



# Atlantic States Marine Fisheries Commission

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James J. Gilmore, Jr. (NY), Chair    Patrick C. Keliher (ME), Vice-Chair    Robert E. Beal, Executive Director

*Vision: Sustainably Managing Atlantic Coastal Fisheries*

## MEMORANDUM

January 29, 2019

TO: Commissioners; Proxies; American Lobster Management Board; ACCSP Coordinating Council; Atlantic Herring Management Board; Atlantic Menhaden Management Board; Atlantic Striped Bass Management Board; Executive Committee; ISFMP Policy Board; Shad and River Herring Management Board; South Atlantic State/Federal Fisheries Management Board; Summer Flounder, Scup, and Black Sea Bass Management Board; Winter Flounder Management Board

FROM: Robert E. Beal *REB*  
Executive Director

RE: ASMFC Winter Meeting: February 5-7, 2019 (TA 19-019)

The Atlantic States Marine Fisheries Commission's Winter Meeting will be held February 5-7, 2019 at **The Westin Crystal City** (Telephone: 703.486.1111), located at 1800 South Eads Street, Arlington, VA. Meeting materials are available on the Commission website at <http://www.asmfc.org/home/2019-winter-meeting>. Supplemental materials will be posted to the website on Wednesday, January 30, 2019.

The agenda is subject to change. The agenda reflects the current estimate of time required for scheduled Board meetings. The Commission may adjust this agenda in accordance with the actual duration of Board meetings. Interested parties should anticipate Boards starting earlier or later than indicated herein. ***Due to the partial lapse in federal appropriations, some agenda items throughout the week may be impacted because they require products and/or actions by our federal partners. Board discussion may be limited or deferred until a subsequent meeting. As a result, the start and end times of meetings may change. Agendas for specific meetings may be further modified.***

For those submitting travel vouchers, please note the travel voucher has been revised to reflect the change in the mileage rate for privately owned vehicles to 58 cents/mile. The new voucher can be obtained at [http://www.asmfc.org/files/Meetings/ASMFCElectronicTravelVoucher\\_Jan19.xlsx](http://www.asmfc.org/files/Meetings/ASMFCElectronicTravelVoucher_Jan19.xlsx).

Board meeting proceedings will be broadcast daily via webinar beginning February 5<sup>th</sup> at 9:00 a.m. and continuing daily until the conclusion of the meeting (expected to be 2:15 p.m.) on Thursday, February 7<sup>th</sup>. The webinar will allow registrants to listen to board deliberations and view presentations and motions as they occur. No comments or questions will be accepted via the webinar. Should technical difficulties arise while streaming the broadcast the boards will continue their deliberations without interruption. We will attempt to resume the broadcast as soon as possible. Please go to <https://attendee.gotowebinar.com/register/4091497567943208451> to register.

We look forward to seeing you at the Winter Meeting. If the staff or I can provide any further assistance to you, please call us at 703.842.0740.

Enclosures: Final Agenda, Hotel Directions, TA 19-019, and Travel Reimbursement Guidelines



## Atlantic States Marine Fisheries Commission

### Winter Meeting

February 5-7, 2019

The Westin Crystal City

Arlington, Virginia

### Public Comment Guidelines

With the intent of developing policies in the Commission's procedures for public participation that result in a fair opportunity for public input, the ISFMP Policy Board has approved the following guidelines for use at management board meetings:

**For issues that are not on the agenda**, management boards will continue to provide opportunity to the public to bring matters of concern to the board's attention at the start of each board meeting. Board chairs will use a speaker sign-up list in deciding how to allocate the available time on the agenda (typically 10 minutes) to the number of people who want to speak.

**For topics that are on the agenda**, but have not gone out for public comment, board chairs will provide limited opportunity for comment, taking into account the time allotted on the agenda for the topic. Chairs will have flexibility in deciding how to allocate comment opportunities; this could include hearing one comment in favor and one in opposition until the chair is satisfied further comment will not provide additional insight to the board.

**For agenda action items that have already gone out for public comment**, it is the Policy Board's intent to end the occasional practice of allowing extensive and lengthy public comments. Currently, board chairs have the discretion to decide what public comment to allow in these circumstances.

In addition, the following timeline has been established for the **submission of written comment for issues for which the Commission has NOT established a specific public comment period** (i.e., in response to proposed management action).

1. Comments received 3 weeks prior to the start of a meeting week will be included in the briefing materials.
2. Comments received by 5:00 PM on the Tuesday immediately preceding the scheduled ASMFC Meeting (in this case, the Tuesday deadline will be **January 29, 2019**) will be distributed electronically to Commissioners/Board members prior to the meeting and a limited number of copies will be provided at the meeting.
3. Following the Tuesday, **January 29, 2019 5:00 PM deadline**, the commenter will be responsible for distributing the information to the management board prior to the board meeting or providing enough copies for the management board consideration at the meeting (a minimum of 50 copies).

The submitted comments must clearly indicate the commenter's expectation from the ASMFC staff regarding distribution. As with other public comment, it will be accepted via mail, fax, and email.

# Final Agenda

The agenda is subject to change. The agenda reflects the current estimate of time required for scheduled Board meetings. The Commission may adjust this agenda in accordance with the actual duration of Board meetings. Interested parties should anticipate Boards starting earlier or later than indicated herein.

***Due to the partial lapse in federal appropriations, some agenda items throughout the week may be impacted because they require products and/or actions by our federal partners. Board discussion may be limited or deferred until a subsequent meeting. As a result, the start and end times of meetings may change. Agendas for specific meetings may be further modified; a revised Winter Meeting agenda will be distributed as part of the supplemental materials to be released on January 30, 2019.***

## **Tuesday, February 5**

9:00 – 11:15 a.m.

### **Atlantic Herring Management Board**

*Member States:* Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey

*Other Members:* NEFMC, NMFS

*Chair:* Keliher

*Other Participants:* Zobel, Eastman, Kaelin

*Staff:* Ware

1. Welcome/Call to Order (*P. Keliher*)
2. Board Consent
  - Approval of Agenda
  - Approval of Proceedings from October 2018
3. Public Comment
4. Consider Approval of Draft Addendum II for Public Comment (*M. Ware*) **Action**
5. Advisory Panel Report (*J. Kaelin*)
  - Setting Quota Periods in Area 1A
6. Consider Postponed Motion from October 2018 Meeting (*P. Keliher*) **Action**  
*Postponed Motion: "Move to initiate an Addendum which considers providing the Atlantic Herring Board greater flexibility to set annual quota period specifications for the Area 1A fishery. This issue can be included in the addendum initiated regarding the Gulf of Maine herring spawning protections, or it can be a separate document. Task the PDT to expand the quota period options to increase flexibility when distributing harvest during the months of July through September. However, in years of higher sub-annual catch limits, choose options that would allow for expansion of harvest to meet the needs of the market."*
7. Set Sub-Annual Catch Limit Specifications for the 2019 Fishing Year (*M. Ware*) **Final Action\***
8. Update on Draft Addendum III and New England Fishery Management Council 2019 Priorities (*M. Ware*)
9. Other Business/Adjourn

\* Pending Release of Final Rule from NOAA Fisheries

11:30 – Noon

**Winter Flounder Management Board**

*Member States:* Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey  
*Other Members:* NMFS, USFWS  
*Chair:* Pierce  
*Other Participants:* Nitschke, Blanchard  
*Staff:* Ware

1. Welcome/Call to Order (*D. Pierce*)
2. Board Consent
  - Approval of Agenda
  - Approval of Proceedings from May 2018
3. Public Comment
4. Consider Specifications for the 2019 Fishing Year (*M. Ware*) **Final Action**
5. Consider Approval of 2019 Fishery Management Plan Review and State Compliance Reports (*J. Kuesel*) **Action**
6. Discussion of Bell et al. 2018 Paper “Rebuilding in the Face of Climate Change” (*D. Pierce*)
7. Other Business/Adjourn

Noon – 1:00 p.m.

**Lunch** (*On Your Own*)

1:00 – 2:30 p.m.

**Summer Flounder, Scup, and Black Sea Bass Management Board**

*Member States:* New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina  
*Other Members:* NMFS, PRFC, USFWS  
*Chair:* Ballou  
*Other Participants:* Wojcik, Snellbaker, McNamee  
*Staff:* Starks, Rootes-Murdy

1. Welcome/Call to Order (*B. Ballou*)
2. Board Consent
  - Approval of Agenda
  - Approval of Proceedings from October 2018
3. Public Comment
4. Consider Approval of Scup Proposals for 2019 Recreational Measures (*J. McNamee*) **Final Action**
5. 2019 Black Sea Bass Recreational Measures (*J. McNamee*)
  - Consider Approval of Status Quo Measures **Possible Final Action**
  - Consider Methodology for Adjusting 2019 Recreational Measures **Possible Action**
  - Consider Virginia and North Carolina Proposals for Wave 1 Recreational Fishery **Final Action**
6. Report from Black Sea Bass Commercial Working Group (*C. Starks*) **Possible Action**
7. Other Business/Adjourn

2:45 – 5:00 p.m.

**American Lobster Management Board**

*Member States:* Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia

*Other Members:* NEFMC, NMFS

*Chair:* Train

*Other Participants:* Perry, Reardon, Cloutier

*Staff:* Ware

1. Welcome/Call to Order (*S. Train*)
2. Board Consent
  - Approval of Agenda
  - Approval of Proceedings from October 2018
3. Public Comment
4. Report from the Lobster-Whale Working Group (*M. Ware*) **Possible Action**
5. Report from the Lobster Enforcement Vessel Working Group (*R. Beal*) **Possible Action**
6. Review Implementation of the Jonah Crab Fishery Management Plan for Delaware and New York (*S. Train*) **Possible Action**
7. Progress Update on the 2020 American Lobster Benchmark Stock Assessment (*J. Kipp*)
8. Other Business/Adjourn

**Wednesday, February 6**

8:00 – 10:00 a.m.

**Executive Committee**

***Breakfast will be available at 7:30 a.m.***

***(A portion of this meeting may be a closed session for Committee members and Commissioners only)***

*Members:* Abbott, Blazer, Bowman, Boyles, Jr., Cimino, Clark, Estes, Gilmore, Grout, Haymans, Keliher, McNamee, Miller, Miner, Murphey, Pierce, Shiels

*Chair:* Gilmore

*Staff:* Leach

1. Welcome/Call to Order (*J. Gilmore*)
2. Committee Consent
  - Approval of Agenda
  - Approval of Meeting Summary from October 2018
3. Public Comment
4. Discuss Priorities for Use of Remaining Plus-up Funding (*R. Beal*) **Action**
5. Update on Aquaculture Activities (*R. Beal*)
6. Update on ACCSP Recreational Data Collection Activities (*M. Cahall*)
7. Update on Marine Recreational Information Program Outreach Efforts (*R. Beal*)
8. Discuss Use and Structure of Management Board Working Groups (*R. Beal*)
9. Finalize Awards Committee Standard Operating Policies and Procedures (*S. Woodward*) **Action**
10. Update on Primer for Legislators and Governors' Appointees (*D. Abbott*)
11. Other Business/Adjourn

10:00 – 11:00 a.m.      **Atlantic Coastal Cooperative Statistics Program (ACCSP) Coordinating Council**  
*Partners:* ASMFC, Connecticut, Delaware, District of Columbia, Florida, Georgia, MAFMC, Maine, Maryland, Massachusetts, NEFMC, New Hampshire, New Jersey, New York, NMFS, North Carolina, Pennsylvania, PRFC, Rhode Island, SAFMC, South Carolina, USFWS, Virginia  
*Chair:* Fegley  
*Staff:* Cahall

1. Welcome/Introductions (*L. Fegley*)
2. Council Consent
  - Approval of Agenda
  - Approval of Minutes from October 2018
3. Public Comment
4. Discuss Funding Status (*M. Cahall*)
5. Review Results of Partner Data Accountability Survey (*J. Simpson*)
6. Progress Update on eTrips/Mobile 2.0 (*M. Cahall*)
  - ACCSP Support for For-hire eVTRs in the South Atlantic and Gulf of Mexico
  - Smartphone Version
7. Recreational Data Updates
  - Progress Update on Deployment of Dockside Interceptor APAIS Tablet (*A. DiJohnson*)
  - Announce New Computer-aided Telephone Interview (CATI) (*G. White*)
8. Review Improvements to Data Warehouse Confidentiality Management Process (*J. Simpson*)
9. Other Business/Adjourn

11:15 a.m. – 12:15 p.m.      **South Atlantic State/Federal Fisheries Management Board**  
*Member States:* New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida  
*Other Members:* DC, NMFS, PRFC, SAFMC, USFWS  
*Chair:* Geer  
*Other Participants:* McDonough, Rickabaugh, Lynn  
*Staff:* Schmidtke

1. Welcome/Call to Order (*P. Geer*)
2. Board Consent
  - Approval of Agenda
  - Approval of Proceedings from October 2018
3. Public Comment
4. Draft Amendment 1 to the Cobia Fishery Management Plan
  - Progress Update (*M. Schmidtke*)
  - Provide Additional Guidance to the Plan Development Team to Develop Management Options (*P. Geer*)
5. Consider Approval of 2018 Fishery Management Plan Review and State Compliance Reports for Spot (*M. Schmidtke*) **Action**
6. Other Business/Adjourn

12:15 – 1:15 p.m.            **Legislators and Governors' Appointees (LGAs) Lunch Meeting**

1.    Introductions
2.    General Comments/Discussion
3.    Discuss Noncompliance, If Necessary

12:15 – 1:15 p.m.            **Lunch will be provided for Commissioners, other members, participants and staff. LGAs should pick up lunch and continue to their meeting.**

1:15 – 2:15 p.m.            **Shad and River Herring Management Board**

*Member States:* Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida

*Other Members:* DC, NMFS, PRFC, USFWS

*Chair:* Clark

*Other Participants:* Sprankle, Furlong

*Staff:* Starks

1.    Welcome/Call to Order (*J. Clark*)
2.    Board Consent
  - Approval of Agenda
  - Approval of Proceedings from October 2017
3.    Public Comment
4.    Progress Update on Shad Benchmark Stock Assessment (*J. Kipp*)
5.    Consider Approval of Massachusetts Shad Sustainable Fishery Management Plan (SFMP) **Final Action**
  - Review SFMP and Technical Committee Memo (*K. Sprankle*)
6.    Update on Technical Committee Review of Inconsistencies with Harvest and Monitoring Requirements of Amendments 2 and 3 (*K. Sprankle*)
7.    Other Business/Adjourn

2:30 – 5:00 p.m.            **Atlantic Striped Bass Management Board**

*Member States:* Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina

*Other Members:* DC, NMFS, PRFC, USFWS

*Chair:* Armstrong

*Other Participants:* Lengyel, Blanchard, Celestino

*Staff:* Appelman

1.    Welcome/Call to Order (*M. Armstrong*)
2.    Board Consent
  - Approval of Agenda
  - Approval of Proceedings from October 2018
3.    Public Comment
4.    Review Preliminary ASMFC Stock Assessment Summary (*M. Celestino*)\*
5.    Discuss Next Steps for Striped Bass Management (*M. Armstrong*) **Possible Action**

6. Consider Providing Comment to NOAA Fisheries Regarding Proposed Measures to Lift the Ban on Recreational Fishing in the Federal Block Island Sound Transit Zone (*M. Armstrong*)
7. Review Maryland’s Conservation Equivalency Effectiveness Report of 2018 Recreational Measures for the Chesapeake Bay Summer and Fall Fishery (*M. Luisi*)
8. Review Changes to Virginia’s Striped Bass Monitoring Program (*N. Lengyel*) **Action**
9. Other Business/Adjourn

*\*Due to a partial lapse in federal appropriations, the final Benchmark Assessment and the SARC Review of the Assessment will likely be unavailable for Board consideration at this meeting. Board review of those reports will be conducted once they have been released.*

**Thursday, February 7**

8:00 – 10:00 a.m.

**Atlantic Menhaden Management Board**

*Member States:* Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida

*Other Members:* NMFS, PRFC, USFWS

*Chair:* Meserve

*Other Participants:* Ballenger, Kersey

*Staff:* Appelman

1. Welcome/Call to Order (*N. Meserve*)
2. Board Consent
  - Approval of Agenda
  - Approval of Proceedings from August 2018
3. Public Comment
4. Progress Update on the Menhaden Single-Species and Ecological Reference Point Benchmark Stock Assessments
5. Review Synthesis of Scientific Findings of Atlantic Menhaden’s Role in the Chesapeake Bay Ecosystem (*K. Drew*)
6. Consider Postponed Motion from the August 2018 Board Meeting (*N. Meserve*) **Action**  
*Postponed Motion: “Move the Atlantic Menhaden Board recommend to the ISFMP Policy Board that the Commonwealth of Virginia be found out of compliance for not fully and effectively implementing and enforcing Amendment 3 to the Atlantic Menhaden Fishery Management Plan if the State does not implement the following measure from section 4.3.7 (Chesapeake Bay Reduction Fishery Cap) of Amendment 3: The annual total allowable harvest from the Chesapeake Bay by the reduction fishery is limited to no more than 51,000 mt.”*
7. Other Business/Adjourn

10:15 – 11:30 a.m.

**Strategic Planning Workshop for Commissioners**

1. Welcome/Call to Order (*J. Gilmore*)
2. Public Comment
3. Review and Discuss 2018 Commissioner Survey Results (*D. Tompkins*)
4. Review Draft Strategic Plan for 2019-2023 (*R. Beal*)
5. Adjourn



11:30 a.m. – 1:45 p.m. **Interstate Fisheries Management Program Policy Board (*lunch will be provided*)**

*Member States:* Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida

*Other Members:* DC, NMFS, PRFC, USFWS

*Chair:* Gilmore

*Staff:* Kerns

1. Welcome/Call to Order (*J. Gilmore*)
2. Board Consent
  - Approval of Agenda
  - Approval of Proceedings from October 2018
3. Public Comment
4. Update from the Executive Committee (*J. Gilmore*)
5. Review and Consider Revisions to the Appeals Policy Guidance Document (*T. Kerns*) **Final Action**
6. Discuss Benchmark Stock Assessment Timeline (*T. Kerns/K. Drew*)
7. Atlantic Coastal Fish Habitat Partnership Report (*L. Havel*)
8. Discuss the Modernizing Recreational Fisheries Management Act of 2017 (*R. Beal*)
9. Review Noncompliance Findings, If Necessary **Action**
10. Other Business/Adjourn

1:45 – 2:15 p.m. **Business Session**

*Member States:* Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida

*Chair:* Gilmore

*Staff:* Beal

1. Welcome/Call to Order (*J. Gilmore*)
2. Committee Consent
  - Approval of Agenda
  - Approval of Proceedings from October 2018
3. Public Comment
4. Review and Consider Approval of 2019-2023 Strategic Plan **Final Action**
5. Consider Noncompliance Recommendations, If Necessary **Final Action**
6. Other Business/Adjourn