

PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD

Webinar
October 22, 2020

Approved February 4, 2021

Proceedings of the ISFMP Policy Board Webinar
October 2020

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ATTENDANCE

Board Members

Pat Keliher, ME (AA)	Loren Lustig, PA (GA)
Cheri Patterson, NH (AA)	John Clark, DE, proxy for D. Saveikis (AA)
Ritchie White, NH (GA)	Roy Miller, DE (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Lynn Fegley, MD, proxy for B. Anderson (AA)
Dan McKiernan, MA (AA)	Russell Dize, MD (GA)
Raymond Kane, MA (GA)	Phil Langley, MD, proxy for Del. Stein (LA)
Jason McNamee, RI (AA)	Steve Bowman, VA (AA)
David Borden, RI (GA)	Steve Murphey, NC (AA)
Justin Davis, CT (AA)	Bill Gorham, NC, proxy for Rep. Steinberg (LA)
Bill Hyatt, CT (GA)	Mel Bell, SC, proxy for P. Maier (AA)
Maureen Davidson, NY, proxy for J. Gilmore (AA)	Doug Haymans, GA (AA)
Emerson Hasbrouck, NY (GA)	Spud Woodward, GA (GA)
Joe Cimino, NJ (AA)	Jim Estes, FL, proxy for J. McCawley (AA)
Tom Fote, NJ (GA)	Marty Gary, PRFC
Adam Nowalsky, NJ, proxy for Asm. Houghtaling (LA)	Karen Abrams, NOAA
Kris Kuhn, PA, proxy for T. Schaeffer (AA)	Mike Millard, USFWS, proxy for S. White

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

Staff

Robert Beal	Laura Leach
Toni Kerns	Savannah Lewis
Kristen Anstead	Sarah Murray
Max Appelman	Joe Myers
Pat Campfield	Marisa Powell
Dustin Colson Leaning	Caitlin Starks
Chris Jacobs	Deke Tompkins
Jeff Kipp	Tina Berger
Heather Konell	Geoff White

Guests

Pat Augustine, Coram, NY	Carol Hoffman, NYS DEC
Joey Ballenger, SC DNR	Pete Himchak
Alan Bianchi, NC DENR	Mike Luisi, MD DNR
Karyl Brewster-Geisz, NOAA	Chip Lynch, NOAA
Jeff Brust, NC DENR	Shanna Madsen, VMRC
Mike Celestino, NJ DEP	John Maniscalco, NYS DEC
Heather Corbett, NJ DEP	Brandon Muffley, MAFMC
Jessica Daher, NJ DEP	Allison Murphy, CBF
Jamie Darrow, NJ DEP	Ken Neill
Peter Fallon, Maine Strippers	Gerry O'Neill, Cape SeaFoods
Lynn Fegley, MD DNR	Derek Orner, NOAA
Cynthia Ferrio, NOAA	Michael Pierdinock
Dawn Franco, GA DNR	Nicholas Popoff, FL FWS
Lewis Gillingham, VMRC	Andrew Sinchuk, NYS DEC

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Helen Takade-Heumacher, FL FWS
Beth Versak, MD DNR
Gregory Wojcik, CT DEP
Chris Wright, NOAA
Erik, Zlokovitz, MD DNR
Renee Zobel, NH FGD

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The ISFMP Policy Board of the Atlantic States Marine Fisheries Commission convened via webinar; Thursday, October 22, 2020, and was called to order at 11:18 a.m. by Chair Patrick C. Keliher.

CALL TO ORDER

CHAIR PATRICK C. KELIHER: It is 11:18, I think I'll call the ISFMP Policy Board to order.

APPROVAL OF AGENDA

We'll jump right into the agenda. First on the agenda is the Board Consent of the agenda. Does anybody have any additions or deletions to the agenda, or anything they might like to add now under new business? Dan McKiernan.

MR. DANIEL MCKIERNAN: Thanks, Pat. At a previous meeting there was some conversations about ASMFC possibly hosting a whelk symposium. I've had some communications with some of the folks down in the Mid-Atlantic, and if we could just talk about that briefly, about what role ASMFC could play in that or not, so maybe under Other Business.

CHAIR KELIHER: Yes, let's bring that up under Other Business, Dan. That would be good. Anybody else, in regards to any additions to the agenda?

MS. TONI KERNS: Pat, I know we've just brought this up, but there are three letters that the Board will need to address, two from the American Lobster Board and one from the Atlantic Striped Bass Board.

CHAIR KELIHER: Yes, just remind me when we get to the new business, Toni, and we'll make sure we go over those as well. I don't see any other hands going up. I will approve of the agenda by consensus, with the additions under new business.

APPROVAL OF PROCEEDINGS

CHAIR KELIHER: Approval of the proceedings from the August 2020 meeting. Any additions,

deletions, or questions about those proceeding notes?

Seeing no hands, those are approved by consensus.

PUBLIC COMMENT

CHAIR KELIHER: Item Number 3 is Public Comment. Are there any comments from the public to the Policy Board? Hearing none, seeing no hands, we'll move right along to the Chair's Report.

CHAIR'S REPORT

CHAIR KELIHER: I ask you all just to put your feet up, get a bowl of popcorn, this will take a couple minutes.

I would like to give kind of an overview of where we've been over the last year. As you look back over the past year, and try to characterize it in a word or a phrase. It's really been truly just an extraordinary year, and a year of first for both states, federal partners, and our stakeholders. The first time in over a hundred years that we as a nation and a global community have had to face a life-threatening pandemic that is yet to run its course. We've all had to change the way we live and work. The state and federal agencies have had to adapt their telecommuting policies, to allow for full time telecommuting. Large gatherings and celebrations have been postponed, and in-person meetings have shifted to meetings via webinar. Notably, it will be the first time in the Commission's 79-year history we will not be gathering in one of our members states to conduct the important fisheries business that we're dealing with today.

It is certainly my hope that we will be able to come together next October, and regain some sense of normalcy. Closer to home I witnessed the devastating effects on the pandemic to our marine fisheries across all sectors, and our state budgets and our revenue streams and/or our fishery dependent and independent monitoring activities.

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The commercial fishing industry and dealers and processors, as well as for the for-hire businesses, have suffered greatly during the pandemic. The passage of the CARES Act has offered some relief in the form of \$300,000,000.00 divided amongst all the states around the Atlantic, Gulf, and Pacific coast.

Since April the Commission has worked closely with its member states and NOAA, to coordinate the development of state spend plans based on the state's preference, and the Commission is obviously assisting with distributing the funds to the affected stakeholders. To date spend plans have been approved for 11 of the 15 states that make up the Commission.

The much-needed money is beginning to get to the hands of the fishing industry. While aid to fishermen through the CARES Act is a step in the right direction, available funds are not sufficient to meet all of the needs of our coastal fishing communities, as they struggle to maintain their livelihoods and businesses.

As Congress deliberates on additional assistance to help reduce the financial impacts of COVID-19, I'll continue to work with my fellow Commissioners in urging our Congressional representatives to consider the impacts in fisheries and fishing communities, as part of any pending legislation.

While many state fisheries agencies have navigated budget cuts for several years, the pandemic and lack of revenue stream will take an even deeper cut to our budgets. This in turn will further constrain our abilities to perform the necessary fisheries management and monitoring activities. Luckily, my fellow state marine fisheries agency directors are highly resourceful.

We find ways to get to the greatest bang for the buck, and by seeking efficiencies, ways that we can all do business, and prioritizing management and monitoring activities for species with the greatest need. Some relief has

been provided in the forms of some additional funds from the Commission, since much of the Commission's meeting and travel budgets have gone unspent through this year.

The Commission's Executive Committee, composed primarily of state directors, has never been more engaged, with nearly weekly meetings that give us an opportunity to share our challenges and seek solutions. I have great faith in our ability to tackle the obstacles before us, and come out the other side even stronger and more resilient. The pandemic also impacted critical marine fisheries data collection programs. Recreational harvest data was not collected for several months, the full impact of which are still being calculated. Certainly, with the lack of recreational harvest estimates for 2020, it will hinder our ability to make informed decisions about fisheries performance and setting management measures for the year 2021 and beyond. Several fisheries independent surveys were also canceled this year, which will create data gaps in some long-standing surveys, and may have repercussions to stock assessments for years to come.

Assessing the issues posed by the data gaps will take concerted efforts of our science and technical staff. Given the challenge and level of accumulative years of experience of our technical staff, I have no doubt that they will find workable solutions to these issues. Let's talk about some of the positives though that have resulted from the responses to the pandemic.

First and foremost, we have found that we are stronger and more resilient than we believed ourselves to be. Staff at the Commission and within our states and federal agencies have quickly shifted to full time telecommuting, barely missing a beat and continuing the important work that we all do.

Small and large meetings were moved to webinars, and while there was a learning curve for those of us who are, say a bit technically

challenged, we have managed to succeed. I've been impressed with the ease with which we now meet by webinar. Don't get me wrong, it's no substitute for meeting in person, but we are productively using technology to discuss the issues and make management decisions.

We can't use this pandemic as an excuse not to make these important decisions or delay any actions. Over this past year we've accomplished some major tasks, and initiated some significant management actions. We completed benchmark stock assessments for Atlantic cobia, American shad and American lobster to guide our decision making on these three species. In August, the Menhaden Board approved the use of ecological reference points in the management of this as very important forage species.

Over ten years in the making, this is an important first step towards ecosystem-based fisheries management, and I am very proud of the work of all of the state and federal scientists and states that sustain the commitment to make this a reality. Recognizing the distribution and availability of fisheries resources are shifting, due to the change in water temperature, and historic allocations may no longer reflect the current conditions.

The states and our partners with the Mid-Atlantic Fishery Management Council are considering changes to state-by-state commercial allocations for black sea bass. Also, with the Council, we're exploring novel, new approaches to managing recreational fisheries for bluefish, summer flounder and scup, as well as black sea bass, and seek to address the access to the resource, and create more sustainability in management measures from year to year.

Lastly, we initiated a new plan amendment for striped bass. It's been 17 years since we've considered major revisions to the striped bass management program, and amending the plan will certainly be a major undertaking. While it's been an incredibly challenging year, there is

much we can be grateful for, the dedication of our hardworking staff succeed from a distance, our sustained commitment to one another to seek outcomes that are the best interest of the resource, while striving for equity in our decisions, and the force of character and determination exhibited by our fishing industry and our coastal communities, to make the best of the challenging times that we're in. I want to thank you all for your support you've given Spud and I over the last year, and I look forward to working with you in the years ahead.

With that I will conclude my remarks. If I was given these remarks before the election, I certainly would have promised a lobster in every pot. I hope you are all able to understand that Maine dialect. I should have told you there was a close caption button somewhere, but hopefully you understood what I was saying. With that, thank you very much. That concludes the Chair's report. I do have a hand. Oh, I saw a hand up but now the hand is down. I don't know who it is, it's just the initials J.G.

MR. JAMES J. GILMORE: Well Pat, I'm incognito again, it's Jim Gilmore. Thank you, and again I just wanted to, I think echo all the Commissioners that I think you're correct, and that the Commission staff has done an outstanding job above and beyond the call of duty, but you and Spud I think should get extra acknowledgement for the leadership during this time period.

I don't know how you pulled this off, but you've done an excellent job. I think when they put the optimism in the dictionary, they have to put ASMFC and leadership next to it, because I think everyone has done a great job. Just wanting to make one note on history on a negative thing, whatever, was that all of you who, you saw when Doug Grout was Chair a few years ago there was an annual report that was done, and part of our history ended in the last few weeks.

The Roosevelt Hotel, where the Commission had its first meeting, and actually we had the annual meeting in 2018, sadly has closed down

because of the business impact from COVID. Again, our history is changing, in addition to the challenges we have. I just wanted to let everybody know that, and hopefully we'll find a new venue in years to come, and that we'll all be coming out of this, and keep up the good work, Pat.

CHAIR KELIHER: Thank you, Jim, and I certainly couldn't do it without my Vice-Chair. Spud has been a rock through all of these. I mean, I think together we work incredibly well together, and obviously we couldn't do it without the support of all of the Commission staff. Thanks again to everybody involved.

EXECUTIVE COMMITTEE REPORT

CHAIR KELIHER: If I see no other hands, I'm going to move on to the next agenda item, which is the Executive Committee report. Yesterday, the Executive Committee had a very quick meeting. For those of you who are not aware, we have been meeting nearly weekly, if not biweekly, for oh several months now, as we've dealt with the pandemic.

Certainly, the CARES Act caused us to all come together and meet much more frequently. But these meetings have certainly been very beneficial. I know they have been beneficial to me, because hearing the other issues and concerns and knowing that a state is not in this alone during these challenging times, has been beneficial for me.

We yesterday reviewed the Administrative Oversight Committee Report, and considered the 2020 audit for the Commission. I'm very happy to report that there were no issues that were raised by the firm that did the audit of the Commission, and that was accepted by the Executive Committee. We then went on to discuss future annual meetings, and we hope we will be back on track. Just so everybody is aware, New Jersey will continue to hold a spot for the annual meeting in 2021. We'll move to North Carolina in 2022, Maryland in 2023, and Delaware in 2024.

We also discussed Pennsylvania's participation on the Atlantic Menhaden Board. As you recall there has been some discussion on this in the past, and we have brought it back to the attention of the Executive Committee to discuss the future of their participation. When it was first raised, the question of their participation was kind of in conflict with the charter, as it clearly said that both Pennsylvania and Vermont could sit on boards for anadromous species.

Since that time, we have moved in the direction of the use of ecological reference points, and that really kind of changes some of the dynamics with the Atlantic Menhaden Board. As such, we've had some very good conversations with the Commonwealth of Pennsylvania, as well as our legal team.

We are currently in the process of developing a memo. This memo will continue to be reviewed by the Executive Committee. The memo will then make it a recommendation to the full Commission, if there is a request for a change or if there is anything in regards to any precedent setting nature here.

Certainly, the issues around liability and the legal complexities of this are being taken into consideration, but there will be much more on that in future meetings. We also discussed the improvement to the public comment process. Tina Berger and others have been working on this. This is a work in progress.

Certainly, because of the pandemic and because of the challenges with the use of webinars, and I think the fact that this group is working right now, and finding ways and thinking about ways to improve communications with both the public, and with our advisory panel process is really important. I think we'll be able to report something back out from that committee at the winter meeting.

Lastly, under Other Business. Rhode Island addressed the issue of staffing of the current Law Enforcement Committee meeting. Just so

everybody is aware, our Executive Director will be working on finding new staff support for the Law Enforcement Committee. There was a very brief update on the CARES Act. I things are moving well there as well, and then there has been some redistribution of the ACFCMA funds.

Every state will receive 48K to help offset some of the budget impacts, and then there will be some additional money for a cobia plan down for the South Atlantic states, as well as the Striped Bass Tagging Study. That concludes my report of the Executive Committee. I'll ask Bob Beal if I missed anything. Did I miss anything in my quick note taking there, Bob?

EXECUTIVE DIRECTOR ROBERT E. BEAL: No, I think you got it all, Pat.

CHAIR KELIHER: Great, and I appreciate that. Any questions regarding the Executive Committees work? Seeing no hands. Item Number 6 is a Lunch Break. Since it is 11:30, if there are no objections, what I would like to do is kind of power through the agenda, make sure we have time to deal with the new business.

But I think we can probably get through these next several agenda items, and deal with lunch after we conclude the annual meeting. Any objections to that approach? Hearing none, we will go then to Item Number 7, which is Consider Dividing the South Atlantic and the Federal Fisheries Management Boards. Toni Kerns, you're up.

**CONSIDER DIVIDING THE SOUTH ATLANTIC
AND FEDERAL FISHERIES
MANAGEMENT BOARDS**

MS. KERNS: In your briefing materials there is a memo from me regarding splitting the South Atlantic Board. I did not prepare a PowerPoint, since a lot of the information in there that I think folks would want to look at is the landings, and those graphs look much too small to see. But the South Atlantic Board is responsible for management of seven of the Commission's species.

Two of those species in the time that I have set at the Commission have come under complete FMP management by the Commission. They were previously under the South Atlantic Council, those are red drum and Atlantic cobia, and then we still have the five other species that we've been managing over time, including spot, Spanish mackerel, black drum, Atlantic croaker, and spotted sea trout.

The Board is made up of the states from Florida to New York, but different states have declared interest in the different species of the Board. An example, New York to Florida has a declared interest in Spanish mackerel, and New Jersey to Florida has an interest in croaker. Depending on the species that are being discussed, several states on the Board would have downtime until the species that they are interested in are up on the agenda.

We are suggesting to split this management board for several reasons into two pieces. The first grouping would be for Atlantic cobia and Spanish mackerel. We would call this a coastal pelagics board, and then all the other species would fall into a sciaenid board. This recommendation is coming in order to make the best use of the Commissioner's time at these meetings.

The South Atlantic Board have gotten longer and longer, as we add more and more species. Those states that are on the outer edges of the management board may not be wanting to participate in some of the species, and so therefore we could save some of those Commissioners time, by splitting this Board into the pelagics and the sciaenid board. In addition, as I said before, these meetings are getting longer and longer, and it just helps to break up the timeframe in which the Board has to sit at the table and discuss the species.

Then lastly is on the administrative side for staff time. It might make it easier for us as we divide staff workload up into different parts, or into the different species, that we have the ability to split these species by these boards, in order to

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better allocate staff time to different management boards. That is my presentation to the Board. Sorry, Pat, one thing that I didn't mention is that in particular for Atlantic cobia, as we see this species expand its range northward, we're seeing additional northern states that want to participate in the Cobia Board, and so this goes along with the argument that the states on the outer range of these species may not want to have to participate in some of the more southern focus species. That is all.

CHAIR KELIHER: Great, thank you, Toni. Any questions for Toni? I would remind the Policy Board that we do need to take action on this if we want to make a change. Bob Beal.

EXECUTIVE DIRECTOR BEAL: Not a question for Toni, but I'm not sure if she hit this point or not. I think one of the important things with our South Atlantic Board has always been the state/federal nature of that Board, and we've had obviously the Services are allowed to be a part of that. But we've also had a voting seat for the South Atlantic Council. I think, you know there obviously is a link between ASMFC and the South Atlantic Council Spanish mackerel.

We both maintain FMPs, but there is still a cobia link as well. Some of the other southern species that will be part of the sciaenid board may be of importance to the South Atlantic Council. I would suggest, if we do split the South Atlantic Board into two pieces, it's probably worth extending an invitation to the South Atlantic Council, to see if they want to serve on both of those, or one or neither.

CHAIR KELIHER: Okay great, thanks for that, Bob. Pat Geer.

MR. PAT GEER: Yes, I just have a real quick question about, are we going to address the Omnibus FMP for spot, Spanish mackerel and spotted sea trout? Are we going to continue to have that, or eventually do we plan on splitting those up into separate management plans?

MS. KERNS: Pat, I can, well both Pats, I can respond to the other one.

CHAIR KELIHER: Yes, please, Toni.

MS. KERNS: Pat, we would be able to carry on, even though they were all in the omnibus for now, and when Spanish mackerel, which we anticipate will have management action after its stock assessment, that I believe will be completed at the beginning of 2022. It will be presented to the Board in the beginning of 2022.

But by the time all of the SEDAR work is done. Then we'll be able to split Spanish mackerel out of that omnibus. Before that we created the omnibus. Each of those three species have their own individual FMP, so just like we brought them all together, we can break them apart.

CHAIR KELIHER: Any other questions for Toni on this issue? Is there interest in having somebody make a motion to divide these two bodies? Joe Cimino.

MR. JOE CIMINO: I'm actually kind of surprised it was so quiet, but yes. I do have an interest; **I would make the motion to split cobia and Spanish mackerel into its own board.** I thought either Pat Geer or Lynn would have suggested it. After, you know a couple years of meetings, I think they were ready to throw five-hour energy drinks around to people, to get us through the South Atlantic Board as it is. We've got some tough decisions with cobia coming, and northern states with interest. As Toni mentioned, we're going to have to deal with you know the commercial Spanish mackerel fishery north of North Carolina very soon. For those reasons I think this is an important motion.

CHAIR KELIHER: Great, Joe does that capture your motion on the board?

MR. CIMINO: Yes.

CHAIR KELIHER: Spud, is that a second?

MR. A.G. "SPUD" WOODWARD: That's a second, Pat, yes.

CHAIR KELIHER: We have a motion to split the South Atlantic State/Federal Management Board into a Pelagic Board and a Sciaenid Board. Motion by Joe Cimino, seconded by Spud Woodward. Is there any, Joe, do you want to give any more justification, or are you all set?

MR. CIMINO: No, that was it, thank you.

CHAIR KELIHER: Is there any additional comments or questions on the motion? Seeing no hands, is there any objection to the motion? **Seeing no hands, the motion passes by consensus.** Great, thank you.

SET THE 2021 COASTAL SHARKS FISHERY SPECIFICATIONS

CHAIR KELIHER: We will move right along to Item Number 8, which is Set the 2021 Coastal Sharks Fishery Specifications, and Toni, you're back up.

MS. KERNS: Normally we would have a Coastal Sharks Management Board to take care of such actions, but this was the only issue that needed to be addressed, and so in the interest of time we decided to bring this up at the Policy Board meeting. Each year NOAA Fisheries puts out annual specifications for Atlantic coastal shark regulations. Those regulations do not come out in a final rule until later on in the year. The management board typically agrees via motion to set the specification via e-mail vote.

We currently do have a proposed rule that is out for these regulations, and NOAA Fisheries is proposing a January 1 start date for all shark management groups, and is proposing an initial 36 shark possession limit for large coastal and hammerhead management group, with the possibility of in-season adjustment. What we're looking for today is an agreement by the Board

to set the 2021 coastal shark specification via an e-mail vote. That's all I have, Mr. Chair.

CHAIR KELIHER: Any questions of Toni? We do need to make a final action on this. Is there a motion? Chris Batsavage.

MR. CHRIS BATSAVAGE: Yes, I would like to make a motion. I move to approve the 2021 coastal shark specifications via an e-mail vote after NOAA Fisheries publishes the final rule for the 2021 Atlantic Shark Commercial fishing season.

CHAIR KELIHER: Thank you, Chris. We've got several hands up, Jim Estes, are you seconding that motion?

MR. JIM ESTES: Yes sir, I am.

CHAIR KELIHER: We have a motion on the board, are there any questions on the motion? No questions, no comments. I'm going to read the motion into the record. Move to approve the 2021 Coastal Sharks specifications by an e-mail vote after NOAA Fisheries publishes the final rule for the 2021 Atlantic Shark Commercial Fishing season.

Motion by Mr. Batsavage, seconded by Mr. Estes. Are there any objections to the motion? Hearing and seeing no objections, the motion passes by consensus.

REVIEW NONCOMPLIANCE FINDINGS

CHAIR KELIHER: Thank you very much, and Item Number 9 is Review of Noncompliance Findings, and as I said earlier, luckily, we have none.

OTHER BUSINESS

CHAIR KELIHER: That moves us into Other Business. Dan McKiernan, do you want to bring up the welk issue?

MR. MCKIERNAN: Yes, thank you. Actually, the two issues that have come before the Lobster Board regarding letters that I think the Board has asked the Commission to send. I assume

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this is the time to discuss that, under Other Business?

CHAIR KELIHER: Yes, we need to discuss, there is both the Lobster Board and the Striped Bass Board have recommended letters to the Policy Board, so why don't we deal with welk first, and then go right into the letters.

MR. MCKIERNAN: Yes, we can fly through welk. I just want to bring it to the Commission's attention that back in the winter meeting folks were coming up with some grand ideas about cooperative sharing of information on welk fisheries, because managing welk fisheries in state waters was becoming more and more challenging. At the time there was some discussion about a possible interstate plan, but I think most folks are balking at that.

But one of the thoughts was to hold a symposium with states with welks fisheries to contribute to some science and management sharing, and I've been told this morning through some e-mails that the Virginia Sea Grant folks are interested in hosting that. I don't think it needs to be necessarily a Commission initiative, but the Commission does give us a chance as a group of cooperating states to come together.

In fact, at the previous discussion, of course as we talk about coming together, we all think of the dollar signs, what does it cost? Since then Zoom has happened, and so I would really urge the folks in Virginia, if that's where it's going to take place, to put that together, and certainly in Massachusetts we would be anxious to contribute to that as well. I don't know if we want to have a little conversation about that, but it doesn't need to be a Commission's commitment at this point.

CHAIR KELIHER: I'm assuming thought, Dan, you're looking for some kind of coordination support from the Commission as well?

MR. MCKIERNAN: Yes.

CHAIR KELIHER: Okay, great. I've got three hands up, Pat Geer, Lynn Fegley, and then Tom Fote, so go ahead, Pat.

MR. GEER: I talked to Bob Fisher today, who works at VIMS and Sea Grant, and he is very excited about doing this. He said that they will be able to come up with funding if we do have a face to face workshop, and that he will take the lead on the issue. You know given the circumstances; I think things just kind of dropped through the cracks a little bit. We were aggressively pursuing this after the February Commission meeting.

All the states provide names of contact folks that would sit on this workgroup, and you know Bob is excited to get going on this again. We'll forward it on to him, and keep him in the loop, and we'll get moving on this. It seems like Virginia Sea Grant is very interested in taking the complete lead on this, and I would assume that ASMFCs interest in this is just whether or not they want to have somebody attend the workshops.

CHAIR KELIHER: Yes, thanks Pat, that is good news that they are willing to help coordinate that. Lynn Fegley.

MS. LYNN FEGLEY: I really think that Pat just said pretty much exactly what I was going to say. This is going to be a really worthwhile conversation. There is lots of new science and lots of really interested stakeholder if you have concerns. But I think it would actually benefit Commission staff at some point to attend, you know maybe if somebody like a Pat Campfield, just to keep sort of an eye on the radar. But I would just support what Pat said, and we should work together to come up with a good agenda for the gathering, thanks.

CHAIR KELIHER: Great, thanks, Lynn. Tom Fote.

MR. THOMAS P. FOTE: I'm just basically looking at the history of what we do and how we basically handle certain species. If I remember right, the reason we don't do things like welks

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and blue crabs, is because they are in state, they are not interstate. I'm wondering if that still applies on shellfish. I mean one of the old reasons we didn't do it, because we were getting most of the money to manage fisheries way back when from the Wild Grow Funds, and they wouldn't allow for shellfish management. But I don't know how we've changed over the years.

CHAIR KELIHER: Thanks for that, Tom, and I'll let Bob chime in if he would like. But I think from my standpoint, since we're not looking at the development of an FMP, and only trying to help coordinate amongst our state partners, which seems to be a small, non-burdensome role that the Commission could take. But Bob, do you have any comments you want to make on that?

EXECUTIVE DIRECTOR BEAL: No, I agree, Pat. As of now anyway, there is no push for interstate fishery management plan, this is just information sharing session on the current state of science, as well as management programs. I think we can help out, and send someone to the workshop, or have them link to the workshop, whatever the case is, you know with our current resources, without a problem at all.

CHAIR KELIHER: Great. Anything else on the welk issue? I don't think there is any action that needs to be taken here. Sounds like with Virginia Sea Grant taking the lead, they could just coordinate with the Commission to help communicate amongst all the states, to see who wants to attend. I think we're pretty clear what the next steps are. Let's move right on to the letters. Dan, since you were teed up, why don't we start with the Lobster Board and the letters that were recommended from the Lobster Board to the ISFMP Policy Board.

MR. McKIERNAN: Okay thank you, Pat. The first has to do with the most recent approved lobster addendum, Addendum XXVI, which was approved a few years ago, and the spirit of that was to improve data collection in the lobster fishery. At the same time NOAA Fisheries is also

taking on more data collection for their federal lobster permit holders.

There has been a series of weekly calls posted by ACCSP, and they have been very productive about how to make sure that these data are all compatible. It's the consensus coming out of the last meeting that it would be appropriate to ask NOAA Fisheries to collect certain parameters that will be consistent with the way the parameters are being collected at the state level.

One of the biggest challenges for our state lobster data gatherers is not just to manage their own data, but to then grab what's available through the federal system, and force it into a new format, to make it as compatible as possible. It is the consensus of the group to request that NOAA Fisheries make changes for certain data elements going forward, to ensure compatibility and data usefulness.

That is for each effort trap hauls, traps in the water, buoy lines, and traps per trawl. Then the overall numbers of buoy lines in the water as well. These are parameters that are going to be very valuable for not only the Technical Committee conducting stock assessments, but also the Large Whale Take Reduction Plan analysts at NOAA, and their contractors, and of course going forward, as we've tried to resolve ocean planning challenges with offshore wind development.

These are also going to be really, really useful parameters, and we need to collect them in a way that is compatible between the federal and the state system. I don't know, Toni, you have been very helpful in helping us put this ask together. Does that cover it as you see it?

MS. KERNS: Yes, Dan, thank you.

CHAIR KELIHER: Does anybody have any questions of Dan or Toni regarding that issue, or the letter? Toni, do you need a motion on this, or can we just do this by consensus? It's pretty clear on the record.

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MS. KERNS: Consensus is just fine, Pat.

CHAIR KELIHER: As long as there is no objection, then the Commission will send a letter. Seeing no objection, perfect. **The** Commission will send a letter on the data needs. Dan, do you want to bring up the second one?

MR. MCKIERNAN: Yes, the second one concerns the Jonah crab management plan, and in the Plan Review Team's report, which was brought before the Board. There was a concern about unimplemented Jonah crab regulations in the state of New York, particularly regulations that limit the directed trap fishery to lobster permit holders only, and a thousand crab limit.

These issues were raised in '18 and '19, but haven't been addressed yet. Our recommendation is to just send the state of New York a friendly reminder, requesting them to adopt those as codified rules. We understand from the reports that it appears that the spirit of those rules is being upheld, but the plan does require rules to be enacted to come into compliance.

CHAIR KELIHER: Okay thanks for that, Dan. I just want to make sure that it's clear that this is not a noncompliance finding, we're just hoping to give actually some leverage to New York, to help with their legislature. Maureen Davidson.

MS. MAUREEN DAVIDSON: That's exactly what it is, that we have not been able to get our legislature to rule on that particular aspect of the Jonah crab management. However, also, so we're trying to see if we can't get them to move on it. Then we're also seeing if there is any way that we might be able to do this through regulation.

Sort of a convoluted but alternative path that we are currently seeing if we're going to be allowed to do. We appreciate the patience on the part of the Lobster Board and the Commission, as we are really trying to work with our state legislators on moving forward,

and come in compliance with the FMP. Thank you.

CHAIR KELIHER: Great, thank you, Maureen. Any other questions as it pertains to this particular letter? Seeing no other hands, is there any objections to sending this letter to New York? Hearing no objections, that letter will be sent. Thank you very much for that. The last letter is around striped bass and striped bass regulations. David Borden, are you on?

MR. DAVID V. BORDEN: Yes sir.

CHAIR KELIHER: Would you like to describe the letters that the Striped Bass Management Board was considering?

MR. BORDEN: Certainly. The Striped Bass Board took up Addendum VI yesterday, and basically approved it, with the exception, which is the circle hook requirement. They basically approved all of the state implementation plans, with the exception of Mass and Maine. There are a number of comments that it will be reflected in the record on what some of the concerns were, and the Board ultimately took the position of approving the Addendum, with the exception of those two.

I suggest it is a formality that we send a letter to those two states, and ask them to revise their regulations. Both of the states have offered to do that, to revise regulations, but I wanted to be clear this is not a traditional noncompliance finding, it's simply a letter that each of those states can use internally, when they go back to their regulatory process (fade). I don't think it requires a normal motion at this level, unless we have objections, Mr. Chairman.

CHAIR KELIHER: Thank you, David, for that description. As far as the state of Maine is concerned, I mean it's pretty clear that the exemption for tube worms did not pass. We will be able to implement rulemaking, in order to have that in place prior to the next fishing season. You know we are a forest product state. We do make a lot of paper up here, so

we always love it when people use paper and send us letters. But I don't think it's really required, unless the Policy Board believes so. I don't know how Mass feels about the need of a letter either. Dan, do you have a comment?

MR. McKIERNAN: Yes, I don't think we need a letter.

CHAIR KELIHER: With Maine and Mass not worrying about receiving the letter, and being able to move forward, I see no need for Commission staff to spend time on the letter. Unless there are no objections, we'll move forward with the paperless approach. Dennis Abbott.

MR. DENNIS ABBOTT: Will the Commonwealth of Massachusetts and the state of Maine report back to the Commission that they've taken appropriate action?

CHAIR KELIHER: We certainly would do that in our compliance reports.

MR. McKIERNAN: Yes, Dennis, I'll be taking it to our Marine Fisheries Advisory Commission at their next meeting, and I'll report back after that.

CHAIR KELIHER: Are there any other questions of comments on the striped bass letter or no letters? Seeing no hands, is there any other business to be brought before the Policy Board?

MS. KERNS: Pat, I have one other thing.

CHAIR KELIHER: Toni.

MS. KERNS: I just wanted to update the Policy Board on an issue that came to our attention this morning. The Horseshoe Crab Board reviewed the FMP review for this year, and in that FMP review it provided estimates for the biomedical harvest and the associated mortality with that harvest. A state has sent us a new compliance report that has updated information on their biomedical harvest, which would lower the total coastwide harvest.

I just wanted to let the Board know to look out in their e-mail for a revised FMP review, with the corrections that we received from the state. Due to data confidentiality reasons, we're not going to be able to tell you what state gave us that correction, but just to let you know that that is coming, and we will share that revised report with the associated committees as well, in addition to the Board.

CHAIR KELIHER: Any questions for Toni on that issue? Seeing no hands. Toni, are you going to just report back to us on that issue, or do you need any action here, or this just an FYI?

MS. KERNS: It was just an FYI. I know that the increase in the biomedical harvest raised some eyebrows from folks, and so I just wanted to point it out that that number will be lower, and to be on the lookout for a new FMP reveal.

CHAIR KELIHER: Great, okay, thank you, Toni. If no questions, is there any other business to be brought before the ISFMP Policy Board?

VICE-CHAIR COMMENTS

CHAIR KELIHER: Hearing no other business, let's give my Vice-Chair an opportunity to make any comments if he would like.

MR. WOODWARD: Thank you, Pat, I just wanted to express my appreciation to all the Commissioners and all the other folks from the states and the delegations, and also all the staff for making the annual meeting the best it can be, given the constraints we've been operating under.

I think all of us hope that this was a one and done, and that next year we will be together, hopefully sooner than later in 2021. I appreciate your support, Pat, and your leadership, and that of Bob. I think sometimes hard times bring out the best in us, and I certainly appreciate the support, being reelected for Vice-Chair, and I'll do my best to keep us moving in a positive direction. Thank you.

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CHAIR KELIHER: Great, thanks, Spud. Bob Beal, any comments before we adjourn the annual meeting?

EXECUTIVE DIRECTOR BEAL: No, other than I wish I could have seen you all in public. For whatever reason I'm more well-rested after this annual meeting than most of them. I guess I sleep better at home. But no, travel safe home everybody.

CHAIR KELIHER: Thank you! I would want to echo those comments of both the Vice-Chair and our Director. I appreciate everybody's time and attention. We've had a lot of conversations at different Executive Committee meetings about the concerns about how we move forward through this web-based approach. I think we are making the best of it, and I appreciate everybody that is making the webinar successful. With that, I thank you very much. A motion to adjourn our annual meeting would be in order. Tom Fote.

ADJOURNMENT

MR. FOTE: I'll make a motion to adjourn, with one stipulation that New Jersey is looking forward to next year, all of us being in person, having a great fishing contest, and getting a lot of business done in New Jersey next year.

CHAIR KELIHER: Motion to adjourn, and looking forward to seeing each other next year in person by Tom Fote. Second by Mel Bell. Any objections to the motion to adjourn? Hearing no objection, seeing no objections, this concludes the Atlantic States Marine Fisheries Commission's Annual Meeting. Thank you very much everybody!

(Whereupon the meeting adjourned at 12:08
p.m. on October 22, 2020.)