	Tom O'Connell, MD (AA)
Robert Ballou, RI (AA)	Bill Goldsborough, MD (GA)
Rick Bellavance, RI, proxy for Sen. Sosnowski (LA)	Jack Travelstead, VA (AA)
David Simpson, CT (AA)	Louis Daniel, NC (AA)
Dr. Lance Stewart, CT (GA)	Robert Boyles, Jr., SC (AA)
Rep. Craig Miner, CT (LA)	Malcolm Rhodes, SC (GA)
James Gilmore, NY (AA)	Spud Woodward, GA (AA)
Pat Augustine, NY (GA)	Patrick Geer, proxy for Rep. Burns (LA)
Adam Nowalsky, NJ, proxy for Asm. Albano (LA)	Jim Estes, FL, proxy for J. McCawley (AA)
Brandon Muffley, NJ, proxy for D. Chanda (AA)	Kelly Denit, NMFS
Tom Fote, NJ (GA)	Deborah Rocque, USFWS
Mitchell Feigenbaum, PA, proxy for Rep. Vereb (LA)	Martin Gary, PRFC

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

Ex-Officio Members

Staff

Bob Beal

Toni Kerns

Guests

George Lapointe

The Business Session of the Atlantic States Marine Fisheries Commission convened in the Lanier Ballroom of The King and Prince Beach & Golf Resort, St. Simons Island, Georgia, October 28, 2013, and was called to order at 1:15 o'clock p.m. by Chairman Paul Diodati.

CALL TO ORDER

CHAIRMAN PAUL DIODATI: We're going to begin our business session. I want to welcome everybody and say hello to those of you I haven't said hello to yet. It is good to see you all again and welcome to the business session.

APPROVAL OF AGENDA AND PROCEEDINGS

CHAIRMAN DIODATI: You should have the agenda for today's meeting as well as the minutes from our previous gathering. If I don't see any opposition, I will consider both to be approved.

I know that we have a couple of new commissioners here; Nancy Addison, who I've already met, from Georgia, our new governor's appointee. Welcome, Nancy. (Applause) I haven't met Senator Boyle, but Senator Boyle from New York is somewhere on the premises. There are a few others that I'll recognize later this evening.

PUBLIC COMMENT

CHAIRMAN DIODATI: I don't see many members of the public at this business meeting; but if anyone in the audience has any comments they'd like to make to the commission, now would be the appropriate time.

REVIEW OF UPDATED 2014-2018 STRATEGIC PLAN

CHAIRMAN DIODATI: Seeing none; I am going to ask Bob to outline where we are with our strategic plan and planning process. I think we're going to need an action at some point.

EXECUTIVE DIRECTOR ROBERT E. BEAL: For those of you at the May meeting you will remember the facilitated workshop that we had

to kick off the strategic planning process. Then staff went back and drafted the first version of that; and then at the summer meeting the commissioners came together and reviewed that first draft of the strategic plan and suggested some edits during the summer meeting.

Also at the summer meeting a working group was formed to tackle some of the unresolved issues. I'll just essentially pretty quickly go through what has been changed since the last draft that was reviewed at the summer meeting. As I mentioned, the working group that was formed to look into this, Louis Daniel was the chair of that, Doug Grout, Jim Gilmore, Robert Boyles, John Clark, Adam Nowalsky, Dennis Abbott, Malcolm Rhodes and Leroy Young.

We had a conference call. I think everyone was able to make it except Leroy. He had a conflict and a scheduling problem. Since that conference call, we have e-mailed some versions around and some wording around. I think we're getting pretty close. As we go through this, there are really five decision points essentially that need to be addressed today.

Really quickly, though, some of the changes that were made in between the two meetings were based on the comments that were received at the summer meeting. There is a new section in the driving forces addressing ocean planning. The felt that the ocean planning initiatives that are going on up and down the coast are definitely going to have an impact, and the commission is going to need react to those planning initiatives that are going on, so we recognized that in the driving forces.

Also in driving forces, the Protected Resources Section was added. In the first draft it was just an Endangered Species Act reference; but through talking with the commissioners, you folks said there are more issues under the Mammal Protection Act and other things that are going to be a driving force; it is not just ESA. We made those changes based on the summer meeting.

I'll go through all the five decision points pretty quickly, and I think it is probably better if we go back to them just so you guys can sort of see

what is unresolved. Then it is probably best to go back through all those individually. On Page 2 there is a yellow highlight under Value Section. The section that is highlighted reads with the goal of long-term ecological sustainability.

There was some discussion among the working group members of not really – I mean, obviously, this is an important goal of the commission, long-term ecological sustainability, but does this need to be added to and recognize the additional of socio-economic benefits and gains. It is not that we need to do more than just consider the ecological impacts but also consider the socio-economic impacts of the actions that the commission takes.

The second decision point was brought up by Leroy Young at the summer meeting, and he brought it up as a member of the working group. The notion is how do we really measure a lot of the things that we say we're going to do in the strategic plan. How do you measure rebuilding progress, frequency of stock assessments, expanded outreach?

Overall it is clear the direction that the commissioners want to go in the next five years, but how do you evaluate how well you're doing in moving toward that goal of rebuilding stocks along the east coast? The third decision point was brought up by one of the working group members, and this on Page 6 under Goal Number 1. There is a section highlighted there in pink.

It is the notion that healthy and vibrant resources mean jobs and more opportunity for those that live along the coast. One of the working group members is suggesting that obviously restored resources are good, but in some instances, summer flounder or striped bass, the opportunities and the number of jobs hasn't increased substantially even those stocks have rebuilt over the last decade or so; so are we sort of over-promising the economic gains and economic impacts of rebuild stocks?

I think the opposite true in that if stocks are in poor shape, there is less job opportunities and so how do we recognize that better ecological

conditions, better stock conditions are better for the economy but they may not necessary generate substantially more jobs. There may just be a lot less jobs if we don't rebuild stocks.

The fourth decision point is the notion of – actually that is on Page 6 also at the bottom Goal 1 Narrative – this is the notion about ending overfishing versus rebuilding stocks. This has been talked about a lot by the commissioners. The authority that you folks have through the commission and through your state agencies is you can end overfishing and that is relatively easy.

You can control the removals that come out of a stock, but there are a lot of factors that are involved with rebuilding populations beyond the control of the commission, environmental conditions, et cetera, so what is the metric that the commission would like to use? Is it just rebuilding – I mean is it just ending overfishing or is it also rebuilding stocks? We can chat about that.

The fifth and final decision point I think is dealing with Goal Number 3. There are three different options there for the wording of that goal. This is ensuring a compliant stakeholder with commission plans. There is the notion that this is really law enforcement goal within the commission plan, but there was some discussion is this compliance of individuals when they go fishing; is it compliance of states that participate in the commission; is this only a law enforcement goal or is it broader than that?

There are three different goals there that look the decision point or look at how you could detail Goal Number 3 to capture those different notions. The proposed timeline that we'll have is if you folks are comfortable with this today, we'll approve it for public comment. We'll have a series of public comment opportunities, potentially meetings in each state up and down the coast between now and the winter meeting in February; and final approval of the five-year strategic plan at our February meeting in Alexandria.

**APPROVAL OF THE
DRAFT STRATEGIC PLAN FOR
PUBLIC COMMENT**

That's a quick highlight of what needs to happen today. I think it is probably reasonable to go back to Decision Point Number 1, which is on Page 2, and this is the notion of long-term ecological sustainability; you know, should the wording at the end of that paragraph be changed to also recognize some of the social and economic impacts of what the commission does. With that, I guess the question is, are folks comfortable with the wording there or should it be changed?

MR. ROBERT H. BOYLES, JR.: Mr. Chairman, I'm comfortable with the wording. Do you need a motion or how are we going to move through this?

EXECUTIVE DIRECTOR BEAL: Well, I didn't see a lot of hands pop up right there, so maybe the group is comfortable with it. Is there any objection to the wording that is there? Bob.

MR. ROBERT BALLOU: I'm sorry I missed the summer meeting, but I guess I'm just curious as to why we wouldn't want to insert long-term ecological and socio-economic sustainability. I think that's the very question we're asking, whether it belongs or not. To me adding it would round it out nicely; but if there are strong reasons not to incorporate that, then I'd like to hear them. Thank you.

MR. KYLE SCHICK: I think every time we talk about further fishing restrictions, it always comes up; you know, what is this going to do to the economy; what is this going to do to the people who fish that. Whether it is recreational or commercial, we discuss it at every management act, so I don't see why it wouldn't be something that we should talk about. If we're just going to be an environmental group, then that's one thing, but I think that this board does a lot more than just environmental decisions for the fishery itself.

CHAIRMAN DIODATI: I think the struggle that we're beginning to see here, it is really the long-standing question of what the commission

puts first, I guess. I guess we don't want to be in that position to have to say that our ecological concerns have more standing over our economic responsibilities. I think that is the struggle that I am sensing here; and so how if you said something like "ecological sustainability leads to increased socio-economic benefits"; and not put them in a situation where they may be competing with each other. That is my suggestion. I am going to let Bob around the room and take your hands. I see a number of people with hands up.

DR. LOUIS B. DANIEL, III: I think we are kind of starting to compare apples and oranges here. I think our first and foremost decision point is looking at ecological sustainability. Without that, we have nothing. Then my understanding was down into some of the other decision points, like number three, we talk about the vibrant communities and the need to manage with the recognition of needing to take into consideration the socio-economic consequences.

The biggest concern I would have is that at some point we would not take what is in the best interest of the resource in terms of ecological sustainability for economic gains, and that is a slope that is very slippery that I don't know that we want to travel down.

MR. WILLIAM A. ADLER: I agree that the ecological sustainability issues are probably the most important because it leads to economic stuff; but I also think that it should be in there because that is exactly what managers do. They have this delicate balance of trying to get all the information to make sure the resource is healthy or getting healthy.

They also have to balance that against the economic factors in their decisions. I think that it is viable; and as it was brought up, if it is not in there people are going, well, okay, yes, you're going to try to manage the ecological for sustainability, and it leads to – and the question is, yes, but when you're doing that, before you even get that far, you have got to look at the other side of the picture and take that into consideration, too.

Somehow the economic viability has to also be in the mix; and I think if we do that, then at least everybody understands, yes, number one, you've got to have a resource here or you're going to have anything; but, number two, we do take that into consideration.

MR. PATRICK AUGUSTINE: Philosophically I agree, but practically I don't having that word in there. Primarily it is not covered under Magnuson-Stevens and it is not covered under ACFCMA. It may be embedded in both of those documents, but our role, as I understand it, ASMFC, like the other commissions, was we're authorized to make sure that the resources are here and that we're managing them. It may be intrinsic in those statements; but to put it in the document, I don't think we need it. The statement that the group has agreed to at the bottom of Page 2 I fully would support. Thank you.

MR. ADAM NOWALSKY: I think that with the highlighted part of the document that you with the goal of long-term ecological sustainability, I think the value as written presently considers those socio-economic considerations where we talk about for the benefit of recreational and commercial fishermen.

I think there is some confusion, though, with that last line saying "with the goal of long-term ecological sustainability". I think there is a sense of that kind of being the concluding statement of the value, and I think that's really what we're reacting to. I know that's what I would react to. If there was a way to remove that sense of "with the goal" as kind of the tying up of what the values we're trying to seek are, I think the rest of the value statement encompasses it. I don't oppose inclusion of "long-term ecological sustainability", but I would oppose saying it as "with the goal of" because that leaves that taste in our mouths, and I think that is what the reaction is that I'm hearing.

DR. MALCOLM RHODES: If we go one sentence before the line that we're getting tripped on, it says, "These values affirm the commission's commitment to sustainable

fisheries management for the benefit of recreational and commercial fishermen and coastal communities." I think what is inherent in there will account for the socio-economic benefit of the communities; and the next line is how we're going about sustaining looking after the recreational and commercial fisheries as well as the coastal communities by looking at long-term ecological sustainability. I think we've already addressed that in the line before and this is more the way we're going to perform our duties.

MR. LEROY YOUNG: I agree with Malcolm on that. If you look at the bulleted items beneath that statement, the sixth item really gets to the issue that we're talking about. I really think that the goal needs to be ecological sustainability. It should be stated explicitly as a major focus; because without that, as others have said already, we really don't have a fishery.

EXECUTIVE DIRECTOR BEAL: All right, there seems to be a bit of divide; folks saying that we've already recognized the socio-economics in the second sentence. There is a suggestion to take out the clause that is highlighted. What is the pleasure of the group? If folks feel that it is already recognized the long-term sustainability, you could just end that last sentence with "seeking solutions to cross-cutting resource issues" and end it there if that last clause is causing heartburn. What is the pleasure of the group? Pat.

MR. PATRICK C. KELIHER: I would recommend just removing the highlighted section. I think the bullets say what we're discussing here.

EXECUTIVE DIRECTOR BEAL: Is there any objection to doing that, pulling out the highlighted portion and acknowledging that the rest of the text in the bullets recognize the importance of socio-economic issues as well as ecological sustainability? All right, seeing none, we will strike that clause. Doug, did you have your hand up?

MR. DOUGLAS GROUT: Yes, I think it is an important part that we need to have that in there. I think that is what our primary value is here that

will lead to the economic benefits if we have a resource here. I think it is an important thing to be in there, so I would object to it.

DR. DANIEL: Yes, I am going to make a motion that we include the highlighted section with the goal of long-term ecological sustainability.

EXECUTIVE DIRECTOR BEAL: Is there a second to that motion? Doug Grout; thank you. All right, there is a motion to leave that clause in. We have had a fair amount of discussion. Is there any additional discussion on the notion of keeping those words in? Pat Augustine.

MR. AUGUSTINE: Move to amend the motion to take it out.

EXECUTIVE DIRECTOR BEAL: Well, I think you would just vote against the motion.

MR. AUGUSTINE: But it is easier if I make a substitute motion, they'll vote on my substitute motion; and if it fails, then you're in.

MR. DENNIS ABBOTT: Do we vote as individuals on this or are we voting as states on this? If Doug feels one way and we feel another, not that we do, but how are voting?

EXECUTIVE DIRECTOR BEAL: Yes, this is a business session so you're still voting as states with a three-member caucus. Leroy.

MR. YOUNG: I'm going to vote to keep this in. The vision or mission or whatever you want to call it for the Pennsylvania Fish and Boat Commission is resource first; and this is in keeping with that objective.

MR. KELIHER: Just for clarity, I do agree with both the maker of the motion and the seconder. I just feel it is captured within the bullets below as it was written. I can live with it either way. I was just looking for some simplicity.

EXECUTIVE DIRECTOR BEAL: Simple is good. Are there any other comments? Adam.

MR. NOWALSKY: I was just going to echo the sentiments that Pat made. Actually when I had

my hand up, I was going to make that very point. I'm considering amending to change it to "with the focus of" as opposed to "with the goal"; because with the goal – if saying "with the goal", in my opinion it should appear explicitly as one of the goals further down. That is evoking a reaction in me. It is clearly evoking a reaction around here. I'm going to go that route. I'd like to move to amend the language to move to include the phrase "with the focus of long-term ecological sustainability".

EXECUTIVE DIRECTOR BEAL: Is there a second; Pat Augustine seconds that. We have got a motion to amend. Is there discussion on the motion to amend changing "goal of" to "focus on" I think is the substantive change there. Robert.

MR. BOYLES: A question for the body. We've got two hours scheduled for this, and I don't know that it is going to be the use of our collective wisdom to wordsmith this down the road we're going. I think the discussion is very, very important. The points that have been raised have been very, very important, but we're going to be here until tomorrow morning doing this.

If this is the way the body wants to go, I just would ask us before we get into motion and competing motion, we really think about what is it we're trying to capture here for the next five years, what are we trying to do to memorialize the actions, the attitude and the stance that this commission takes. I'm afraid we're going to lose a lot of those important points that have been raised if we're going down wordsmithing by motion. It is just a point I would for the body to consider.

EXECUTIVE DIRECTOR BEAL: Those are wise words; thank you, Robert. Louis.

DR. DANIEL: Yes, I agree, Robert, and I would accept Adam's – and I think my seconder would, too – as a friendly amendment to our motion.

EXECUTIVE DIRECTOR BEAL: Doug, you're fine with that change? He is shaking his head yes. **Now we're back to one motion which is leaving that clause in but with the**

wording “to focus on long-term ecological sustainability. Is there any objection to that? Seeing no hands; we will call that Decision Point 1 done. We will leave it in and we’ll change those two words, and away we go.

All right, Decision Point 2, it is not really focused on any one section within the document. It is an overall concept of how should specific performance measures be included in the strategic plan. As I mentioned, Leroy brought this up a couple time. It think it makes a lot of sense to evaluate how well the commission is doing in moving toward the direction they want to go in, but it gets difficult putting specific measures in here.

The last time we had this discussion, some members of the commission felt that performance measures are more appropriate in an action plan where you say, all right, in this year here is exactly what we’re going to do; but I think the concept is probably worth discussing of are there things that can be included in this strategic plan that sort of hold the feet to the fire of the commissioners and something that is measurable to evaluate how well the commission is doing in achieving its goals. With that, are there any comments or suggestions? Ritchie.

MR. G. RITCHIE WHITE: I guess I have a problem with the benchmark stock assessment one. We could be doing a whole bunch of benchmark stock assessments; but then if we’re not acting on them and acting in a way that rebuilds stocks, what good is doing a bunch of benchmark assessments. I understand the concept of showing that we’re working hard and doing a lot, but I think the final outcome is what we need to judge by.

CHAIRMAN DIODATI: I agree with what Bob said; that the strategic plan is the general blueprint for the commission, but it is the action plan where you actually are looking for those performance measures to evolve. I’m more than comfortable leaving performance measures to be associated with the action plan rather than here.

MR. GROUT: Well, to show you that some of these decision points are cross-cutting, I think an

easy performance measure that we can consider in the action plan is whether we’ve ended overfishing. I mean, to me that is one of the key performance measures that we need to be looking at over the next five years; not that we have to end overfishing immediately but to end overfishing in a very timely fashion.

EXECUTIVE DIRECTOR BEAL: That’s fair, and I think that wraps into Decision Point Number 4 that we had talked about earlier, ending overfishing versus rebuilding stocks, which is again a tough balance for the commission. What is the pleasure of the group? Do you folks feel we can leave it as is and we’ll deal with performance measures and specifics in the annual action plan or do you want to make changes to the document?

I’m not seeing any hands pop up, so it sounds like leave it as it is and put the performance measures in the annual action plan. Does anyone object to that course of action? All right, good, we’re gaining momentum. That was much faster than the last one, Robert. You talked them into it. Decision Point 3; this is under Goal Number One. I think the third sentence down highlighted in a pink color in my document currently reads, “Inherent in this is the recognition that healthy and vibrant resources mean more jobs and more opportunity for those that live along the coast.”

I think there are a couple of concepts that folks brought up. Some of the opportunities may extend beyond the coast. As I mentioned earlier, some folks are saying, well, you know, we rebuilt a lot of stocks and we really don’t a lot more opportunity and a lot more jobs than we did before we rebuilt some of those stocks.

I think coastal populations are increasing and fishing opportunities and seasons and those sorts of things reflect the changes in population along the coast to some degree. What do folks feel about that sentence? Are there any suggested changes or are folks comfortable with it? Doug.

MR. GROUT: This is a comment on this only from the perspective that I can understand where this comment was made in some instances with some resources where it does seem like we

haven't been – even though they're fully rebuilt, the amount of jobs doesn't seem to be increasing; but on the other hand there are some species – and I'll give my state of New Hampshire with striped bass and I believe in a lot of other states where the number of charterboat fishermen pre-1995 fishing for striped bass was much lower than it was in the 2000's; and it is still higher than now it was before.

There has been with some of our species this realization of more opportunities for those who live on the coast. It seems like I guess I agree in one sense because some fisheries, it may not be guaranteed that you're going to have more job opportunities if you have resource, but it is a benefit that could result and has been shown to result from rebuilding our resources.

MR. THOMAS O'CONNELL: I'm struggling with the words "more jobs and more opportunity" and particularly the more jobs part. I see as we go forward with some of our fisheries management, we may be increasing the value of the fishery, improving the sustainability of the fishery but not necessarily more jobs. I haven't been able to come up with the right substitute word for that yet. Obviously, good management is going to yield a more valuable sustainable fishery, but not necessarily more jobs.

MR. SPUD WOODWARD: Well, maybe we can tweak this a little bit and instead of using something that is definitive, say "that healthy and vibrant resources often means more employment and more opportunity for coastal communities", something along those lines that puts it on the record the linkage between healthy resources and economic opportunities, but it doesn't say that it's absolute.

MR. BOYLES: At the risk of being ambiguous, I would just strike "jobs and" and just say "opportunities" and it is in the eye of the beholder. If there are concerns about words, and I understand those concerns, I think we can probably just edit it a little bit.

EXECUTIVE DIRECTOR BEAL: You're wordsmithing now, Robert; you're not following your own advice.

MR. BOYLES: I'm trying to help you.

EXECUTIVE DIRECTOR BEAL: No, I appreciate that. Mitchell.

MR. MITCHELL FEIGENBAUM: Yes, I would like to make a motion to strike the entire highlighted language. I believe the previous sentence that refers to balancing socio/economic interest and needs of the coast communities captures what the strategic vision of this commission should be quite effectively, and the second statement is really superfluous.

EXECUTIVE DIRECTOR BEAL: Is there a second to that motion; seconded by Roy Miller. All right, comments on the motion to strike the highlighted sentence? I don't see any hands. Is there any objection to the motion? **No objection; we will take that sentence out.**

REPRESENTATIVE CRAIG A. MINER: I'm sorry for being a little slow at the uptake here. I guess what I want to be sure is by taking that out we're not diminishing the likelihood that this body and other bodies will have to look at increased opportunity as these stocks become rebuilt. I have been listening to the conversation and it sounds like it doesn't always mean that there will be increased opportunities.

I think many of us can envision where there could be increased opportunities but for our resistance to perhaps move up thresholds when they appear to be rebuilt. It almost seems like the language might be downward pressure on those opportunities that would stay in place. I'm not sure if I'm reading it that way or not is correct.

MR. DAVID SIMPSON: Along those lines, I actually favored Robert's suggestion to remove jobs, because I think that is the more ambiguous. There may be more jobs, but it depends on the management and approach. I think opportunity in the eye of the beholder, as Robert said, is the part we want to hold on to and it's certainly one of the values we have.

EXECUTIVE DIRECTOR BEAL: We were kind of in the middle of voting when hands went up. We've got a motion on the table to take this section out. We've got the notion of striking two or three words that Robert suggested. I will read this in as folks think about what they want to do next; move to strike the highlighted language for Decision Point Number 3 in the Strategic Plan. Motion by Mr. Feigenbaum; second by Mr. Miller.

I think if you vote in favor of this, the section obviously will be removed. If you vote in opposition to this, then the document stands as it is and the group can consider another motion after this. Does that sound fair? **Those in favor of the motion which would remove that sentence please raise your right hand; those in opposition like sign; abstentions; null votes. The motion failed; seven in favor, nine in opposition.** Mr. Nowalsky.

MR. NOWALSKY: **I will make a new motion** then and hopefully Mr. Boyles, since I'm using his idea here, will embrace it. I would support "and vibrant resources often means more opportunity". **I would change the words "mean more jobs" to "vibrant resources often means more opportunity for those that live along the coast"**.

EXECUTIVE DIRECTOR BEAL: Mr. Boyles seconds that. Are there any comments on that wording change; does everyone understand it? Malcolm.

DR. RHODES: One thing, Adam; did you want "opportunity" or "opportunities" because that way you're looking at fishing economic – again, it is just wordsmithing, but to go from a singular opportunity to a plural.

MR. NOWALSKY: I think plural would be great and I would accept that as a friendly amendment.

EXECUTIVE DIRECTOR BEAL: Robert, are you fine with that? He is shaking his head yes; thank you. All right, does everyone understand what we're doing? I will take that as a yes. Is there any objection to making the wording changes Adam has suggested and Robert

seconded? **Seeing no objection; that change will be made.**

All right, we're now on Decision Point Number 4. This is the notion of rebuilding stocks versus ending overfishing. As I mentioned earlier, your agencies have the ability to end overfishing by controlling removals. There are a lot of things that are involved with rebuilding stocks that may or may not be within the control of the agencies you folks work for.

There is new suggested language at the bottom of Goal Number 1 that is highlighted in yellow that recognizes that it is committed to ending overfishing and working to rebuild overfished or depleted stocks. Robert.

MR. BOYLES: **I make the motion that we accept the changes submitted there.**

EXECUTIVE DIRECTOR BEAL: Is there a second; Jim Gilmore seconds. Are there any comments on this suggested change? It seems to be people are comfortable with this. Is there any objection to adopting the new underlined language at the bottom of Goal Number 1? **Seeing no objection; that language is now included.**

Decision Point Number 5, and I think our final decision point, is for Goal Number 3. There are three different options for the actual goal itself. They recognize to differing degrees the notion of law enforcement and also the notion of stakeholder compliance versus state compliance. The three different options are on the board there. I think the question before the group is do you want to specifically say in this goal that this is a law enforcement goal or is this a bigger compliance goal and law enforcement is only a part of it. Robert.

MR. BOYLES: **I would like to make a motion that we accept the third option, which is promote compliance with fishery management plans to ensure sustainable use of coastal fisheries.** If I get second, I'll explain.

EXECUTIVE DIRECTOR BEAL: Second by Doug Grout. Robert.

MR. BOYLES: I'm thinking about this and trying to again keep in mind that we're talking about the next five years. I certainly don't want to detract from or take away from the importance of law enforcement. A stock assessment is very, very important to our process as well, and it is a very important tool just like law enforcement is.

I think from my perspective what I believe we're interested in is effective compliance with our fishery management plans. Law enforcement is a key component of that, but I don't believe that it is the only component of that. You don't have to go very far to talk to our constituency who may sometimes complain to us that, "Well, I've been out and I've never been stopped. I have never been checked." And so absent that one-on-one encounter with law enforcement operation, does that mean we're not interested in compliance?

I think that we're very interested in compliance – voluntary compliance if we can get it, but certainly if we can't get voluntary compliance, then we rely on our friends in law enforcement. I say this in the sense that we don't single out stock assessments. We don't single out fishery-independent monitoring as a tool that we employ to do our jobs. I think I'm interested in this from a broader perspective.

EXECUTIVE DIRECTOR BEAL: To back up your point, if you look at the first strategy under this goal, stakeholder buy-in is captured there, and I think that's part of the voluntary compliance that you had mentioned, too. Are there any other thoughts on the motion, which is to adopt the third option for Goal Number 3? Leroy.

MR. YOUNG: I'm just curious as to why the word "promote" is being used there instead of "ensure" to start that sentence. It seems a little weaker than ensure.

EXECUTIVE DIRECTOR BEAL: Are there any comments on that? We'll just around and get back to that. Adam.

MR. NOWALSKY: I think from my sense I would offer that for me "ensuring" would mean

that I'm there actually making sure it is happening, standing over someone on the water making sure it happens, and I don't think there are many of us in this room here today that are actually doing that. The best we could do is put forth regulations and management plans that stakeholders can buy into, enforcement can say, yes, we can do this, and hope therefore that we're promoting that compliance. That would be my response.

MR. ADLER: I agree with Adam. At first I saw the word "promote" and I go so what are we going to do, go out on the sidewalks and down at the piers and wave flags and stuff, promote. I like the word "promote" better than "ensure" or those other ones that were in there. As it was said earlier, yes, you're going to try to get it so that you have constituency buy-in, which is very important because without it you won't have compliance, you won't have the rule work. Having law enforcement is a key component, but you don't push hard on that. You're trying to talk people into being good, basically. Yes, we've got the law enforcement people helping, so I do think "promote" is the correct word in this case.

EXECUTIVE DIRECTOR BEAL: Are there other comments on the motion that is up here? Seeing none; **any objection to the motion, which is adopting the language for Goal Number 3? All right, that will be Goal Number 3 in the draft plan.** Those are all the decision points, Mr. Chairman. I think the question before the body now is, is everyone comfortable taking this out to public comment. It may be worthwhile to have a couple of comments on what folks envision that the public comment path should be. Dave Simpson.

MR. SIMPSON: Under Goal 6 there were some highlighted areas. Do we need to talk about that or is that a done deal? Goal 7, sorry, financial resources and so forth.

EXECUTIVE DIRECTOR BEAL: Some of those changes we made essentially at the staff level. The next thing we're going to talk about today is the action plan. As we were going through the action plan, there were a few tasks that really didn't have a home, so we needed to

create the very last strategy that is here, which is utilize legal advice on management strategies and policies. We also just changed a little bit the initial draft of Strategy A under Goal 7. The notion of increasing long-term funding shows up in the section essentially on lobbying on Capitol Hill, so we had it in two different places. We said, well, let's leave the Capitol Hill portion as it is and change Goal Number 7 to be really the management of the resources that we do have rather than having that in different places. Doug Grout.

MR. GROUT: It seemed like with the edit that you made to A there, the comment that I had was it seems like by changing the word to "conservatively manage the operations and budgets", you took out the concept of trying to secure and look for additional funding opportunities that may come in the future.

Now, I understand in the short term here the possibility of coming up with additional funding opportunities given the federal and state budget management strategies lately are going to be few and far between, but I don't think that we should stop to have that as one of our strategies. I understand completely conservatively managing our operations, but I don't think we should eliminate that. I had some suggested wording that would say "seek appropriate funding levels needed to effectively achieve the mission and goals of the commission" as a separate strategy.

EXECUTIVE DIRECTOR BEAL: I think, Doug, if you look on Page 9 under Goal 6, Strategy B, which is communicate the commission's federal funding needs to Congress and advocate for sufficient appropriations, does that cover your idea? What we're trying to do is keep the idea of seeking new money and managing the money we do have in two separate places.

MR. GROUT: As long as the federal government is the only place we're going to be seeking new funding opportunities.

EXECUTIVE DIRECTOR BEAL: I guess we can expand that to, are there other opportunities out there.

MR. GROUT: That might be good.

EXECUTIVE DIRECTOR BEAL: Okay, we'll work on that. The federal partners are very quiet in the back corner on this part; I'm not sure what that means. Is there any objection to the document as edited today going for public comment between this meeting and the winter meeting in February? Paul.

CHAIRMAN DIODATI: You're going to talk a little bit about that public comment process?

EXECUTIVE DIRECTOR BEAL: Yes. Are there any thoughts on how public comment should be solicited on this? Earlier in the summer the commissioners had contemplated having individual meetings in each state to go over this document and see what the stakeholders feel. We're willing and able to do that between now and the February meeting.

I don't know if that's the most efficient way to do it; if there is a better way to do it. At the staff level we've talked about online surveys and other tools that we can use. We can do kind of all the above if that's the right thing to do. We can do some meetings in some states that feel it will be productive. It is really up to the group. I don't know if you have any idea. Paul.

MR. DIODATI: My immediate impression is unlike a management plan that we send out to public hearing where we have options that give some focus in a public setting, we're not going to have that here. We're going say this is our strategic plan; what do you think? I think that the face-to-face meetings might be more difficult than if we just put it out as some kind of announcement that we have a draft public hearing document available for comment for the next 30 days or 60 days, whatever the period is. Hopefully, we can all post it or link it to our state sites and maybe you get enough feedback that way. That is my feeling.

MR. AUGUSTINE: Paul, you stole my thunder for a change, as usual, but it does seem that it should go on our website. The website is beautiful since it was redesigned. I do think that it will go out that way. Paul is right; we need to have another public hearing. It is an information

document; and the question I was going to ask is how many public hearings are we going to have on other species of fish between now and our spring meeting; a lot. I think the right approach is on the website and maybe a public announcement that way. Thank you.

MR. ABBOTT: I would just reiterate my support for Paul's comments, and I think a proper press release and putting it on the new website, because I couldn't envision at all of going to a public hearing on this and having anyone there but the commissioners and staff really. I just don't that we would generate especially through the winter getting people to come out and listen to this verbiage. That is just not going to happen.

DR. DANIEL: Coming from a state that just loves public meetings; I am just wondering if we might want to do exactly what you've suggested but then have an opportunity at the February meeting for the public to comment maybe at a specific time, say, before the business meeting or whatever. If it's going to be taken up for a final decision, at least announce that we would have that opportunity so if somebody is just chafing at the bit to come and talk to us about it, that would be an opportunity that they wouldn't otherwise have.

MR. ADLER: The action plan; that doesn't have to go out to public hearing, does it or does it?

EXECUTIVE DIRECTOR BEAL: No, we have not taken the action plan out in the past.

MR. ADLER: All right, I agree with everything being said here on the strategic plan hearing, whatever.

MR. GROUT: Well, I'll 'fess up this is my idea, and I'll just give you the reasons. It was about the same time that the Mid-Atlantic Council was going around doing their public comment sessions on their strategic planning. I thought it would be a good idea to at least offer the opportunity to have this kind of a presentation and get input potentially in conjunction with marine advisory committees.

Not that the general public would come, but we would offer the opportunity for the general public to come. The reason I raised my hand was actually because of what Louis said was that we're going to offer this opportunity in Alexandria; and that's something that I totally disagree with giving a one-time public opportunity for someone to come to a meeting who happens to be close.

I can guarantee you there will be nobody from New Hampshire coming to Alexandria to comment – there might be someone from Maryland or Virginia or North Carolina – while there might be people, if we had a presentation in front of our marine advisory committee, of which Ritchie is a member that will be there – you're not coming, Ritchie (laughter).

I also understand Paul's point where we could be having a bunch of public comment sessions on this where very few people would show up, but that is why I was trying to suggest that maybe we'd have it in conjunction with something that is a regularly scheduled meeting of interested parties here.

I'm trying to get us to be more open and transparent in our process here, and that is the reason I looked forward to potentially having some meetings along the coast or at least give the public an opportunity. If the body doesn't feel that is a good use of our resources, I can also understand that.

MR. GILMORE: I think when we talked about this at first, the ideal thing would be to go out, but, of course, the amount of time and effort I think was a little bit daunting. I was thinking along the same lines, Doug. We're going to have two Marine Resource Advisory Council meetings between now and the February meeting.

I was planning on putting this on that agenda so that we would have some discussion locally and hopefully we would have the three local commissions there to take comments and then we could feed that back to the bigger body. I think that will maybe be a good surrogate to getting that public comment in. Thank you.

EXECUTIVE DIRECTOR BEAL: Are there other thoughts on the public comment solicitation? I think there may be an opportunity to use some sort of web tools and surveys and even potentially a webinar-type maybe town hall meeting or something to get folks to dial in that we can explore. I don't if we'd get such a big crowd it would be unwieldy and it couldn't be done on webinar, but we might be able to.

We can maybe consider something like that as well. There are different ideas, it sounds like, about state meetings. Is the group comfortable with if a state wants to conduct their own meeting, it is something they initiate and bring it forward to their group, their state commission or council, obviously they have the ability to do that; and other than that, we'll announce it, put it on the website and put out a press release. Is that fair or does that create inefficiencies or inequities up and down the coast? Doug.

MR. GROUT: I would certainly agree with something like that. The only thing that I would ask is that maybe we could come up with – staff could come up with a standard ASMFC presentation for this that each of the states could use just so that we're putting out the same message here about this plan here.

EXECUTIVE DIRECTOR BEAL: Great; absolutely, we will do that for you and get a standard PowerPoint set up that all the states can use. Yes, that's easy. All right, is everyone comfortable with that approach? Great; we'll get a press release out soon after this meeting and let folks know they can comment.

We'll probably keep the public comment period open through the holidays and close mid-January or something like that to give folks ample time to get their letters and thoughts together and send them in. No public meeting in Alexandria – well, the public can always come to the business session so we will continue to afford them that opportunity. I think that is everything on the strategic plan. Next on the agenda, Paul, is the action plan.

**REVIEW AND CONSIDER
APPROVAL OF THE 2013 ASMFC
ACTION PLAN**

CHAIRMAN DIODATI: I believe that you or someone on staff is going to present the action plan.

EXECUTIVE DIRECTOR BEAL: Yes, Toni and Pat are coming up. The important thing about this action plan to know is it is based on the Draft Strategic Plan that you just approved for public comment. We're going to have to make a few changes in here to reflect the changes that the group just made, but overall this is a re-packaged action plan from what you folks had the last five years.

We're still working on the budget side of this; but based on our first cut and what we know about the remaining expenses for this year, it looks like we can afford to do everything that is included in this draft. The good news is we're not at the point where we're having to prioritize and cut things.

There clearly is a fair amount of unknown of what is going to go on at Capitol Hill and what is really going to come out the other end of this budget process. Assuming we stay fairly level funded for Fiscal Year 2014, which a lot of things are pointing in that direction and there may be sequestration cut that we'd have to absorb; but assuming things are fairly status quo as far as the budget goes, we should be able to afford everything that is in this document. Toni, do you mind going through Goal 1 and then we'll seek comment on that.

MS. TONI KERNS: I'm going to go through Goal 1. The commission is going to be going through a large number of stock assessments for species. I think there are seven species that are going through stock assessment workshops and peer reviews next year. Those include lobster, red drum, weakfish, sturgeon, menhaden, tautog, black drum.

The Northern Shrimp Peer Review, the SAW/SARC was delayed from December into January due to the government shutdown, so also included would be shrimp there. Some of those peer reviews will happen in 2014 while others will be happening in 2015. We also will be doing several addenda.

We will be completing Addendum IV for the glass and yellow eel fisheries and we will continue to monitor the petition to list American eel under the Endangered Species Act. We will develop an addendum to adjust the fishery effort to the size of the resource for the American Lobster Fishery in Conservation Management Areas 4, 5 and 6; and continue to develop the Lobster Trap Tag Data Base.

For Atlantic menhaden, we will be reviewing the effectiveness of Amendment 2, including the bycatch provision, the TAC, as well as the episodic event provisions. For Atlantic striped bass, we will complete an addendum to respond to the 2013 benchmark stock assessment findings. I forgot to include bluefish in that species that we are doing assessments for. For horseshoe crab, we will use the ARM Model to set the 2015 specifications.

For Northern Shrimp, we will consider a management response to the benchmark that we will receive in January. For shad and river herring, we will continue to monitor and participate in the council considerations of shad and river herring in the Squid, Mackerel, Butterfish Plan as well as the New England Council's plan.

For Atlantic croaker, we will develop the white paper and addendum to consider alternative trigger mechanism as well as for spot. For summer flounder, we will complete a management response for the summer flounder recreational working group as well as consider any changes for the commercial fishery.

In scup we will collaborate with the council to develop an addendum to address the recreational and commercial allocations as well as the commercial winter/summer allocations. We will also work with the council in the development of an addendum for allocation in the black sea bass recreational fishery.

In tautog we will initiate management discussions to respond to the assessment findings as well as in the black drum fishery. It will be peer reviewed at the same time. We will consider the findings of the Management and Science Committee's investigation on the shifting population distributions in response to

climate change as well as consider the findings of the MSC Report that identifies common resource issues. I think that is everything in Goal 1 for highlighting.

EXECUTIVE DIRECTOR BEAL: There is a pretty long laundry list of stock assessments and some pretty meaty addenda planned for next year. The Assessment and Science Committee and the Management and Science Committee feel that we have the technical resources to get all those assessments done. It is going to be a busy year but I think we can pull it off. Doug.

MR. GROUT: Toni, just a quick editorial thing on Page 2 under herring; you refer to meetings necessary to establish state effort controls for Area 1A and 1B? Addendum I allows for changes to 1B, too?

MS. KERNS: I believe it is because we just completed an addendum that allows to do days out for any of the areas; and in discussions we thought 1B because 1B has the state waters within the area, but Area 2 does not; or it only includes one state that would be affected by state waters. We didn't include Area 2, but all of the areas now allow for that provision, so that is why we included just 1B in case we needed to do it.

MR. GROUT: I understood that, but I thought we've got Area 3 that comes to the beach on Cape Cod; Area 2, New York, New Jersey, and I thought they went to state waters.

MS. KERNS: I can include Area 3. If it only had one state waters, I did not include it because it would be just that one state making those decisions; correct?

MR. GROUT: So that would mean Area 3 would not be included because it is only Massachusetts, but Area 2 had multiple states.

MS. KERNS: We'll include that.

MR. ADLER: I have no objection to what is proposed in the action plan. I did find an awful lot of – my question would be how? Page 8, 1.2, 1.3 – I'm just going to list these; I'm not going to go into detail – Page 14, 2.3; Page 15, 2.4.5;

and Page 19, 4.1, which is very important, by the way, and I think they should be in here; but as I read all of them, I kept saying, okay, that is fine, so we've got an action, and I don't know how we're going to accomplish those particular ones.

I just wanted to editorialize and say that; that on those particular issues, I have no problem with them, but it is almost like, ha, ha, yes, really, how? The question was, well, how do you plan to really do any action on those. I'll just leave it there and I'm sure those numbers you can look at and see what I'm talking about. Thank you.

EXECUTIVE DIRECTOR BEAL: Bill, I think a lot of those have to do with partnerships. I didn't get your whole list; you were going pretty fast, but the ones I did catch I think they were partnerships with federal agencies. I think the notion there is continue to work with our federal partners and strengthen things as much as possible and hopefully we're all pushing in the same direction and not tripping over each other. Bill.

MR. ADLER: Don't get me started. The partnership on the federal side, you know, a little give, a little take here and not we're going to work with them – in other words, we're going to adopt everything they want.

EXECUTIVE DIRECTOR BEAL: Fair enough. Are there other comments? Bill.

MR. WILLIAM J. GOLDSBOROUGH: I was going to bring this up at the Menhaden Board; but it seems like it ought to be included here if we're going to do it in the next year. With the adoption of Amendment 2, we considered some sector reallocations. Currently it is 80 percent reduction, roughly, and 20 percent bait industry.

We considered 70/30 and 60/40 and discussed that and we made a conscious decision to not attempt to a reallocation at that juncture but instead to, at some point in the near future, undertake a more methodical facilitated process I think for considering other allocation schemes between those sectors. It seems to me if we're making plans for the whole next year we ought to be getting that process started. Can we add a task to that effect?

EXECUTIVE DIRECTOR BEAL: I'm going to the Menhaden Section right now. Toni, go ahead.

MS. KERNS: The amendment says that we will reconsider the allocation three years down the road. In Task 1.1.9 on Page 2 and 3 it does say that we will review the effectiveness of Amendment 2 including the TAC provision, so we will be looking at the TAC and providing a good look at that. I think that we will have a little further discussion of that at the menhaden meeting as well. I'm not sure if it would be a facilitated review or not, but I will turn to Bob for that portion.

EXECUTIVE DIRECTOR BEAL: Well, Bill, I think you're right; this is probably going to come up under discussion during the Menhaden Board today. Are you comfortable with having the Menhaden Board decide where they want to go; and then if changes are needed here, we can reflect those after the Menhaden Board meeting? MR. GOLDSBOROUGH: It sounds good; thank you.

EXECUTIVE DIRECTOR: Are there other suggestions or comments on Section 1, which is essentially the stock assessment and fishery management part of what the commission is going to do in 2014? Seeing none; I'll ask Pat to go through Goal Number 2.

MR. PATRICK A. CAMPFIELD: Goal 2 describes the commission's fishery science activities. I will hit some of the highlights including coordinating the peer reviews for a number of those stock assessments that will be completed in 2014, including tautog, black drum, lobster, menhaden through the SEDAR process; and shrimp and bluefish through the SARC process.

We will also pursue the development of some new fishery-independent monitoring; for example, eel surveys that cover all life stages, as well as bluefish coast-wide monitoring. Moving on to Task 2.2.5 and 6; those cover the northeast and southeast monitoring programs, NEAMAP and SEAMAP.

A couple of the highlights there include conducting a NEAMAP On-Board Catch Processing Workshop to essentially gather the survey leads from all the state trawl surveys as well as the NEAMAP Mid-Atlantic Survey to compare and hopefully develop consistent catch processing methods. Also under NEAMAP, take advantage of the opportunity and hopefully find the resources for NEAMAP to sample horseshoe crab off of Delaware Bay to try to pick up some of the gap left from the Horseshoe Crab Trawl Survey.

Under recreational fisheries data collection, we have a task to determine the appropriate roles of the commission and ACCSP in potentially conducting the intercept survey in the Atlantic states. Also, Laura and I have been working with the NOAA Fisheries Service to set up a 2014 Recreational Saltwater Fishery Summit, which will be held in April in the Washington area.

Under fish aging, we usually conduct one workshop per year to have consistent methods among the states. The Fisheries Service in 2014 will do summer flounder and scup. Moving down under Strategy 2.3, we will start a new activity working with Tina to conduct Fishery Science 101 Webinars to increase stakeholder and public understanding of science principles and concepts, to better understand stock assessment results.

A specific activity related to eel is that we plan to co-sponsor an American Eel Stock Assessment Methods Symposium at the 2014 American Fishery Society Meeting. Finally, as Toni alluded to, both the Management and Science and the Assessment Science Committee will be working on common resource issues across the states; things like protected species interactions, bycatch in different fisheries, and also completing the climate change stock shift distribution investigation and hopefully having some answers for you and for the Policy Board in the spring of 2014.

EXECUTIVE DIRECTOR BEAL: Are there questions on Section 2, which is the science, data collection and peer review section of the action plan? Seeing none; everyone is

comfortable with that workload and those projects? Lauren.

MR. LOREN W. LUSTIG: Thank you for that report. You did mention briefly the Recreational Fishing Summit, I believe you said. I think you said April 2014; is that correct? Do you have an advanced list of dates that would be so we could put it onto our schedule; and is ASMFC going to be co-sponsoring that summit?

MR. CAMPFIELD: We're working together with NMFS to put that together. It is a national summit. There was an initial summit in 2010. I think the dates are April 1st or 2nd or thereabouts. We don't have everything completely finalized here a few months out, but roughly that week in early April.

MR. FEIGENBAUM: You mentioned co-sponsoring the stock assessment workshop for eels at the 2014 AFS Meeting. Do you know at this point who your co-sponsor partners are going to be?

MR. CAMPFIELD: We do not. We are looking for other sponsors. We know that similar conversations are going on with the Fish and Wildlife Service. Also, DFO likely will be involved. The point is to get the latest on eel assessment methods but hopefully head towards a joint U.S./Canada assessment if everyone is on the same page.

EXECUTIVE DIRECTOR BEAL: Are there other questions or comments on Goal 2? Seeing none; I'll ask Toni to do Goal Number 3, compliance.

MS. KERNS: As Bob just said, Goal 3 is compliance which deals with the activities of our Law Enforcement Committee. Many of these strategies and tasks have not changed from last year. We will continue to ensure that the input of the LEC is seen throughout the management process on the enforceability of management options that are being proposed in FMPs, amendments and addenda.

New to these tasks is providing a forum to promote interjurisdictional enforcement options, targeting specific fishery resources. I guess I

shouldn't say new, but continuing with what enforcement issues we're seeing with eel, looking at the compliance of striped bass with the new measures that we put in place last year in the commercial fishery with the tagging, as well as providing feedback to National Marine Fisheries Service as additional electronic monitoring technologies are considered and adopted.

And then highlighting the outcomes of law enforcement investigations, including penalties and fines through various outreach tools such as the website, different social media, press releases and fact sheets. We would also be reporting on enforcement issues associated with differing federal interstate regulations using social media and timely press releases and providing a forum for the enforcement agencies to display successful development and use of enforcement technologies.

EXECUTIVE DIRECTOR BEAL: Are there questions or comments on Goal 3, compliance? Seeing none, Toni, can you do habitat.

MS. KERNS: I would love to go through the Habitat Section. Again, Goal 4 is habitat and also where we keep the strategies for the home for ACFHP. The Habitat Committee in 2014 will be drafting a Sciaenid Source Document. We will also be developing the next installment of the Habitat Management Series, which is the nearshore and estuarine aquaculture. We will serve as the point of contact and information and conduit at the commission for energy-related issues affecting fish habitat.

We will continue to provide the coordination and support for ACFHP. We will use social media to connect with regional and local decision-makers on habitat issues and work with the state and federal agencies, councils and non-governmental organizations to build in existing efforts to develop a coast-wide GIS of habitat resources to identify important fish habitat for commission-managed species as defined in the ACFHP Species Habitat Matrix.

We will also revise the habitat sections of the FMPs as they are made to include recommendations to mitigate climate change

impacts on habitat and identify any inconsistencies in the state coastal regulatory planning programs and develop recommendations for improvements to the Policy Board. Are there any questions?

MR. ADLER: This is a very important one. Once again, this was on my "how" list. We don't have anything like the federal government has a central fish habitat which at certain times can actually come into play not against the fishing part; but when other projects or something try to get done, the Essential Fish Habitat Section kicks in and they can't do it, basically, or they can't get the permits. Do we have teeth like that? I mean, you come up with whatever you come up with in this thing and then what happens?

MS. KERNS: Bill, we don't have the same teeth as the federal law has for essential fish habitat; but as our Habitat Committee revises the habitat plans, like we have the one out for public comment in lobster, it does identify what – I think the language that we're using is critical habitat. It is either critical or they're saying essential fish habitat; I'm not a hundred percent sure.

We trying to provide it so that you can use that with your state agencies to say, okay, for this lobster you need these habitats. We can't say you cannot go there like the federal government can, but that is the hope that our plans are helping the states in that way.

MR. GOLDSBOROUGH: I can't resist the opportunity to follow up on Bill's comment – having spent a few years on the Habitat Committee – and remind folks that the teeth, quote/unquote, that we might have, that the Habitat Committee has long considered the Holy Grail, would be to have certain identified habitat measures be compliance measures in commission FMPs. The commission has never seen the wisdom in doing that; but just to respond to Bill, we might need to reconsider it if he really wants to push the matter.

EXECUTIVE DIRECTOR BEAL: You've got a new advocate, Bill; the two Bill's are teaming up. Are there any other comments on the

Habitat Section? Seeing none; I'll go through Goals 5 and 6 fairly quickly. Goal 5 is essentially a lot of the work that Tina does in the outreach arena. Fisheries Focus; we'll continue to publish that bimonthly.

Promote the website; use the new website, I think we got a lot of positive feedback on the new website, so we'll evaluate how well that is working; are folks using it; are they able to find everything that they're looking on the new website; attendance at tradeshows; developing metrics to evaluate how well we're doing with the outreach efforts that the commission has. Participating with the New England and the Mid-Atlantic Council Marine Resource Education Program; that is a council member and stakeholder education program that they have; and we highlight what ASMFC does.

We will put together our Annual Report to Congress, highlighting the progress that the commission has made in stock status for all our species. We're going to work to reinvigorate some of the advisory panels. Some of the membership has gotten a little stale; and, frankly, some groups haven't met for a while so we need to make sure those folks are still interested and still able to participate in our advisory panel processes.

Toward the end of Strategy 5.4 is social media. We're going to branch out into Facebook and Twitter and U-tube and Instagram. At least that is what folks tell me because I'm not sure what that means, but I think we're going to hire 16 year old to do all this stuff. I think those are new quicker ways to get the word out on what the commission is doing.

They're going to be new effective ways of highlighting what happens at these meetings and in between the meetings and highlighting public comment opportunities and other things that the commission does. That is hitting the highlights and we will continue to do all of our press releases and everything else as we've always done for these meetings. That is the outreach, Goal Number 5; any questions or comments or additional tasks we should include there?

REPRESENTATIVE MINER: Not that I'm an expert in any of those things that you just said; I have been – because of my involvement in the legislature, I have just become aware that there seems to be an inordinate amount of time dealing with that sort of effort because you get engaged in the response. If you put the information out on a website, people can make a comment, but you don't feel compelled to debate. I would just I guess offer that as hopefully a constructive comment that if it does become too time-consuming for someone, maybe to review it.

EXECUTIVE DIRECTOR BEAL: I think that is a fair caution. It is an area where the public can come back at you with questions and comments and feedback that may not be constructive and may not be the best use of someone's time, so we'll have to evaluate that. Tina can work on that and decide – if we are getting sort of inundated with debates that aren't productive, Tina, I'm sure, will let us all know and we'll figure out what to do with those folks.

Are there other comments for Goal 5 Outreach? Not seeing any; Goal 6 is essentially the Legislative Initiative for the commission. A lot of this is focused at the federal level. It is meetings with me and folks on Capitol Hill. It is creating opportunities for commissioners to go up on the Hill and meet the delegation in offices; highlighting the needs of ASMFC and the member states.

Obviously, seeking funding is one of the key things that we do up there through the Atlantic Coastal Act, Interjurisdictional Fisheries Act, and there are some others that have not been funded in a number of years that we may seek to get involved with; the Diadromous Species Act, Anadromous Act and those sorts of things.

We're going to keep working with the Pacific States Fisheries Commission and the Gulf States Fisheries Commission. I think putting the three commissions together and going up to Capitol Hill and engaging the National Marine Fisheries Service as a group of coastal states from around the country I think has been a very effective way to highlight the needs and wants of the

commission or all three commissions, actually. We will continue to do that.

We will continue to create opportunities for commission members around this table to meet with folks on Capitol Hill when you're in Alexandria at the winter and spring meeting. The summer meeting is pretty much recess time so there is not a lot going on in Capitol Hill, so that is probably not the most productive time.

One of the things that we've spent a lot of time on is justifying that ASMFC and the member states are a very efficient use of federal dollars. I think the total Atlantic Coastal Act funding of 7.5 or 7-1/4 million dollars goes a long way for what you folks do with that, so we convey that message and tell that story every chance we get up on the Capitol Hill. It seems to be pretty well received.

In here is coordinating with NOAA Fisheries on issues of mutual concern on Capitol Hill as well. I think if all the fishery managers all push in the same direction and highlight the importance of fisheries management, it helps everybody. The other main portion of Goal 6 is tracking federal legislation and engaging in that.

The Magnuson-Stevens Act is up for reauthorization right now. We've heard the first draft of that may actually come out from the Senate side this week or next week, so there might be something to chew on there. We will continue to engage on that. Once there is draft language out, we'll engage the commissioners and see what your feedback is on the direction of that document and what the ASMFC position should be on the issues included there.

We will continue to serve on MAFAC and MARFIN and other groups that we serve on that are national level bodies that highlight fishery management needs. Strategy 6.5 is again highlighting the return on investment that is made by funding ASMFC and its member states. That is our federal legislative initiative. Are there any questions on Goal 6? Seeing none, the final goal, Goal 7, Laura.

MS. LAURA C. LEACH: Goal 7 is our fiscal and administrative goal of the strategic plan.

Most of the tasks are ongoing so I'm not going to go through them, but I will point out Task 7.1.7 is that we intend to pay off within the fiscal year the remaining balance on the floating portion of our office mortgage, which will have us in very good shape for the next seven years to pay off the loan within the ten years that we had originally set out, and then we will be free and clear and own that office space outright.

The other one I want to point out is 7.5, that is kind of our legal strategy where we're working on the FOIA potentially and see if we need to develop one of those as well as 501(c)3 and strengthening the commission's conflict of interest policy. Other than that, it is pretty much ongoing. Are there any questions? Great; thank you.

EXECUTIVE DIRECTOR BEAL: That's it for the action plan. I guess the hardest question always is, is there anything we missed in this? I think it is fairly comprehensive and a fair amount of work. The commission always has some flexibility within the year to adjust priorities as issues arise. Is there anything else on the action plan? Seeing none, Paul, I guess the question before the body is does the group approve the 2014 action plan?

I guess it would be conditional approval because it is linked to the strategic plan and you folks may change the wording of the strategic plan somewhat through the final approval at the February meeting and we'd reflect those changes in this document.

CHAIRMAN DIODATI: **I don't think we need a motion, Pat; but if there is no objection, I will consider the action plan conditionally approved.** Is there any objection to that? You're all good with that? I want to thank Bob and the senior staff for those presentations. We've somehow made up a lot of time and we're exactly at 2:45 where we're supposed to adjourn. Is there any other business? I guess if most of the commissioners are available here or in other meetings that are about to get out, I guess Laura would like to have us gather somewhere to do our annual picture. Without objection, I'll consider this meeting adjourned.

(Whereupon, the meeting was adjourned at 2:45 o'clock p.m., October 28, 2013.)

OCTOBER 30, 2013

The Business Session of the Atlantic States Marine Fisheries Commission convened in the Lanier Ballroom of The King and Prince Beach & Golf Resort, St. Simons Island, Georgia, October 29, 2013, and was called to order at 6:00 o'clock p.m. by Chairman Paul Diodati.

ELECTION OF CHAIR AND VICE-CHAIR

CHAIRMAN DIODATI: We are going to immediately begin the business session. I'm going to do that by turning over to Bob, who is going to conduct I think the one piece of business that the business session has, which is election of officers.

EXECUTIVE DIRECTOR BEAL: I will call on Mr. Travelstead for a report from the Nominations Committee.

MR. JACK TRAVELSTEAD: Mr. Chairman, over the last several weeks the Nominating Committee, consisting of Mr. Dennis Abbott and Dr. Malcolm Rhodes and myself, made contact with I believe all of the commissioners from the various states to determine interest in serving either as chair or vice-chair. **We have completed that process and are prepared to nominate Dr. Louis Daniel for commission chair.**

EXECUTIVE DIRECTOR BEAL: Since it is from a nomination committee, it does not need a second. **All those in favor of Louis Daniel becoming the next chairman of the Atlantic States Marine Fisheries Commission please raise your right hand; votes in opposition like sign; abstentions; null votes. Seeing none, Louis, you stand elected as chair unanimously.** Congratulations. (Applause)

DR. DANIEL: Thank you and I will do my best, I promise you that. I want to take this opportunity to thank Paul. He has been an awesome chairman and mentor through this and

has involved me every step of the way. He has gotten these commissioners more involved in various aspects of the roles. Paul did a yeoman's job as the chairman and I personally just want to tell you thank you, and you're leaving some big shoes to fill. (Applause)

EXECUTIVE DIRECTOR BEAL: Paul, before I go back to Mr. Travelstead for the nominations for vice-chair, I want to present a small token of the appreciation of all the commissioners and the staff for the last two years. It is a clock to thank you for the last two years and hopefully you can share some good memories and watch the next two years go by and keep an eye on Louis.

CHAIRMAN DIODATI: Well, thanks, and, Louis, I think you're going to have an easy time of it because you've got great people to work with. I encourage everyone to take part in the leadership of the commission if you have that opportunity. It is really rewarding. I'm involved in many fisheries' groups throughout the region and this is the preeminent group. There is no question about it. I think we've got to get together with the Pacific Commission and the Gulf and the Great Lakes and become even stronger in the future. Thank you, everybody, it has been a pleasure. (Applause)

EXECUTIVE DIRECTOR BEAL: Mr. Travelstead.

MR. TRAVELSTEAD: **For the position of vice-chair we nominate Mr. Doug Grout.**

EXECUTIVE DIRECTOR BEAL: Again, since it is from a committee, it does not need a second. All those in favor of Doug Grout becoming the commission's next vice-chair please raise your right hand; like sign in opposition; any abstentions or null votes. **Seeing none; Doug Grout stands elected unanimously as the next vice-chair of the Atlantic States Marine Fisheries Commission.** (Applause)

MR. GROUT: I thank you for your confidence and I hope to follow in the tall shoes that Louis Daniel will set up for us.

ADJOURNMENT

EXECUTIVE DIRECTOR BEAL: I think that's it. Louis, as the chair is there anything else to come before the business session this afternoon.

DR. DANIEL: No. (Laughter)

EXECUTIVE DIRECTOR BEAL: You're already doing a very good job.

(Whereupon, the meeting was adjourned at 6:05 o'clock p.m., October 30, 2013.)

ATLANTIC STATES MARINE FISHERIES COMMISSION

Draft Five-Year Strategic Plan for Public Comment 2014-2018



*The nation behaves well if it treats the natural resources
as assets which it must turn over to the next generation
increased and not impaired in value.*

Theodore Roosevelt

Introduction

Each state has a fundamental responsibility to safeguard the public trust with respect to its natural resources. Fishery managers are faced with many challenges in carrying out that responsibility. Living marine resources inhabit ecosystems that cross state and federal jurisdictions. Thus, no state, by itself, can effectively protect the interests of its citizens. Each state must work with its sister states and the federal government to conserve and manage natural resources.

Beginning in the late 1930s, the 15 Atlantic coastal states from Maine to Florida took steps to develop cooperative mechanisms to define and achieve their mutual interests in coastal fisheries. The most notable of these was their commitment to form the Atlantic States Marine Fisheries Commission (Commission) in 1942, and to work together through the Commission to promote the conservation and management of shared marine fishery resources. Over the years, the Commission has remained an effective forum for fishery managers to pursue concerted management actions. Through the Commission, states cooperate in a broad range of programs including interstate fisheries management, fisheries science, habitat conservation, and law enforcement.

Congress has long recognized the critical role of the states and the need to support their mutual efforts. Most notably, it enacted the Atlantic Coastal Fisheries Cooperative Management Act (Atlantic Coastal Act) in 1993, which built on the success of the Atlantic Striped Bass Conservation Act of 1984. Acknowledging that no single governmental entity has exclusive management authority for Atlantic coastal fishery resources, the Atlantic Coastal Act recognizes the states' responsibility for cooperative fisheries management through the Commission. The Atlantic Coastal Act charges all Atlantic states with implementing coastal fishery management plans that will safeguard the future of Atlantic coastal fisheries in the interest of both fishermen and the nation.

Accepting these challenges and maintaining their mutual commitment to success, the Atlantic coastal states have adopted this five-year Strategic Plan for the Commission. The states recognize circumstances today make the work of the Commission more important than ever before. The Strategic Plan articulates the mission, vision, values, goals, and strategies needed to accomplish the Commission's mission.

Mission

The Commission's mission, as stated in its 1942 Compact, is:

To promote the better utilization of the fisheries, marine, shell and anadromous, of the Atlantic seaboard by the development of a joint program for the promotion and protection of such fisheries, and by the prevention of physical waste of the fisheries from any cause.

The mission grounds the Commission in history. It reminds everyone of the Commission's sense of purpose that has been in place for over 70 years. The constantly changing physical, political, social, and economic environments led the Commission to restate the mission in more modern terms:

To promote cooperative management of marine, shell and diadromous fisheries of the Atlantic coast of the United States by the protection and enhancement of such fisheries, and by the avoidance of physical waste of the fisheries from any cause.

The mission and nature of the Commission as a mutual interstate body incorporate several guiding principles. They include:

- States are sovereign entities, each having its own laws and responsibilities for managing fishery resources within its jurisdiction
- States serve the broad public interest and represent the common good
- Multi-state resource management is complex and dependent upon cooperative efforts by all states involved
- The Commission provides a critical sounding board on issues requiring cross-jurisdictional action, coordinating cooperation, and collaboration among the states and federal government

Vision

The long-term vision of the Commission is:

Sustainably managing Atlantic coastal fisheries

Values

The Commission and its member states have adopted the following values to guide its operations and activities. These values affirm the Commission's commitment to sustainable fisheries management for the benefit of recreational and commercial fishermen and coastal communities. They also acknowledge the growing importance of managing fisheries in a more holistic and adaptive way, seeking solutions to cross cutting resource issues that lead to long-term ecological and socio-economic sustainability.

- Effective stewardship of marine resources through strong partnerships
- Decisions based on sound science
- Long-term ecological sustainability
- Transparency and accountability in all actions
- Timely response to new information through adaptive management
- Balancing resource conservation with the economic success of coastal communities
- Efficient use of time and fiscal resources
- Work cooperatively with honesty, integrity, and fairness

Driving Forces

The Commission and its actions are influenced by a multitude of factors. These factors are constantly evolving and will most likely change over the time period of this Strategic Plan. However, the most pressing factors affecting the Commission today are increased pressure on fishery resources, elevated stakeholder scrutiny of the science supporting management decisions, a shifting legislative climate, shrinking state and federal budgets, a growing demand to address ecosystem functions, shifts in populations and habitats due to climate change, and the potential listing of coastal species as threatened and endangered under the Endangered Species Act. The Strategic Plan, through its goals and broad strategies, will seek to address each of these issues over the next five years.

Pressure on Fishery Resources and Industry

Fishery resources are impacted by a range of sources from fishing related events (harvest and discards) to non-fishery related factors such as trophic interactions, habitat quality and availability, invasive species, and climate change. The Commission, through the authority of the states' marine fishery agencies, can significantly affect fishery-related mortality (through harvest limits and input/output controls), but has little or no control over the non-fishery related factors. Partnerships, research, education, and advocacy will continue to play an important role in enabling the Commission and the states in addressing non-fishery related impacts.

The fishing industry also faces a variety of pressures, including global, national, and local market forces. Essential waterfront infrastructure is being lost to or dramatically changed by more profitable coastal development. Fishermen face increasingly stringent regulations that at times shift fishing effort, create inefficiencies, and restrict fishing opportunities. Resource allocation among the states and between various user groups will continue to be an important issue over the next five years.

Science-based Management

There is a tendency for the public and stakeholders to question the science supporting fisheries management decisions, due in part to a perceived disconnect between fishermen's on-the-water observations and stock assessment results. In some cases, this has resulted in stakeholders developing separate research initiatives or hiring their own fisheries consultants to develop alternative data sets, analyses, and stock assessments, often resulting in conflicting information available to managers. The Commission remains committed to management decisions based on

sound science. This includes collaborating with stakeholders to conduct cooperative research, and seeking stakeholder input during the stock assessment process. It also includes an obligation to clearly communicate stock assessment results and advance the public's understanding of fisheries biology and stock assessment concepts through outreach tools.

Legislation

Over the next five years, there are several items on the legislative front that the Commission will need to track closely, including reauthorization of the Atlantic Coastal Act, the Magnuson-Stevens Fishery Conservation and Management Act, the Interjurisdictional Fisheries Act, the Atlantic Striped Bass Conservation Act, and the Anadromous Fish Conservation Act – all of which have expired. Each of these laws has a tremendous impact on the states' fisheries programs, greatly influencing Commission/federal alignment in carrying out our shared stewardship responsibilities. The Commission is dedicated to advancing the states' interests to Congress as it reauthorizes these Acts or takes action on any other legislation that may affect the Commission's operations.

Federal, State, and Commission Resources

Federal funding continues to be restricted by the Budget Control Act of 2011, which includes spending caps on yearly appropriations bills as well as automatic, across-the-board spending cuts, commonly known as "sequestration". Beginning in 2013, nearly every stream of federal fisheries funding decreased by approximately ten percent, including grants that go directly to the states and funding for data collection, as well as the day-to-day operations of the Commission.

The states have also been severely impacted by reduced budgets over the past several years, resulting in an overall reduction in workforce and an associated reduction in fisheries management and research activities. This dire funding environment has led to a situation where current federal and state resources for fisheries science and management are insufficient to meet our collective responsibilities and mandates. Federal and state government resources will continue to be stretched as complex requirements are added without adequate complementary funding. Given these financial realities, the states and their federal partners must maintain and strengthen their partnerships, providing for efficient and effective fisheries management across all agencies. No one state or federal agency has the resources or authority to do it alone.

Ecosystem Functions

Nationally, there has been a growing demand for fisheries managers to address broader ecosystem functions such as predator/prey interactions and environmental factors into their fisheries management planning. The challenge in meeting this demand is its rigorous data requirements. The lack of resources to collect and manage these additional data sets has hindered the Commission in implementing ecosystem-based management. A majority of the Commission's species are managed and assessed on a single species basis incorporating ecosystem services information where available. The Commission remains committed to seeking ecological sustainability over the long-term through continuing its work on multispecies assessment modeling and the development of ecosystem-based reference points in its fisheries management planning process.

Ocean Planning

Marine spatial planning has become an increasingly popular method of balancing the growing demands on valuable ocean resources. More specifically, the competing interests of commercial and recreational fishing, renewable energy development, aquaculture, marine transportation, offshore oil exploration and drilling, military needs, habitat restoration, and weather forecasting are all components that must be integrated into successful ocean use policies. The Commission has always emphasized cooperative management with our federal partners; however, the states' authorities in their marine jurisdictions must be preserved and respected. The Commission will continue to prioritize the successful operation of its fisheries, but it will be imperative to work closely with federal, state, and local governments on emerging ocean use conflicts as they diversify into the future.

Climate Change

Climate change and warming water temperatures will play an important role in the health and availability of coastal fishery resources for years to come. Potential impacts include prey and habitat availability, water quality, susceptibility to disease, and spawning and reproductive potential. The Commission is exploring the relationship between climate change and warming coastal water temperatures, and possible shifts in the geographic distributions of several key Northeast, Mid-Atlantic, and South Atlantic stocks. Where shifts are occurring, the Commission may reconsider state-by-state allocation schemes and the need for adjustments to our fishery management plans.

Protected Species

Like coastal fishery resources, protected species, such as marine mammals, sea turtles, and listed and candidate fish species, traverse both state and federal waters. The protections afforded these species under the Marine Mammal Protection Act and Endangered Species Act can play a significant role in the management and prosecution of Atlantic coastal fisheries. The Commission and the states have a long history of working closely with our federal partners to minimize interactions with and bycatch of marine mammals and sea turtles by state water fisheries. The recent listing of Atlantic sturgeon under the Endangered Species Act and the potential listing American eel add a whole new level of complexity in the ability of the Commission and its member states to carry out their stewardship responsibilities for these important diadromous species. These species spend the majority of their lives in state waters and depend on estuarine and riverine habitat for their survival. Listing has the potential to jeopardize the states' ability to effectively monitor and assess stock condition, as well as impact fisheries that may encounter listed species. It is incumbent upon the Commission and its federal partners to work jointly to assess stock health, identify threats, and implement effective rebuilding programs for listed and candidate species.

GOALS & STRATEGIES

The Commission will pursue the following seven goals and their related strategies during the five-year planning period, from 2014 through 2018. It will pursue these goals through specific objectives, targets, and milestones outlined in an annual Action Plan, which is adopted each year at the Commission's Annual Meeting to guide the subsequent year's activities. Throughout the year, the Commission and its staff will monitor progress in meeting the Commission's goals, and evaluate the effectiveness of the strategies. While committed to the strategies included in this plan, the Commission is ready to adopt additional strategies to take advantage of new opportunities and address emerging issues as they arise.

Goal 1 - Rebuild, maintain, fairly (equitably) allocate, and promote Atlantic coastal fisheries

Goal 1 focuses on the responsibility of the states to conserve and manage Atlantic coastal fishery resources for sustainable use. Commission members will advocate decisions to achieve the long-term benefits of conservation, while balancing the socio-economic interests and needs of coastal communities. Inherent in this is the recognition that healthy and vibrant resources often means more opportunities for stakeholders. The states are committed to proactive management, with a focus on integrating ecosystem services, socio-economic impacts, habitat issues, bycatch and discard reduction measures, and protected species interactions into well defined fishery management plans. Fishery management plans will also address fair (equitable) allocation of fishery resources among the states. Understanding global climate change and its impact on fishery productivity and distribution is an elevated priority. Improving cooperation and coordination with federal partners and stakeholders can streamline efficiency, transparency, and, ultimately, success. In the next five years, the Commission is committed to ending overfishing and working to rebuild overfished or depleted Atlantic coast fish stocks, while promoting sustainable harvest of and access to rebuilt fisheries.

Strategies to Achieve Goal

- a. Manage interstate resources that provide for productive, sustainable fisheries using sound science
- b. Strengthen state and federal partnerships to improve comprehensive management of shared fishery resources
- c. Adapt management to address emerging issues
- d. Practice efficient, transparent, and accountable management processes
- e. Evaluate progress towards rebuilding fisheries
- f. Strengthen interactions and input among stakeholders, technical, advisory, and management groups

Goal 2 – Provide the scientific foundation for and conduct stock assessments to support informed management actions

Sustainable management of fisheries relies on accurate and timely scientific advice. The Commission strives to produce sound, actionable science through a technically rigorous, independently peer-reviewed stock assessment process. Assessments are developed using a broad suite of fishery-independent surveys and fishery-dependent monitoring, as well as research products developed by a vast network of fisheries scientists at state, federal, and academic institutions along the coast. The goal encompasses the development of new, innovative scientific research and methodology, and the enhancement of the states' stock assessment capabilities. It provides for the administration, coordination, and expansion of collaborative research and data collection programs. Achieving the goal will ensure sound science is available to serve as the foundation for the Commission's evaluation of stock status and adaptive management actions.

Strategies to Achieve Goal

- a. Conduct stock assessments based on comprehensive data sources and rigorous technical analysis
- b. Proactively address research priorities through cooperative state and regional data collection programs and collaborative research projects
- c. Facilitate stakeholder involvement in research initiatives and the stock assessment process
- d. Promote data collection and research to support ecosystem-based management
- e. Provide stock assessment training to improve the expertise and involvement of state and staff scientists

Goal 3 – Promote compliance with fishery management plans to ensure sustainable use of Atlantic coast fisheries

Fisheries managers, law enforcement personnel, and stakeholders have a shared responsibility to promote compliance with fisheries management measures. Activities under the goal seek to increase and improve compliance with fishery management plans. This requires the successful coordination of both management and enforcement activities among state and federal agencies. Commission members recognize that adequate and consistent enforcement of fisheries rules is required to keep pace with increasingly complex management activity and emerging technologies. Achieving the goal will improve the effectiveness of the Commission's fishery management plans.

Strategies to Achieve Goal

- a. Develop practical compliance requirements that foster stakeholder buy-in
- b. Evaluate the enforceability of management measures and the effectiveness of law enforcement programs
- c. Promote coordination and expand existing partnerships with state and federal natural resource law enforcement agencies
- d. Enhance stakeholder awareness of management measures through education and outreach

- e. Use emerging communication platforms to deliver real time information regarding regulations and the outcomes of law enforcement investigations

Goal 4 – Protect and enhance fish habitat and ecosystem health through partnerships and education

Goal 4 aims to conserve and improve coastal, marine, and riverine habitat to enhance the benefits of sustainable Atlantic coastal fisheries and resilient coastal communities in the face of changing ecosystems. Habitat loss and degradation have been identified as significant factors affecting the long-term sustainability and productivity of our nation’s fisheries. The Commission’s Habitat Program develops objectives, sets priorities, and produces tools to guide fisheries habitat conservation efforts directed towards ecosystem-based management.

The challenge for the Commission and its state members is maintaining fish habitat under limited regulatory authority for habitat protection or enhancement. Therefore, the Commission will work cooperatively with state, federal, and stakeholder partnerships to achieve this goal. The Commission and its Habitat Program endorses the National Fish Habitat Partnership, and will continue to work cooperatively with the program to improve aquatic habitat along the Atlantic coast. Since 2008, the Commission has invested considerable resources, as both a partner and administrative home, to the Atlantic Coastal Fish Habitat Partnership, a coastwide collaborative effort to accelerate the conservation and restoration of habitat for native Atlantic coastal, estuarine-dependent, and diadromous fishes.

Strategies to Achieve Goal

- a. Identify critical habitat through fisheries management programs and partnerships
- b. Educate Commissioners, stakeholders, and the general public about the importance of habitat to healthy fisheries and ecosystems
- c. Engage local, state, and regional governments in mutually beneficial habitat protection and enhancement programs through partnerships
- d. Foster partnerships with management agencies, researchers, and habitat stakeholders to leverage regulatory, political, and financial support
- e. Identify mechanisms to evaluate ecosystem health
- f. Engage in state and federal agency efforts to ensure climate change response strategies are included in habitat conservation efforts

Goal 5 – Strengthen stakeholder and public support for the Commission

Stakeholder and public acceptance of Commission decisions are critical to our ultimate success. For the Commission to be effective, these groups must have a clear understanding of our mission, vision, and decision-making processes. The goal seeks to do so through expanded outreach and education efforts about Commission programs, decision-making processes, and its management successes and challenges. It aims to engage stakeholders in the process of fisheries management, and promote the activities and accomplishments of the Commission. Achieving the goal will increase stakeholder participation, understanding, and acceptance of Commission activities.

Strategies to Achieve Goal

- a. Increase public understanding and support of activities through expanded outreach at the local, state, and federal levels
- b. Clearly define Commission processes to facilitate stakeholder participation, as well as transparency and accountability
- c. Strengthen national, regional, and local media relations to increase coverage of Commission actions
- d. Use new technologies and communication platforms to more fully engage the broader public in the Commission's activities and actions

Goal 6 – Advance Commission and member states' priorities through a proactive legislative policy agenda

Although states are positioned to achieve many of the national goals for marine fisheries through cooperative efforts, state fisheries interests are often underrepresented at the national level. This is due, in part, to the fact that policy formulation is often disconnected from the processes that provide the support, organization, and resources necessary to implement the policies. The capabilities and input of the states are an important aspect of developing national fisheries policy, and the goal seeks to increase the states' role in national policy formulation. Additionally, the goal emphasizes the importance of achieving management goals consistent with productive commercial and recreational fisheries and healthy ecosystems.

The Commission recognizes the need to work with Congress in all phases of policy formulation. Several important fishery-related laws will be reauthorized over the next couple of years (i.e., Atlantic Coastal Act, Magnuson-Stevens Fishery Conservation and Management Act, Interjurisdictional Fisheries Act, Atlantic Striped Bass Conservation Act, and Anadromous Fish Conservation Act). The Commission will be vigilant in advancing the states' interests to Congress as these laws are reauthorized and other fishery-related pieces of legislation are considered.

Strategies to Achieve Goal

- a. Increase the Commission's profile and support in the U.S. Congress by developing relationships between Members and their staff and Commissioners, the Executive Director, and Commission staff
- b. Maintain or increase long term funding for Commission programs through the federal appropriations process and other available sources.
- c. Engage Congress on fishery-related legislation affecting the Atlantic coast
- d. Promote member states' collective interests at the regional and national levels
- e. Promote economic benefits of the Commission's actions (return on investment)

Goal 7 – Ensure the fiscal stability & efficient administration of the Commission

Goal 7 will ensure that the business affairs of the Commission are managed effectively and efficiently, including workload balancing through the development of annual action plans to support the Commission's management process. It also highlights the need for the Commission

to efficiently manage its resources. The goal promotes the efficient use of legal advice to proactively review policies and react to litigation as necessary. It also promotes human resource policies that attract talented and committed individuals to conduct the work of the Commission. The goal highlights the need for the Commission as an organization to continually expand its skill set through training and educational opportunities. It calls for Commissioners and Commission staff to maintain and increase the institutional knowledge of the Commission through periods of transition. Achieving this goal will build core strengths, enabling the Commission to respond to increasingly difficult and complex fisheries management issues.

Strategies to Achieve Goal

- a. Conservatively manage the Commission's operations and budgets to ensure fiscal stability
- b. Utilize new information technology to improve meeting and workload efficiencies, and enhance communications
- c. Refine strategies to recruit professional staff, and enhance growth and learning opportunities for Commission and state personnel
- d. Fully engage new Commissioners in the Commission process and document institutional knowledge.
- e. Utilize legal advice on new management strategies and policies, and respond to litigation as necessary.



Atlantic States Marine Fisheries Commission

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Dr. Louis B. Daniel, III, (NC), Chair

Douglas E. Grout (NH), Vice-Chair

Robert E. Beal, Executive Director

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

To: All ASMFC Commissioners, and Proxies, and Staff
From: Deke Tompkins
Subject: Summary of Public Comments on the 2014 – 2018 Draft Strategic Plan
Date: January 16, 2014

The following pages represent a summary of all public comments received by the Commission as of January 10, 2014 (deadline for comments) on the 2014 – 2018 Draft Strategic Plan.

A total of 4,578 comments were received through state public input meetings (three), stakeholder group comments (six), individual comments (five), and form emails as a result of a PEW Charitable Trust Action Alert (4,564).

State Public Input Meetings

New Jersey

January 9, 2014, Galloway Twp, New Jersey
Approximately 25 Attendees

Meeting Staff: Brandon Muffley (NJ DFW), Russ Allen (NJ DFW), Thomas Baum (NJ DFW), Adam Nowalsky (ASMFC Legislative Proxy), NJ Marine Fisheries Council

Public Hearing Commenters: Jeff Reichle (Lund's Seafood), Bob Rush (Marine Fisheries Council and member of United Boatmen)

Only two participants offered comments regarding the ASMFC Strategic Plan. Although both commenters agreed that New Jersey Commissioners do a good job, they complained that there is not enough allowance for public involvement throughout the ASMFC process. There is a need to put more emphasis within the Strategic Plan to show ASMFC's commitment to the public and their managed fisheries. One commenter believed that ASMFC oversees the worst management process he has ever seen and one commented that ASMFC does not allow enough time for individual comment at any of their meetings.

Rhode Island

December 2, 2013, Narragansett, Rhode Island

The only comment offered was from an individual, George Allen (Chairman, Legislative Committee, Rhode Island Saltwater Angler's Association). The recommendations focused on two points:

1. Base rebuilding plans on monitoring and controlling fishing levels, rather than on requiring that fish populations recover to a pre-specified target size within a certain time frame.
2. Take earlier action to avoid overfishing – imposing gradual limits when fishing fish populations start to drop rather than waiting until they are overfished.

George Allen's complete comments can be found at the end of this document.

New Hampshire

December 3, 2013, Portsmouth, New Hampshire
No comments were received.

Stakeholder Group Comments

We received six comments from stakeholder groups - Northumberland Association for Progressive Stewardship, Maine Elver Fishermen Association, Alewife Harvesters of Maine, and Stripers Forever.

12/13/2013 William Estell, President, Northumberland Association for Progressive Stewardship (NAPS), 804-580-6609

Summary: The Public Comments contained multiple edits to the Vision, Values, and Goals 1 – 4. Some of the recommendations were substantive and some just minor edits. The changes were tracked and a rationale is included for each. The full comments from NAPS are attached. NAPS' complete comments can be found at the end of this document.

12/26/2013 Robert Weagly, President, New York Croaker Association

Full comment: “YOU DON’T KNOW HOW TO REGULATE OR MANAGE, THE PROBLEM IS THAT YOU DON’T KNOW THAT YOU DON’T KNOW HOW TO REGULATE OR MANAGE.”

12/27/2013 Darrell Young, Founder, Maine Elver Fishermen Association

Full comment: As the ASMFC moves it’s focus to River Directed Fisheries that have no ocean interception, and is done in State’s rivers and streams, such as, species American Eel and River Herring, it’s obvious that ASMFC doesn’t have the tools to deal with the problems that this fishery has. The 800lb. gorilla, hydro facilities and dams, which are the biggest threat to this fishery. I would ask that ASMFC start working with FERC (Federal Energy Regulatory Commission), instead of the default position of just removing fishermen and limiting there catch, which doesn’t address the real problems of habitat loss, passage and outward migration.

12/28/2013 Jeffrey Pierce, Executive Director/Founder, Alewife Harvesters of Maine

Full comment: The ASMFC is currently working in the area of River Directed Fisheries, (River Herring, American Eel and Atlantic Salmon). The Alewife Harvesters of Maine feels that ASMFC should look into bringing FERC, (Federal Energy Regulatory Commission), to the table. This would be of value in dealing with Hydro Facilities. The biggest problem to habitat restoration and passage to spawning grounds and outward migration of the river directed species. FERC , USFWS can use FERC form L-3 Article 15 to get passage of outward migration without opening Hydro Licenses. This would be a valuable tool in restoration work.

1/9/2014 Ken Hastings, Stripers Forever Policy Coordinator, (301) 884-4872

Summary: Stripers Forever feels that the Draft Plan does not adequately address traditional issues with ASMFC fisheries management policies. Stripers Forever’s complete comments can be found at the end of this document.

1/10/2014 The Nature Conservancy, Sally McGee, Northeast Marine Program Director, smcgee@tnc.org

The Nature Conservancy had specific recommendations to improve the Vision, Values, Driving Forces, and Goals 1, 4, and 6. The Nature Conservancy's complete comments can be found at the end of this document.

Individual Comments

12/15/2013 Tim Hergenrader, timraderart@yahoo.com

Please accept the following as my input into the Draft Strategic Plan. My name is Tim Hergenrader. I am a recreational fisherman living in North Carolina. As you know, we here in North Carolina have been battling with our fisheries managers to control by catch of important inland and salt water species, namely the grey trout, croaker and spot. Although there are other species that deserve attention, these three are the focus because of their importance to all fishermen, commercial as well as recreational.

In the past couple of years a lot of information has surfaced regarding shrimp trawling by catch. For years this information was kept secret from North Carolinians, but the ASMFC as well. I believe this was intentional on the part of the shrimp industry and their surrogates at the Division of Marine Fisheries, led by the Director Dr. Louis Daniel, who unfortunately is now the head of the ASMFC.

I will not list the figures for the tremendous loss of fisheries resources, and especially the grey trout, to shrimp trawlers. These figures have been provided to you. North Carolina remains the only state on the East Coast that permits virtual unrestricted trawling in our most important estuary, the Pamlico Sound. Ladies and gentlemen, this carnage must cease and I realize the trawling issue is one that must be settled by us here in North Carolina. We cannot ask others to do our bidding.

However, now you have the figures on the shrimp by catch, you can make more accurate stock assessments of these fish populations. I implore you to do so and do your part to help in the recovery of the grey trout, but also the croaker and spot. Thank you.

12/20/2013 Tho Van Vo, Virginia Beach, 757.631.5554, Tho.V.Vo@ml.com

Just read the "Draft Five-Year Strategic Plan 2014-2018" thought it was overall pretty solid and comprehensive. As a former commercial fisherman in the OBX of NC, I agreed with most of the values and vision. However, I do believe the "sound science" debate could still be argued a little further. Which it should be due to the regulations that normally follow.

I would love to be a volunteer or be a voice for sustainability. I feel like I do qualify having been a commercial fisherman since I was 10 years old and throughout college life.

Keep up the great work, and please let me know how I can get involved. I want to help.

1/8/2014 Eric Swenson, Seattle, Washington

Tina received a call from Eric Swenson, a reporter based out of Seattle, Washington, who felt that there was a serious omission in the Strategic regarding the importance of ocean acidification and its impact to the health of the ocean and its resources. We may receive a written comment from him as well.

1/10/2014 Larry Penny, 3662 Noyac Road, Sag Harbor, New York, jpenny1@optonline.net

Larry is an ichthyologist and marine ecologist by training who taught fishery biology and marine ecology at Southampton College, Long Island University, and Ichthyology at UC Santa Barbara,

California. Subsequent to that work, he was the Natural Resources Director for the Town of East Hampton on the east end of Long Island for 28 years. Larry Penny's complete comments can be found at the end of this document.

1/9/2014 Chris McCaffity, freefish7@hotmail.com

I am Chris McCaffity, a commercial fisherman and advocate for the responsible harvest of healthy fisheries. The seven goals look good. A couple of other goals I would like the ASMFC to focus on are reducing Regulatory Discards and making full use of what is landed. I also ask the ASMFC to resist any push for implementing catch share schemes that have proven to harm independent fishermen in every fishery they "help". Thank you for considering my comments.

PEW Charitable Trust form emails

On January 8, 2014 we started receiving emails stemming from a PEW Charitable Trust Action Alert. In all, we received 4,564 emails by January 10, with more than a thousand a counting coming after the public comment period ended. The email expresses support for the Strategic Plan because it acknowledges ecosystem-based management (Driving Forces). The emails also stressed that the Commission should take a “precautionary approach” to management, protect forage species, and create an interstate Fishery Ecosystem Plan covering each major ecosystem under our jurisdiction. A complete copy of the text of the PEW Action Alert emails can be found at the end of this document.

The following 14 emails were meaningfully modified from the PEW form email:

1/8/2014 Elizabeth Tanner, Beacon, New York, jeffreypiercerra@roadrunner.com

Realistically, world-wide human overpopulation and intrusion into wildlands and waters are lead causes of our environmental depletion/decline and destruction. The decline and or extinction of a species or environment leads to the next and so on and so on; like a 'Domino Effect'. Stronger protections and laws for our environment and wildlife are crucial to preserve Earth's biodiversity and maintain healthy ecosystems.

1/8/2014 jean public, Flemington, New Jersey, jeanpublic1@yahoo.com

i dont believe you are protecting the public but ae instead a pimp for the commercial fishing industry. youy let them run rampant and overfish into fish extnction. shrimp are in that situation in maine now because of you. cod have vanished because of your negligent mgt.

1/8/2014 Robert Eames, Wilmington, North Carolina, xbarx1@ec.rr.com

I'd also like to see some actions taken directly at sport fishing. Fishing for sport is an adventure and time spent on the water a joy, but the intentional capture and slaughter of the Atlantic's largest fish, those that are in their prime for reproduction, should be banned. Catch and release should become the rule. And a law, if we really want to maintain as well as encourage healthy populations and the ocean environment. I realize the sport fishing communities would bitch up a storm, but they can either capture their catches on film and develop a phone app or device to record length and weight from the end of a fishing rod, or face a future with no fish. Breaking records is so over. Whales in general have made a comeback, it's time to take the pressure off sharks, swordfish, marlin, tuna, sailfish, grouper, and all other gamefish, and allow them to make a comeback as well. The imbalance needs to be corrected. Let's redirect the time and energy of sport fishermen towards other activities, like catch and release, counting populations, involvement with sea level temperature recording, and environmental efforts that support cleaner bays and inlets, rivers, and estuaries. I know that's a stretch, but if we don't there will be nothing left for future generations.

1/8/2014 Carole Tebay, Milton, Florida, tebay@bellsouth.net

I support the commission's draft five-year strategic plan of ecosystem based management of fisheries. In our area there is a proposal to spend \$19 million to raise sport fish hatchlings to put in a bay that has lost most of its grass beds. The hatchlings will be fed feeder fish which are already in short supply.

We need a better plan, a look at the whole system.

1/8/2014 Mike Martinsen, Montauk, New York, aliveatseaagain@aol.com

I'd also suggest a zero bycatch law for the entire fleet. If they catch it, they land it. If they get caught tossing it, they lose their permit.

1/8/2014 Susanne Koch, Audubon, New Jersey, lyceumsk@yahoo.com

I realize that the Sea / Ocean is in Crisis in the past 5 - 10 Years - Please note - Drag fishing is NOT the Answer.

1/8/2014 John Brauner, Charlottesville, Virginia, brauner@jc.edu

Ecosystems are complex, wonderful entities with great resilience. However, with today's technology, man has upset their balances. Ecosystems are not so complex that we can not understand them. Studies done should form the basis for our management decisions going forward.

1/9/2014 Shirley Hachey, Gastonia, North Carolina, sash0228@gmail.com

I am particularly worried about the endangered blue-fin tuna and believe these measures may help their population along the coast of North Carolina, my home state.

1/9/2014 Frank Adamick, 21-24 23rd Avenue, Astoria, NY 11105, 718.545.0855, frankadamick@rcn.com

The groundwork you establish will serve to amplify synergistic relations amongst all duly identified stakeholders. As we marshal our efforts to preserve and protect the precious bounty of our oceans your plan for oversight & direction shall organize harmoniously key elements including data collection and sharing; innovation in corrective measures for climate change mitigation & reversal; food-chain purity & consistency; etc. allowing all vested participants, i.e., from renewable energy developers/utilities to coastal military departments to educational, institutional, scientific investigators to maritime, commercial, enterprise interests to environmental conservationists, et.al. full-range perspective of the challenges & prospective solutions warranted genuinely for Atlantic ecosystems that work toward the Public Trust. I commend your adept competence and noble dedication to the critical task of securing the well-being of our Atlantic Ocean for posterity.

1/9/2014 Lawrence Rosin, New York, New York, lawrencerosin@yahoo.com

I suggest that you create management of ecosystems. The management of ecosystems will protect lives in the ecosystems from being worsened by other people. For example, the toxic chemicals dumped into the ocean could get the animals and plants that live there sick. Animals' and plants' lives could even be ended by other people. This will decrease if you create ecosystem management because people will be more afraid to cause problems to ecosystems, due to being punished.

1/9/2014 Cynthia Tracy, Canton, Massachusetts, fultura@yahoo.com

Please protect the Atlantic Ocean ecosystem by supporting a transition to ecosystem-based fisheries management and implementing your five-year strategic plan will serve as a blueprint for managing state ocean fisheries from 2014 to 2018. The new plan would improve your

approach by better accounting for the complexity of ocean ecosystems and more actively engaging the public in decision-making.

People all over the U.S. understand that your plan draft plan moves beyond the outdated model of managing each fish species individually. It lays the groundwork for what's known as ecosystem-based fisheries management, which takes into account the interactions among species, the importance of habitat, and the effects of climate change. The plan also guides state and interstate fishery managers to strengthen partnerships among decision makers, scientists, fishermen, and the public.

The draft is a great start. We hope you will also create a Fishery Ecosystem Plan covering each major ecosystem under its jurisdiction, with realistic, biologically-based goals such as forage fish population targets that protect your role as food for predators or species diversity levels that will protect the health and resiliency of the ecosystem.

Now is the time implement the draft strategic plan for Atlantic state fisheries and ecosystems. Thank you for your consideration.

1/9/2014 Georgeanne Spates, Southold, New York, gspates@mac.com

As a retired wildlife refuge manager, I am fully aware of and support the Commission's draft five-year strategic plan. Most importantly, it is an ecosystem-based fisheries management plan rather than the old species-by-species system. It takes into account habitat, water temperature and quality, the interactions between species particularly the prey-predator relationships, and significantly at this point in history the present and future effects of climate change.

Specifically, the ever-increasing pressure of human population growth on fish stocks and their ecosystems require an increased scientific addressing of the importance of protecting forage species as fundamental to the entire ocean food web. Attention to the diversity of fish populations, of course, is paramount. And, finally, it is so important to value the communication and information-sharing between different levels of government, scientists, fishermen and the general public.

On that note, I am pleased, as a member of the public, to see your encouragement of increased public participation by inclusion of our information, experience and opinion.

1/9/2014 Stanley Jones-Umberger, Washougal, Washington, StanleyJonesUmberger@yahoo.com

I do not support commercial fishing in any capacity.

1/9/2014 Ken Keneded, Mystic Connecticut, ken@kendeded.us

Two matters that do require immediate attention and intervention at the federal as well as the states level are prevention of the current habitat and fish stock devastation caused by corporate industrial fishing practices and global warming. If we hope to have oceanic fisheries as food resources in the future, we must act quickly to prevent factory fishing and oceanic acidification from completing the destruction of the sea floor and the remaining productive sea environment. If we fail at that, all the strategies human invention can create will be meaningless.

Comments on ASMFC's 2014-1016 Draft Strategic Plan

Submitted by:
George Allen
Chairman, Legislative Committee
Rhode Island Saltwater Angler's Association

December 2, 2013

A September 2013 article published by Seafoodnews.com outlined the results of a study by the National Research Council (NRC) which was requested by the U.S. Congress. The study found that federal efforts to rebuild depleted fish populations have been generally successful, but outcomes have been mixed across fisheries; fishing pressure is still too high for some fish stocks, and others have not rebounded as quickly as plans projected.

The Magnuson-Stevens Act, as federal law, requires that fishery managers implement plans that will rebuild the fish stocks, in most cases within ten years. These rebuilding plans usually require significant restrictions on fishing for the depleted species.

The report, *Evaluating the Effectiveness of Fish Stock Rebuilding Plans in the United States* (2013), reviews the technical specifications that underlie current federally implemented rebuilding plans, and the outcomes of those plans.

The report noted, "Much of the variation in performance reflects a mismatch between the current prescriptions for rebuilding within a limited time frame and the uncertainties in assessing and managing fisheries given data limitations and complex ecosystems where fishing is only one of many influences on fishing populations," noted the report.

"Because climate change and other ecological factors can drive changes in fish stocks, rebuilding fish populations within a certain time frame cannot be assured." That's a mouth full, but I think it says that managing fish stocks by fishing and natural mortality rates, to set quotas and recovery dates is not good enough. The uncertainties of the MRFSS and MRIP reporting systems, climate change, loss of habitat, poorly understood fish diseases, illegal harvesting, and other factors need to given more attention by fisheries managers.

The NRC identified strategies to accommodate these uncertainties:

(1) **Base rebuilding plans on monitoring and controlling fishing levels**, rather than on requiring that fish populations recover to a pre-specified target size within a certain time frame.

(2) **Taking earlier action to avoid overfishing** – imposing gradual limits when fishing fish populations start to drop rather than waiting until they are overfished. This strategy could help the fisheries avoid the stricter limits that come with rebuilding plans.

For example, this means that when striped bass spawning levels are repeatedly below long-term standards, and the adult spawning mass biomass is in a steady decline, managers should take a conservative approach with gradual reductions, rather than waiting until they are judged "overfished."

This would be a hard sell for some fishermen and fishery managers, but I think it's the way to go. Easier said than done.

The report also stated, "Fishery managers could use additional management strategies to reduce and accommodate environmental variability and uncertainties of rebuilding. Currently, when rebuilding is going slower than expected, fishery managers may impose ever stricter fishing limits in an effort to meet that deadline. Applying prompt, but gradual controls on fish harvesting as the size of the fish stocks falls below the Maximum Sustainable Yield, could lower the likelihood that the fish stock will become overfished, and stricter limits may not be needed."

The National Research Council (NRC) is the working arm of the United States National Academies, which produces reports that shape policies, inform public opinion, and advance the pursuit of science, engineering, and medicine. The National Academies include:

- National Academy of Sciences (NAS)
- National Academy of Engineering (NAE)
- Institute of Medicine (IOM)

Unlike the other three organizations of the National Academies, the National Research Council is not a membership organization. NRC volunteers are drawn from the councils of the National Academy of Sciences, the National Academy of Engineering, the Institute of Medicine as well as the wider scientific population. The members of its committees are chosen for their special competences and with regard for appropriate balance and serve pro-bono. All NRC reports go through an extensive external review facilitated by the NRC internal Report Review Committee.



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December 13, 2013

Deke Tompkins
Legislative Assistant
Atlantic States Marine Fisheries Commission
1050 North Highland Street, Suite 200A-N
Arlington, Virginia 22201
Fax: 703.842.0741
comments@asmfc.org (subject line: Strategic Plan)

Reference: The ASMFC Draft Five-Year Strategic Plan 2014-2018

Dear Mr. Tompkins:

Following are the NAPS comments to the reference strategic plan. You should be commended on an excellent document.

For your information, NAPS is an organization of over 170 members headquartered in Northumberland County. The organization includes scientists and watermen who are stakeholders and concerned about the husbandry of the fisheries of the Atlantic Ocean and the Chesapeake Bay.

The comments are presented for each Page with the recommended changes to the text shown using the Word "Track Changes" application. The rationale for the recommended changes is also included with each comment.

Page 3

Comment 1.

- The Commission provides a critical focal point on fishery issues requiring cross-jurisdictional action, coordination of activities, and collaboration and cooperation among the states and federal government

Deleted: sounding board

Deleted: coordinating

Deleted: cooperation

Rationale: To strengthen the role of the Commission and to clarify the language.

Comment 2.

Vision

The long-term vision of the Commission is modified as shown below:

Managing Atlantic coastal fisheries for use at a harvest rate no greater than that at which the stocks can be replaced naturally and therefore be sustainable.

Deleted: Sustainably

Deleted: m

Deleted:

Rationale: There are many definitions of “sustainably” or “sustainability” that range from a synonym for “green” to the Iroquois concepts of conserving for seven generations in the future. Each stakeholder may have their own version, and the fishery itself is a stakeholder. A frequently used definition for sustainable includes “all systems: environmental, economic, societal and personal need to be regenerative and balanced in order to last”. Some users of the term envision sustainability as a process destination that involves the development of all aspects of human life affecting sustenance. So for clarification the Vision statement incorporates a recommended definition of “sustainable”.

Alternatively, on the cover of the Plan is a statement that could be substituted for the vision statement:

The Commission will:

“Treat the natural resources as assets which it must turn over to the next generation increased and not impaired in value.”

Comment 3.

Values

The Commission and its member states have adopted the following values to guide its operations and activities. These values affirm the Commission’s commitment to sustainable fisheries management for the benefit of recreational and commercial fishermen, the ecosystem and coastal communities. They also acknowledge the growing importance of managing fisheries in a more holistic and adaptive way, seeking solutions to cross cutting resource issues that lead to ecological and socio-economic sustainability.

Deleted: long term

Rationale: In the first insert, it is important to consider the benefit to the ecosystem. It is implied throughout the Strategic Plan, but I believed it important to include it in this sentence as a reminder that the ecosystem is a stakeholder. I would delete the reference to “long term” in the last sentence because it implies that sustainability is a process as opposed to a goal.

Comment 4.

- Effective stewardship of marine resources
- Use consensus science and analysis by acknowledged credentialed academic and government experts as a basis for decision-making
- Ecological sustainability
- Transparency and accountability in all actions
- Use adaptive management to assure a timely response to new information
- Balancing resource sustainability with the economic success of coastal communities
- Efficient use of time and fiscal resources

- Deleted:** through
- Deleted:** strong partnerships
- Deleted:** Decisions based on sound science
- Deleted:** Long-term ecological
- Deleted:** Timely
- Deleted:** through adaptive management
- Deleted:** conservation
- Deleted:** <#>Work cooperatively with honesty, integrity, and fairness¶

Rationale: The phrase “through strong partnerships” is constraining and defines one of many paths.

The second bullet contains a definition of “sound science” which in itself does not really mean anything. It is a political phrase. Consensus science is more appropriate. If no consensus exists, then science cannot contribute. The item also qualifies the meaning of “expert” to eliminate the self-defined experts.

The third bullet is revised to delete “long term” since that implies a process rather than a goal. The fifth bullet is simply reversing the phrases to make it a normative statement like the others.

The sixth bullet replaces the word “conservation” with “sustainability” to clarify what is meant. The word “conservation” is subject to many interpretations and we have defined “sustainability” in the beginning of the Plan.

The last bullet is deleted since it implies there is a problem that needs to be addressed in the areas of honesty, integrity and fairness.

Page 4

Comment 1.

Driving Forces

The Commission and its actions are influenced by a multitude of factors that relate to and impact the changing ecology of the marine resources.

Rationale: Add a clarifying phrase as to the nature of the factors at the end of the first sentence.

Comment 2.

Pressure on Fishery Resources and Industry

Fishery resources are impacted by a range of sources from fishing related events (harvest and discards) to non-fishery related factors such as trophic interactions, habitat quality and availability, invasive species, and climate change. The Commission, through the authority of the states’ marine fishery agencies, can significantly affect fishery-related mortality (through harvest limits and input/output controls), but has little or no control over the non-fishery related factors. Partnerships,

research, education, and advocacy will continue to play an important role in enabling the Commission and the states in mitigating non-fishery related impacts

Deleted: addressing

Rationale: The word "addressing" does not imply any real action to resolve the impacts. "mitigating" is an action word that implies working to do something about the impacts referred to in the last sentence of the paragraph.

Comment 3.

Continuing with the next paragraph on Page 4:

The fishing industry also faces a variety of pressures, including global, national, and local market forces. Essential waterfront infrastructure is being lost to or dramatically changed by more profitable coastal development. Fishermen face increasingly stringent regulations unrelated to the fisheries that at times shift fishing effort, create inefficiencies, and restrict fishing opportunities. Resource allocation among the states and between various user groups based on relevant scientific data will continue to be an important issue over the next five years

Rationale: In the first comment it is a clarification that the regulations referred-to are non-fishery relates. In the comment re the last sentence it highlights the primary issue regarding resource allocation being data collection.

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Comment 4:

Science-based Management

There is a tendency for the public and stakeholders to question the science supporting fisheries management decisions, due in part to a perceived disconnect between fishermen's on-the-water observations and stock assessment results. In some cases, this has resulted in stakeholders developing separate research initiatives or hiring their own fisheries consultants to develop alternative data sets, analyses, and stock assessments, often resulting in conflicting information available to managers. The Commission remains committed to management decisions affecting fishing stock assessments based on consensus science. This includes collaborating with stakeholders to conduct cooperative research, and seeking stakeholder input during the stock assessment process. It also includes an obligation to clearly communicate stock assessment results and advance the public's understanding of fisheries biology and stock assessment concepts through outreach tools. The Commission will resist pressures to make fisheries decisions based on incomplete or inadequate data or political pressures not sustained by adequate data.

Deleted: sound

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Rationale: The first comments are just clarifications. The added sentence at the end addresses the "driving forces" to make decisions without adequate data.

Page 5.

Comment 1:

Legislation

Over the next five years, there are several items on the legislative front that the Commission will need to track closely, including reauthorization of the Atlantic Coastal Act, the Magnuson-Stevens Fishery Conservation and Management Act, the Interjurisdictional Fisheries Act, the Atlantic Striped Bass Conservation Act, and the Anadromous Fish Conservation Act ó all of which have expired. Each of these laws has a tremendous impact on the statesø fisheries programs, greatly influencing Commission/federal alignment in carrying out our shared stewardship responsibilities. The Commission is dedicated to advancing the **health and sustainability of the fisheries, considering** the statesø interests **as** Congress reauthorizes these Acts or takes action on any other legislation that may affect the Commissionø **responsibilities**.

Deleted: to

Deleted: as it

Deleted: operations

Rationale: The change puts the focus on the health and sustainability of the fisheries as the primary role of the Commission. The original sentence seemed to put the focus of the Commission on østatesø interestsö. The change in the last word is to recognize that the Commission has a broader set of interests than just øoperationsö.

Comment 2:

In the second paragraph under øFederal, State, and Commission Resourcesö the third sentence:

Federal and state government resources will continue to be stretched as complex requirements are **likely to be** added without adequate complementary funding.

Rationale: This minor addition recognizes that the ørequirementsö have not yet been defined.

Comment 3:

Ecosystem Functions

In order to provide sound fisheries management decisions, it is necessary to address broader ecosystem functions such as predator/prey interactions and environmental factors **such as water quality** into fisheries management. The challenge in meeting this demand is its rigorous data requirements. The lack of resources to collect and manage these additional data sets has hindered the Commission in implementing ecosystem-based management. A majority of the Commissionø species are managed and assessed on a single species basis incorporating ecosystem services information where available. The Commission remains committed to seeking ecological sustainability **through continuing its work on multispecies assessment modeling and the**

Deleted: Nationally, there has been a growing demand for fisheries managers to

Deleted: their

Deleted: planning

Deleted: over the long-term

development of ecosystem-based reference points in its fisheries management planning process.

Rationale: The first line is added to make the statement more positive and direct and to add the reference to water quality since that factor is a greater influence on fisheries stocks than other common parameters. The deletions in the fourth line are to broaden the statement. Fisheries management includes planning as one component; others include organization, control and communication. The deletion in the last sentence is to eliminate redundancy: "sustainability is by definition a long term".

Page 6.

Comment 1:

At the top of the page in the Ocean Planning paragraph, the last sentence:

The Commission will continue to prioritize **the actions necessary for** the successful operation of its fisheries, **and** it will be imperative to work closely with federal, state, and local governments on emerging ocean use conflicts as they **arise**.

Deleted: but

Deleted: diversify into the future.

Rationale: The phrase after "prioritize" is to identify the items that are to be put into priority order. The word "but" is replaced for clarity and the last phrase is reworded to broaden the context.

Comment 2:

Climate Change

Climate change **including acidification, shifting Atlantic currents** and warming water temperatures will play an important role in the health and availability of coastal fishery resources for years to come. Potential impacts include prey and habitat availability, water quality, susceptibility to disease, and spawning and reproductive potential. The Commission is exploring the relationship between climate change, **acidification** and warming coastal water temperatures, and possible shifts in the geographic distributions of several key Northeast, Mid-Atlantic, and South Atlantic stocks. Where **scientific data indicate** shifts are occurring, **and there is a scientific consensus**, the Commission may **modify** state-by-state allocation schemes and **make** adjustments to our fishery management plans **and allowances**.

Deleted: reconsider

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Deleted: the need for

Rationale: Clarifications to indicate the major components of climate change in addition to warming temperatures. The last sentence is modified to indicate the necessity to use scientific

data and consensus as a basis for decision making and that changes to plans and allowances may be the result.

Comment 3:

Modify the last sentence in the Protected Species paragraph as shown:

It is incumbent upon the Commission and its federal partners to develop special programs to assess stock health, identify threats, and implement effective rebuilding programs for listed and candidate species.

Deleted: to work jointly

Rationale: To show that the Commission and its federal partners are to take actions over and above other fisheries management efforts in order to protect species at risk.

GENERAL COMMENT: In response to the Public Comment Question on page 6, the listing of driving forces appears to be complete. The specific primary effort should be on scientific data collection so modeling can be improved, a sustainable ecosystem can be defined; and species stocks and their movements can be more accurately quantified as a basis for decision making.

Page 7.

Comment: Various editorial changes to the Goal 1 are recommended as shown:

Goal 1 - Rebuild, sustain, and fairly (equitably) allocate, Atlantic coastal fishery resources

Deleted: maintain

Deleted: and promote

Deleted: fisheries

Goal 1 focuses on the responsibility of the Commission and the states to conserve and manage Atlantic coastal fishery resources for sustainable use. Commission members will advocate decisions by the states to achieve the long term benefits of conservation and sustainability, which will benefit the socio-economic interests and needs of coastal communities. Inherent in this is the recognition that healthy and vibrant resources means more opportunities for stakeholders and beneficial socio-economic impacts. The states are committed to proactive management, with a focus on integrating ecosystem services, habitat issues, bycatch and discard reduction measures, and protected species interactions into well defined fishery management plans. Fishery management plans will also address fair (equitable) allocation of fishery resources among the states. Understanding global climate change impacts on fishery sustainability and distribution is important. Improving cooperation, coordination and transparency among state and federal partners and stakeholders will facilitate successful fishery management. In the next five years, the Commission is committed

Deleted: while balancing

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Deleted: streamline efficiency, transparency, and, ultimately

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to ending overfishing and working to rebuild overfished or depleted Atlantic coast fish stocks in order to achieve a sustainable harvest of and access to rebuilt fisheries.

Deleted: ,
Deleted: while promoting

Strategies to Achieve Goal

- a. Manage interstate resources that provide for productive, sustainable fisheries using scientific data;
- b. Strengthen state and federal partnerships to improve management of shared fishery resources
- c. Use adaptive management concepts to address extraordinary emerging issues;
- d. Practice efficient, transparent, and accountable management processes;
- e. Evaluate progress towards rebuilding fisheries using metrics based on scientific data and consensus;
- f. Strengthen interactions, communications and input to planning and decision-making among stakeholders, technical, advisory, and management groups

Deleted: sound science

Deleted: comprehensive

Deleted: Adapt

Deleted: interactions

Rationale:

The Title of the Goal is modified to stress sustainability per the Vision and to complete the statement. The word "promote" is deleted since that is a totally different function.

The recommended changes in the goal description and the Strategies are all related to clarifying the Goal and focusing it on sustainability of the fishery resources.

Page 8.

Comment: This Goal description contains minor edits and clarifications.

Goal 2 – Develop the scientific foundation for and conduct stock assessments to support management actions

Deleted: Provide

Deleted: informed

Management of sustainable fisheries relies on accurate and timely scientific data and advice. The Commission goal is to achieve a technically rigorous, independently peer-reviewed stock assessment process based on scientifically sound data. Assessments are developed using a broad suite of state fishery-independent surveys and fishery-dependent monitoring, as well as research products developed by a vast network of fisheries scientists at state, federal, and academic institutions along the coast. The goal encompasses the development of new, innovative scientific research and methodology, and the enhancement of the state's stock assessment capabilities. It provides for the administration, coordination, and expansion of collaborative research and data collection programs. Achieving the goal will ensure sound data and scientific analyses are available to serve as the foundation for the Commission's assessments of stock status and sustainability.

Deleted: Sustainable management of

Deleted: strives

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Deleted: sound, actionable science through

Deleted: science is

Deleted: evaluation

Deleted: adaptive management actions

Strategies to Achieve Goal

- a. Conduct stock assessments based on comprehensive data sources and rigorous technical analysis
- b. Proactively establish research priorities considering cooperative state and regional data collection programs and collaborative research projects
- c. Facilitate stakeholder involvement in research initiatives and the stock assessment process
- d. Promote and sponsor data collection and research to support ecosystem and spatial-based fishery management
- e. Determine the complete set of data bases required to manage the fisheries and initiate actions to populate missing data sets.
- f. Provide stock assessment training to improve the expertise and involvement of state and staff scientists and stakeholders.

Deleted: address

Deleted: through

Deleted: e

Rationale: Minor clean-up and editing. Added and item ðeö to the strategies that it is important to identify the data sets necessary for effective management of the fisheries and then to identify sources for the data.

Page 9.

Comment: Changes to Goal 3 are recommended as shown.

Goal 3 –Supervise compliance with fishery management plans to ensure sustainable use of Atlantic coast fisheries

Deleted: Promote

Fisheries managers, and stakeholders using law enforcement personnel where necessary have a shared responsibility to promote compliance with fisheries management measures. Activities under the goal seek to increase and improve compliance with fishery management plans. This requires the successful coordination of both management and enforcement activities among state and federal agencies. Commission members recognize that adequate and consistent enforcement of fisheries rules is required for effective management of the fisheries. In addition enforcement policies and actions must keep pace with an increasingly complex management environment and emerging technologies. Achieving compliance is required for the effectiveness of the Commission's fishery management plans.

Deleted: law enforcement personnel,

Deleted: to

Deleted: activity

Deleted: the goal

Deleted: will improve

Strategies to Achieve Goal

- a. Develop practical compliance requirements that foster stakeholder buy-in
- b. Evaluate the enforceability of management compliance actions and the effectiveness of law enforcement programs ; and make necessary improvements
- c. Promote coordination and expand existing partnerships with state and federal natural resource law enforcement agencies

Deleted: measures

d. Enhance stakeholder awareness of compliance measures through education and outreach

Deleted: management

e. Use emerging communication platforms to deliver real time regulation compliance information and the outcomes of law enforcement investigations

Deleted: regarding regulations

f. Develop metrics to determine the effectiveness of compliance and law enforcement measures.

Rationale: Minor changes that are mostly clarifications. Changing the title from “Promote” to “Supervise” makes the goal more proactive and managerial. “Promote” could be interpreted as a sales role. Strategy “f.” is added to introduce metrics into the compliance role to gather quantitative data for use by the states and the Commission to evaluate and improve compliance.

Page 10.

Comment 1.: Modify the title of Goal 4 as follows:

Goal 4 – Protect and enhance fish habitat and ecosystem health

Deleted: through partnerships and education

Rationale: The last phrase limits the goal to strategies related to partnerships and education while the actual strategies listed are broader.

Comment 2: Modify the first sentence of the Goal description as follows:

Goal 4 aims to conserve and improve coastal, marine, and riverine habitat to enhance the achievement of sustainable Atlantic coastal fisheries to benefit coastal communities in the face of changing ecosystems. Habitat loss and water quality degradation have been identified as significant factors affecting the long-term sustainability and productivity of our nation’s fisheries.

Deleted: benefits

Deleted: and resilient

Rationale: Make the description of the goal more specific and add the appropriate qualifier to “degradation” in the second sentence. Overall we should focus on sustainability and the resulting benefits to the coastal communities.

Comment 3: Modify the second sentence in the second paragraph as follows:

Therefore, the Commission will work cooperatively with state, federal, and stakeholder partnerships to develop regulations that improve water quality and habitat as needed to achieve fishery sustainability.

Deleted: to

Deleted: this goal.

Rationale: To emphasize that regulatory authority may be needed to address the factors that degrade water quality and habitat.

Comment 4: Modify Strategies 3a and 3e as follows:

- a. Identify critical habitat and habitat stressors through fisheries management programs and partnerships
- e. Identify mechanisms and metrics to evaluate ecosystem health

Rationale: Add related efforts to the strategies to make them more effective.

Comment 5: Add a new Strategy as shown:

g. Identify and seek additional regulatory authority for habitat protection and enhancement.

Rationale: In order to achieve the stated goal, additional regulatory authority may be needed. This strategy would result in an item in the Action Plan to determine the necessity. In addition, perhaps this Strategy should be re-characterized as a Goal and the regulatory review and recommendations cover all aspects of the Commissions activities and fisheries management.

Page 11.

Comment 1.: Modify the Strategy 5b as shown below:

- b. Clearly define Commission processes and procedures to provide transparency and accountability and communicate to stakeholders

Deleted: to facilitate stakeholder participation, as well

Deleted: as

Rationale: Rewording for clarification

Page 12.

Comment 1.: Goal 6 3 Advance Commission and member states 4 priorities through a proactive legislative policy agenda 5 is well described and we have no editorial recommendations. The reauthorizations are important. However, the policy agenda should also be focused on the fishery sustainability, not just the individual member states interests. The interests of all will be addressed by a policy that addresses the broad interests of the ecosystem maintenance and policies that ensure sustainability of the entire fishery population. Each of the acts that require reauthorization should be analyzed to ensure that fishery sustainability is the goal as described in the Vision statement.

Page 13.

Northumberland Association for Progressive Stewardship (NAPS)

Comment 1.: Modify the last sentence in the descriptive paragraph of Goal 7 as follows:

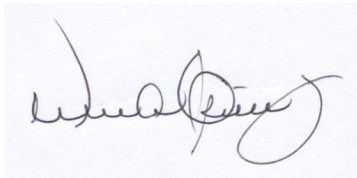
Achieving this goal will build core strengths, enabling the Commission to be proactive in the identification and resolution of increasingly difficult and complex fisheries management issues.

Deleted: respond to

Rationale: Minor change in wording to strengthen the goal description.

GENERAL COMMENT: *The Draft Five-Year Plan* includes examples from the 2014 Action Plan. In general they seem appropriate and good activities, however it seems that the 2014 Action Plan should (a) also be publically reviewed or at least available for review; and (b) be prepared to be modified to reflect the recommended changes and additions to the Draft Five-Year Plan. Since this is a Draft 2014-2018 Plan, the review seems to be six months late to impact the 2014 activities. So perhaps the Draft Plan should be for 2015-2019?

Thank you for consideration and incorporation of these comments. If you have any questions please call at 804 580 6609



William Estell
President



STRIPERS FOREVER
"MAKE IT A GAME FISH" WWW.STRIPERSFOREVER.ORG

January 4, 2014

Deke Tompkins, Executive Legislative Assistant
Atlantic States Marine Fisheries Commission
1050 N. Highland
Suite 200 A-N
Arlington, VA 22201

SUBJECT: Atlantic States Marine Fisheries Commission Draft Five-Year Strategic Plan for Public Comment 2014-2018.

Dear Mr. Tompkins:

Attached, please find Stripers Forever's comments to the subject Plan.

Stripers Forever is a non-profit, internet-based conservation organization seeking game fish status for wild striped bass on the Atlantic Coast in order to significantly reduce striper mortality, to provide optimum and sustainable public fishing opportunities for anglers from Maine to North Carolina, and to secure the greatest socio-economic value possible from the fishery. We believe that striped bass should be managed for the best overall economic return to society. Trying to manage this fishery on the brink of catastrophe for the benefit of a relatively small commercial industry fails to capitalize on the current value of the fishery and jeopardizes its economic future as well.

While the attached comments are primarily directed toward the management of wild striped bass, many of our generic observations and suggestions are applicable to other species as well. Feel free to contact me if we can help the strategic planning process in any way.

Sincerely,

Ken Hastings
Stripers Forever
Policy Coordinator to the ASMFC
(301) 884-4872

STRIPERS FOREVER Comments

Atlantic States Marine Fisheries Commission Draft Five-Year Strategic Plan for Public Comment 2014-2018

EXECUTIVE SUMMARY

The following comments and considerations are primarily directed toward the management of wild striped bass although many of our generic observations and suggestions are applicable to other species as well.

We feel that the Draft Plan does not adequately address traditional issues with ASMFC fisheries management policies. For example:

1. There is no statement endorsing the health and abundance of our marine resources as the most important management priority. The current management decisions reflect a risky bias toward Maximum Sustainable Yield (MYS) to the exclusion of a true conservation ethic.
2. The Plan lacks specific goals to counter the legacy obsession with commercial exploitation of our marine resources for food instead of managing them for the greatest socio-economic return. Various studies have shown that the economic impacts and values associated with live fish attracting recreational dollars far exceed the benefits of a struggling commercial fishery targeting the same fish as just food.
3. The Plan fails to address the alarming lack of reliable data to support sound management decisions. Past Striped Bass Technical Committee reports and even the 2013 Benchmark Stock Assessment report are full of examples of threats to model outputs and the desperate methods employed to rationalize the outputs as “good enough.”
4. While “timeliness” and “accountability” for management decisions are mentioned, it isn’t clear that the framework of ASMFC can be modified to make much needed improvements in these areas. Consensus among jurisdictions with varying agendas is not easily obtained and, without it, ASMFC can’t function efficiently. When poor decisions are made, no one is accountable.
5. The Plan is based on new MISSION and VISION statements that are more general and less inclusive than the ones being replaced.
6. While under-reporting of catch, unreliable natural mortality estimates, and poaching have been flagged as potential major problems in management, there is no apparent commitment to correcting these deficiencies in the Plan. There is also no commitment to more conservative reference points to counter the uncertainties associated with risks that can’t be completely mitigated.

7. The goals are much too ambitious and more effort should be directed at the basic responsibilities of assessing abundance and adjusting fishing mortality to ensure robust stocks.

DETAILED COMMENTS

The Plan for Public Comment did not ask for comments regarding the modification of the ASMFC mission. However, some flaws in this document may well stem from this change. Here are the two mission statements for reference.

MISSION (new): To promote cooperative management of marine, shell and diadromous fisheries of the Atlantic coast of the United States by the protection and enhancement of such fisheries, and by the avoidance of physical waste of the fisheries from any cause.

Mission (old): To promote the better utilization of the fisheries, marine, shell and anadromous, of the Atlantic seaboard by the development of a joint program for the promotion and protection of such fisheries, and by the prevention of physical waste of the fisheries from any cause.

[Note that “better utilization” has been replaced by “cooperative management” that could easily be interpreted as confirming the lack of interest in the recreational utilization of fisheries like striped bass. Since the state delegations and associated decisions are dominated by commercial interests and concerns, “cooperative management” looks like a license for the established commercial interests to continue ignoring recreational fisheries. Also, it isn’t clear what “physical waste” means in this context. One could argue that bycatch and discard mortality are both wasteful but neither can be completely avoided as long as fishing is allowed. Perhaps “reduction” of physical waste would be better than either avoidance” or “prevention.”]

VISION (new): *Sustainably managing Atlantic coastal fisheries.*

Vision (old): Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015.

Public Comment Questions:

1. Do you support the proposed vision statement? *[No. The new vision statement appears to be less objective than the old one that was more definitive and included an important time metric of success. The fact that 2015 is just a year away and we are losing fisheries faster than we are restoring them should not be a justification for abandoning the old vision just because it wasn’t attainable.]*

2. Is it clear? *[No. “Sustainably managing” needs some explanation. Maximum sustainable yield (MSY) is theoretically “sustainable” and, unfortunately, most historic*

ASMFC decisions are biased toward this outcome with no provisions for risk reduction in the face of incomplete data. At least the old vision was based on health and “successful restoration” that implies returning to some historical abundance level. Under the new vision, a stock could be depleted to the point where one more fish removed would cause a crash and still be “sustainable” as long as no one fished on it.]

3. Does it build upon and modernize the Commission’s mission? *[No. This vision statement is a huge step backward and does less to build upon and modernize the mission than the old vision that was far from perfect.]*

VALUES:

- (a) Effective stewardship of marine resources through strong partnerships
- (b) Decisions based on sound science
- (c) Long-term ecological sustainability
- (d) Transparency and accountability in all actions
- (e) Timely response to new information through adaptive management
- (f) Balancing resource conservation with the economic success of coastal communities
- (g) Efficient use of time and fiscal resources
- (h) Work cooperatively with honesty, integrity, and fairness

Public Comment Questions:

1. Do you support these values? *[Not sure what they mean but some need work anyway. In Value (d), it isn’t apparent that ASMFC is ever accountable for anything. Members may be accountable to their home jurisdictions, but, as a regulatory body under federal control, there appears to be no level at which ASMFC is accountable. Are there penalties or sanctions of some kind if a stock crashes under ASMFC management? No, the Commission just invokes a moratorium until the stocks recover as with northern shrimp in 2013 and striped bass around 1990.*

In Value (e), the structure of ASMFC precludes timely responses. Note that the current striped bass issues were debated at the Boston annual meeting in 2011 with no resolution in spite of Technical Committee cautions. Action, if it comes at all, is still a year away.

In Value (f), there has never been a balance between “resource conservation” and the “economic success of coastal communities.” Economic success has always been myopically defined by the ASMFC as commercial market value which has denied the reality of the far greater social and economic value of the striped bass recreational fishery. “Commercial sales” or “economics” according to the ASMFC always comes first – that’s how northern shrimp ended up with a moratorium and also why the menhaden bycatch allowance in MD allows the Total Allowable Catch to be caught over and over after the fishery is closed. That is why, in spite of over-whelming

evidence of decreased striped bass abundance, there will be one hell of a fight over the proposal to decrease the catch in 2015.]

2. Are any missing? *[Yes. Above all else, the health and abundance of our natural resources should be the first priority, not the short term economic value as defined by the commercial harvesting mind-set of the ASMFC. If we take care of the fish, everything else will follow. If we lose the fish, everyone loses and none of these values will matter.]*

Driving Forces:

- (a) Pressure on Fishery Resources and Industry
- (b) Science-based Management
- (c) Legislation
- (d) Federal, State, and Commission Resources
- (e) Ecosystem Functions
- (f) Ocean Planning
- (g) Climate Change
- (h) Protected Species

Public Comment Questions:

1. Do you agree that the driving forces identified in the Strategic Plan are the primary factors impacting the Commission fisheries management process? *[No. Climate change, while an important consideration, is beyond the management reach of ASMFC. The only real tool in the ASMFC tool kit is fishing mortality and it will be necessary to adjust it in a continuous and timely reactive effort to make adjustments in abundance to compensate for outside influences over which ASMFC has no control.]*

2. Is anything missing? *[Yes. The existence of and support for a growing recreational fishery is missing.]*

3. Are there specific driving forces the Commission should focus on in the coming years? *[Yes. The demand for quality recreational fisheries may eventually be impossible to ignore. To that end, better estimates of recreational fishing metrics may be required – something better than MRFSS/MRIP.]*

GOALS & STRATEGIES

Goal 1 - Rebuild, maintain, fairly (equitably) allocate, and promote Atlantic coastal fisheries

Strategies to Achieve Goal

- a. Manage interstate resources that provide for productive, sustainable fisheries using sound science
- b. Strengthen state and federal partnerships to improve comprehensive management of shared fishery resources
- c. Adapt management to address emerging issues
- d. Practice efficient, transparent, and accountable management processes
- e. Evaluate progress towards rebuilding fisheries
- f. Strengthen interactions and input among stakeholders, technical, advisory, and management groups

Public Comment Questions: Goal 1 addresses the Commission's fisheries management planning process.

1. Does the goal and strategies adequately reflect the direction and priorities that the fisheries program should pursue over the next 5 years? *[There's that "accountability" concept again in (d) and what is a "productive sustainable" fishery in (a)? How does "sound science" differ from the best available science vs the best science available?]*
 2. Do the strategies outlined help achieve the goal? *[Maybe. Strategy (e) is good. In general, the strategies are too "mushy" compared to the strong verbs in the goal that could easily replace the mission statement. This is what the public expects ASMFC to do – the rest is just window-dressing of much less importance.]*
 3. Do you recommend alternative strategies? *[At what point does the ASMFC plan to do something to ensure better data on which to base management decisions and/or commit to a policy of more conservative harvesting allowances based on the admission that the science is not yet adequate to safely manage up to a species wishful, potential MSY? The recent striped bass stock assessment report is full of caveats about inaccurate data and modeling variability along with the associated significant threats to estimates of stock abundance and sustainability.]*
-

Goal 2 – Provide the scientific foundation for and conduct stock assessments to support informed management actions

Strategies to Achieve Goal

- a. Conduct stock assessments based on comprehensive data sources and rigorous technical analysis
- b. Proactively address research priorities through cooperative state and regional data collection programs and collaborative research projects
- c. Facilitate stakeholder involvement in research initiatives and the stock assessment process
- d. Promote data collection and research to support ecosystem-based management
- e. Provide stock assessment training to improve the expertise and involvement of state and staff scientists

Public Comment Questions: Goal 2 addresses the Commission’s fisheries science activities to support management.

1. Does the goal and strategies adequately reflect the direction and priorities that the science program should pursue over the next 5 years? *[The goal looks good but isn’t that what ASMFC was supposed to be doing all along? Isn’t there already a vast arsenal of stock assessment tools available? It appears that the lack of confidence in stock assessment results is more a matter of inaccurate (at least questionable) data – not what to do with good data if it was available. The actual number of fish to start with has to be a crap shoot but surely there are better ways to estimate how many people are fishing for them, how many fish get caught and what types of gear are being used for starters.]*

2. Do the strategies outlined help achieve the goal? *[Yes – but isn’t or shouldn’t the ASMFC already be doing most of these anyway?]*

3. Do you recommend alternative strategies? *[Yes – just concentrate on reducing mistrust - first by the admission that the data is incomplete and then, because of inadequate data, factoring in more conservative harvesting allowances. If ASMFC gets that under control, then it can branch out into other fields. Stick to the basics until the conflicts are resolved.]*

Goal 3 – Promote compliance with fishery management plans to ensure sustainable use of Atlantic coast fisheries

Strategies to Achieve Goal

- a. Develop practical compliance requirements that foster stakeholder buy-in
- b. Evaluate the enforceability of management measures and the effectiveness of law enforcement programs
- c. Promote coordination and expand existing partnerships with state and federal natural resource law enforcement agencies
- d. Enhance stakeholder awareness of management measures through education and outreach
- e. Use emerging communication platforms to deliver real time information regarding regulations and the outcomes of law enforcement investigations

Public Comment Questions: Goal 3 addresses stakeholder compliance and the Commission’s law enforcement activities.

1. Does the goal and strategies adequately reflect the direction and priorities that the enforcement program should pursue over the next 5 years? *[Good goal but the strategies are too “soft.” One of the major threats to success is the absence of accurate catch data from the states. While there appears to be little to no accountability at the ASMFC level, the states should be held more accountable for the data they provide in their annual compliance reports to ASMFC.]*

2. Do the strategies outlined help achieve the goal? *[Not completely. While enforcement of laws designed to ensure stakeholder compliance is important, of equal importance is holding the member jurisdictions accountable for compliance data. It was evident from comments during the GA menhaden Management Board meeting that some jurisdictions have no confidence in the compliance data they send to ASMFC. Fraudulent reporting, not stakeholder buy-in, may be the real problem – one which the states may be willing to hide and ignore without suitable oversight.]*

3. Do you recommend alternative strategies? *[Yes. It is time to concentrate on the really important issues by addressing each problem area, one at a time, and designing a process to improve compliance data. If catch reporting is an issue, then maybe voluntary, un-audited reports from fishermen is not the way to go. If discard mortality is an issue, maybe someone needs to do some monitoring to get better data. If tag returns are an issue, maybe high-reward tagging returns or limited tag allowances based on returns are the answer.]*

Goal 4 – Protect and enhance fish habitat and ecosystem health through partnerships and education

Strategies to Achieve Goal

- a. Identify critical habitat through fisheries management programs and partnerships
- b. Educate Commissioners, stakeholders, and the general public about the importance of habitat to healthy fisheries and ecosystems
- c. Engage local, state, and regional governments in mutually beneficial habitat protection and enhancement programs through partnerships
- d. Foster partnerships with management agencies, researchers, and habitat stakeholders to leverage regulatory, political, and financial support
- e. Identify mechanisms to evaluate ecosystem health
- f. Engage in state and federal agency efforts to ensure climate change response strategies are included in habitat conservation efforts

Public Comment Questions: Goal 4 addresses the Commission’s habitat program.

1. Does the goal and strategies adequately reflect the direction and priorities that the habitat program should pursue over the next 5 years? *[No. Habitat management and protection is largely a matter of land management and protection. ASMFC has no authority or direct influence over local land use decisions that are the primary threats to aquatic habitat. Local autonomy rules in this arena and that is why federal and state statutes and two consecutive Chesapeake Bay Agreements, for examples, have failed to significantly improve Bay health.]*

2. Do the strategies outlined help achieve the goal? *[No. What are “climate change strategies?” Unless we find a way to stop climate change, it is going to happen and we will have to deal with the consequences. In the meantime, we need to conserve and protect our aquatic resources so there will be something for future stewards to do.]*

3. Do you recommend alternative strategies? *[Yes. More and better control over gear types can directly affect fish habitat (eg bottom scouring and ecosystem health (mesh opening sizes in nets etc.). The Habitat Program needs to embrace cutting edge work being done by MD DNR and others on the relationship between land use and marine resource health as a way to indirectly affect land use decisions. As long as local governments are allowed to place short-term jobs and economic “prosperity” above habitat protection, the habitat is doomed. While ASMFC lacks direct authority over local jurisdictions, embracing the concept could indirectly influence the process.]*

Goal 5 – Strengthen stakeholder and public support for the Commission

Strategies to Achieve Goal

- a. Increase public understanding and support of activities through expanded outreach at the local, state, and federal levels
- b. Clearly define Commission processes to facilitate stakeholder participation, as well as transparency and accountability
- c. Strengthen national, regional, and local media relations to increase coverage of Commission actions
- d. Use new technologies and communication platforms to more fully engage the broader public in the Commission’s activities and actions

Public Comment Questions: Goal 5 addresses the Commission’s outreach activities.

1. Does the goal and strategies adequately reflect the direction and priorities that the outreach program should pursue over the next 5 years? *[In what ways and via what process is ASMFC held accountable? Where would the public look to find some hard goal where success or failure could be evaluated? What did “sustainable” mean in either the old or new visions? How could anyone grade the performance of ASMFC without any standards or success metrics? In reality, the decisions made at the ASMFC level are primarily a reflection of the political landscape in the jurisdictions that send representatives to the meetings.]*

2. Do the strategies outlined help achieve the goal? *[No. In Strategy (c), it isn’t clear how broader coverage of ASMFC would do anything other than weaken public support. Two hours of watching the lobster board argue over ¼” in length or watching the striped bass board kick the can down the road for over four years is not likely to impress anyone – especially if the striped bass fishery collapses again.]*

3. Do you recommend alternative strategies? *[Stakeholder and public support can only be strengthened by ASMFC making the right decisions based on accurate data and the demonstrated ability to manage our coastal resources. It is a waste of time, and possibly detrimental, to court public support. The reluctance of the ASMFC to openly admit to revising standards, definitions and readjusting performance levels in order to continue making the ASMFC appear to have and be doing “their job” is costing them credibility especially as the recreational fishing public becomes more enlightened and involved. It is an accepted fact by many that because of the unwillingness of the ASMFC to be open and transparent due to their commercially motivated zeal, the public feels more and more disenfranchised and skeptical of these self-promoting proclamations of pseudo success.]*

Goal 6 – Advance Commission and member states’ priorities through a proactive legislative policy agenda

Strategies to Achieve Goal

- a. Increase the Commission’s profile and support in the U.S. Congress by developing relationships between Members and their staff and Commissioners, the Executive Director, and Commission staff
- b. Maintain or increase long term funding for Commission programs through the federal appropriations process and other available sources.
- c. Engage Congress on fishery-related legislation affecting the Atlantic coast
- d. Promote member states’ collective interests at the regional and national levels
- e. Promote economic benefits of the Commission’s actions (return on investment)

Public Comment Questions: Goal 6 addresses the Commission’s policy planning process.

1. Does the goal and strategies adequately reflect the direction and priorities that the policy program should pursue over the next 5 years? *[Not sure. What kinds of relationships with Congress? Golf outings, cocktail parties, etc.? It probably couldn’t hurt. Promoting member states’ collective interests could be challenging if they run counter to sound resource management decisions as they often do. Some issues may be best left to the states – like allocation between stakeholders, for example, while ASMFC sticks to the business of adjusting fishing mortality to prevent stocks from crashing.]*

The “return on investment” implies that some relationship already exists or can be established between fisheries management and coastal economics. Much like with the issue of allocation, economic impacts and values should be left to the states. For example, the economics of striped bass as food do not exist for gamefish states where the economic benefits are purely recreational and far greater than if the states managed the fishery as a commercial resource. The link between SB abundance and economics as a function of ASMFC policies would require a “crystal ball” approach to predict economic advantages allegedly derived from setting a new slot limit for MD, for example. The economic impacts and values of recreational fishing compared to commercial fishing is one area that ASMFC should explore under the education part of its charter but ASMFC will never have the authority to actually change state allocation policies.]

2. Do the strategies outlined help achieve the goal? *[Perhaps, but the goal is flawed to start with.]*

3. Do you recommend alternative strategies? *[Yes – stick to the basics and get a real handle on stock abundances and techniques for staying within more conservative targets and thresholds.]*

Goal 7 – Ensure the fiscal stability & efficient administration of the Commission

Strategies to Achieve Goal

- a. Conservatively manage the Commission’s operations and budgets to ensure fiscal stability
- b. Utilize new information technology to improve meeting and workload efficiencies, and enhance communications
- c. Refine strategies to recruit professional staff, and enhance growth and learning opportunities for Commission and state personnel
- d. Fully engage new Commissioners in the Commission process and document institutional knowledge.
- e. Utilize legal advice on new management strategies and policies, and respond to litigation as necessary.

Public Comment Questions: Goal 7 addresses the Commission’s finance and administration.

1. Does the goal and strategies adequately reflect the direction and priorities that the finance and administration program should pursue over the next 5 years? ***[Yes.]***
2. Do the strategies outlined help achieve the goal? ***[Yes.]***
3. Do you recommend alternative strategies? ***[No.]***

January 13, 2014

Deke Tompkins
Legislative Assistant
Atlantic States Marine Fisheries Commission
1050 North Highland Street, Suite 200A-N
Arlington, Virginia 22201
Submitted via email to: comments@asmfc.org

RE: Draft Strategic Plan 2014-18

Dear Mr. Tompkins:

On behalf of The Nature Conservancy (Conservancy), I am pleased to submit the following comments in response to the Atlantic States Marine Fisheries Commission draft strategic plan. The Commission has done a tremendous job articulating a vision for sustainable fisheries in the coming years. This is no small challenge, and the Conservancy recognizes the critical role that ASMFC plays in managing fisheries that occur in the productive strip of coastal waters adjacent to our Atlantic Coast. As such, the Conservancy appreciates this opportunity to provide our input.

The Conservancy's mission is to conserve the lands and waters on which all life depends. With the support of more than one million members, the Conservancy has protected more than 120 million acres and 5,000 river miles around the world and currently has more than 150 marine conservation projects in 32 countries and in every coastal state in the U.S. The Conservancy has been working to conserve, protect, and restore coastal and marine habitats and species for over four decades.

We are pleased to partner with ASMFC, ACFHP, NMFS and others on a number of projects that benefit ASMFC-managed species. Development of coastwide monitoring and habitat restoration planning for shad and river herring; working with the Biological Ecological Reference Points (BERP) Working Group; and serving on a number of the Commissions Advisory Panels and technical groups are just a few of the ways the Conservancy has, and will continue to support the ASMFC.

To further promote the success of these partnerships, this letter provides comments on several aspects of ASMFC's draft strategic plan and related questions posed by the Commission:

1. *Vision* – include ecological considerations
2. *Values* – include restoration
3. *Driving forces* – consider benefits of ocean planning for fisheries
4. *Goal 1* (Rebuilding) – add technology strategy
5. *Goal 4* (Fish habitat and ecosystem health) – add restoration strategy

6. *Goal 6* (legislative policy agenda) – support for common goals

Recommendation #1: Vision - Do you support the proposed vision statement? Is it clear? Does it build upon and modernize the Commission's mission?

The Conservancy appreciates the focus of the draft vision proposed by ASMFC ("Sustainably managing Atlantic coastal fisheries"). However, given the broader scope of work the Commission has outlined in its strategic plan, the Commission may want to consider language to acknowledge the importance of climate change, ecosystem function, and habitat conservation. For example, adding the phrase "and the natural processes and systems that coastal habitats and fisheries depend upon" may achieve this goal.

Recommendation #2: Values – Do you support these values? Are any missing?

The Conservancy supports the values included in the draft strategic plan. We also note the Commission's support for more "holistic and adaptive" management and for working toward "long term ecological and socio-economic sustainability" in this section of the document. While the draft document makes reference to these important values, the Conservancy recommends adding new language expressly in support of *fish habitat restoration*. Restoration projects supported by the Atlantic Coast Fish Habitat Partnership and other state, interstate and federal programs provide a foundation for the natural systems that species managed by ASMFC depend upon. To this end, we recommend that the Commission recognize the central importance of restoration in with an additional value statement: "*Advancing coastwide fish habitat restoration.*"

We do have some concern with "Balancing resource conservation with the economic success of coastal communities." This implies a false choice between conservation and economic success. As you note in Goal 1, "healthy and vibrant resources often means more opportunities for stakeholders." We suggest both the goals of "Fostering resource conservation" and "Encouraging economic the success of coastal communities" are important.

Recommendation #3: Driving forces - Do you agree that the driving forces identified in the Strategic Plan are the primary factors impacting the Commission fisheries management process?

The Commission has done an excellent job articulating the key driving forces to be considered in the coming five years. In particular, the Conservancy is pleased to see that ocean planning has been included. In addition to consideration of competition for ocean space from new and expanding uses (e.g. – renewable energy, marine transportation) ongoing ocean planning efforts can provide the Commission with new means to ensure proper protection of habitat and access to fishery resources. Therefore, the Conservancy strongly encourages the Commission to increase its engagement with the three regional ocean partnerships on the Atlantic coast (NROC, MARCO, GSAA).

Recommendation #4 -- Goal 1 - Rebuild, maintain, fairly (equitably) allocate, and promote Atlantic coastal fisheries.

In addition to the strategies outlined in the draft, the Conservancy suggests adding a strategy relating to using new technology to increase the quality and timeliness of fishery

data. Achieving Goal 1 requires robust catch data -- datasets that are lacking for many Atlantic Coast fisheries. This strategy could help develop and implement new tools and methods for addressing gaps in fishery dependent data for use in management. The Conservancy has worked with fishermen in the U.S. and other countries to implement various forms of electronic reporting and monitoring that reduce costs while improving timeliness and accuracy of datasets. Based on these experiences, we strongly encourage ASMFC to emphasize implementation of technologies that will provide managers with the data they need to meet sustainability goals.

Similarly, in light of recent advances in electronic data collection methods, a technology strategy for collection of fishery dependent *and* independent stock assessment data would also support Goal 2.

Recommendation #5 -- Goal 4 – Protect and enhance fish habitat and ecosystem health through partnerships and education.

The Conservancy strongly supports this goal. As previously stated in this letter, we also support including restoration as a key component of successful fishery management. The Commission's partnerships and outreach activities are very important and the Conservancy is deeply invested in these efforts. The Commission also has management authorities that can be used to protect and enhance fish habitat. Accordingly, we recommend strengthening this goal and suggest language such as this to do so: *"Protect and enhance fish habitat and ecosystem health through partnerships, education and effective management actions."*

Recommendation #6 -- Goal 6 - Advance Commission and member states' priorities through a proactive legislative policy agenda.

The Conservancy supports ASMFC in advancing its strategic plan through improvements to the state and federal statutes that support sustainable fisheries coastwide. We strongly support your efforts to secure funding for the Atlantic Striped Bass Conservation Act, Atlantic Coast Fisheries Cooperative Management Act, Interjurisdictional Fisheries Act, Federal Aid in Sport Fish Restoration, the Magnuson Stevens Fishery Conservation and Management Act, Atlantic Coastal Fish Habitat Partnership, as well as the National Fish Habitat Conservation Act.

In closing, the Conservancy would like to note that ASMFC is uniquely positioned through its strategic planning process to be an influential leader for advancing sustainable fisheries for the planning period and beyond. Again, thank you for the opportunity to provide comments to ASMFC on your draft strategic plan for 2014-18. If you have any questions about these comments, please contact Sally McGee, Northeast Marine Program Director, (860) 271 3922.

Sincerely,



John Cook
Managing Director, Eastern U.S. Division

Comments on Draft of ASMFC 5-year plan

--Stocking where needed with appropriate genetically native stock, such as for winter flounder

--By-catch should not be put back in the water as is the common practice as this is a waste of the resource and gives an advantage to other non-economic species who will feed on it.

--Gear should be adjusted according to the fishery. There are new trawls, and other gear being developed and already in use that fish a particular layer of water efficiently without disturbing the rest of the layers. In this way there is less damage to in situ habitat.

--A Fishery Sanctuary should be established as those established along the California coast, such as the Monterey Bay Marine Sanctuary which has been in existence since 2001.

--Increase efforts to reestablish diadromous fish stocks, e.g., eels, alewives where they reproduced historically.

--The Coast Guard laws regarding dumping at sea should be strengthened and strictly enforced.

--If commercial fishing boats are free to go up and down the coast and fish in different fishery zones, their quotas should be restricted to those zones and a total additive quota should be established so the commercial fisherman from one state does not have an advantage over those in another state, considering that a large number of the commercial fisheries are migratory and/or semi-migratory and that is precisely why there is an ASMFC to look after them.

--Unfilled annual quotas for a given fishing crew and fishing boat in a given area whether due to illness, boat loss or some other reason should be transferable to other boats and crews working the same area.

--Size limits should not only reflect the potential fecundity of a given fish species, but should reflect competition between species, and the over-abundance of certain year classes. E.g., mid-sized bluefish from a very big year class will eat a disproportionate share of another smaller species.

--Cormorant control in certain fishery zones should be considered as well as the control of other highly efficient predators on fishes such as seals. Such control could use contraceptive measures such as egg painting, birth control, etc., where acceptable methods of such control (as for example with a non-fishery competitor, the Canada goose) already exist.

--Long-lining and other set line methods that are hard to keep tabs on as well as lobster traps that catch black seabass, tautog and other fish species should be heavily observed and traps should be designed to let fish pass out. The technology for such selective catch-exclusion methods are already in existence for shrimp boats that would otherwise harvest and destroy sea turtles.

--More attention should be focused on the health of the primary food tiers, the phytoplankton and zooplankton.

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--Baitfish also require attention. For example, American eels should not be harvested commercially and used for bait.

--Actively pursue habitat improvements: e.g., encourage eelgrass recovery in marine estuaries.

Larry Penny, 3662 Noyac Road, Sag Harbor, N.Y. 11963// jpenny1@optonline.net

PEW Action Alert:

Take Action: Protect the Atlantic Ocean Ecosystem

Act Now: Send Atlantic state fisheries managers a letter supporting ecosystem-based management.

East Coast states are making plans for the future of nearshore fisheries, and they want to hear from you. The Atlantic States Marine Fisheries Commission, or ASMFC, has released a draft five-year strategic plan that will serve as a blueprint for managing state ocean fisheries from 2014 to 2018. The new plan would improve the Commission's approach by better accounting for the complexity of ocean ecosystems and more actively engaging the public in decision-making.

Tell the ASMFC that you support its transition to ecosystem-based fisheries management.

The draft plan moves beyond the outdated model of managing each fish species individually. It lays the groundwork for what's known as ecosystem-based fisheries management, which takes into account the interactions among species, the importance of habitat, and the effects of climate change. The plan also guides state and interstate fishery managers to strengthen partnerships among decision makers, scientists, fishermen, and the public. The draft is a great start. We hope the ASMFC will also create a Fishery Ecosystem Plan covering each major ecosystem under its jurisdiction, with realistic, biologically-based goals such as forage fish population targets that protect their role as food for predators or species diversity levels that will protect the health and resiliency of the ecosystem. **Now is the time to show your support for the draft strategic plan for Atlantic state fisheries and ecosystems.**

Complete the form below, edit the message subject and body, then click "submit"

Dear Dr. Louis B. Daniel III and members of the Atlantic States Marine Fisheries Commission:

I support the commission's draft five-year strategic plan because it appropriately recognizes the multitude of pressures on Atlantic coast ecosystems and urges a holistic approach to future fisheries management. Specifically, I support:

- Integrated, ecosystem-based approaches that account for, among other things, predator/prey interactions, habitat values, ecosystem services, and water quality.
- Increased public participation by relevant stakeholders to improve accountability.
- Improved data collection and sharing.
- Enhanced strategies for adapting to climate change.
- Adaptive management based on sound science that responds to the above items.

I support these elements and ask that you make a few improvements. The plan should stress a precautionary approach. In the face of mounting pressure on fish stocks and the ecosystems that support them, cost-effective measures to prevent further declines and timely restoration must not be delayed. Because the draft strategic plan urges an ecosystem-based approach, it must specifically address the importance of protecting forage species—many of which currently lack management—as fundamental to the entire ocean food web. Taking predator/prey relationships into account and protecting forage fish are core tenets of ecosystem-based fishery management. Finally, the plan should

include creating an interstate Fishery Ecosystem Plan covering each major ecosystem under ASMFC's jurisdiction, to fully describe the nearshore fisheries and their supporting ecosystems, and set measurable ecosystem goals and objectives to ensure healthy and resilient ecosystems and guide fishery management decisions.

Thank you for considering my comments. I look forward to the approval of the final five-year strategic plan with these additions at your winter meeting.