PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

ISFMP POLICY BOARD

The Westin Crystal City
Arlington, Virginia
Hybrid Meeting

January 25, 2024

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Cheri Patterson, NH (AA)
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Jason McNamee, RI (AA)
David Borden, RI (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (RI)
Justin Davis, CT (AA)
William Hyatt, CT (GA)
Marty Gary, NY (AA)
Scott Curatolo-Wagemann, NY, proxy for E. Hasbrouck (GA)
Joe Cimino, NJ (AA)
Jeff Kaelin, NJ (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Kris Kuhn, PA, proxy for T. Schaeffer (AA)
Loren Lustig, PA (GA)
John Clark, DE (AA)
Roy Miller, DE (GA)
Craig Pugh, DE, proxy for Rep. Carson (DE)
Lynn Fegley, MD (AA, Acting)
David Sikorski, MD, proxy for Del. Stein (LA)
Shanna Madsen VA, proxy for J. Green (AA)
Chris Batsavage, NC, proxy for K. Rawls (AA)
Blaik Keppler, SC (AA)
Malcolm Rhodes, SC (GA)
Mel Bell, SC, proxy for Sen. Cromer (LA)
Doug Haymans, GA (AA)
Spud Woodward, GA (GA)
Erika Burgess, FL, proxy for J. McCawley (AA)
Gary Jennings, FL (GA)
Ingrid Braun, PRFC
Chris Wright, NOAA

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

Staff

Bob Beal
Toni Kerns
Tina Berger
Alexander Law
Madeline Musante
Chelsea Tuohy
Caitlin Starks
Emily Franke
James Boyle
Tracey Bauer
Geoff White
Julie DeFilippe Simpson
Katie Drew
Kristen Anstead
Jeff Kipp
Pat Campfield
Lindsey Aubart
Kurt Blanchard

Guests

Karen Abrams, NOAA
Katie Almeida
Max Appelman, NOAA
Steve Atkinson, Virginia Saltwater Sportfishing Assn.
Pat Augustine
Russell Babb, NJ DEP
Joseph Benevnrine
Alan Bianchi, NC DMF
Danielle Blacklock, NOAA
Jessica Blaylock, NEFSC
Jon Hare, NOAA
Brendan Harrison, NJ DEP
Jason Boucher, NOAA
Jeffrey Brust, NJ DFW
Nicole Caudell, MD DNR
Jessica Clawson, FL FWC
Haley Clinton, NC DMF
Allison Colden, CBF
Jamie Cournane, NEFMC
Kiley Dancy, MAFMC
Laura Deighan, NOAA
Ben Dyar, SC DNR
Wes Eakin, NYS DEC
Hannah Hart, MAFMC
Emerson Hasbrouck, NY (GA)
Julie Evans
Paula Farnell, NC DMF
Delaney Farrell, FL FWC
Glen Fernandes
Catherine Foley, NOAA
Kathryn Ford, NOAA
Brian Fredieu, NOAA
Anthony Friedrich, ASGA
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Ben German, NOAA
Lewis Gillingham, VMRC
Peter Himchak, Omega Protein
Jesse Hornstein, NYS DEC

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Emily Keiley, NOAA
Kathy Knowlton, GA DNR
Thomas Lilly
Brooke Lowman, VMRC
Michael Luisi, MD DNR
John Maniscalco, NY DEC
Mimi Martinez
Chris McDonough, SC DNR
Joshua McGilly, VMRC
Meredith Mendelson, ME DMR
Nichola Meserve, MA DMF
Lisa Milke, NOAA
Dana Morton, NOAA
Brandon Muffley, MAFMC
Allison Murphy, NOAA
Dale Neal
Conor ODonnell, NH FGD
Stephanie Prufer, Yale Law School
Jill Ramsey, VMRC
Cody Runner
George Scocca, NYAngler.com
McLean Seward, NC DMF
Ethan Simpson, VMRC
Somers Smott, VMRC
Dominique St. Amand, NOAA
Bridget St. Amand, NOAA
Kevin Sullivan, NH Dept. of Energy
Corinne Truesdale, RI DMF
Mike Waine, ASA
Megan Ware, ME DMR
Dave Whaley
Kelly Whitmore, MA DMF
Rich Wong, DE DNREC
Phil Zalesak, SMRFO
Erik Zlokovitz, MD DNR
Renee Zobel, NG FGD

The Interstate Fisheries Management Program Policy Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia, via hybrid meeting, in-person and webinar; Wednesday, January 25, 2024, and was called to order at 8:30 a.m. by Chair Joe Cimino.

CALL TO ORDER

CHAIR JOE CIMINO: Good morning, everyone. My name is Joe Cimino; I'm the Administrative Commissioner for New Jersey, current Chair of the Commission. We're going to start Policy Board today. I will be playing DJ for the rest of this winter meeting, and the request line is already full. We're getting started a few minutes late, we've got a lot to cover today.

APPROVAL OF AGENDA

CHAIR CIMINO: I'm going to go through Approval of the Agenda. Are there any agenda items that need to be added? Start with David Borden.

MR. DAVID V. BORDEN: I would just like to have a brief couple of minutes to talk about striped bass, please.

CHAIR CIMINO: Yes, thank you, David. I realize there is a time constraint there for you, so we will take you after Public Comment, and I think the Board Chair for Striped Bass as well. Go ahead, Pat.

MR. PATRICK C. KELIHER: We have a process issue with lobster that we need to address, so we need to add that to the agenda if we could as well, please.

CHAIR CIMINO: Duly noted and I think if we can, we'll do that as Other Business, to cover David's thing we'll do that a little earlier. Chris Wright, go ahead.

MR. CHRIS WRIGHT: Hi, this is Chris Wright, NOAA Fisheries. I just have a short announcement regarding an ESA petition on horseshoe crab. I just have a short little statement to make. I could either do it after we do the agenda or in Other Business.

CHAIR CIMINO: Yes, if that is okay, we'll take that at Other Business, thank you. A few additional items.

APPROVAL OF PROCEEDINGS

CHAIR CIMINO: With that we'll go through the approval of the proceedings from the October, 2023 meeting. Any concerns, additions, edits? No seeing any hands, good.

PUBLIC COMMENT

CHAIR CIMINO: If I could get a show of hands online and in the room for Public Comment. I see one in the room.

MS. TONI KERNS: I have one hand online, just making sure there is not anybody else.

CHAIR CIMINO: Let's leave this at an even number here. It looks like we have two people, and we'll give two minutes to each speaker. We'll start in the room, if you can introduce yourself. Thank you.

MR. PHIL ZALESAK: Mr. Chairman, my name is Phil Zalesak; I'm president of the Southern Maryland Recreational Fishing Organization, better known as SMRFO. SMRFO, along with the Chesapeake Legal Alliance has brought a law suit against the state of Virginia for violating Virginia code regarding the management of Atlantic Menhaden Reduction Fishery in Virginia waters. The law suit is ongoing.

We have also filed a petition for rulemaking to request and direct the state of Virginia to end Atlantic menhaden reduction fishing in the Chesapeake Bay and its entrance. I'm here today to respectfully request that the Commission hold an Atlantic Menhaden Management Board meeting this spring.

Why? Current Commission policy is based on the false assumption that Atlantic menhaden biomass density in the Chesapeake Bay is the same as the Atlantic Ocean. The science and the prevailing science are that they are not the same. In fact, the latest science and empirical data, provided by this Commission, the state of Maryland, the state of Virginia, and the National Oceanographic and

Atmospheric Administration support the position that localized depletion is occurring in the Chesapeake Bay.

Given that localized depletion of Atlantic menhaden in the Chesapeake Bay has been an issue with this Commission without resolution, under the current process since 2004, I request the following. The Commission holds an Atlantic Menhaden Management Board meeting this spring. The meeting will be structured in the form of a debate, a discussion and a decision on the future of Atlantic menhaden reduction fishing in the Chesapeake Bay and its entrance.

This proposal is supported by the Virginia Saltwater Sportfishing Association, Recreational Fishing Organization, Maryland's Tidal and Coastal Recreational Fishing Committee, the National Audubon Society, and the Virginia Osprey Foundation. This is a very reasonable request, which should be acted on as soon as possible. I thank you for your time.

CHAIR CIMINO: Well, thank you, appreciate that and appreciate you being so timely. We had a couple of extra hands here, so we'll keep moving through. Next up is Tom Lilly.

MR. TOM LILLY: Ladies and Gentlemen of the Policy Board, in the last year grim evidence of menhaden overharvesting in the Chesapeake Bay has piled up. Starvation of thousands of osprey chicks, and the failure of the striped bass spawning stock. Despite public outcry, and the effect that this is having on millions of Chesapeake Bay residents, repeat, millions of Chesapeake Bay residents and their children, and their grandchildren.

Despite all of this, the Menhaden Board has refused to meet in October, November, and they are refusing to meet right now. From the New York and New Jersey experience and your ERP science, we know very clearly how Chesapeake Bay would benefit by moving the factory fishing. We're talking about one company here, as you know, by moving them into the U.S. Atlantic Zone. There is no question about that. Have you all stopped to think that by refusing to meet, by the Menhaden Board refusing to meet, that you have dashed the hopes of numerous groups, thousands if not millions of people that our Chesapeake Bay wildlife would get the menhaden forage, they need this year.

That hope is gone, it is gone completely. Also, by refusing to meet, you are not taking into consideration that thousands of schools of menhaden are being caught, just as they try and migrate into Maryland. I agree completely that you should have a Menhaden Board meeting this spring to consider these very important topics. Thank you so much.

CHAIR CIMINO: Thank you, Mr. Lilly. Voices are heard, we are planning on having a meeting this spring. There is a lot to cover and a lot of good updates, I think, for what is going on with our menhaden research and monitoring. I appreciate both of you keeping that within the timeframes. I think we have at least one other hand, two hands still. I'll go to George Socca.

MR. GEORGE SOCCA: Good morning, members of the Atlantic States Marine Fisheries Commission. My name is George Socca. I have a rich 35-year history as a publisher of a weekly fishing magazine in New York, and a deep involvement in the fishing community, including founding the first saltwater fishing website, leading a nationwide fishing network, serving as a founding president of the CC in New York, and the Recreational Advisor on the Atlantic States Marine Fisheries Weakfish Advisory Board.

Obviously, my connection to our marine environment is profound. Today I am here to discuss a significant environmental and economic impact following the cessation of reduction menhaden fishing operations in New York. The Hudson bass fishery is thriving, a fact that clearly demonstrates when you look and compare the YOY data between the Hudson and Chesapeake stock of striped bass since the end of the reduction fishing in our region.

The transformation is nothing short of remarkable. Our striped bass fishery has evolved into a vibrant

and extraordinary experience, providing a significant boost to anglers and the industry they support. Moreover, the overall marine ecosystem has experienced a significant revival. A prime example of this is a daily spectacle of breaching whale and dolphins off of Long Island's beaches, a sight so frequent that these fellows no longer need to board whale watching vessels to enjoy this majestic creature.

The consistent presence of bluefin tuna throughout the fishing season further indicates the thriving wildlife underscoring the richness, and robust health of our marine habitat. In addition, the resurgence of our bird population, especially the presence of 14 pairs of nesting eagles is now on Long Island. It's a testament to the broader ecological recovery.

These developments collectively illustrate a vibrant, rejuvenated marine and coastal ecosystems, a direct result of the positive changes in our fishing practices and environmental stewardship. In light of these positive changes, I strongly recommend that the Commission convene an Atlantic Management Board meeting this spring. This meeting should focus on discussions and decision making regarding the future of Atlantic menhaden reduction fishing, particularly in the Chesapeake Bay.

MR. CIMINO: Excuse me. I apologize, but as I mentioned, we have a very tight agenda today and that is a few minutes.

MR. SOCCA: Yes, I was told three minutes, I'm under that. But all right.

MR. CIMINO: Thank you. No, I'm sorry, it was two per individual, we are a bit behind on our agenda. I think you have clearly expressed your concerns, and I appreciate that, thank you. We have one more member of the public that wishes to speak, and that is Steve Atkinson.

MR. STEVE ATKINSON: Yes, good morning. My name is Steve Atkinson, I'm President of the Virginia Saltwater Sportfishing Association. I agree with the comments that have just been made about menhaden, as it relates to the Chesapeake Bay. As you know, when we raise these concerns, we are often told there is no science.

This summer a team got together and developed a plan. This included a plan for research, basically. It included representatives from the industry. This resulted in a bill that is now pending before the General Assembly, and I'm sad to say that the industry is now lobbying against this bill. I just find this to be a stunning disregard for the Chesapeake Bay. That's all.

CHAIR CIMINO: Thank you. I appreciate all the comments, and as I mentioned, looking forward to a Menhaden Meeting at the spring, and a lot of updates will be provided.

EXECUTIVE COMMITTEE REPORT

CHAIR CIMINO: With that we'll move into the Executive Committee Report, very appreciative of the fantastic summary provided by Pat.

We met yesterday and got a kickoff from Alexander Law on staff, who reported on legislative happenings for us, including what is going on with the Legislative Committee. He spoke also about the uncertainty in the federal fiscal budget, which has been going on for some time, obviously. There is also some interest in trying to resurrect the reintroduction for reauthorization for Magnuson, so we will see where that goes.

One of the big issues for all of us trying to manage these fisheries resources is the continuing budget issues, and we know that even that static funding, year after year, that obviously results in some serious cuts. That's one of our biggest pushes at the Commission to drill it home at Congress how important that is to keep the lights on here.

We got a report from Jainita Patel, who is our Science Committee Coordinator on the CESS, which is our Economic and Social Science Committee. This is kind of a revitalization for this committee. We have a new Chair, Sabrina Lovell, and a new Vice-Chair, Andrew Scheld. We had put out a request to all Commissioners just for some ideas on what the CESS

should be working on. We went through a summary of that.

I have been referring to that as kind of a first blush on what they will be working on for us. I think really the importance is that we now have a group that is working on stuff not only for the Commission, but is interested in tackling this at a state-by-state level. We really appreciate their help. For any Commissioners here who are still thinking about stuff that might have missed that deadline, we would be happy to hear of other interest that they feel the states need. Quickly we went through the election procedures for Commission Chair and Vice-Chair. We have been traditionally going on a rotation of Mid-Atlantic, New England and South Atlantic. One of the interesting things is it's also traditional to have a two-year term for Chair and Vice-Chair. However, elections are required, more or less, on an annual basis.

That brings us to our Strategic Plan, so we're starting again at a new strategic plan for 2024 through 2028. We had a preview of that at our annual meeting last year. I think most Commissioners felt that that was looking pretty solid. We did some edits to that, thanks especially to Erika and to staff for putting together that Strategic Plan, and was approved.

Well, excuse me, yes, we'll go through that approval at the Business Session, but Ex-Com had no further edits there. We briefly discussed the idea of keeping Board meetings in person for the Commission, or should I say at least this hybrid procedure. The reason why we brought that up was, it was a discussion that started while we were still forced to be virtual during the pandemic.

I think there was a strong general consensus among Ex-Com that things are going pretty well. There are really good reasons to stay in person, but always have this virtual option for both Commissioners and the public. Then one other thing that we talked about in Ex-Com was staff will be putting together a letter that will come back before this Board, on what is happening with the Federal Disaster Relief. There is some current legislation, and we're looking for some clarity between what Congress was expecting to happen and the current procedures with NOAA. Staff will be putting that together and we'll see a draft to that. Is that for the next meeting, Bob? Yes, so by the next meeting we'll see a draft for that. That covers our Ex-Com report. We're going to turn it over to Alexander to go through our survey results. Letters first, sorry.

REVIEW AND DISCUSS 2023 COMMISSIONER SURVEY RESULTS

MR. ALEXANDER LAW: The Ex-Com recommended that the Policy Board approve a letter of support for a Working Waterfronts Protection Program. There are two bills in front of Congress right now, one in the Senate, one in the House that would both address creating a Working Waterfronts Protection Program. They differ in different provisions, how they approach this. The letter that I drafted is high level, and just speaks to the need and the impacts that our states are seeing, when it comes to working waterfronts, conversion, threats or climate change.

CHAIR CIMINO: Again, this is coming out of Executive Committee, and I'm just looking for a show of support here at the Policy Board to move this letter forward, so I can get some acknowledgement and consensus. Let's do it this way, is there any objection to putting this letter forward? Not seeing, thank you. Yes, Alexander, I appreciate you being up here with us. I did forget to go to David, so let's do that now, if we can. Go ahead, David.

MR. BORDEN: Thank you, Mr. Chairman, for inserting me in the process early, because I've got to catch a plane. The only issue I wanted to talk about, and it's going to be very brief. At the last Board meeting I raised the subject of catch and release mortality on striped bass. It's well reflected in the minutes the concerns. But to summarize the concern is, we don't currently have a process to examine that issue. I'm getting increasingly concerned about the lack of that effort on that particular issue, because 40 percent of the mortality on striped bass relates to catch and release. When you combine that with the news that we seem to get

at every single meeting about poor year classes here, poor year classes there, invasive species feeding on striped bass in the estuaries and so forth. I think we're getting into a really dangerous place, where we have very limited management measures to address some of those types of concerns.

My suggestion at the last Board meeting was basically, we asked the Chair of the Board to focus some attention on that, and kind of bifurcate that issue of catch and release mortality into components that the Board could deal with, and figure out a process to deal with that issue, and then report back, for instance at the May meeting.

Toni had offered some staff assistance in doing that, I think she is still willing to do that. I think it would help here to have some input on this issue just quickly from the current Board Chair, because she's thought about it, and then we can move on with it. If people feel comfortable that this is a serious issue we need to work on, then I think we can leave it to the discretion of the current Board Chair to work on it, and draw in relevant expertise to help her out.

CHAIR CIMINO: I think we all realize; we share your concerns and we realize that this issue kind of got decoupled from previous actions. We weren't able to figure out a way forward through previous addenda and amendments. We are at a point where I think we have to be as proactive as possible to work on this, so I would like to bring Megan up, if you have another comment, David.

MR. BORDEN: Just quickly add, this is a really complex issue to deal with, and it's probably going to need to involve a diversity of expertise to deal with it. There is a lot of uncertainty with the issue. My rule of thumb when you get into a situation like this is you lean into the uncertainty, and try to work through the uncertainty. But hopefully Megan has the way forward on this.

CHAIR CIMINO: That is the weight of the world on your shoulders. I'm going to turn to Megan Ware, our current Board Chair for Striped Bass.

MR. BORDEN: No pressure, Megan.

MS. WARE: Yes, as David mentioned that he had brought this up at our previous Board meeting. Obviously, we were pretty focused on Addendum II yesterday. In talking with Emilie, some thoughts we've had over the next few weeks or months, we're going to compile some of the documentation we've had, in terms of discussions on discard mortality, what the challenges are, you know some of the thoughts from the Law Enforcement Committee, the Technical Committee, so that is all in one place.

Then potentially getting together a workgroup or a group of Commissioners to start a conversation on discard mortality. I don't know how much progress we would make on that workgroup ahead of the May meeting. But that would be a potential vision forward. I think we have some space time between now and the annual meeting, when we get the assessment to start to think about this. We've also been in contact with Mass DMF to potentially present some of their studies on discard mortality that they've been working on at the May meeting, so that is something else we've been thinking about.

CHAIR CIMINO: Yes, thanks, Megan. I appreciate that. I think our goal really is being prepared for the next assessment, more so than an upcoming meeting. I know we do have a tight schedule, but this is a very important issue to a lot of us, so I will look around the table to see if there are any other comments on this. Otherwise, we will proceed and do our best to be ready, as I said, for action knowing that the next assessment may not be so pleasant. With that, I think we now can turn it back over to Alexander.

MR. LAW: I'm going to be brief here. Because of how quickly I'm going through things., I encourage you guys to look over the answers to the open-ended questions included in the 2023 Commissioner Survey Results. Basically, for every one Commissioner saying one concern, there is a commissioner concerned about the exact opposite thing.

It really shows the diversity of opinions here. The ranked questions 1 through 16 are not particularly interesting. There hasn't been a large change from year to year in the past few years, and there is

nothing to be concerned about there, in terms of our direction. Like in previous years, cooperation with federal partners, particularly the councils, is our lowest scoring question.

I believe last year people expressed that they would like the Council's to meet us in the middle more, and come to more of our meetings. Effective utilization and availability of Commission resources have consistently scored as our highest question, and open-ended question responses expressed thanks for staff knowledge and responsiveness.

The open-ended answers to questions 17 through 20 provide some unique insights, so again, I encourage you guys to look over those in your own time. Many Commissioners have expressed climate change as our biggest obstacle. One Commissioner talked about the need to revisit rebuilding programs, and gave southern New England lobster as an example.

A few mentioned not putting long term stock health before political pressure and interests within each state, influencing our management decisions. Others expressed concern about reliable data, especially facing increased uncertainty due to climate change. One of the interesting responses that was expressed in Question 19, a couple people mentioned this, was the need to create product for an audience that doesn't seek out engagement with our management process, and aren't necessarily trained fishery biologists.

Potentially creating different products for different audiences, with reduction in the usage of truncated acronyms, or fishery management terms, which may be a barriered entry for some people. A couple of people also asked for more frequent stock updates, and that is about what I am going to give you for now. Thank you.

CHAIR CIMINO: You know we had some discussions about the survey with Bob and Dan and I. We certainly still see value in this, I hope you all do as well. Are there any questions or comments for us on this? Go ahead, Ray.

MR. RAYMOND E. KANE: Yes, being how we're going to move forward with hybrid meetings, I had to talk to a constituent last night from my state. In the future if, as we go around the table and motions are made, we all know who we're talking to at the table, but people on the webinars, they say, well who made the motion? Well, Mike Luisi made the motion. Well, they don't know who Mike Luisi is, so when you present or you want to make a motion, I'm Ray Kane from Massachusetts, so people on the webinar know who made the motion. Just a thought.

MS. KERNS: Ray, so you want people to say what state they're from, because it does say on the webinar screen who had made the motion.

MR. KANE: Yes, I'm sorry, Toni, the states.

MS. KERNS: Okay, just clarifying. I think if we, every time someone speaks, they what state they're from. I think that will add to the length of the meeting, so maybe when people are making motions, they try to do that. But I think if we said it every single time that might get tricky.

CHAIR CIMINO: Lynn.

MS. LYNN FEGLEY: How about, I mean the list is there, but how about just a list with every webinar that lists the Commissioners and where they're from, and then they can reference easier.

CHAIR CIMINO: Yes, Pat.

MR. KELIHER: Well, I think Toni touched on it, right. When the motion goes up on the Board and it says who it is, you can put in parentheses the state they are from.

CHAIR CIMINO: Yes, for those of you that remember parliamentary training. They were kind of adamantly opposed to the idea that names were even attached to motions. But we certainly see the importance of that. I think one of the most important things is to absolutely always have a motion on the board, so that we all know what we're dealing with.

I always appreciate when we get clarity on the intention of that motion. But I don't see any reason, because we already have names attached, to not also have the state that is represented in those motions. As we move forward, that is something that we can continue to discuss if there are any concerns there. Thanks, Ray. Any other comments on the survey? Okay, I'm not seeing any.

CONSIDER JURISDICTION REQUESTS FOR SPECIES DECLARED INTEREST

CHAIR CIMINO: So, I'm going to turn it over to Toni for Jurisdiction Request.

MS. KERNS: In your meeting materials you have a letter from the state of New York. New York is requesting to declare into the cobia fishery. This request is consistent with the Plan Review Team's recommendation, at least for the last year if not the last two or three years to New York.

For the past five years the occurrence of cobia in New York state waters has dramatically increased. Prior to 2019, New York rarely saw over 1,000 pounds, and then from 2019 to 2022, landings were over 1,000 pounds each, in some years reaching a high of over 5,000 pounds. Their landings have been at least 6.9; 2.6; and 2 percent of the coastwide commercial landings in 2020, 2021 and 2022 respectively. Their recreational encounters have also increased in recent years, and in 2020 and 2022 they were just shy of 3,000 pounds, and just over 4,000 pounds respectively. Prior to 2020, the last recorded recreational cobia catch in New York had occurred in 1994.

We are also seeing in the literature that suitable habitats for cobia is moving northward, and so based on the criteria in the Commission's guiding documents, New York would meet the guidelines of being added into a species fishery, but it is something that we need the Board to consider here today. I don't know if Marty has anything he wanted to add.

MR. MARTIN GARY: No, thanks, Toni, you characterized it pretty well. I may or may not have touched on it, but we are seeing them in the commercial landings too, albeit at a very low level. But this is another instance of a species that's moving, and of course, we've seen them move from the south up into the Virginia Capes, and now it's not uncommon for our fishermen to tell us they could actually target these fish. They get around pods of menhaden, so as Toni indicated, we would like to declare an interest into this fishery.

CHAIR CIMINO: We'll do this through a motion, Marty, if you don't mind. We have something we can bring up for you. Marty, would you mind?

MR. GARY: I would like to **move to add New York as a state with a declared interest, right, in the Cobia FMP.** Interstate.

CHAIR CIMINO: We'll make that edit and we have a second by Ray Kane from Massachusetts. There we are, we have a motion and a second. **Any discussion on this? Any concerns from the Board? Any objections to this motion? No objections, good. Motion passes by consent.** We're going to move on.

DISCUSS AQUACULTURE IN THE EXCLUSIVE ECONOMIC ZONE

CHAIR CIMINO: Next agenda item is a discussion on aquaculture in the EEZ

We have Danielle Blacklock with us here from NOAA Fisheries. Again, I appreciate the presentation, Danielle, and due to timing, I think that we will do our best to allow some questions, but hopefully you'll provide some contact information for folks to discuss this, or continue this discussion with you at another time as well. Thank you.

MS. DANIELLE BLACKLOCK: Absolutely, thank you, Mr. Chair. Hi everyone! My name is Danielle Blacklock, I'm the Director of Aquaculture within the NOAA Fisheries Service. I am excited to be here with you today. As many of you know, aquaculture is a great tool to be used for species conservation and habitat restoration, pharmaceutical, nutraceuticals, fertilizer, et cetera, et cetera.

But I'm here to talk about the food aspect. See, I like food, and I'm a little concerned that we don't have enough of it. We already import 70 percent of the seafood we eat. As we do that, we have to think about the fact that all countries aren't created equal, when it comes to conservation laws and policies. As we import our seafood, we export our impact. More than half of the seafood we're importing is farmed, just in other places. Global demand for seafood is rising, so in this busy marketplace the competition is going to get hot. We're expected to have a global seafood supplied gap of 50 million tons in the next 25 years, and that's with Americans only eating 70 percent of what is recommended for nutrition. Americans are malnourished, and that is probably not something that you think about regularly. But with 42 percent of adults obese in this country, and a higher percentage than that prediabetic.

At the same time 12.8 percent of households are food insecure. We have both sides of the malnutrition coin to tackle, and seafood is a component of the solution for both. As a lean protein that is good for your mind and your heart, full of Omega 3s. The more that we can produce locally, to get into those homes at a price point they can afford, the better off we'll be. All of those challenges are before we talk about climate change, which I know all of you are living day to day, as stocks shift, production changes.

We have to figure out how to build a climate smart food system. We're not the only ones talking about seafood anymore. Aquaculture is a topic that is across the government right now. The Administration last year released the Ocean Climate Action Plan, you may have heard of that. One of the key actions for using the Ocean for climate resilience and adaptation is to expand U.S. aquaculture production.

The White House is saying that aquaculture is a part of our climate solution. Then that middle image there is NSM-16. If NSM is not part of your daily vernacular, that is National Security Memorandum. National Security Memorandum-16, which is on the strengthening the security and resilience of U.S. food and agriculture makes some big policy statements.

It says aquaculture is agriculture, and then it goes further to say that agriculture is designated as critical infrastructure of this nation. That means that our existing sea farmers are critical infrastructure. Not only are we looking to expand, but we also want to make sure our existing farms are resilient.

Then over to the right, a little bit of a creepy cover here. But this is the Department of Homeland Security, they put out a report on the threats to food and agricultural resources. In response to those threats, they have one of the six national priorities to build a resilient domestic food system to expand domestic aquaculture production.

My inbox has changed. The letters at the end of the e-mail addresses have changed. I get a lot of Ma'am; I would like to sit down with you and talk about the resilience of the U.S. aquaculture sector from .mil. Ma'am; I would like to run a tabletop exercise about how we're going to feed our country, and I would like you to be a part of it. HHS.

This is a bigger conversation and I'm here, so that is the framing of why I'm here to talk to you today. Why the Policy Board? Striped bass, I know that you have had a busy meeting on striped bass, and that yesterday was probably a hard day for many. I'm hoping that our conversation today can be seen as part of the solution set to some of the challenges that are happening.

Why do I want to talk about striped bass, when it is a pretty hot species on the east coast? Because it's really versatile, and we know how to do it. You can grow it in freshwater and saltwater. It has a large temperature range, as we know. It could be farmed up and down the east coast, and it also has multiple culture methods, so it is currently you can farm it in ponds on land, you can farm it in recirculating systems, freshwater/saltwater as I mentioned, and in net pens out in the ocean. Also, we're interested because there is an existing market. Creating a market is hard, and if there is an existing marketplace, even though in some states and some places it is a seasonal marketplace.

What if we made that year-round, and created opportunity for what is also wildly harvested in that new marketplace. Then the final point is really the key one for me. In answering some of those .mil e-mails is about equal opportunity. What I mean by that is, as you guys know, it's illegal to fish, harvest, possess or retain striped bass in the Atlantic EEZ.

Then some states have a prohibition on sale. That doesn't affect the Gulf of Mexico, and we're actively receiving applications for Gulf of Mexico waters to farm Atlantic striped bass, not hybrid striped bass, Atlantic striped bass, and it's already happening. I mentioned that. Right now, there is pond farms in North Carolina, South Carolina and Texas.

Ohio is trying recirculating aquaculture that has been successful in research, now trying it commercially, and there are net pens in Mexico. I don't know if you all have heard of the company Pacifico. They just made an announcement last month that they are building the first Atlantic striped bass commercial hatchery. They expect to put 20,000 metric tons into our market place through this hatchery.

It is already in my Whole Foods and Wegmans, straight from Mexico. It's our technology. The U.S. figured it all out, and we've exported technology and now we're importing fish. In addition, farmed Atlantic striped bass is commanding a premium price, compared to wild harvested and farmed hybrid striped bass.

This is my last slide. We've been researching it for a long time. It started in 1874. I'm not going to give the whole history. But there have been dramatic improvements in our knowledge base, and that's why you are now seeing the commercial growth. We've sort of gone on the other side of the tipping point of it being economically and biologically viable.

Dramatic improvement in growth rates, due to selective breeding. This current generation is growing faster than hybrid striped bass, and it gets a premium price point, so of course people are interested. The full genome is sequenced, which opens up the ability to do further selective breeding and collection.

Multiple known sterilization methods, so should farms go in our waters, we have techniques to make sure that they can't reproduce with wild populations. There are known feeding protocols all the way through the life cycle, and there is an investment in a consortium of research called StriperHub.

The National Sea Grant Program has invested in this collaboration and consortium of researchers, and the goal of that effort is commercialization of both striped bass and hybrid striped bass. The research is happening, the farming is happening. What we have is an imbalance in what is accessible to interested farmers. In the Gulf of Mexico and the U.S. they can go in with applications, et cetera, et cetera, that are then thoroughly reviewed, of course. On the Atlantic coast there is not a legal pathway currently to do so. Now, I'm not sure whether that is on purpose or not. I don't know that when those rules were made, people were really thinking about farming Atlantic striped bass, because the science wasn't there, and now it is.

What I would like to know is, how I and my team can be helpful in building an understanding of where the science is, and what policy implications that might have. I am not a striped bass expert, and I can't sit here and answer quizzical questions about, well what is the status of this in striped bass. But I can get back to you.

If there are specific things that you're interested in learning more about, I am happy to put my team to work, and the suite of researchers that have built this industry that has been exported abroad. With that, I take any questions. I know you're short on time, and I hope to hear from you all. My e-mail address is my first name dot last name at NOAA dot gov, like everyone else's. I'm sorry it's not on the slide, but I'm happy to have a conversation separate from this too.

CHAIR CIMINO: Well, thank you very much, and I appreciate that, and I've been so far voting on our time constraints, and yet we are actually doing pretty well. This is a very interesting topic for sure. One of the struggles for all of us here, I think, especially with

the introduction of offshore wind, our competing uses in our oceans.

I know that is one topic of importance to all of us, and obviously striped bass is near and dear to many of us, and the poster child for the Commission. I'm going to open it up to the Board for any questions or comments for NOAA on this. I'll go to Roy, and John, it looks like maybe you as well. Okay, go ahead.

MR. ROY W. MILLER: Thank you, Danielle, for the presentation. I have been around long enough on this Commission to remember when we had some policies concerning striped bass stocking that were generated in the late 1980s and early 1990s, and particularly in regard to aquaculture products.

We took a stance in those days, no active stocking of hybrid striped bass, for instance, for fear of damage to the genetic authenticity of wild stocks. We were also concerned at the time about escapees from aquaculture, particularly when aquaculture was conducted in a coastal zone area, let alone net pens. That technology pretty much wasn't considered actively in the late 1980s, but obviously net pens present a real challenge, particularly when they are stationed offshore.

The chance of storm events and escapement is high. Then striped bass that are aquaculture products, with let's say limited genetic diversification would be loosed upon the environment, and mixing with natural stocks. There are those concerns, and we did consider them important enough in the late eighties or early nineties that as a Commission we took some positions on it, say. I just wanted to bring that to your attention.

CHAIR CIMINO: Thanks, Roy, we'll go to John and then Pat.

MR. JOHN CLARK: Thank you for the presentation, Danielle. You mentioned that this is already going on in Mexico. As you mentioned, so many of these aquaculture techniques have been developed here, but then they've moved to developing countries where the cost of production is so much less. I'm guessing with the water temperatures they probably grow faster there too. What are the economics of raising them, even in the Gulf, as you mentioned? What type of price point would they need to make this viable?

MS. BLACKLOCK: I think that we could do more analyses on that. What we're hearing is that by the price they're fetching now, which I would have to look at that. Actually, I have it in my notes. Fetching a price higher than hybrid striped bass, has made it now economically viable, because they are growing faster.

They are growing to market size in less than two years, which my understanding is that between the price point they're getting now, which I think is just over five dollars per pound, although when you buy it from the farm it's like, retail it's closer to $15.00 to $17.00, and how fast they are growing that it is now economically viable. Some studies have been done, but until we have a test case in the water we don't know for sure.

MR. CIMINO: I'm going to go to Pat Keliher and then Lynn.

MR. KELIHER: Danielle, good to see you again. Thanks for the presentation. This is the second time you've been before us and brought up the EEZ related issues. If I recall correctly, EEZ related issues for striped bass pertains to really on the recreational side, not being allowed to fish for or possess striped bass in the EEZ. But isn't that something that NOAA could simply change the rule for an exemption for aquaculture for possession of farm raised aquaculture?

I'm not sure if you're coming to us, because you have an ask of that, and you want that to come from the Commission. That is my first question, and my staff has also indicated that you and your folks might be developing a white paper around striped bass, and if that is the case, is that something you could provide the Policy Board or the Striped Bass Board?

MS. BLACKLOCK: We certainly could produce a white paper, if that is of interest. I think that with aquaculture, it's important to not be too heavy

handed. We want to create opportunity and access, without creating undue fear. I think taking a measured approach is really important. Starting with our white paper or something like that, continuing the conversation with the Commission is something that in my perspective is the right path.

CHAIR CIMINO: Follow up.

MR. KELIHER: Yes, thank you. I appreciate the comment on not being too heavy handed, because this is one issue, as far as expanding other activities in the EEZ, you're going to displace existing users. They are going to potentially have a flora and fauna impacts or there is navigation impacts.

They are all the criteria that we have to use in Maine when we're dealing with any aquaculture, and they are highlighted with finfish aquaculture. Finfish aquaculture has become a lightning rod, whether it's in the water, or now even onshore. I appreciate the sentiment that you don't want to be heavy handed, and take a more measured approach. I think from a Commission standpoint, it's probably worth having more additional conversations around this, to understand where this is going. There certainly could be some benefits with this type of approach. The potential opposition is real, associated with this type of growth.

CHAIR CIMINO: We're going to Lynn and then Dan and then Eric online.

MS. FEGLEY: Thank you, Danielle, for your presentation. I have a lot of questions. I love the idea of a light keeper, and my two questions. One centers around, you know enforcement. We have people in our state who have gone to jail for malfeasance with striped bass tags, so you imagine we have the population of striped bass under a different enforcement. I would actually appreciate a little exploration into how that might work, and the other one is economic.

Also in my state, in the last two decades we've legalized, rewritten our laws to allow for oyster aquaculture, it's a burgeoning business in the state of Maryland. It's a wonderful thing, but it unleashed a lot of pretty ugly competition between the wild fishery and the aquaculture fishery. You know salmon, you see it in the market, you see that there is aquaculture salmon raised in Chili, or there is wild caught salmon from Alaska.

But you know you stated the market is established for striped bass, but I think that is primarily a wild caught market. I know that I would certainly get questions from fishermen in my state. We are the largest commercial fishery for striped bass, how this is going to impact their market. I would actually be a little bit interested in the economics of that if you're putting together a white paper. That is just some thoughts on that.

CHIAR CIMINO: I'll go to Dan.

MR. DANIEL McKIERNAN: A friend of mine in college once said, you learn something new every semester. One of the nuggets that I'm taking home after this meeting is the fact that the eel aquaculture in Maine is exceeding the United States wild harvest. If there are any parallels to this, the striped bass in the Chesapeake appear to be failing, at least for the last five years.

I think in some ways there is an inevitability, and certainly a market that is a potential to be developed here. I think where this takes place is probably the most controversial. Whether it be right over a state waters line, the EEZ, and the potential for escapement. But one of the things Danielle, that you raised, was state regulations that ban sale.

I'm curious about that, and I'm wondering if as an ASMFC initiative, staff could poll the states about their rules pertaining to aquaculture products and nonconforming fish, because I know that when New Hampshire had their cod and halibut aquaculture, you know we did everything we could to help get those products into the market, even though they were going to be undersized.

I think that we just need to modernize some of our regulations, as some of these products become farm raised. I guess I would ask Toni or Bob if this is something that we could look at among the states,

to study the degree that states accommodate nonconforming fish, or shellfish that are farm raised, because I think that is sort of like next chapter here, in terms of allowing aquaculture to develop alongside wild fisheries.

CHAIR CIMINO: I'm going to go to Eric Reid online.

MR. ERIC REID: Thank you for your presentation. As far as things that are prohibited in the EEZ, Atlantic salmon possession is prohibited in the EEZ as well, and it's also prohibited for federally permitted vessels, no matter where they are. I would suggest anybody of interest would look at New England's action to accommodate salmon farming in the EEZ, about how we handled some of those.

My question is about competing interests or space in the ocean. Aquaculture is a competing interest, and offshore wind, the lease areas, those are competing interest for space as well. Those areas have the ability to do certain things other than offshore wind. My question is, who would regulate placement of aquaculture facilities within those areas?

MS. BLACKLOCK: I think that I can answer your question about who regulates space. For finfish aquaculture, which we're talking about, the permitting authorities are the Army Corp of Engineers, the EPA, and then NOAA plays a consultative role for endangered species, habitat, et cetera, et cetera.

The siting warehouse that finds farms space is inside of NOAA, it's in the Ocean Service. There are 30 scientists at the ready that help place, identify appropriate sites. The science is in NOAA, but the authority that permits the use of that space is the Army Corp of Engineers. Then the permitting agency for effluence and environmental impacts to water quality is EPA. Hopefully that was clear enough.

MR. REID: Follow up.

CHAIR CIMINO: Yes, go ahead, Eric.

MR. REID: I appreciate that, and I hope you're right. But in reality, the offshore wind lease areas are managed by BOEM. It's my experience that NOAA and everybody else is only in an advisory capacity that may or not be adhered to. I would like to find out for real what BOEM allows the offshore wind areas to do, other than offshore wind. They are all foreign companies, and they know a lot about farming a lot of things, so I don't need to know today, but I think it's something that we should address.

MS. BLACKLOCK: Sorry, just a clarification. I think I misunderstood originally. Are you talking about co-location with wind, specifically?

MR. REID: That is exactly what I'm talking about.

MS. BLACKLOCK: Got it, okay thank you, I took a note.

CHAIR CIMINO: I'm going to go to Erika and then Dave Sikorski online.

MS. ERIKA BURGESS: Thank you very much for this presentation. I'm in Florida, and we're paying attention to NOAAs development of that aquaculture opportunity areas. I'm very interested in seeing a white paper on this, and was wondering if we could also receive a copy of this presentation. Thank you.

CHAIR CIMINO: To Dave.

MR. DAVE SIKORSKI: This is an important conversation; I appreciate being able to participate. I would like to thank Ms. Fegley for her comments, from a Chesapeake perspective for sure, and highlight something that hasn't been raised today, and that's the forage needs of aquaculture fish, and how we have some various challenges that have already been raised in this committee today by some stakeholders, and continues to be a challenge, from a national security standpoint, exports, lots of different things, ecosystem balance, et cetera.

I think that's really important to consider, what are these fish being fed, where the source is from. They've got to be really cognizant of robbing Peter to pay Paul, especially with the challenges that our

commercial fisheries already face, and working waterfronts already face from so many angles.

I know that we will all keep that front of mind as we move forward with this. Just from a food resiliency program perspective. I would be remiss if I didn't mention the tremendous opportunity for wild caught protein here in the Chesapeake Bay with the invasive blue catfish. Many of us in this region have for years been bumping into the hurdles and the roadblocks and the challenges that exist.

As was said earlier, markets are hard to develop. But there is low hanging fruit, and of course there are some policy constraints that many in this region are concerned about. I think it's an all-hands-on deck effort if we really truly care about our domestic seafood sources, especially those that come from the Chesapeake Bay, and then fuel the coast, which of course we all are organized to manage. I really look forward to the white paper, and future conversations on this. Obviously, nothing happens in a vacuum, so thank you for bringing this to our attention today.

CHAIR CIMINO: If I may, I see Cheri's hand it up, but I'm going to editorialize here a bit myself. I'm always very skeptical by the numbers of imports, when we don't talk about the numbers of exports as well. You know I think if we remove the very cheaply raised shrimp and catfish that Americans are willing to pay for, and look at all of the exports from the fish that we do our absolute best to manage here as wild harvest that are being exported, as well as salmon that are caught here and then reimported.

I really do wonder about those numbers and those deficits of what we have available to us. I also worry about, you know competition. We've made some very tough choices just this week on keeping the spiny dogfish fishery alive here, on even with our great concerns for striped bass, we made a very difficult decision on where the commercial fishery should be.

Taking a reduction, doing our absolute empathic best to keep that fishery alive. To have these discussions on a competition, which our Commissioner Eric Reid, who is kind of our resident fishmonger, if you will allow me that, called it a niche fishery. I spent quite a few years in the Chesapeake Bay, and saw even in, you know the first weeks of that wild harvest fishery opening, prices of wild harvest striped bass going from $4.00, $4.50 a pound at the beginning of a week to $2.50 a pound by the end of the week. The thought of adding aquaculture fish to that, I have some concerns. I just want to put that out there, and I'll turn it over to Cheri.

MS. CHERI PATTERSON: New Hampshire has had to deal with some aquaculture offshore aquaculture permits, or inquiries. The thing that I continue to be concerned about with aquaculture, apart from what we've heard so far, is oftentimes these permits or these inquiries don't necessarily include the complete project.

What I mean by a complete project has to do with land-based infrastructure, in shoreside facilities. You did hear a little bit on the shoreside facility aspect. Because without those sorts of components to an aquaculture facility, it really can't be assessed appropriately. I find it very important that not just NOAA Fisheries, but also, and I've expressed this to the Army Corp, that a complete application needs to be provided for public comment during the process.

CHAIR CIMINO: Any other hands around the table? I don't see any online either. Thank you, Danielle, I appreciate the presentation and appreciate you providing that information. I'm sure you'll get some follow ups from some folks here and others listening online as well.

MS. KERNS: If there is any other information that those folks think of later on, if you e-mail me, I can pass that information along to Danielle.

MS. BLACKLOCK: Thank you very much.

REVIEW NOAA FISHERIES WHITE PAPER FOR AN INDUSTRY-BASED SURVEY

CHAIR CIMINO: With that we're going to move on to a Review from NOAA Fisheries on a white paper. Those of you that follow the Mid-Atlantic and New

England Councils, you will be familiar with this. This white paper is on an industry-based survey, and we're going to turn it over to Kathryn Ford.

DR. KATHRYN FORD: Good morning, everybody, thank you for having me here today. My name is Kathryn Ford, I am the Population Ecosystem Monitoring and Analysis Division Director at the Northeast Fisheries Science Center. We call this Division PEMAD, and it includes our Ecosystems Surveys Branch, which is run by Peter Chase.

That branch is responsible for several major fishery independent surveys at the Northeast Fisheries Science Center, including the multispecies bottom trawl survey, which will be the focus of the talk today. Today I'm talking about an industry-based trawl survey white paper that we wrote this fall.

This work, I only put my name on the slide, there really wasn't enough room for everybody's names on here, because so many people helped with this project. But most notably, the Northeast Trawl Advisory Panel and a workgroup that that panel set up, helped with this project. For those who aren't familiar with NTAP, it's the joint Mid-Atlantic and New England Council Advisory Panel. I'm here today to present the white paper that was developed in response to the Council and Commission motions from September and October of 2023, to develop a white paper outlining an industry-based survey that is complementary to the spring and autumn bottom trawl survey that the Science Center runs. The Northeast Fisheries Science Center's multispecies bottom trawl survey, which I'll generally refer to as the BTS or the bottom trawl survey, is operated by the Science Center, and the purpose of this survey is to monitor ecosystem changes in trends and abundance distribution and life history for demersal fish.

We provide information for 63 stocks, and we collect more than 600 species on this survey. It's a shelf-scale survey that extends from Cape Lookout to Nova Scotia. The reason that we sample in Canadian waters is because this survey predates the Hague Line. Key reports that we inform with this data include the status of ecosystem report, stock assessment and climate assessment.

This data is used much more broadly than just the reporting requirements to the Northeast Fishery Science Center, and it is a substantial scientific undertaking that is globally recognized. We sample 60 days in the fall and 60 days in the spring for a total of 120 survey days per year. We use as our primary platform the Bigelow.

The Bigelow also has a sister ship called the Pisces, and both of these ships are run by the NOAA Line Office, OMAO, or Office of Marine and Aviation Operations. We're in NOAA National Marine Fisheries Service. At the Northeast Fisheries Science Center, OMAO is a separate line agency within NOAA.

NOAA OMAO also ran the predecessor vessel to the Bigelow, the Albatross IV, which operated this survey until 2008, and we did an extensive calibration between the two vessels, as well as new gear that was used by the Bigelow, before the Bigelow started in 2009. The trawl survey gear that is used was designed with the Northeast Trawl Advisory Panel, and similar gear is used by the Southern New England Mid-Atlantic NEAMAP Survey that is done by VIMS, as well as ChesMMAP and other regions are thinking of using this gear.

This program includes five biologists and three gear technicians, for a total of eight full time staff that focus on making sure that this survey is conducted each year, two seasons a year. When we're out on the boat, we're sailing with 15 scientific staff, and the survey staff that are the fulltime staff, also support a variety of research effort, including taxonomic studies, re-stratification analyses, catch efficiency research, and a variety of modernization projects.

This is an extremely valuable survey for both fisheries and marine ecosystem monitoring, and a key goal in how we operate this survey is to provide consistency in our trawl performance. The reason why consistency is so important is to make sure we don't introduce uncertainty in what our scientific results are. We have protocols for this survey to be

as consistent as we can, to compare catch results year over year.

We don't want to blame a gear change for a change in the catch, for example. The images on the left here show an example of inconsistent trawl performance. You can see the top image shows the trawl net right on the sea floor, and then the bottom image shows the trawl a little bit off the sea floor. That can result in different results, and the way we handle that is we use a tow evaluation program, and a variety of protocols to ensure that there is consistency. Any tows that exceed our standards will be re-towed. On the right-hand side, I'm showing an example of inconsistency in the time series. Inconsistency in the time period, you can see a gap between the orange line on the left and the green line on the right. This is just a theoretical dataset of humidity. This is just a random time series, not anything to do with fisheries.

But you can see that gap in between the two time periods. To fill that gap, you can use a variety of tools to extrapolate over that gap. But when you do that kind of work you introduce uncertainty. This isn't always a big problem, very data rich environment, we have excellent capabilities for creating extrapolation. But it can be especially a more data poor situation.

We do have a lot of tools to try and address any lack of consistency that we have. We use things like calibrations and catch efficiency studies. There are modeling advances that we're using. You can even start a new time series and have a brand-new dataset that could go into understanding a particular question.

But all of these types of activities to address inconsistency represent various tradeoff, either in precision or accuracy of the data, could involve slowing down the timeline of the analyses and the availability of the data, the complexity of the analyses. In general, the less data massaging that you have to do, after collecting a dataset the better.

You really want to make sure that you're as consistent as possible in these long timer periods. One of the things that can affect gear performance, especially for trawl surveys, is the platform itself. The way we've been doing this for 60 years, is to rely on a single vessel, and be as consistent as we can with the vessel itself, as well as all of the trawl protocols that we use.

In recent years we've become concerned about the reliability of the Bigelow vessel. This graph here shows our spring survey in a solid line, and our fall survey in the dotted line. The first half of the survey years, 2009 to about 2015, we had very good survey performance. A good survey year for us, we target about 370 stations. We typically accomplish around 350 stations.

You see that we have very stable performance up until about 2017. In 2017, there was mechanical failure. The Pisces, a sister ship was brought in to complete the survey. You can also see the clear impact of the COVID year in 2020. We actually got out in the spring in March of 2020, but then we were brought in off the water once COVID really got going, and then in the fall we were off the water for the whole season.

Then last spring, spring of 2023, there were mechanical issues, a variety of issues with the vessel, and it got stuck in drydock for a couple of months. Over the history of the Bigelow time series, we've done 30 surveys, and 30 percent of them have less than 320 stations. It does look like we're seeing less reliable performance in the more recent years.

We're expecting more platform impacts, so we have the unintended lost sea days that we've been addressing. There is also increasing challenges, potentially with government shutdowns that could occur really now at any time of the year, it seems like. We also have offshore wind that we're facing, the Bigelow vessel will not be able to operate the trawl gear inside offshore wind energy areas. There is a midlife refit that is coming up in September of 2027. We're in the process right now of making sure that the Pices will be available during that timeframe, but we'll be down to that single vessel during that timeframe. Then ultimately, we're going to have end of life in another 20 or 30 years for the Bigelow.

Especially after last spring's loss of two months of sampling, NTAP formed a working group to develop a contingency plan for the Bigelow.

This working group kicked off in September of 2023, and the term of reference is to describe vessel platforms that can support completing the Northeast Fishery Science Center spring and fall bottom trawl survey, when the Bigelow is unavailable. There are four major options that we're looking at right now.

The first is the Pisces, the second is a Northeast Fisheries Science Center vessel that is calibrated to the Bigelow. Right now, the Science Center operates the Gloria Michelle vessel, and we're interested in procuring a larger vessel that could work further offshore and tow the gear that we tow on the Bigelow.

The third option is an industry-based vessel calibrated to the Bigelow, and the fourth option is an industry-based survey that is not calibrated to the Bigelow. This would be a parallel separate time series entirely. That is the option that the motion addresses, is this fourth option under this contingency plan that we're building.

The goals for this project span three major thematic areas. The first is providing science for management. Here we want to improve our data products by improving our survey data consistency. For operations, I'm referring to our survey operations, the activities that we take to create this data. Our main goal under our survey operations is to be consistent.

We want to add resilience here to the existing multispecies bottom trawl survey, so we can continue to sample each season the maximum number of stations to get into that 350-station range. Then a third thematic area is industry involvement. We think it's critical for our science to be informed by industry's perspective.

We want to make sure that we're being fully transparent about the activities that we're undertaking. A goal is to improve trust through collaboration. In building the industry-based survey white paper, the IBS white paper, we started back in September after the, we actually started, we have an outline together prior to the motions that the Councils and the Commission addressed.

In the last several months we've had two drafts that were reviewed. The first draft was reviewed internally and by the Northeast Trawl Advisory Panel's working group. Then we had a second draft that was also reviewed internally by the working group, and by external reviewers that included representatives from NOAA Headquarters.

Our National Survey Coordinator took a look at this. We had reviewers from the Northwest Fishery Science Center and the Alaska Fishery Science Center that both run industry-based trawl surveys on the west coast. We had input from several other folks that are associated with this project, and very interested in this project. We also held three separate meetings, two of them were with the NTAP Working Group, and one of them was with the Northeast Fisheries Science Center's Population Dynamics Branch that conducts our assessment work. What we have described in this white paper is to use the same design as the bottom trawl survey. We would use the same geographic range, season, strata and station allocation as we currently use. We would aim for 24-hour sampling, and determine if 12 hours per vessel is feasible.

This is a really important determination. We do sample 24 hours right now, and we do have species that exhibit various diurnal patterns. We've explored how we would do 12-hour surveys that would span the dawn and dusk periods. This is something that needs additional conversation and exploration for how to make that work, and if we even need to make that work.

For gear, the plan is to use the same gear as the Science Center Survey, but provide flexibility on doors, again really focusing on making sure that trawl performance is consistent. We also allowed flexibility on no auto trawl, based on industry feedback. We would include net mensuration for the tow evaluation for all of the gear packages.

Sampling would include providing station data, water quality data, all of the gear performance and net spread data. For catch we would sample total number of biomass composition, age, sex, maturity, and stomach content, at least preserving stomach contents if they can't be processed on the ship. Then we need to determine additional biological sampling of catch during the pilot survey, which I'll explain in just a second.

The vessels would need to be of an appropriate length and horsepower to sample in open ocean conditions, and tow gear at 3 knots for 20 minutes. We would need sufficient winch capabilities for towing the standardized gear package across the survey area. We would need necessary deck space for processing stations and catch processing.

We're planning capacity for CTD casts to 200 fathoms. We're considering placement of the CTD on the trawl net, as they do in the Northwest Fisheries Science Center. We would need appropriate vessel crew for the length of the sampling day, whether it be 12 or 24 hours. Space for one spare net at least.

Depending on the length of the legs, if we do have vessels that are doing longer legs, more spare nets may be necessary, so more space would be needed for that kind of survey. It would be capable of using the appropriate doors to maintain the net performance, and if 24-hour operations are being done, the appropriate number of bunks for the vessel and science crews would be necessary.

Data management is an important consideration throughout this endeavor. We rely right now on electronic data collection and management, and we would plan on continuing that. The key element here is making sure that this data is available to stock assessments relatively quickly. We try to get it to them as soon as we can, and aim for four weeks after a survey concludes, and we would try to match that performance with this survey as well.

With program management, the way we sketched this out in this framework was as a third party operated survey. But there are other options that are described here. This is an important consideration, in terms of how the program gets built out. The way we started was with kind of a simpler conceptual program management plan, which is to pass any funding through to a third party, and the third party would run the survey. This is similar to how the Southern New England/Mid-Atlantic NEAMAP survey is done, and the Gulf of Maine NEAMAP survey is done. It's the Maine/New Hampshire NEAMAP Survey.

Some of the key differences between the industry-based survey and the bottom trawl survey that we're doing on the Bigelow, is that the way we've described it now is that program management relies on a third party. We didn't build it up as a separate survey team within the Northeast Fisheries Science Center, we did this pass-through method.

There would be potential use of multiple vessels. Some folks did say that there are large enough vessels on the eastern seaboard to do what the Bigelow does. But we're opening the door to the possibility of multiple vessels. Potential use of different doors is a difference. Smaller wire diameter came up as a different potential difference.

The bottom trawl survey uses a 1-inch wire and the fleet in this region typically has 7/8-inch wire. It is possible that wire is provided to the survey, and we would stick with the one inch, but we could also use the wire on the vessels that is already there, the 7/8 inch. No auto trawls were requested in the design.

This is the way the Alaska Fisheries Science Center does its survey right now, they don't rely on auto trawl, they rely on protocols to ensure wire out consistency. But they are trying to move away from that, they want to use auto trawls, because it improves net consistency, the trawl performance.

We cannot establish the specific towing protocols at this time, because they are really dependent on the vessels, and some other specifics of how the vessels are set up. That would need to be determined during a pilot study. Also, there was a fair bit of back and forth about biological sampling. The industry requested a minimum viable biological sampling

protocol to optimize or maximize the number of vessels that might be able to conduct this type of survey.

However, a lot of the scientists who are doing industry-based surveys really thing that full biological sampling can be accommodated on industry vessels. This is another area for exploration during a pilot study. Plankton sampling is also to be determined. The bottom trawl survey does do bongo towing, and it's to be determined if we could handle that on industry-based vessels, and what the impact on timing would be for the survey itself.

We simplified it by removing acoustic sampling that adds a fair bit of electronics and data processing, data storage and handling. We took out the acoustic sampling for now, and I alluded to complexities of the 12- and 24-hour day accommodation. That is something else that needs further exploration.

Back to the primary goals that we're trying to meet. How does the IBS address these goals? In providing science for management, the key scientific value is increasing resilience of our primary time series for many assessments. The operations goal will be able to create a replacement in the event that the Bigelow can't survey, and with industry involvement, we're working with industry to provide significant input into the design and operations. It is possible that industry vessels could be used as platforms for this survey. Our next steps are to finish the contingency plan. We want to flesh out those first three options of the contingency plan. For review, Option Number 1 is using Pisces that is the sister ship to the Bigelow.

We want to use Pisces as a backup, it's not ready to trawl right now, it needs some improvements. We want to make sure that that happens as soon as possible. Then Options Number 2 and 3 are looking at other vessel platforms that would be calibrated to the Bigelow in some manner. We want to flesh out those options and see what the pros and cons of each of those are.

We also need to start to connect this with offshore wind. With offshore wind we have a few different projects underway right now, looking at the potential for mitigating our survey impacts. The Bigelow will not be able to sample inside of wind farms, and we're looking right now, evaluating what those impacts are going to be, what species are most affected by that, and what are the options for replacing those stations?

Then I'm thinking that we can plan out a pilot survey in the next 6 to 9 months that could be on the water in FY2025. This might be giving some people that are on this call a little bit of a heart attack. But I think it's possible, at least on a relatively small scale, to be able to have a pilot on the water in another year and a half or so.

That is dependent on an awful lot of variables, but I think it is a reasonable goal to strive for. That was it, thank you all for your time, and I'm happy to answer any questions if there is time, but certainly feel free to reach out to me if you have any questions, or want any additional information about what we're up to.

MS. KERNS: Thank you, Kathryn. We are going to go ahead with questions for Kathryn, and then we can go into some discussion if we want to do anything following up. Shanna, and then Jason.

MS. SHANNA MADSEN: Thank you, Kathryn, for your presentation. I think this is a really important topic, and I'm glad to see some progress being made here and the options that are available on the table. I have a few comments that I'll save for later when we get into comment time.

But I did have some questions regarding the pilot survey, and sort of what you are envisioning for that. It seems like you have four options on the table right now. Are you thinking that the 2025 pilot survey is just going to encompass one of those options, or that you might be testing several during that time period?

DR. FORD: Yes, thank you for the question. The pilot survey would be mostly focused on either Options 3 or 4. Option 1 is the Pisces, which is the sister ship. We don't need to test that. We have used the Pisces in the past as a fill in for the Bigelow, and so that won't need testing. The Northeast Fisheries Science Center is in the process of

considering procuring a larger vessel, and we would need to determine whether or not we want to calibrate that vessel to the Bigelow survey or not. That would be an outstanding question. But really what I'm thinking about for a pilot survey, and again this is very early days in this line of thinking. Somewhere in addressing either Option 3, which is another platform calibrated to the Bigelow, or Option 4, which would be platform not calibrated to the Bigelow, so it would be a separate time series.

That Option 4 that we addressed in the white paper, may be most consistent with how we're going to be mitigating offshore wind. We really need to advance our progress on that conversation, and start to think about what is the regional need to do a multispecies bottom trawl survey inside of offshore windfarms, and how would we design that survey? How would we conduct that survey, and how could that serve in any sort of capacity as a backup for the Bigelow?

MS. KERNS: Thank you, any follow up, Shanna? Jason.

DR. JASON McNAMEE: Thanks, Kathryn, that was great. I really appreciated the presentation. A couple of just quick questions from me that I didn't see covered. But I'm thinking you guys probably at least talked about. Maybe I'll start by saying, this is fantastic. I remember the first time this concept came up that I was aware of, was under Bill Carp, and then I remember talking to John Hare about it as well, as he kind of came into the leadership role over at Woods Hole.

It's great to see how this has kind of kept going, and it's really far along in its evolution at this point. One of the ideas that came up in those discussions was this notion of efficiency and potential cost savings. Have you guys talked about that at all? Maybe you're not quite there yet, and you need to hammer out the logistics a little more. But just wondering if this idea of efficiency and cost savings has come up in the context of the IBS.

DR. FORD: Yes, that is a great question, and it has come up. One of the items, one of the first things we looked at was comparing the cost of the West Coast Surveys, which are done using multiple industry-based vessels. What is the budget for say, the Gulf of Alaska survey compared to the budget for the Northeast Fisheries Science Center Survey Team?

They are vastly different, because we receive sea days from OMAO. We don't pay the ship time at the Northeast Fisheries Science Center level. In terms of our specific budget inside of the Science Center, this whole survey, this 120 days on the water per year is the out-of-pocket cost for less than a million dollars, they are half a million dollars, it's $250,000.00 a season.

It's incredibly cost effective. However, if you start to look at how much do those individual sea days cost, and if the Science Center was given that money to do with whatever it wanted to, that is kind of a different perspective. We're starting to look at that now, and the initial price that we got on a sea day for the Bigelow is $56,000.00.

In this white paper, one of the initial pieces of material that the Working Group was working with was a cost estimate. We had a spread sheet; we were trying to piece things together. But it got to the point where we had enough uncertainty that we couldn't really build that cost estimate that well. There are a lot of upfront costs, and then you start to get into how many vessels are you going to be using. That really starts to explode the cost, in terms of staffing, complexity of managing the program, the amount of gear that is needed for the program. It makes a lot more sense to kind of ease into the like, okay what would a smaller scale study look like to explore the types of vessels and the actual capacity of the vessel?

How many vessels would we end up wanting to hire in the end? Then what are those day rates looking like? We have seen day rates for commercial vessels that we use on other surveys just skyrocketing. I mean in some cases almost doubling over a couple of years. I think there is a lot left there to really look at, in terms of the costing. I think the narrative is that it's going to be cheaper to use industry-based vessels. But I don't think we know enough yet to definitively answer that.

CHAIR CIMINO: Any other questions? John.

MR. CLARK: Just curious, I mean it seems like you are anticipating the Bigelow to continue to have problems. Did the previous vessel have anywhere near these number of missed days, or is this boat just extremely problematic for some reason?

DR. FORD: I don't know the answer to that question. I haven't looked at the Albatross performance. If there is anybody online who knows the answer to that off the top of their head, please raise your hand. What we're doing is we're being precautionary. The vessel itself, I wouldn't characterize it as being unusually problematic. I think that is probably unfair. But overall, there are challenges with getting repairs done on time, more from some of the contracting and program management end of the spectrum.

Some of these challenges are very difficult to resolve. You know it's not like we can just point the finger at OMAO and say, oh, they messed up. It's not that simple. We're really approaching this from the, you know we want to be as precautionary as possible. We can't necessarily read the tea leaves too far into the future, but we want to know what we're going to do if we have to pull that trigger.

CHAIR CIMINO: Pat.

MR. KELIHER: Thank you, Kathryn for that presentation. I mean it seems like this white paper is identifying ways to move in a good direction. But I just can't stress enough the need for the direction of industry-based surveys and using industry platforms. The transparency that comes along with that, the buy-in that comes along with that is certainly recognized as a great benefit, with the Maine/New Hampshire trawl survey.

That slide that you showed on performance to me is incredibly problematic. The life span of that vessel in the future is also being called into question. From Maine's perspective, we continue to stress the need to move in the direction of those industry-based surveys, and I understand the budget constraints and concerns. But if that is what the problem potentially is, then let's talk about that and how we potentially rectify those problems as well.

CHAIR CIMINO: Shanna.

MS. MADSEN: Since we're moving into comments I'll go ahead and echo what Pat just said. I found that when I was reading this paper it sounded very hypothetical, like a hypothetical industry-based survey. Working as the NEAMAP Coordinator over a decade ago, we were considering using NEAMAP as the platform for an industry-based survey, which would completely fulfill Options 3 and 4 within this document.

We have in my mind a pretty apparent solution, and I think that what I would like to see from the Center is less of a hypothetical white paper on how to utilize an industry-based survey, and more specific to utilizing the NEAMAP platform that we already have built, and has been up and running for 18 years.

You know there are a lot of comments in here regarding whether or not biological sampling could be conducted on these commercial fishing boats. I think both NEAMAPs have proved that that is incredibly possible. I think I would like to see as we move into the future, the development of a white paper that is specifically addresses the use of NEAMAP surveys, to fill this hole that we're talking about here.

CHAIR CIMINO: Others around the room, as Shanna pointed out, we're kind of moving into comments. I don't see any other hands around the table. Eric, we'll go to you in a minute. I also want to echo a lot of the comments that have been made, and Kathryn, I really want to thank you for this.

I think one of the last things that we as managers want to discuss is adding uncertainty, the un-comfort of that. I want to make an IBS joke for Shanna's sake. I'll just say that we need to go into this with eyes wide open, and this dialogue, I think is very important. I don't see any other hands around the table, so I want to go to Eric Reid. Go ahead, Eric.

MR. REID: Thank you, Dr. Ford, and the teams which include NTAP and the NTAP Working Group, which I'm a member. You really did a fabulous job in laying out the document and all the options that are available around the table. It's quite a bit of information at this point to digest today, and of course New England and the Mid-Atlantic will also get a presentation over the next two weeks.

But following along on the discussion by my fellow Commissioners, the next steps for all three of our management bodies, our partners are important to address, and if it pleases the Chair, whenever you're ready I have a motion if it's appropriate, or a notion of a motion that we can beat it up and see what happens, Joe.

CHAIR CIMINO: Yes, thanks, Eric, we have it up, so why don't you go ahead and then we'll see if we get a seconder.

MR. REID: Okay, thank you. My name is Eric Reid; I'm a Legislative Proxy from the state of Rhode Island, just so everybody knows who I am. I **move to recommend to task NTAP and the NTAP Industry Based Survey (IBS) Working Group to develop an outline detailing a proposal to conduct an IBS Pilot Program to test the viability of the program as presented in the "Proposed Plan for a Novel Industry Based Bottom Trawl Survey" whitepaper with a particular focus on adapting Section 2 "Survey Design Elements" to current Industry platform capabilities. Delivery date for the outline should be in time for further discussion at the Spring 2024 meeting cycle for the Commission and both the Mid-Atlantic and New England Councils in April, 2024**. I have some additional rationale if I get a second. There is the motion.

CHAIR CIMINO: Pat, is that a second? We have a second from Pat Keliher from Maine. Go ahead, Eric.

MR. REID: I mean at this point I think it is critical, to maintain momentum going forward. You know the current bottom trawl survey is the cornerstone that informs management decisions for all that we do for the entire fishing community. An IBS complementary to the Bigelow is a necessity, not a luxury at this point, given the recent performance of the federal survey and future concerns as well.

I do know that this is an aggressive, maybe overly aggressive timeline. But it certainly, you know like the lawyers say, time is of the essence. Once we get an outline from NTAP, to Mr. Keliher's point, that is when we're going to have to start working on funding options. That is my rationale, I'm happy to answer any questions as well, but thanks again to Dr. Ford and her teams.

CHAIR CIMINO: Great, thanks, Eric. We have a motion here, discussion on the motion. Well, actually, Pat, do you have anything you want to add. Then I have a hand from Shanna.

MR. KELIHER: No, Eric Reid said it very well. I don't have anything else to add.

CHAIR CIMINO: Go ahead, Shanna.

MS. MADSEN: I was wondering if Eric would entertain a small amendment to the motion, which I can put forward, unless he's okay with me making a friendly on this. I would like to see at the end of to current industry platform capabilities the words, with emphasis on existing platforms such as NEAMAP.

MR. REID: I'm okay with that, NEAMAP is protocol, the vessel is the Darana R. To me it's a slightly different thing. You know the Darana R. is an industry platform, it's got a lot of experience, and I would expect that that vessel is the poster child for what we would look for. But you want to put it in there, Shanna, that is fine with me. But I don't really know if it's necessary or not. I'll leave that up to you.

CHAIR CIMINO: Shanna, I mean I think with this discussion that notion is part of the record. If you're all right with that then leaving the motion as is, and having that discussion. Okay good, thank you. Any other discussion on this motion? Not seeing any hands. Jon Hare, go ahead, please.

DR. JON HARE: Thank you very much for the opportunity. I appreciate the intent of this motion. I

think the timeframe, and Mr. Reid you said it could be overly aggressive. I think the timeframe is too short to put something together of the quality that we want, and then have the review process, have people look at it and make sure we've got something together that everyone is reasonably happy with by April. I think I would question the timing. Then the other thing too, just as a process. Maybe this is a better motion for New England or Mid-Atlantic, since the Trawl Advisory Panel sort of reports to those two groups. Just those two points, and then just a correction. I think it's the NTAP Bigelow Contingencies Working Group, just to get the language correct. But thank you for the opportunity for the comment.

CHAIR CIMINO: Just trying to think this through. You know we were careful to list this as a recommendation, as this Board doesn't feel that we can task NTAP. As far as our hope for timing versus what we expect. I'm not sure how much we need to kind of lay that out, or excuse me, perfect the wording there. I guess I'll open that up to Eric or others, since this is before the Board now. We do want to give this another shot at John's ideas and some corrections. I see Jeff Kaelin's hand.

MR. JEFF KAELIN: As a member of the NTAP ten years ago, when I was a Mid-Atlantic Council member, this has taken a particularly long time to develop and come to this point. I appreciate your presentation today, Kathryn. But I was disappointed to see that the pilot project may or may not get on the water sometime between now and 2025. I don't see why that year needs to pass, frankly, after all this time.

I do think this is an appropriate motion for the Board, to demonstrate our support for the flexibility that we need to make sure that the surveys are going to give us the data that we need to make reasonable decisions. I think, in all due respect to Dr. Hare, I think this is absolutely important today for us to support, and I would leave the April, 2024 date in there, because it always helps to have a fire lit under certain initiatives, to make sure that they get done as quickly as possible. I'm speaking in support of the motion.

CHAIR CIMINO: Any others? Shanna.

MS. MADSEN: Just ditto. I think Jeff said it beautifully, and that was kind of my point with some of my comments. We've been talking about this for a very, very long time, and we have determined that it's critical for a very long time. I'm speaking in support of this motion as well.

CHAIR CIMINO: Eric.

MR. REID: I appreciate Dr. Hare's comments and correcting my characterization of what the working group is. That's fine with me. Whatever the appropriate name is, I'm fine with that. I do think the timeline is appropriate. If it should read the delivery date for a draft outline is less stressful, I still want to move this thing forward.

As far as the ASMFCs position, ASMFC is an equal member with the Mid-Atlantic Council and the New England Council on NTAP. The Mid-Atlantic is certainly the lead, you know, and I don't know exactly what the protocol is. But ASMFC is well within its rights to make a suggestion to our other two management partners on NTAP for a draft or whatever. I don't think ASMFC is a back seat here.

CHAIR CIMINO: No, and I appreciate that, Eric. I think our thinking here, Toni and I is that is a discussion for all three entities together. With all of that said, I would like to call this and I'm actually going to just ask, **are there any objections to this motion? Okay, I'm not seeing any so this motion passes by consent.** John, your hand is still up, do you have a comment?

DR. HARE: No, sorry, Mr. Chair.

CHAIR CIMINO: I apologize to Jason McNamee, but I do want to go back to Jay, I missed him earlier. Go ahead, Jay.

DR. McNAMEE: Yes, that was good. Sorry, I'm glad we kind of got through the motion there. I wanted to offer just a couple of more general comments, and these are just for consideration for Kathryn and the team that was kind of working on this. One thing I

was thinking about, given the unique nature of how this will be set up with a third-party vendor, that kind of orchestrates the whole thing.

You might want to think about different governance structure models. Maybe it's just the simplest of, you know it's NOAA, and then they have their vendor, you know the contract that they hire for us, and that is one model. Another might be to involve the regional councils and the Commission within the group that kind of manages it.

It would be the vendor, NOAA, and then New England, Mid-Atlantic, South Atlantic and the Commission. Maybe there are other folks that should be in there too, but just thinking about the governance structure that might want to be thought about a little bit. Then the final thing I wanted to offer was about the idea of the different versions of how to set up the transition, I guess I'll call it.

There was a couple of options that were offered. Option 3 was kind of, it reminded me of the Albatross to Bigelow type approach. Then 4 is just nope, it's just going to be a new survey and once it gets enough years, we'll be able to move forward with it. I was thinking about the transition that we made from the Albatross to Bigelow, and the amount of effort that went in, and the great science that occurred on that calibration.

It served a really useful purpose for an interim period of time. But what has happened snice then is we've; I think all of the assessments that I've been associated with at least, have now adopted, you know Albatross is one survey, Bigelow is the second survey. They are kind of now separate, they developed their own queues and all of that stuff within the assessment.

I was wondering if there might be some hybrid option between Options 3 and 4, with regard to this where you do some level of calibration work, but probably don't invest the amount of effort and time that you did with the Albatross, the Bigelow. One, so you've got something that can get you through a couple of years, while the time series for the new IBS builds up.

But now with anticipation that you're going to be calibrating these things forever. Just some thoughts for consideration. Maybe folk have talked about this, and maybe I'm way off base, but I thought I would offer them. Thank you.

CHAIR CIMINO: I think that covers that agenda item.

OTHER BUSINESS

CHAIR CIMINO: Next up on the agenda is noncompliance findings, we don't have any, fortunately, so we'll move into Other Business. I would like to start with Pat, you had an item for us.

PROCESS ISSUE WITH LOBSTER

MR. KELIHER: Yesterday at the Lobster Management Board, we took up the issues of the Mitchell Provisions as they relate to our current FMP for minimum size. Then during those conversations, I raised the issue of, where does that leave us with the maximum size, so we amended the motion and included that language. Staff has since reviewed that and reviewed the FMP, and it would take an amendment instead of an addendum in order to address that.

I think we have to decouple that, and what I would recommend is we decouple the maximum piece from that motion, it would revert back to the original motion the way it was made, and then we continue to revisit this issue at a future Board meeting. I don't want to lose track of this conversation, but I would be hesitant to ask for an amendment for just that small piece. There is some other work, our Area 2 and 3, trap reductions. Maybe we just hold that maximum size conversation off, and address it at a later date.

CHAIR CIMINO: Thanks, Pat, this is important. I think Pat covered that very well, but you know there was an intent by the Lobster Board, and within that motion we now realize that part of that would have to be done differently. That discussion on the amendment process will have to happen at a later date for that Board.

Since we do have Policy Board here, I'll just open it up if there are any questions or concerns with what we're thinking here. I don't see any. Good, thanks, Pat, I appreciate that, for you covering that for us.

ESA PETITION ON HORSESHOE CRABS

CHAIR CIMINO: We have one other item, and then I would like to bring it to ACCSP staff. But I'm going to go to Chris Wright on the Horseshoe crab petition. Chris, if you're still there.

MR. WRIGHT: We received a petition from Friends of Animals to list Atlantic Horseshoe Crab as threatened or endangered under the Endangered Species Act back on December 21, 2023. The petition also requested that critical habitat be designated for the species in the Atlantic waters. We're currently reviewing the petition under Section 4 of the ESA, to determine whether or not the petition presents a substantial scientific or commercial information threshold.

Once we conclude that we'll announce a finding after 90 days, which is approximately March 19, whether or not we accept it and will move forward, or whether or not we'll reject it. We just wanted to let folks know about that. I did send the petition to Bob and Toni, so if you want a copy it. I believe it's also posted on their website, Friends of Animals, and I think it should be posted on our website soon. But our point of contact is Jean Higgins at our Greater Atlantic Office, so if you have questions, you can ask Jean about the process or where we are in that.

CHAIR CIMINO: Thanks, Chris, I mean this impacts a lot of us. We'll make sure that we get that petition out to all Commissioners. I know some of us have received that already, but we'll make sure that through Bob, we send that out to everyone. Thanks again.

MR. WRIGHT: Great, thank you.

ACCSP UPDATE

CHAIR CIMINO: I want to get Geoff White a minute here to talk about some ACCSP stuff on what they've done, as far as the MRIP queries.

MR. GEOFF WHITE: I appreciate the momentary, the ability to give you guys a brief update. Earlier this week MRIP did post an e-mail out that they are going to be presenting the wave-based data again on their website. I know that is exciting news for those doing assessment and management that have access to that data on their website.

We've been, of course, partnering and working with MRIP over the years for both state conduct of some of the APAIS and FHS surveys, and also being ACCSP is a partnership of 23 agencies to help you guys out. We've been working over several months to update the ACCSP public and log-in data warehouse, relative to the recreational queries. We've added in the cumulative and fishing year options that MRIP began presenting last year, and we've been able to maintain the wave level data through the ACCSP website of the MRIP estimates.

That has been adjusted and it's available today via the ACCSP website, so if you're interested or your staff are interested, please go ahead and let them know that that is there. There will be some outreach coming out in the coming weeks to expand on that information, but thank you for your time.

CHAIR CIMINO: Gee, Geoff, I think that's great and I appreciate that. Yes, obviously it was, I think very important news to see that, and rather exciting for some of us. I mean take an example like striped bass, where we put in emergency regulations midyear, and not knowing at that wave level what was actually happening is very challenging.

Exciting news, I appreciate that. Thank you.

ADJOURNMENT

CHAIR CIMINO: With that, unless there are any other items to come before this Board, I think we can adjourn. I'll take a motion for that. I see Pat and then Cheri as a second. We are adjourned. We will come back at 10:45 and start Business Session.

(Whereupon the meeting adjourned at 10:35 a.m. on Thursday, January 25, 2024)