



Atlantic States Marine Fisheries Commission

2023 Annual Meeting Summary

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

2023 Annual Meeting
October 16-19, 2023

For more information, please
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Meeting Summaries, Press Releases and Motions

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ATLANTIC HERRING MANAGEMENT BOARD (OCTOBER 16, 2023)

Meeting Summary

The Atlantic Herring Management Board met to set the quota periods for the 2024 Area 1A (inshore Gulf of Maine) fishery, receive an update from the New England Fishery Management Council, and elect a Vice-Chair.

The Board considered quota periods for the 2024 Area 1A fishery. Per Amendment 3 to the Interstate Fishery Management Plan for Atlantic Herring, quota periods shall be determined annually for Area 1A. The Board can consider distributing the Area 1A sub-ACL using bi-monthly, trimester, or seasonal quota periods. The Board can also decide whether quota from January through May will be allocated later in the fishing season, and underages may be rolled from one period to the next within the same year.

For the 2024 Area 1A fishery, the Board adopted a seasonal quota approach with 72.8% available June-September and 27.2% available October-December with underages from June through September rolled into the October through December period, if applicable. These 2024 quota periods are the same as the quota periods implemented for the last four fishing years. The Area 1A fishery to close when 92% of the sub-ACL is projected to be reached, as required by Amendment 3.

The Board received an update from the New England Fishery Management Council (Council) on [development of Amendment 10](#) to the federal Atlantic Herring Fishery Management Fishery Management Plan. The Council had already been working on an action “revisiting the Inshore Midwater Trawl Restricted Area that was developed under Amendment 8.” At its September 2023 meeting, the Council renamed the action to “minimize user conflicts related to the Atlantic herring fishery.” The Council also designated the action as an amendment intended to “address spatial and temporal allocation and management of Atlantic herring at the management unit level to minimize user conflicts, contribute to optimum yield, and support rebuilding of the resource.” The Council plans to conduct scoping meetings to inform the range of issues to be considered in Amendment 10. The Council’s Herring Committee and Plan Development Team will develop a scoping document and meeting schedule to be reviewed by the Council at their January 2024 meeting.

Finally, the Board approved Doug Grout, the New Hampshire Governor’s Appointee, as the new Vice-Chair.

For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at EFranke@asmfc.org.

Motions

Move that the Board implement seasonal quota for the 2024 Area 1A sub-ACL seasonally with 72.8% available from June through September and 27.2% allocated from October through December, with no landings prior to June 1, and for underages to be rolled over into the next quota period for 2024.

Motion made by Mr. Kaelin and seconded by Mr. Train. Motion passes by unanimous consent.

Move to nominate Doug Grout as Vice-Chair of the Atlantic Herring Board.

Motion made by Ms. Griffin and seconded by Dr. Davis. Motion passes by unanimous consent.

AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 16, 2023)

Press Releases

Jonah Crab Benchmark Stock Assessment and Peer Review Finds Population Abundance Remains Above Historic Lows but Needs to be Closely Monitored

Beaufort, NC – The 2023 Jonah Crab Benchmark Stock Assessment and Peer Review Report indicates the range-wide population of Jonah crab remains above historic lows of the 1980s and 1990s. However, evidence of declining catch per unit effort (CPUE) in the fishery presents substantial concern and uncertainty for the status of the stock.

Based on life history and fishery characteristics, the assessment divided the population into four stocks: offshore Gulf of Maine (OGOM), inshore GOM (IGOM); offshore Southern New England (OSNE) and inshore SNE (ISNE). According to the stock indicators, IGOM, OGOM, and OSNE recruit, exploitable, and spawning abundance conditions from 2019-2021 were neutral or positive relative to historical periods. Indicators generally agree across these stocks that abundance has not been depleted compared to the historic low abundance observed in the 1980s and 1990s. There are no reliable abundance indicators for the ISNE stock so no determination about the condition of this stock's abundance could be made at this time. Young-of-the-year settlement indicators generally show neutral conditions and do not indicate that recruitment in the GOM stocks will decline to historical lows in the near future. Settlement conditions are unknown for SNE stocks.

“As the first range-wide assessment of Jonah crab along the Atlantic coast, this assessment represents a significant advancement in our understanding of the species, its life history characteristics, and distinct fisheries by stock unit,” stated Board Chair Jason McNamee of Rhode Island. “I commend the members of the Stock Assessment Subcommittee and Technical Committee for their successful completion of a challenging, data poor assessment.”

According to the Peer Review Panel, “Despite the limited availability of current data, there is considerable urgency for the assessment due to a very steep, three-year, decline in landings. Commercial landings have declined 51% in three years, after an unprecedented 30-fold rise in landings. Although the recent decline is not well-detected in fishery-independent stock indicators, there is some evidence of declining CPUE in the fishery, creating substantial concern and uncertainty for the status of the stock. Given the mixed signals, the status of the Jonah crab stock is highly uncertain.

Current conditions closely resemble early stages of the collapse of the Canada Jonah crab fishery in the early 2000s. In the first three years of the crash, Canada landings dropped 58%. Within five years, landings fell 97%, and stock biomass could no longer support a fishery. Fishery-independent trawl indicators had not fully captured the signals of a rapidly declining stock. However, declining fishery CPUE was observable preceding and during the landings crash.

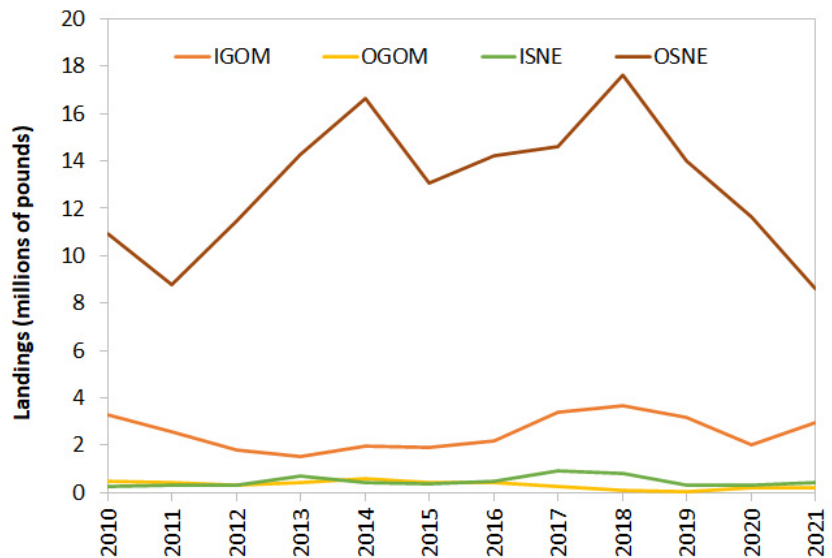
Given the high level of uncertainty in the status of the Jonah crab stock, the Panel strongly recommends close monitoring of annual stock indicators in the next few years. Annual indicators can determine whether sharply declining recent landings are signaling the start of a ‘bust’ phase of a

boom-and-bust arc, or are due to fishery and market-related factors uncoupled with Jonah crab abundance.”

There are notable differences between the fisheries that operate in each of the stock areas. The vast majority of coastwide landings have come from the OSNE stock, accounting for 70-85% of annual coastwide landings from 2010-2021. The IGOM stock has supported the second largest fishery, accounting for 9-24% of annual coastwide landings from 2010-2021. Both the ISNE and OGOM have supported smaller fisheries, never accounting for more than 5% of annual coastwide landings from 2010-2021.

The high proportion of participants contributing to Jonah crab landings indicates a directed fishery in the OSNE stock that targets Jonah crab, yet only a small number of participants account for the large magnitude of landings from this stock. The other three stocks have fisheries that are characteristic of bycatch fisheries that are targeting American lobster. These fisheries have low proportions of participants that land Jonah crabs from pot/trap gears. In the case of the IGOM stock, there is a relatively high number of participants targeting lobsters and not landing Jonah crabs. This represents considerable capacity for growth in a Jonah crab fishery if these participants were to switch to targeting Jonah crab.

Jonah Crab Commercial Landings by Stock Area



Landings have shown different trends across stocks, but the landings from OSNE declined steadily from the time series high in 2018 (17.6 million pounds) in the last three years of the time series (2019-2021). This trend is believed to be influenced by factors other than available abundance but should continue to be monitored closely. There was insufficient information to describe fishing mortality or exploitation with confidence and these population parameters remain major uncertainties.

In response to the assessment findings and peer review panel recommendations, the American Lobster Management Board accepted the Benchmark Stock Assessment and Peer Review Report for management use and tasked the Technical Committee with recommending possible measures or actions to address the concerns about stock status and recent fishery trends.

A stock assessment overview, which provides a more detailed description of assessment results, as well as the stock assessment and peer review report will be available on the Commission’s website at <https://asmfc.org/species/jonah-crab> under Stock Assessment Reports. For more information on the stock assessment, please contact Jeff Kipp, Senior Stock Assessment Scientist, at jkipp@asmfc.org; and for more information on Jonah crab management, please contact Caitlin Starks, Senior Fishery Management Plan Coordinator, at cstarks@asmfc.org.

American Lobster Board Extends Addendum XXVII Implementation Date to January 1, 2025

Beaufort, NC – The Commission’s American Lobster Management Board modified the implementation date for measures under Addendum XXVII to Amendment 3 to the Interstate Fishery Management Plan for American Lobster to January 1, 2025 (see table for specific dates). Addendum XXVII was adopted in May 2023, and established a trigger mechanism to automatically implement management measures to provide additional protection of the Gulf of Maine/Georges Bank (GOM/GBK) spawning stock biomass.

Under Addendum XXVII, changes to gauge and escape vent sizes in Lobster Conservation Management Areas (LCMAs) 1 (Gulf of Maine), 3 (offshore federal waters) and Outer Cape Cod (OCC) would be initiated based on an observed decline in recruit abundance indices of 35% from the reference level (equal to the three-year average from 2016-2018). With the inclusion of recently released 2022 data in the time series, the trigger index has declined by 39%, surpassing the trigger point of a 35% decline. The measures triggered include two increases to the minimum gauge size in LCMA 1, a corresponding change in the LCMA 1 escape vent size, and a single decrease to the maximum gauge size in LCMA 3 and OCC.

“Because the trigger was tripped much more quickly than we anticipated, the delay in implementing the gauge size increase will provide the Gulf of Maine states the opportunity to coordinate with Canada regarding possible trade implications, and give the industry and gauge makers additional time to prepare for these changes,” stated Pat Keliher from Maine.

Addendum XXVII also implements a standard v-notch definition of 1/8” with or without setal hairs in LCMA 3 and OCC, and a standard maximum gauge size of 6 ¾” for state and federal permit holders in LCMA 3 and OCC. Additionally, for LCMA 1 and 3 permit holders, states must limit the issuance of trap tags to equal the harvester trap tag allocations unless trap losses are documented. The implementation date for these measures is now January 1, 2025.

The following table specifies the timing of management changes for each of the three LCMAs addressed under Addendum XXVII as modified.

When change(s) will be implemented	What change will be implemented		
	LCMA 1	LCMA 3	Outer Cape Cod
January 1, 2025	Trap tags issuance limited to harvester allocation		v-notch definition: 1/8” with or without setal hairs; Maximum gauge size: 6 ¾”
January 1, 2025	Minimum gauge size: 3 5/16”		
January 1, 2027	Minimum gauge size: 3 3/8”		
January 1, 2028	Escape vent size: 2 x 5 3/4” rectangular; 2 5/8” circular		
January 1, 2029		Maximum gauge size: 6 1/2”	Maximum gauge size: 6 1/2”

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

PR23-24

Meeting Summary

In addition to accepting the Jonah Crab Benchmark Stock Assessment and Peer Review Report for management use, and modifying the implementation date for Addendum XXVII, the Board also reviewed the 2024 annual data update for American lobster, and approved Terms of Reference for the next Lobster Benchmark Stock Assessment.

An annual data update process between American lobster stock assessments was recommended during the 2020 stock assessment to more closely monitor changes in stock abundance. Data sets updated during this process indicate exploitable lobster stock abundance conditions expected in subsequent years and include young-of-year settlement indicators, trawl survey indicators, and ventless trap survey sex-specific abundance indices. This is the third data update including data through 2022. In general, Gulf of Maine indicators show declines from time series highs observed during the stock assessment, and Georges Bank indicators show slight improvement since the stock assessment. Southern New England indicators show continued unfavorable conditions with some further signs of decline since the stock assessment.

Staff presented draft Terms of Reference (TORs) and timeline for the next benchmark stock assessment for American lobster, which is scheduled for completion in 2025. Given the evidence that environmental conditions impact the lobster population, the Board requested that the assessment also identify, describe, and, if possible, quantify the effect of environmental and climatic drivers on stock abundance at various time scales.

Additionally, the Board discussed a potential action at the New England Fishery Management Council that is considering scallop fishery access on the Northern Edge on Georges Bank. The Board tasked the Lobster Technical Committee to compile information on the lobster resource and fishery in and around the Northern Edge that could help characterize potential impacts on the lobster population and fishery in the area.

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

Motions

Move to accept the Jonah Crab Benchmark Stock Assessment and Peer Review Report for management use.

Motion made by Mr. McKiernan and seconded by Mr. Train. Motion passes by (11 in favor).

Motion to task the Technical Committee to recommend possible management measures or other options to correct what appear to be deficiencies in the stock.

Motion made by Mr. Train and seconded by Mr. Grout. Motion passes by unanimous consent.

Motion to amend the approval of Addendum XXVII to change the implementation date. The implementation date for all management measures shall be January 1, 2025, including those measures triggered under Section 3.2. Year 2 and year 3 measures would be implemented by January 1 of the following calendar years for which they are required.

Motion made by Mr. Keliher and seconded by Mr. Borden. Motion passes (10 in favor, 1 opposed).

Move to modify terms of reference 4 to identify, describe, and, if possible, quantify the effect of environmental/climatic drivers on stock abundance considering annual to decadal scales

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

Move to task the Lobster Technical Committee (TC) to compile information on the lobster resource and fishery in and around the Northern Edge on Georges Bank. This is in relation to a potential action at the New England Fishery Management Council (NEFMC) which is considering scallop fishery access on the Northern Edge. A starting place for this tasking could be reviewing information that the Lobster TC compiled when ASMFC commented on the NEFMC's Omnibus Habitat Amendment 2. Areas of interest include:

- **Information on the presence and abundance of lobsters, including ovigerous lobsters, in and around the Northern Edge by month/season**
- **Lobster fishery effort in and around the Northern Edge by month/season**
- **Potential impacts of mobile gear on the lobster population in the area**
- **Information on the habitat type and depth preference of lobsters which could inform our understanding of lobsters on the northern edge if there are limitations in the data**
- **Whether current reporting by Area 3 vessels is representative, or an underestimate, of lobster effort in the Northern Edge area and how future requirements (i.e., federal eVTR requirement, vessel tracking) will impact the data available**

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

TAUTOG MANAGEMENT BOARD (OCTOBER 16, 2023)

Meeting Summary

The Tautog Management Board met to consider a Technical Committee (TC) report on the commercial tagging program and discuss potential changes to the program.

In response to a Board task at the August meeting to identify and evaluate alternative tag types, the TC met and identified the T-bar, Petersen disc, and dart tags as potential alternatives to test along with the smaller NBT tag. However, the TC noted that with the timeframe between the August and October meetings, only the smaller NBT tag could be evaluated and the study would be limited to two weeks. In order to conduct a more robust study that would include all potential tag types over 30 days, results will not be available until summer 2024.

The Board also discussed proposals to suspend the commercial tagging program while alternative tags are evaluated. In response to public comments and the results of the TC surveys reviewed in August 2023, New York requested that the Board consider either pausing the program through emergency action or a fast-tracked addendum until the Board could consider alternative tags, or potentially suspending the program indefinitely if a new tag could not be identified. The Board agreed that alternative tags need to be studied with the goal of finding a tag that could meet the objectives of the program and alleviate the concerns of live market harvesters and dealers. However, based on feedback from the Law Enforcement Committee that the program appears to be achieving its goal of reducing the number of illegal fish in the market, there were concerns about the effects on compliance if there was a pause in the program. In addition, there were states that have seen an increase in the value of their fish since the tagging program has been implemented. Ultimately the Board decided to maintain the program in its current form for the 2024 fishing year, during which time the alternative tags can be researched. For more information, please contact James Boyle, Fishery Management Plan Coordinator at jboyle@asmfc.org.

Motions

Main Motion

Move that the Tautog Management Board, by emergency action, as defined in the ISFMP Charter, suspend the Coastwide Commercial Tautog Tagging Program for 180 days to prevent additional negative impacts to the live market fishery and initiate an Addendum that will implement the suspension for the remainder of the 2024 fishing year and consider a longer term suspension if a suitable tag, satisfying Objective 4 in section 4.4.1 of Amendment 1, cannot be identified in time for implementation for 2025.

Motion made by Mr. Maniscalco and seconded by Dr. Davis

Motion to Substitute

Motion to substitute to initiate a fast-track addendum that will address negative impacts to the live market fishery, satisfying Objective 4 in section 4.4.1 of Amendment 1.

Motion made by Mr. Hasbrouck and seconded by Dr. Davis. Motion fails (1 in favor, 8 opposed).

Main Motion

Move that the Tautog Management Board, by emergency action, as defined in the ISFMP Charter, suspend the Coastwide Commercial Tautog Tagging Program for 180 days to prevent additional negative impacts to the live market fishery and initiate an Addendum that will implement the suspension for the remainder of the 2024 fishing year and consider a longer term suspension if a suitable tag, satisfying Objective 4 in section 4.4.1 of Amendment 1, cannot be identified in time for implementation for 2025.

Motion made by Mr. Maniscalco and seconded by Dr. Davis. Motion fails (1 in favor, 8 opposed).

ATLANTIC COASTAL FISH HABITAT PARTNERSHIP STEERING COMMITTEE (OCTOBER 16 & 17, 2023)

Meeting Summary

The Atlantic Coastal Fish Habitat Partnership (ACFHP) Steering Committee met to review the 2023-2024 Action Plan; discuss accomplishments and next steps; updated subcommittees and working groups; and delved into fundraising strategies, including the ACFHP Business Plan and BIL/IRA funding opportunities. The Committee also finalized its FY25 ACFHP funding application and heard from guest speakers, including Todd Miller from the North Carolina Coastal Federation and Jason Olive and Ryan Roberts from the National Fish Habitat Partnership. Despite an unsuccessful attempt at securing \$24,582,681 for the NOAA Climate Resilience Regional Challenge for eight oyster reef restoration projects spanning from Florida to New Hampshire, the Committee remained optimistic about the NOAA Transformational Habitat Restoration opportunity, targeting \$15 million for multi-habitat restoration projects in focused watersheds in Georgia, Delaware, and New Hampshire. The ACFHP FY25 Funding Application, open from October 31, 2023 to January 31, 2024, supports fish habitat conservation projects, with no specified upper funding limit but a mandatory 1:1 non-federal match requirement (Tribes exempted). The application process places more emphasis on diversity, equity, inclusion, and public access. For more information, please contact Simen Kaalstad, ACFHP Director, at skaalstad@asmfc.org.

HORSESHOE CRAB MANAGEMENT BOARD (OCTOBER 16, 2023)

Press Release

Horseshoe Crab Board Sets 2024 Specifications for Delaware Bay-Origin Horseshoe Crabs

Beaufort, NC – The Commission’s Horseshoe Crab Management Board approved harvest specifications for Delaware Bay-origin horseshoe crabs. Taking into consideration the output of the Adaptive Resource Management (ARM) Framework Revision, the Board set a harvest limit of 500,000 male and zero female Delaware Bay-origin horseshoe crabs for the 2024 season.

“The Board stands behind the ARM Framework Revision as the best available tool to set harvest limits for horseshoe crabs of Delaware Bay-origin. As a result of its use, the Delaware Bay horseshoe crab population has been increasing, with abundance of both female and male horseshoe crabs in the Delaware region at an all-time high since 2003. Despite this positive finding, the Board elected to implement zero female horseshoe crab harvest for the 2024 season as a conservative measure, considering continued public concern about the status of the red knot population in the Delaware Bay,” stated Board Chair John Clark of Delaware.

To make up for the lost harvest of larger female crabs, the Board agreed to increase Maryland and Virginia’s male harvest quotas with an offset ratio of 2:1 males to females. Using the allocation methodology established in Addendum VIII, the following quotas were set for New Jersey, Delaware, Maryland, and Virginia:

	Delaware Bay-Origin Horseshoe Crab Quota (no. of crabs)	Total Quota**
State	Male Only	Male Only
Delaware	173,014	173,014
New Jersey	173,014	173,014
Maryland	132,865	255,980
Virginia*	21,107	81,331

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

**Total harvest quotas for Maryland and Virginia include crabs which are not of Delaware Bay origin.

As part of its ongoing discussions regarding how best to manage Delaware Bay-origin horseshoe crabs and in response to the Stakeholder Survey, the Board will move forward with a Horseshoe Crab Management Objectives Workshop. The Workshop will include a small group of managers, scientists, and stakeholders to explore different management objectives for the Delaware Bay-origin horseshoe crab, with a focus on multi-year specification setting and modeling approaches when selecting no female harvest. The intent would be to provide a report to the Board in time for the 2025 specification setting process next fall. For more information, please contact Caitlin Starks, Senior Fishery Management Coordinator, at cstarks@asmfc.org or 703.842.0740.

PR23-25

Meeting Summary

In addition to setting Delaware Bay-origin harvest specifications for 2024, the Board considered the results of stakeholder survey on Delaware Bay management objectives, received a report on synthetic endotoxin testing reagents, approved the Fishery Management Plan (FMP) Review for the 2022 fishing year, and appointed a new Advisory Panel member.

In May 2023 the Board formed a work group to develop a survey to be distributed to stakeholders to guide the Board in evaluating management objectives for the Delaware Bay horseshoe crab bait fishery, and whether to consider future changes to management. The survey was distributed to stakeholders from the Delaware Bay states (New Jersey, Delaware, Maryland, and Virginia) including bait harvesters and dealers, fishermen who use horseshoe crab as bait, biomedical fishery and industry participants, and environmental groups. The results of the survey suggest the harvest of female horseshoe crabs does hold value for commercial fishery, and there is interest across stakeholder groups in modifying the management program for the Delaware Bay region.

Staff provided information on the synthetic alternatives to LAL, the endotoxin testing reagent derived from horseshoe crab blood, as requested by the Board. Recently, an expert committee of the US Pharmacopeia (USP) proposed a new standard including additional techniques for bacterial endotoxin testing using non-animal derived reagents, including recombinant Factor C (rFC) and recombinant cascade reagents (rCR). It also would provide information for manufacturers of new and existing biopharmaceuticals on how to incorporate them into their quality testing. The Board requested that a subject matter expert from the USP or the Food and Drug Administration attend a future meeting to provide additional detail on the efficacy of rFC and rRC compared to LAL.

The Board approved the FMP Review and state compliance reports for horseshoe crab for the 2022 fishing year, as well as *de minimis* status for South Carolina, Georgia, and Florida. Additionally, it approved the nomination of Sam Martin, a commercial fisherman for Maryland.

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

Motions

Move to accept the 2024 Adaptive Resource Management harvest specifications with 500,000 males and no female harvest on Delaware Bay-origin crabs. In addition, the 2:1 offset will be added to MD's and VA's allocations due to no female harvest.

Motion made by Ms. Madsen and seconded by Mr. Pugh. Motion passes by unanimous consent.

Move to use the Stakeholder Survey Report as a basis for a Horseshoe Crab Management Objectives workshop, which would include a small group of managers, scientists, and stakeholders to explore different management objectives for the Delaware Bay-origin horseshoe crabs. This workshop should focus on multi-year specification setting and modeling approaches when selecting no female harvest. The intent would be to provide a report to the full Board in time for the 2025 specification setting process.

Motion made by Ms. Madsen and seconded by Mr. Cimino. Motion passes by unanimous consent.

Move to approve the FMP Review, state compliance reports, and *de minimis* requests for South Carolina, Georgia, and Florida for the 2022 fishing year.

Motion made by Mr. Luisi and seconded by Mr. Hasbrouck. Motion passes by unanimous consent.

Move to approve Advisory Panel nomination for Sam Martin from Maryland.

Motion made by Mr. Luisi and seconded by Ms. Madsen. Motion passes by unanimous consent.

Move to task the Adaptive Resource Management Subcommittee with preparing a response to the September 2023 review of the ARM Framework by Dr. Kevin Shoemaker.

Motion made by Mr. Hyatt and seconded by Mr. Luisi. Motion passes by unanimous consent.

SHAD & RIVER HERRING MANAGEMENT BOARD (OCTOBER 16, 2023)

Meeting Summary

The Shad and River Herring Management Board met to receive a progress update on the River Herring Benchmark Stock Assessment and consider the Fishery Management Plan (FMP) Review for the 2022 fishing year.

The Board received an update on the River Herring Benchmark Stock Assessment. The Assessment Workshop was held from August 21-25, 2023. The Stock Assessment Subcommittee determined that the current timeline was not feasible, given the remaining workload, and recommended shifting the completion of the assessment forward one meeting week cycle. Instead of being peer-reviewed in Winter 2023 for presentation to the Board in February 2024, the assessment will now be peer-reviewed in early spring 2024 and presented to the Board at the Spring Meeting in May 2024.

The Board also reviewed the FMP Review and state compliance reports for the 2022 fishing year. In 2022, river herring landings were approximately 2.82 million pounds, which was a 34% increase from 2021, including approximately 2,600 pounds in bycatch landings. However, the Plan Review Team (PRT) noted that inconsistent sources of bycatch data between states make it difficult to evaluate bycatch annually. Non-confidential American shad landings totaled an estimated 110,027 pounds, a 44% decrease from 2021. Bycatch landings decreased by 75% to represent 7.5% of the total commercial landings. Hickory shad landings amounted to an estimated 98,962 pounds, a 0.5% decrease from 2021, although bycatch landings increased by 40% to represent 3% of commercial landings. The PRT noted that a number of states could not complete the monitoring requirements of Amendments 2 and 3 due to persistent funding and staffing issues, among some other minor issues with the compliance format. However, the PRT did not consider any of the issues significant. Therefore, the Board approved the 2022 FMP Review, state compliance reports, and *de minimis* requests.

For more information contact James Boyle, Fishery Management Plan Coordinator at jboyle@asmfc.org.

Motions

Move to approve the Shad and River Herring Fishery Management Plan Review and state compliance reports, and *de minimis* requests for ME, NH, MA, and FL for American shad and NH, GA, and FL for river herring for the 2022 fishing year.

Motion made by Mr. Grout and seconded by Mr. Woodward. Motion passes by unanimous consent.

ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 17, 2023)

Meeting Summary

The Atlantic Coastal Cooperative Statistics Program (ACCSP) Coordinating Council met to consider the FY2024 Partner and Administrative proposals and the Citizen Science SciFish Policies.

The Council voted to fund the ACCSP Administrative grant as base plus option 2 for required software platform development. The Council voted to support six maintenance proposals for FY2024 ranked and recommended by the Advisory and Operations Committees. The Council voted to fully support three new proposals and two proposals (from MAMFC and RI) at reduced scope to make the most progress with limited resources. The Council noted appreciation to the Operations and Advisors Committees for their work to rank proposals and provide thoughtful recommendations to utilize both the annual funding as well as \$250K unallocated funds from previous years.

The Council also approved the ACCSP Citizen science policies document for SciFish, allowing for creation of the SciFish Advisory panel and preparing for implementation of the SciFish application and project builder in the first half of 2024.

The Council was presented an update of ACCSP program activities, including software development timelines, updated on the Biological and Bycatch data collection program inventories now searchable in the ACCSP Data Warehouse, and the need for more Advisors to be appointed by Council members. For more information, please contact Geoff White, ACCSP Director, at Geoff.White@accsp.org.

Motions

Move to approve the FY2024 ACCSP Administrative grant as the base budget inclusive of Option 2 (\$50K) for a total of \$2,310,327.

Motion made by Mr. Carmichael and seconded by Ms. Burgess. Motion passes (19 in favor).

Move to approve the top six (6) FY2024 ACCSP Maintenance projects as recommended by the Operations Committee and Advisors, including \$65,819 of the \$250K carry-over funds.

Motion made by Ms. Salmon and seconded by Ms. Braun. Motion passes (20 in favor).

Main Motion

Move to accept the recommendations of the operations committee with the modification of funding both the MAFMC proposal “Improving Catch and Effort Data Collection from Recreational Tilefish Anglers” and the RIDEM proposal “The Economic Impact of Rhode Island’s Fishing Industry” per the agreement these two entities reached to alter their funding request to not exceed the new proposal allocation.

Motion made by Mr. McKiernan and seconded by Ms. Zobel. Motion amended.

Motion to Amend

Motion to amend to add “if Rhode Island Department of Environmental Management (RIDEM) and the Mid-Atlantic Fishery Management Council (MAFMC) are unable to reach an agreement on how to split the funds the final arbitrator would be the ACCSP Leadership Committee.”

Motion made by Ms. Burgess and seconded by Ms. Ware. Motion passes (20 in favor).

Main Motion as Amended

Move to accept the recommendations of the operations committee with the modification of funding both the MAFMC proposal “Improving Catch and Effort Data Collection from Recreational Tilefish Anglers” and the RIDEM proposal “The Economic Impact of Rhode Island’s Fishing Industry” per the agreement these two entities reached to alter their funding request to not exceed the new proposal allocation. If RIDEM and MAFMC are unable to reach an agreement on how to split the funds the final arbitrator would be the ACCSP Leadership Committee

Motion passes by unanimous consent.

Move to approve early funding option (November 2023) be used for Option 2 of the Administrative Grant (\$50,000) and for the new SC DNR project to add HMS fields to VESL (\$112,900).

Motion made by Ms. Burgess and seconded by Mr. Carmichael. Motion passes by unanimous consent.

Motion to approve the SciFish Policies and launching of the SciFish Project Builder and application.

Motion made by Mr. Carmichael and seconded by Mr. Clark. Motion passes by unanimous consent.

LAW ENFORCEMENT COMMITTEE (OCTOBER 17 & 18, 2023)

Meeting Summary

The Law Enforcement Committee (LEC) conducted a hybrid meeting during the Commission’s 81st Annual Meeting in Beaufort, NC. The committee welcomed LTC. Jeff Sabo as the new representative from the Pennsylvania Fish and Boat Commission.

Species Issues

American Lobster – The LEC discussed the status of the trigger indices under Addendum XXVII of Amendment 3 of the American Lobster Fishery Management Plan. Every October the American Lobster Management Board reviews trawl and ventless trap survey results to see if the 35% decline in the recruit abundance has occurred. If the 35% decline in the recruit abundance is reached, then the following management consideration will take effect.

- **1st Gauge Increase** – The first 1/16th of an inch gauge increase will take effect June 1st of the year after a determination by the Board that a 35% decline in recruitment abundance has occurred.
- **2nd Gauge Increase** – On June 1st, three years after the Board’s determination, the second 1/16th of an inch gauge increase for LMA1 harvesters will take effect.
- **Escape Vent Increase** – On June 1st, four years after the Board’s determination, lobster trap escape vent size increases will take effect.

The Committee was updated on the actions of the American Lobster Management Board in extending Addendum XXVII Implementation date to January 1, 2025.

Atlantic Striped Bass – Toni Kerns updated the LEC on the status of Draft Addendum II to Amendment 7 of the Atlantic Striped Bass ISFMP. Specific discussion was on the proposed compliance measures found in Section 3.0 of the Draft Addendum. The LEC looks forward to providing comments at the appropriate time on the specific management options.

Tautog Tagging Study – The LEC was briefed by staff on the status of the Tautog Tagging Study being conducted by the Technical Committee and the State of New York. The study will assess the varied types of tags in different environments. This study is to be completed in late 2023 with recommendations to the Tautog Management Board in 2024. The goal behind this study is to identify a tag for use that will not damage a fish in the live market and hold the appropriate information necessary for tracking within the fishery.

Spiny Dogfish – Staff provided information on actions taken by the Mid-Atlantic and New England Fishery Management Councils to reduce sturgeon bycatch in the several federal large mesh gillnet fisheries. The LEC discussed the following topics:

- In response to the 2021 Biological Opinion and 2022 Action Plan to Reduce Atlantic Sturgeon Bycatch in Federal Large Mesh Gillnet Fisheries, a joint FMAT/PDT of the New England and Mid-Atlantic Fisheries Management Councils formed to develop a range of alternatives to reduce sturgeon bycatch in the monkfish and spiny dogfish fisheries.
- Review Progress and Timeline Updates on the Mid-Atlantic and New England Fishery Management Councils' Joint Action on the Spiny Dogfish Fishery to Reduce Atlantic Sturgeon Bycatch.

Other issues

Members reviewed the current ASMFC document *Guidelines for Resource Managers on the Enforceability of Fishery Management Measures* (August 2015). This document has not been updated since 2015. With the always evolving strategies to address the development of fishery management plans, the LEC wished to keep this document relevant for the fishery managers of today. The LEC assigned a subcommittee in the Spring 2023. This subcommittee conducted three meetings over the summer months and has prepared a draft document for review and consideration by the full LEC. The next step will be to score and prioritize the management measures contained in the document. This will occur in late 2023, with a goal of this Boards approval in early 2024.

A presentation of the second phase of the NACLELA/ICCA Wildlife Officer Exchange Program was offered. In this phase the US agency representative travelled to the foreign nation to learn about their respective program. This program is of interest as the Chair of the LEC, Deputy Chief Jason Snellbaker (NJ) was invited by the organizers to participate in this program in his role as a state officer and a NACLELA graduate. This exchange was with an ICCA graduate from the Fisheries Compliance and Enforcement agency of Belize. Deputy Chief Jason Snellbaker shared his experience of traveling to Belize and learning about their fishery enforcement program. This shared experience helped to increase international collaboration and individual capacity to address wildlife crime globally.

The Committee also discussed how best to utilize the [Interstate Wildlife Violators Compact](#). Specifically, how best to share license sanctions among participating jurisdictions. For example, if the

State of Maine were to issue a license sanction for a violation of their regulations; the State of New Hampshire or Massachusetts or any compact partnered state with like regulation, can also revoke the privilege of this same fisher in their state. This would be based on the Maine suspension. For our member state agencies, this is an unused resource that could help protect our marine fisheries and offer a deterrent.

A closed session of our meeting was afforded to openly discuss new and emerging law enforcement issues. Respective agencies were provided time to highlight their agencies and offer current enforcement efforts. For more information, please contact Kurt Blanchard, LEC Coordinator, at kurt.blanchard@verizon.net.

ATLANTIC MENHADEN MANAGEMENT BOARD (OCTOBER 17, 2023)

Meeting Summary

The Atlantic Menhaden Management Board met to receive an update on the ecological reference point (ERP) benchmark stock assessment, review the Virginia Chesapeake Bay Menhaden Study Design Report, and consider approval of the 2022 Fishery Management Plan (FMP) Review.

The Board received an update on the ERP Benchmark Stock Assessment. The ERP Workgroup met in October to conduct a Data and Methods Workshop to review new data sources; discuss high priority updates to the ecosystem models, including identifying potential new predators to add to the model; and discuss ongoing ecosystem indicator work in Maryland and Virginia. The ERP Benchmark Stock Assessment is scheduled to be presented to the Board at the 2025 Annual Meeting.

The Board reviewed the Virginia Chesapeake Bay Menhaden Study Design Report from the Virginia Institute of Marine Science (VIMS). In response to public concerns about the impacts of Atlantic menhaden commercial fishing in Chesapeake Bay, the Virginia General Assembly passed legislation that directed VIMS to develop a plan for studying Atlantic menhaden in Virginia waters. The Report outlines priority research recommendations, including methodologies, appropriate research agencies, collaborative stakeholders, timelines, and costs associated with those recommendations.

The Board approved the FMP Review for the 2022 fishing year, as well *de minimis* requests from Pennsylvania, South Carolina, Georgia, and Florida. The coastwide total allowable catch (TAC) for the 2022 fishing year was 194,400 mt. According to state compliance reports, total catch in 2022 including directed, incidental/small-scale fishery (IC/SSF), and episodic event set aside (EESA) landings was approximately 195,387 mt. IC/SSF landings, which did not count towards the coastwide TAC, amounted to an estimated 8,156 mt representing a 46% increase from 2021. Therefore, non-incidentals landings in 2022 totaled 187,231 mt, which is approximately 96% of the coastwide TAC and a 1% decrease from 2021. While bait landings increased from 2021, reduction landings decreased by 2%.

The Plan Review Team questioned whether the current 10-fish biological sampling requirement is sufficient to categorize the impact of the commercial gear types on the menhaden population and whether it is appropriate for states to substitute fishery-independent data. Staff reported that

these issues will be evaluated as part of the 2025 Atlantic Menhaden Single-Species Stock Assessment Update. For more information contact James Boyle, Fishery Management Plan Coordinator at jboyle@asmfc.org.

Motions

Move to approve the Fishery Management Plan Review, state compliance reports, and *de minimis* requests for PA, SC, GA, and FL for Atlantic menhaden for the 2022 fishing year.

Motion made by Mr. Hasbrouck and seconded by Mr. Miller. Motion passes by unanimous consent.

COASTAL PELAGICS MANAGEMENT BOARD (OCTOBER 17, 2023)

Meeting Summary

The Coastal Pelagics Management Board met to receive an update on the 2025 SouthEast Data, Assessment, and Review (SEDAR) stock assessment for Atlantic cobia; set state waters recreational management measures for Atlantic cobia for the 2024 fishing year; receive a Cobia Technical Committee (TC) report regarding reallocation of recreational quota; and receive an update from the South Atlantic Fishery Management Council (SAFMC) regarding Framework Amendment 13 to the Coastal Migratory Pelagics (CMP) Fishery Management Plan (FMP) and upcoming mackerel port meetings.

The Board received a presentation on the status of the upcoming stock assessment for Atlantic cobia, which is scheduled to be peer reviewed in 2025 through the SEDAR process. The 2025 cobia assessment will function differently from SEDAR 58, the previous assessment for the species. Significant participation from the Commission and state staff will require the Board to establish an Atlantic Cobia Stock Assessment Subcommittee (SAS). The assessment will face a number of challenges including, but not limited to, the loss of the sole abundance index for the species and the need to consider new data sources and modeling frameworks. Additionally, as part of the stock assessment, the Cobia TC has expressed interest in reexamining the management boundary for Atlantic cobia which currently sits at the Florida Georgia state line. The 2025 stock assessment for Atlantic cobia is expected to be presented to the Board in early 2026.

Next, the Board received a TC report and recommendation for setting state waters recreational management measures in 2024. Typically, the TC would determine state management measure changes through comparing each state's recent harvest to state harvest targets. However, this year, in addition to harvest target evaluations, the Board also tasked the TC with reviewing the impacts of status quo recreational management measures. Ultimately, the Board agreed with the TC recommendation, and chose to maintain status quo state waters recreational management measures for the 2024 fishing season.

The second TC report to the Board focused on recent trends in state and regional cobia landings compared to harvest targets. The TC noted current recreational allocations are calculated based on states' percentages of coastwide landings through 2015. However, harvest patterns since 2015 appear to have changed such that a majority of cobia harvest now occurs outside of the Southeast region. The TC recommended the Board consider taking action to address recreational quota reallocation of Atlantic cobia, but noted the timing of Board action should consider upcoming

changes to the Marine Recreational Information Program Fishing Effort Survey and the potential for a stock boundary reexamination alongside the next stock assessment. After receiving the TC report and recommendation, the Board initiated an addendum to address recreational Atlantic cobia quota reallocation. The Board recommended the Plan Development Team (PDT) explore options to consider the seasonality of the species in various regions, reevaluate what a soft target is, and if state-by-state soft targets are appropriate for managing pulse fisheries like Atlantic cobia. The Board will form a PDT following the Commission's Annual Meeting, and will receive an update from the PDT and better define addendum alternatives at the Commission's next meeting in January.

Lastly, the Board received an update from SAFMC regarding upcoming mackerel port meetings and CMP Framework Amendment 13. CMP Framework Amendment 13 will adopt the new acceptable biological catch (ABC) level for Spanish mackerel and is expected to be approved in June 2024. Mackerel port meetings are expected to start in Spring 2024, and will serve as pre-scoping for an upcoming SAFMC plan amendment addressing management of Atlantic Spanish mackerel.

For more information, please contact Chelsea Tuohy, Fishery Management Plan Coordinator, at ctuohy@asmfc.org.

Motions

Move to maintain status quo state waters recreational management measures for Atlantic cobia for the 2024 fishing season.

Motion made by Ms. Madsen and seconded by Mr. Woodward. Motion passes by unanimous consent (Roll call: In favor – RI, NY, DE, MD, PRFC, VA, NC, SAFMC; Abstentions – FL, NOAA Fisheries; Null – GA, SC).

Move to initiate an addendum addressing recreational Atlantic cobia quota reallocation. The Board recommends that the Plan Development Team explore options outside of the current state-by-state quota allocation system, specifically a coastwide soft target with regional management measures designed to meet the coastwide soft target while considering the need for fishing opportunity based on the seasonality of the species in various regions.

Motion made by Ms. Madsen and seconded by Mr. Batsavage. Motion passes (9 in favor, 2 null, 2 abstentions).

Move to elect Mr. Spud Woodward from Georgia as the Vice Chair of the Coastal Pelagics Management Board.

Motion made by Mr. Batsavage and seconded by Dr. Rhodes. Motion passes by unanimous consent.

COASTAL SHARKS MANAGEMENT BOARD (OCTOBER 17, 2023)

Meeting Summary

The Coastal Sharks Management Board met to consider a process to set 2024 specifications. NOAA Fisheries Highly Migratory Species Division published the proposed 2024 Atlantic shark specifications in August. The proposed rule includes a start date of January 1 for all shark management groups, with quota levels and possession limits remaining unchanged from 2023. The proposed initial 2024 possession limit for the aggregate large coastal sharks (LCS) other than sandbar is 55 sharks per vessel trip, and the initial possession limit for blacknose sharks is eight

sharks per vessel trip. NOAA Fisheries may reduce the retention limits as needed to ensure the quotas are not exceeded. The proposed rule also considers options for the 2024 and future fishing years to automatically open the commercial fishing year on January 1 of each year under the base quotas and default retention limits, and to increase the default commercial retention limit for the LCS fisheries. Upon the release of NOAA's final rule later this year, the Board will set the 2024 coastal shark specifications via an email vote.

Additionally, the Board elected Mike Luisi as Vice-Chair. For more information, please contact Caitlin Starks, Senior Fishery Management Plan Coordinator at cstarks@asmfc.org.

Motions

Move to approve the 2024 coastal sharks specifications via an email vote after NOAA Fisheries publishes the final rule for the 2024 Atlantic Shark Commercial Fishing season.

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

Move to nominate Mike Luisi as Vice Chair of the Coastal Sharks Board.

Motion made by Mr. Clark and seconded by Ms. Meserve. Motion approved by unanimous consent.

EXECUTIVE COMMITTEE (OCTOBER 18, 2023)

Meeting Summary

The Executive Committee (EC) met to discuss several issues, including the FY23 Audit, an increase to the per diem allowance; an update on Consolidated Appropriations Act (CAA) and a Legislative Committee update. The following action items resulted from the Committee's discussions:

- The FY23 Audit was reviewed by the Administrative Oversight Committee (AOC) and forwarded to the Executive Committee with a recommendation for approval. The motion to approved unanimously.
- Staff presented a report on the potential for an increase in Per Diem rates for Commission meetings. The increase would be from Commission General and Administrative (G&A) funds, not federal funds. Staff presented an analysis of the impact this increase would have on the Commission budget and it was determined to be less than \$15,000 annually. A motion was made to implement this change and it passed.
- Staff presented the Executive Committee with multiple legislative updates per the recommendation of the Legislative Committee. Topics included: the speakership battle and its potential impacts on the budget, the Recovering America's Wildlife Act, the FISHES Act, unconfirmed upcoming priorities for Congress, and updates on internal Commission planning documents.
- Staff gave an update on the Consolidated Appropriations Act (CAA) funds. CAA has approximately \$7 million remaining and the states are expected to disburse it all by July 31, 2024.
- Mr. Keliher presented an overview of the American Unagi aquaculture facility in Hancock County, Maine. The facility is highly effective in growing out glass eels to supply the domestic unagi market.

For more information, please contact Laura Leach, Director of Finance & Administration, at lleach@asmfc.org.

Motions

On behalf of the Administrative Oversight Committee, move acceptance of the FY23 Audit.

Motion made by Joe Cimino. Motion passes unanimously.

Move the Commission approve a 30% increase to the per diem allowance which will come from G&A, not federal funds.

Motion made by Mr. Abbott and seconded by Mr. Miller. Motion passes (14 in favor, 1 opposed, 1 abstention).

BUSINESS SESSION OF THE COMMISSION (OCTOBER 18, 2023)

Press Release

Joseph Cimino Elected ASMFC Chair

Beaufort, NC – Yesterday, member states of the Atlantic States Marine Fisheries Commission (Commission) thanked Spud Woodward of Georgia for an effective two-year term as Chair and elected Joseph Cimino of New Jersey to succeed him.

“I’m honored to be chosen by my fellow Commissioners to lead our efforts for the next two years. One of my priorities will be to work with my colleagues in the states and federal agencies to seek resources to fund fundamental fisheries data collection and science activities to support our management programs. Other topics that will be the focus over the next two years will be our ability to adapt to climate-induced changes in fisheries and how best to respond to the possible recalibration of recreational fishing effort and harvest data from the Marine Recreational Information Program Fishing Effort Survey,” said Mr. Cimino.

Mr. Cimino continued, “I want to thank outgoing Chair, Spud Woodward for his commitment to updating our foundational guidance documents on our Appeals Process, *De Minimis* Policy, and Conservation Equivalency Guidelines. These clearly articulated guidelines and processes are fundamentally important to ensuring that we treat each other fairly and without undue burden in the management process. Newly elected Vice-chair Dan McKiernan and I will strive to emulate his success by working with our stakeholders, state, federal, and academic partners, Congress, and especially Bob Beal and the outstanding staff to ensure *Cooperative and Sustainable Management of Atlantic Coastal Fisheries* is not just a vision statement but a reality.”

Under Mr. Woodward’s leadership, the Commission made important strides in furthering its strategic goals. Management accomplishments over the past two years include decisive action to initiate rebuilding of Atlantic striped bass; the adoption of a new amendment for summer flounder, scup and black sea bass to address the reallocation of the resource between commercial and recreational



sectors; approved changes to the management of recreational fisheries for bluefish, summer flounder, scup and black sea bass through adoption of recreational measures setting process; and the approval of new addenda for American lobster, Atlantic menhaden, and horseshoe crab – all with the shared goal of providing the states and their stakeholders fair access to these resources while ensuring the species' health and long-term sustainability. An outstanding number of benchmark stock assessments and assessment updates were completed, including American eel, Atlantic menhaden, Atlantic striped bass, black drum, bluefish, Jonah crab, winter flounder, and revision to the Adaptive Resource Management Framework.

Working with the three East Coast Regional Fishery Management Councils and NOAA Fisheries, significant progress was also made on how fisheries managers can best address changing fish stock availability or distribution caused by climate change with the development of potential governance and management actions that could help prepare fishery management organizations for future challenges related to climate change.

Further, advances in habitat conservation were made by the Atlantic Coastal Fish Habitat Partnership (ACFHP) through its funding of seven on-the-ground projects, which will open over 40 river miles and conserve over 300 acres of fish habitat. These include dam removal and fishway projects in New Jersey and Massachusetts, as well as saltmarsh and seagrass restoration projects in North Carolina and Florida. ACFHP also partnered with the Southeast Aquatic Resources Partnership and The Nature Conservancy to spatially prioritize fish habitat conservation sites through GIS mapping and analyses for the Atlantic region of the U.S. from Maine to Florida.

From a data collection and management perspective, the Atlantic Coastal Cooperative Statistics Program (ACCSP) also made progress under Mr. Woodward's leadership. ACCSP supported 27 partner agency data collection projects, and expanded the scope and security of the ACCSP Data Warehouse. ACCSP established citizen science policies and data collection systems including SciFish; supported implementation of the SouthEast For-Hire Integrated Electronic Reporting system; completed the Atlantic Regional Recreational Data Needs Implementation plan; and made progress on a methodology to more fully use for-hire logbooks in Marine Recreational Information Program's catch statistics.

Mr. Cimino directs the New Jersey Department of Environmental Protection's (NJDEP) Marine Resources Administration, which includes the bureaus of marine fisheries and marine habitat and shellfisheries. He represents the NJDEP at various inter- and intra-state meetings, including the New Jersey Marine Fisheries Council and the Delaware Bay and Atlantic Shellfisheries Councils, the Mid-Atlantic Fishery Management Council, and the Atlantic States Marine Fisheries Commission, where he has represented the State of New Jersey since 2019 and prior to that the Commonwealth of Virginia from 2015-2018. Mr. Cimino directs the research and monitoring programs of the Administration to ensure they provide the information necessary for sound management of marine and shellfish resources. He started his marine fisheries career as a seasonal technician for New York State Department of Environmental Conservation's Hudson River Fisheries Unit, he then spent two years with North Carolina's Division of Marine Fisheries. During his 14 years with the Virginia Marine Resources Commission, he held various roles, ultimately finishing his time there as the Deputy Chief of Fisheries. Mr. Cimino has degrees from SUNY Cobleskill and Plattsburgh in Fisheries and Wildlife Technology and Environmental Science, respectively.

The Commission also elected Dan McKiernan, Director of Massachusetts Division of Marine Fisheries, as its Vice-Chair.

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PR23-27

Meeting Summary

In addition to electing new leadership, the Commission reviewed and approved the 2024 Action Plan, which guides the Commission's activities over the next year. It also received a brief overview of the Draft 2024-2028 Strategic Plan, which will be considered for final action in January at the Commission's Winter Meeting. For more information, please contact Robert Beal, Executive Director, at rbeal@asmfc.org.

Motions

Motion to approve the 2024 Action Plan.

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

On behalf of the nomination committee, move to elect Joe Cimino as ASMFC Chair.

Motion made by Mr. Keliher. Motion unanimously approved.

On behalf of the nomination committee, move to elect Dan McKiernan as ASMFC Vice-Chair.

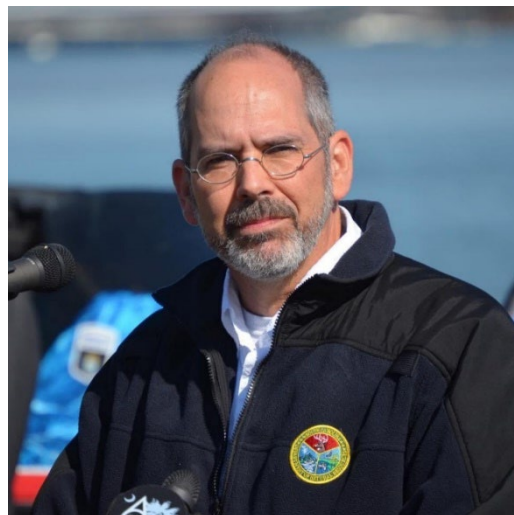
Motion made by Mr. Keliher. Motion unanimously approved.

CAPTAIN DAVID H. HART AWARD (OCTOBER 18, 2023)

Press Release

Robert H. Boyles, Jr. Named 2023 Captain David H. Hart Award Recipient

Beaufort, NC – At its 81st Annual Meeting in Beaufort, North Carolina, the Atlantic States Marine Fisheries Commission presented Robert H. Boyles, Jr., Director of the South Carolina Department of Natural Resources, the Captain David H. Hart Award for 2023 for his longstanding contributions to and exceptional leadership towards the sustainable management of marine resources along the Eastern seaboard. The Commission instituted the Hart Award in 1991 to recognize individuals who have made outstanding efforts to improve Atlantic coast marine fisheries. The Hart Award is named for one of the Commission's longest serving members, who dedicated himself to the advancement and protection of marine fishery resources, Captain David H. Hart, from the State of New Jersey.



For nearly three decades, Mr. Boyles has dedicated his career to the conservation and management of marine resources within his home state of South Carolina, within the South Atlantic region through his longstanding participation on the South Atlantic Fishery Management Council, and along the entire

Atlantic coast as Commissioner and past Chair and Vice-chair of the Atlantic States Marine Fisheries Commission (ASMFC). Robert was an ASMFC Commissioner from 2004 – 2020. Over that time, he was a thoughtful contributor to our process; chairing management boards for Atlantic menhaden, horseshoe crab, and South Atlantic species, as well as the Atlantic Coastal Cooperative Statistics Program Coordinating Council.

Over the five years that he served as Commission Chair and Vice-chair, he exemplified leadership through his innate ability to understand and facilitate the cooperative nature of the Commission’s Compact. He quickly became and will always be considered the senior statesman of the Commission, with a knack for poignantly quoting one of the nation’s founding members to refocus commissioners on addressing the fundamental question at hand. Mr. Boyles was an advocate for transparent decision making; a great supporter of the Commission, respecting the opinions of both senior veterans and new commissioners alike; and a promoter of unity among states, especially during difficult and contentious deliberations.

Mr. Boyles’ notable accomplishments include greater protection of shad and river herring, with the closure of state waters in the absence of approved sustainability management plans. He also advanced the Commission’s first multispecies approaches to management through the development of the horseshoe crab Adaptive Resource Management Framework and the inclusion of data on predator demands in the Atlantic menhaden stock assessment, setting us on the course for the current management of Atlantic menhaden through the use of ecological reference points.

Although his appointment as Director of the South Carolina Department of Natural Resources precluded his continued service to the Commission, Mr. Boyles continues to advocate for the protection of South Carolina’s Marine Resources through his directorship of the Department as well as serving on multiple national boards, including Chair of the Southeastern Association of Fish and Wildlife Agencies, Vice-Chair of the South Carolina Sea Grant Consortium, and Chair of the National Fish Habitat Board.

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PR23-26

SPINY DOGFISH MANAGEMENT BOARD (OCTOBER 18, 2023)

Meeting Summary

The Spiny Dogfish Management Board met to review an update on the joint action of the Mid-Atlantic and New England Fishery Management Councils (Councils) to reduce sturgeon bycatch and to consider the Fishery Management Plan (FMP) Review for the 2022/2023 fishing year.

The Board received an update on the Councils’ joint action to reduce sturgeon bycatch in the monkfish and spiny dogfish fisheries. The Board reviewed the range of alternatives that were recently approved by both Councils. Final action on the alternatives is planned for April 2024. Accordingly, the Board will plan to review the final action and consider complementary action for state waters at the Spring Meeting in May 2024.

The Board was presented the FMP Review for the 2022/2023 fishing year. Commercial landings increased by 28% from 2021-2022 and were approximately 43% of the coastwide quota. Recreational harvest decreased by 41%, but dead discards increased by 8%, from the previous fishing year. The Board approved the FMP Review, state compliance, and *de minimis* requests from New York and Delaware. For more information, please contact James Boyle, FMP Coordinator, at jboyle@asmfc.org.

Motions

Move to approve the Fishery Management Plan Review, state compliance reports, and *de minimis* requests for DE and NY for the 2022-2023 fishing year.

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

HABITAT COMMITTEE (OCTOBER 18 & 19, 2023)

Meeting Summary

The Commission's Habitat Committee met on October 18 & 19, following a field trip to the North River Wetlands Preserve that was hosted by Todd Miller from the North Carolina Coastal Federation. During the meeting, the Committee addressed the *Habitat Hotline Atlantic*; status of the current Acoustics Impacts Habitat Management Series document; and welcomed guest speakers, Bill Crowell and Judd Kenworthy from the Albemarle-Pamlico National Estuary Partnership. The discussion surrounding the next issue of the *Habitat Hotline Atlantic* focused on format, topics, and the necessity for following up with Commissioners and the broader audience in order to include the most relevant content. Notably, the Committee made progress in designating Fish Habitats of Concern (FHOC) for all Commission-only managed species. These designations were based on the ecological importance of the habitats, sensitivity to human-induced environmental degradation, potential stress from development activities, and habitat rarity. The FHOC document was approved by the ISFMP Policy Board. For more information, please contact Simen Kaalstad, ACFHP Director, at skaalstad@asmfc.org.

ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 18, 2023)

Press Release

Atlantic Striped Bass Board Approves Draft Addendum II for Public Comment to Consider Measures to Reduce Fishing Mortality in 2024

Beaufort, NC – The Commission's Atlantic Striped Bass Management Board approved for public comment Draft Addendum II to Amendment 7 to the Interstate Fishery Management Plan (FMP) for Atlantic Striped Bass. The Draft Addendum considers management measures designed to support stock rebuilding by reducing fishing mortality to the target in 2024.

The Board initiated the Draft Addendum in response to the low probability of meeting the 2029 stock rebuilding deadline if the unexpectedly high 2022 fishing mortality rate continues. The Draft Addendum builds upon the 2023 emergency action by considering management measures intended to reduce fishing mortality to the target level in 2024. Projections indicate that a 14.5% reduction in total removals relative to 2022 is needed to have a 50% chance of being at or below the fishing

mortality target in 2024. For the recreational fishery, the Draft Addendum proposes recreational bag and size limit options for the ocean and Chesapeake Bay regions, including options with different limits for the for-hire modes. To address concerns about recreational filleting allowances and compliance with recreational size limits, the Draft Addendum includes an option that would establish minimum requirements for states that authorize at-sea/shore-side filleting of striped bass (e.g., racks must be retained). For the commercial fishery, the Draft Addendum proposes a quota reduction option that would reduce commercial quotas by up to 14.5%, with the final percent reduction to be determined by the Board.

For measures beyond 2024, the Board will consider the results of the upcoming 2024 stock assessment update to inform subsequent management action. To enable an expedited management response to the 2024 stock assessment update, the Draft Addendum proposes an option that would enable the Board to respond to the results of the stock assessment updates more quickly, via Board action, if the stock is not projected to rebuild by 2029.

The Draft Addendum will be posted to the website no later than October 31st at <https://asmfc.org/about-us/public-input>. A subsequent press release will provide the details on the public hearing schedule and how to submit written comments. The Board will meet to review submitted comments and consider final action on the addendum in January 2024 at the Commission's Winter Meeting in Arlington, VA. For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org or 703.842.0740.

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PR23-27

Meeting Summary

In addition to approving Draft Addendum II for public comment, the Atlantic Striped Bass Management Board received an update on management of the Albemarle Sound-Roanoke River striped bass stock.

The Albemarle Sound-Roanoke River (A/R) striped bass stock is assessed and managed by North Carolina (NC) under the auspices of the Commission. NC provides regular updates to the Board regarding A/R stock assessments and management changes. The 2020 and 2022 A/R striped bass stock assessments determined the stock was overfished and experiencing overfishing, and abundance indices indicate continued stock decline. In particular, juvenile recruitment has been very low for several consecutive years. The resulting total allowable landings (TAL) level needed to reduce fishing mortality to its target is effectively too low to manage. For this reason and due to continued concern about stock decline and low recruitment, NC is implementing a harvest moratorium in the [Albemarle Sound Management Area](#) starting in 2024 via the adaptive management framework under Amendment 2 of the NC Estuarine Striped Bass FMP. In addition, the 2023 fall recreational and commercial seasons in the Albemarle Sound will not open because there is little quota remaining and because of stock status concerns. It is currently unknown if a harvest moratorium will be implemented in the Roanoke River Management Area.

Finally, the Board recognized outgoing Board Chair Marty Gary, New York's Administrative Commissioner and formerly with the Potomac River Fisheries Commission, for completing his two-year term as Board Chair. Vice-Chair Megan Ware, Maine's Administrative Proxy, will assume the Chair role at the January 2024 Board meeting. For more information, please contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org.

Motions

Main Motion

Move to remove from section 3.1.2 (Chesapeake Bay Recreational Options) of Draft Addendum II, Alternative Set B (B1 - B4), Alternative Set C (C1-C4), and E4.

Motion made by Mr. Luisi and seconded by Mr. Geer. Motion amended.

Motion to Amend

Motion to amend to add E3 for removal.

Motion made by Mr. Grout and seconded by Dr. Armstrong. Motion passes (10 in favor, 6 opposed).

Move to remove from section 3.1.2 (Chesapeake Bay Recreational Options) of Draft Addendum II, Alternative Set B (B1 - B4), Alternative Set C (C1-C4), E4, and E3.

Motion passes by unanimous consent.

Motion to add the following options to section 3.1.1. Ocean Recreational Fishery:

- **Option D. 1 fish at 30" to 33" with 2022 seasons (all modes) (12.8% overall reduction, 45% harvest reduction and 2% increase in release mortality)**
- **Option E. 1 fish at 30" to 33" with 2022 seasons for private vessel/shore anglers; 1 fish at 28"-33" with 2022 seasons for the for-hire mode**

Motion made by Dr. Davis and seconded by Mr. Cimino. Motion passes (15 in favor, 1 opposed).

Main Motion

Move to specify that any for-hire mode specific limit optioned in Section 3.1, Recreational Fishery Management, applies only to patrons during a for-hire trip; captain and crew during a for-hire trip are subject to the private vessel/shore angler limits.

Motion made by Dr. Armstrong and seconded by Mr. Clark. Motion amended.

Motion to amend to replace "specify" with "add an option".

Motion made by Mr. Grout and seconded by Mr. Hasbrouck. Motion passes (13 in favor, 1 opposed, 2 abstentions).

Move to add an option that any for-hire mode specific limit optioned in Section 3.1, Recreational Fishery Management, applies only to patrons during a for-hire trip; captain and crew during a for-hire trip are subject to the private vessel/shore angler limits.

Motion passes (12 in favor, 2 opposed, 2 abstentions).

Motion to remove section 3.2.2 Commercial Maximum Size Limit options and 3.2.3 Gill Net Exemption options from Draft Addendum II.

Motion made by Dr. Davis and seconded by Mr. Clark. Motion passes by unanimous consent.

Motion to approve Draft Addendum II for public comment as modified today.

Motion made by Mr. Hasbrouck and seconded by Dr. McNamee. Motion passes by unanimous consent.

AMERICAN EEL MANAGEMENT BOARD (OCTOBER 19, 2023)

Meeting Summary

The American Eel Management Board met to consider progress in the development of two Draft Addenda to address the coastwide commercial quota for yellow eel and Maine’s glass eel commercial quota for the 2025 fishing year and beyond, and a report from the Advisory Panel.

In August, the Board initiated two addenda. The first considers reducing the yellow eel commercial catch cap in response to the recent stock assessment finding that the coastwide stock is depleted. Specifically, the draft addendum will consider options for setting the coastwide cap using a new tool proposed in the assessment called *I_{TARGET}*. *I_{TARGET}* uses abundance indices and catch to recommend harvest levels aiming to achieve increases in stock abundance. The Plan Development Team (PDT) has met twice, and recommends that the addendum include an option using the configuration of *I_{TARGET}* recommended in the assessment, and another using a more recent time series (1988-1999) as a reference period. The Board provided guidance to the PDT to add additional options, and provide clear rationales for each in the document.

The PDT working on the development of the draft addendum addressing Maine’s glass eel quota has met once to discuss potential management options, including status quo and a reduced quota. The PDT will provide recommended management options to the Board at its next meeting.

The Board also received a report from the Advisory Panel (AP). The AP met in September to review the recent benchmark stock assessment, receive an update on ongoing management actions, and provide comments on the fishery. Only three advisors were in attendance on the call, and they expressed concern about reduced participation in the AP.

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

Motions

No motions made.

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (OCTOBER 19, 2023)

Meeting Summary

The Interstate Fisheries Management Program (ISFMP) Policy Board met to receive an update from the Executive Committee (see Executive Committee Summary); consider changes to the Conservation Equivalency Guidance document; receive an update from NOAA Fisheries on Inflation Reduction Act funds for North Atlantic Right whales; review reports from the Assessment Science Committee, Law Enforcement Committee (see Law Enforcement meeting summary), Atlantic Coastal Fish Habitat

Partnership (see ACFHP meeting summary) and the Habitat Committee (see Habitat Committee meeting summary); and consider approval of Fish Habitats of Concern document, and other business.

Conservation Equivalency Guidance Document

The Commission has been working to update the Conservation Equivalency (CE) Policy and Technical Guidance Document to reflect current use of CE and change the policy have more requirements verses recommendations. The new policy will not allow the use of CE programs if the stock is overfished or depleted unless the species board votes, via 2/3 majority, to allow for its use. The revised policy has guidance for when CE is not allowed, standards for state proposals, how the review process is conducted, and information on coordination with federal partners. The Policy Board approved the revised document, which will be available on the Commission website under [Guiding Documents](#) by the end of October.

North Atlantic Right Whale Funding from the Inflation Reduction Act

The Department of Commerce and NOAA Fisheries announced next steps to conserve and recover endangered North Atlantic right whales (NARW) with [\\$82 million in funding](#). This funding will support the application of existing technologies (e.g., PAMs) and the development and implementation of technologies to enable vessels to detect and avoid NARW and other large whales. NOAA Fisheries will continue to develop and evaluate new technologies — such as those that use high-resolution satellite information — to enhance NARW monitoring and improve understanding of the whales’ distribution and habitat use. NOAA Fisheries will invest in four major areas over the next three years to include monitoring and computer modeling of whale distribution, vessel strike risk reduction, on-demand fishing gear, and enforcement efforts.

Assessment Science Committee Report

The river herring assessment, originally scheduled to be presented to the Shad and River Herring Management Board in February 2024, has now been moved to May. Following the Assessment Workshop in August, the Stock Assessment Subcommittee decided that it needed more time. The spot and croaker benchmark assessments, which are usually conducted together have been uncoupled. The assessment for Atlantic croaker will be completed in 2024, while spot assessment has been moved to 2025. The shift in completion of the spot assessment was made because the stock synthesis lead moved on to a new job and there is no one to immediately replace them. Additionally, there is a project being conducted on spot at the University of Maryland that follows a concurrent timeline as the new spot assessment schedule which could prove useful. The Policy Board approved the revised Commission assessment schedule.

The Board reviewed and approved the Fish Habitats of Concern Document prepared by the Habitat Committee. The document describes the regulatory and policy context for habitat descriptions in interstate fishery management plans. It also provides descriptions of fish habitats of concern for species managed only by the Commission.

Other Business

The Policy Board discussed recent actions by the New England and Mid-Atlantic Fishery Management Councils (Councils) requesting information on an industry-based survey from the Northeast Fisheries Science Center (NEFSC). The Commission supported the Councils’ concerns that the Center’s survey

may have continued difficulties in gathering the necessary data to support the activities of the Councils' and Commission. The Commission agreed to send a letter to the NEFSC requesting the Center complete a white paper by January 12, 2024 outlining an industry-based survey that is complementary to the Spring and Autumn Bottom Trawl Surveys.

Staff will solicit information from the states in order to quantify pot fisheries that use horseshoe crab as bait along the coast. This information will be presented to the Horseshoe Crab Management Board at its next meeting.

Lastly, staff updated the Board on a [webinar the MAFMC](#) will conduct on November 1, from 2-5 p.m., to solicit stakeholder input on several summer flounder regulations related to commercial minimum mesh sizes and their exemptions. For more information, please contact Toni Kerns, Fisheries Policy Director, at tkerns@asmfc.org.

Motions

Move to delete “come from a period of high availability” from the closed period guidance of the document. The new sentence would read: Any closed period must include at least two consecutive weekend periods (Friday, Saturday and Sunday).

Motion made by Dr. Davis and seconded by Mr. Haymans. Motion passes by unanimous consent.

Main Motion

Move to approve the 4th option for inclusion in the document for when CE is not allowed.

Motion made by Dr. McNamee and seconded by Mr. Clark. Motion amended.

Motion to Amend

Move to amend to replace the 4th with 3rd option.

Motion made by Mr. Batsavage and seconded by Ms. Madsen. Motion passes (12 in favor, 5 opposed).

Main Motion as Amended

Move to approve the 3rd option for inclusion in the document for when CE is not allowed.

Motion to Amend

Motion to amend to add “depleted.”

Motion made by Dr. Davis and seconded by Mr. Kane. Motion passes with one opposition.

Main Motion as Amended

Move to approve the 3rd option for inclusion in the document for when CE is not allowed. The new Option 3 reads: CE is not permitted if the stock is overfished or depleted, unless allowed by board via 2/3 majority vote (the rules on voting in Article II. Section 1. apply)

Motion passes.

Main Motion

Move to approve Option 1 for non-quantifiable measures.

Motion made by Mr. Grout and seconded by Dr. McNamee.

Move to substitute for Option 2

Motion made by Ms. Burgess and seconded by Mr. Dyar. Motion fails (6 in favor, 11 opposed).

Main Motion

Move to approve Option 1 for non-quantifiable measures.

Motion made by Mr. Grout and seconded by Dr. McNamee. Motion passes with one opposition.

Move to approve the Conservation Equivalency: Policy and Technical Guidance Document as modified today.

Motion made by Ms. Fegley and seconded by Ms. Braun. Motion carries by unanimous consent.

Move to approve the Fish Habitats of Concern Document.

Motion made by Mr. Clark and seconded by Dr. Rhodes. Motion carries by unanimous consent.

Move that the Commission supports the New England and Mid-Atlantic Fisheries Management Council’s request for information on an industry-based survey and the Commission send a similar letter requesting the NEFSC completes a white paper by January 12, 2024 outlining an industry-based survey that is complementary to the Spring and Autumn bottom trawl survey for the Commission and Councils.

Motion made by Mr. Reid and seconded by Mr. Kane. Motion passes by unanimous consent.

SCIAENIDS MANAGEMENT BOARD (OCTOBER 19, 2023)

Meeting Summary

The Sciaenids Management Board met to consider several items: update of the black drum indicators; Fishery Management Plan Reviews and state compliance reports for red drum, Atlantic croaker, and spotted seatrout; and an update on the ongoing benchmark stock assessments for red drum, spot, and Atlantic croaker.

The Board received a presentation from the Chair of the Black Drum Technical Committee (TC) on the results of an update to the black drum indicators of stock abundance and stock and fishery characteristics developed during the 2023 benchmark stock assessment, as well as recommendations from the TC based on the results of the update. This update incorporated two additional years of data (2021 and 2022). Overall, the indicators showed mixed signs of stability and declines since the assessment. However, the updated indicator values did not deviate outside the historical range of observed values. The TC did not express concern at this time and recommended no changes to the current black drum stock assessment schedule, but to continue to closely monitor the indicators. The Board agreed with the TC’s recommendations.

The Board reviewed and approved the 2022 Fishing Year FMP Reviews and state compliance reports for red drum, Atlantic croaker, and spotted seatrout. *De minimis* status was approved for New Jersey’s and Delaware’s 2024 red drum fisheries. For Atlantic croaker, *de minimis* status was approved for New Jersey (commercial and recreational), Delaware (commercial and recreational), South Carolina (commercial), and Georgia (commercial). For spotted seatrout, *de minimis* status was approved for New Jersey and Delaware.

The Board received an update on the ongoing red drum, spot, and Atlantic croaker benchmark stock assessments. The Red Drum Stock Assessment Subcommittee (SAS) has met several times since the assessment was initiated in late 2022, and has an in-person Assessment Workshop planned for November 6-9, 2023, in Charleston, SC. The red drum assessment is scheduled for completion in fall 2024. The Atlantic Croaker and Spot SAS has met several times as well, most recently for an assessment workshop in September. After losing a lead modeler of the assessments, the Atlantic Croaker and Spot SAS also met in August to discuss potential changes to the assessment timeline for both species. The Atlantic Croaker and Spot SAS recommend decoupling the spot and croaker assessments, and focusing on the Atlantic croaker assessment first, to be peer reviewed in 2024. Work on the spot benchmark stock assessment would follow, to be peer reviewed in 2025. In addition, the Board approved a nomination of Trey Mace to the Spot and Atlantic Croaker SAS.

For more information, please contact Tracey Bauer, Fishery Management Plan Coordinator, at tbauer@asmfc.org.

Motions

Move to approve the Red Drum FMP Review for the 2022 fishing year, state compliance reports, and *de minimis* status for New Jersey and Delaware.

Motion made by Ms. Fegley and seconded by Ms. Burgess. Motion passes by unanimous consent.

Move to approve the Atlantic Croaker FMP Review for the 2022 fishing year, state compliance reports, and *de minimis* status for New Jersey, Delaware, South Carolina, and Georgia commercial fisheries and New Jersey and Delaware recreational fisheries.

Motion made by Ms. Madsen and seconded by Mr. Miller. Motion passes by unanimous consent.

Move to approve the Spotted Seatrout FMP Review for the 2022 fishing year, state compliance reports, and *de minimis* status for New Jersey and Delaware.

Motion made by Ms. Braun and seconded by Mr. Clark. Motion passes by unanimous consent.

Move to approve the nomination of Trey Mace to the Spot and Atlantic Croaker Stock Assessment Subcommittee.

Motion made by Ms. Fegley and seconded by Dr. Rhodes. Motion passes by unanimous consent.