

Atlantic States Marine Fisheries Commission

Executive Committee

February 5, 2025

8:00 – 10:00 a.m.

Draft Agenda

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

A portion of this meeting may be a closed for Committee members and Commissioners only.

1. Welcome/Call to Order (*J. Cimino*)
2. Board Consent
 - Approval of Agenda
 - Approval of Meeting Summary from October 2024
3. Public Comment
4. NOAA Grants Management/CARES Update (*R. Beal*)
5. Review White Paper on Board Voting and Virtual Meeting Standard Operating Practices and Procedures (*R. Beal*)
6. Legislative Update (*A. Law*)
7. Future Annual Meetings Update (*L. Leach*)
8. Other Business/Adjourn

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click [here](#) for details.

**DRAFT MEETING SUMMARY OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
EXECUTIVE COMMITTEE**

**The Westin Annapolis
Annapolis, Maryland**

October 23, 2024

INDEX OF MOTIONS

1. Approval of Agenda by Consent (Page 1)
2. On behalf of the Administrative Oversight Committee, move acceptance of the FY24 Audit. Motion by Dan McKiernan on behalf of the AOC. Motion passed unanimously. (Page 1)

ATTENDANCE

Committee Members

Pat Keliher, ME
Cheri Patterson, NH
Dennis Abbott, NH (LA Chair)
Dan McKiernan, MA, Vice Chair
Jason McNamee, RI
Justin Davis, CT
Marty Gary, NY
Joe Cimino, NJ, Chair
Kris Kuhn, PA

Roy Miller, DE (GA Chair)
John Clark, DE
Lynn Fegley, MD
Jamie Green, VA
Chris Batsavage, proxy for Kathy Rawls, NC
Ben Dyar, SC
Doug Haymans, GA
Erika Burgess, FL

Other Commissioners/Proxies

Pat Geer, VMRC AA proxy
Jim Gilmore, NY
Allison Hepler, ME LA
Gary Jennings, FL GA
Ray Kane, MA GA
Robert LaFrance, CT GA Proxy

John Maniscalco, NY DEC
Nichola Meserve, MA DMF
Eric Reid, RI LA proxy
Dave Sikorski, MD LA proxy
Megan Ware, ME DMR
Renee Zobel, NH F&G

Staff

Bob Beal
Alexander Law

Laura Leach
Madeline Musante

Guests

Margaret Conroy, DEDNREC
Chip Lynch, NOAA
Brian McManus, FFWC
Allison Murphy, NMFS
Ronald Owens, PRFC
Will Poston, ASGA

CALL TO ORDER

The Executive Committee of the Atlantic States Marine Fisheries Commission convened October 23, 2024 in the Capitol Ballroom at The Westin Annapolis in Annapolis, Maryland. The meeting was called to order at 8:05 a.m. by Chair Joe Cimino.

APPROVAL OF AGENDA

The agenda was approved with the addition of “declaration of interest and voting privileges” as requested by Doug Haymans.

APPROVAL OF SUMMARY MINUTES

The summary minutes from the August 7, 2024 meeting were approved as presented.

PUBLIC COMMENT

There was no public comment.

FY24 AUDIT

The FY24 Audit was reviewed by the Administrative Oversight Committee and forwarded to the Executive Committee with a recommendation for approval. “On behalf of the Administrative Oversight Committee, move acceptance of the FY24 Audit.” Motion by Dan McKiernan on behalf of the AOC. Motion passed unanimously.

LEGISLATIVE COMMITTEE UPDATE

Legislative Program Coordinator Alexander Law provided an update to the Executive Committee on the low level of productivity from Congress since his last update, future responsibilities they have for passage of appropriations bills and thanked the Commissioners for their engagement with him up on Capitol Hill.

FUTURE ANNUAL MEETING LOCATIONS

Mrs. Leach provided an update on future Annual Meeting locations. In October 2025 the Annual Meeting will be in Delaware; in 2026 Rhode Island; 2027 South Carolina; 2028 Massachusetts; 2029 Pennsylvania and 2030 Georgia.

DECLARATION OF INTEREST AND VOTING PRIVILEGES

At 8:15 the Executive Committee went into a closed session to discuss declaration of interest and voting privileges.

At the conclusion of the closed session, Staff was directed to develop a white paper detailing the options for declaration of interest and voting privileges, for review by the Executive Committee and ISFMP Policy Board at the Winter 2025 meeting.

ADJOURN

The Executive Committee adjourned at 10:10 a.m.



October 2, 2024

Robert Beal
Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 2220

Subject: Audit Resolution Determination

- State of New Jersey Office of the Comptroller Review of COVID-19 CARES Act Marine Fisheries Assistance Grant Program issued March 24, 2022, and supplemental issued June 20, 2023.
- CARES Act, Administrative Recovery Case No. 23-0758-P, NOAA Fisheries Cares Act and ACC.
- Independent Program Evaluation of National Oceanic and Atmospheric Administration (NOAA) Fisheries Pandemic Relief Program Final Report No. OIG-24-018-I, issued April 4, 2024.

Dear Mr. Beal,

The National Oceanic and Atmospheric Administration Grants Management Division (NOAA GMD) has reviewed the response submitted by the Atlantic States Marine Fisheries Commission (ASMFC) on August 8, 2024, in response to the Management Decision Letter (MDL) issued on June 6, 2024. NOAA GMD analyzed the documentation and found the responses inadequate to close the audit findings listed in the report. NOAA GMD has determined that ASMFC must repay \$7,351,697 in unallowed costs.

Debt and Demand for Payment

ASMFC will receive a billing notice from the NOAA Finance Services Division requesting the payment of \$7,351,697 for the unallowed costs. The payment of this debt is entitled to priority treatment following 31 U.S.C. § 3713, that the United States government will be paid first, and failure to satisfy NOAA's claims before paying the claims of other creditors may result in the personal liability of one or more of the ASMFC's officers, employees, or other ASMFC representatives.

Under the Debt Collection Act of 1982, as amended, 31 U.S.C. § 3701 et seq., interest will accrue on the principal, or any portion thereof, owing and unpaid from the date of this letter until the debt is paid in full or final disposition is concluded. Interest will automatically be waived on any portion of the principle that is paid within 30 calendar days from the date of this letter. Checks made payable to the Department of Commerce - NOAA referencing the award numbers NA20NMF4540217 and NA21NMF4540291, along with corresponding backup documentation, can be sent to the following Treasury addresses for processing:

- **United States Postal Service (USPS)-** Department of Commerce - NOAA, PO Box 979008 St. Louis, MO 63197-9000
- **FedEx or UPS-** Department of Commerce – NOAA, Attn: GA Lockbox 979008, 1005 Convention Plaza, Saint Louis, MO 63101
- **ACH:** Follow the instructions in the attached ACH form. Please send us the backup documentation via email.
- **Fedwire:** Follow the instructions in the attached Fedwire form. Please send us the backup documentation via email.

Collection Actions

NOAA is entitled to take all appropriate steps to collect delinquent debts and will do so if the debt is not satisfied within 30 days from the date of this letter. These steps may include:

- Referring the debt to the U.S. Department of the Treasury for an offset of ASMFC's income tax refunds, contractor/vendor payments, and any other Federal payments, including but not limited to certain benefit payments and loans that are not exempt from the offset;
- Referring the debt to a private collection agency;
- Reporting the debt to a credit bureau;
- Referring the debt to the U.S. Department of Justice for litigation;
- Reporting the debt, if discharged, to the Internal Revenue Service as potential taxable income;
- Referring the debt to the U.S. Department of the Treasury for any of the above-described actions, which referral is required when the debt has been delinquent for 120 days and
- Performing administrative offset or common law set-off of the debt against any payments or credits that may be owed to ASMFC by NOAA.

Repayment Agreement

ASMFC may apply to enter into a written repayment agreement with NOAA, including any interest, penalties, and administrative charges imposed thereon. To apply to enter into a repayment agreement, please submit the following documentation:

- Complete the U.S. Department of Justice Form OBD-500C, Financial Statement for Corporate Debtor.
- Complete the proposed repayment schedule, which will be at most three years.
- Submit the U.S. Department of Justice Form OBD-500C and proposed repayment schedule within 60 days from the date of this letter to Arlene Simpson Porter, Grants Management Director at Arlene.S.Porter@NOAA.gov.

NOAA will review all information and materials submitted on time, as well as information obtained from other sources, and will issue a written decision. See 31 C.F.R. parts 901 and 902.

Right to Appeal

ASMFC may submit a written appeal within 30 days from the date of this letter. The appeal package should include a detailed explanation concerning the pertinent facts, note any applicable legal authorities of your dispute, and provide information to supplement a dispute of the debt. The appeal package should be mailed to Jeffrey Thomas, Director, Acquisition and Grants Office, at Jeffrey.S.Thomas@NOAA.Gov. No other administrative appeals are available within

the Department of Commerce, and ASMFC would have to continue its dispute over the legal validity of the debt in court.

Right to Inspect and Copy Records

ASMFC may inspect and copy non-privileged NOAA records related to the debt. Please contact Nikole Duppins, Branch Chief in the Acquisition and Grants Office, Grants Management Division, by phone at (301) 628-1318 or Nikole.Duppins@NOAA.Gov.

NOAA GMD would like to thank ASMFC for its continued cooperation as we resolve the investigation findings. Please contact Andrea Sexton, Lead Audit Specialist, at Andrea.Sexton@NOAA.Gov with any questions about the documentation review.

Sincerely,

Arlene Simpson Porter
Director, Grants Management Division

cc: Laura Leach, Director of Finance & Administration

Attachment- Document Analysis

Documentation Analysis

State of New Jersey Office of the Comptroller Review of COVID-19 CARES Act Marine Fisheries Assistance Grant Program issued March 24, 2022, reported \$7,049,988 in unallowed expenditures.

Finding Summary: The Integrity Monitoring audit of the State of New Jersey and the September 2022 State of New Jersey's Department of the Comptroller audit reported that \$7,049,988 in unallowed costs must be returned to NOAA.

Recipient Response: A written response by Mr. Beal, Executive Director ASMFC, dated August 8, 2024, and a PDF titled Att#1 NOAA Mgmt Ltr NJ spreadsheet.

Audit Resolution Determination: The Integrity Monitoring audit of the State of New Jersey and the September 2022 State of New Jersey's Department of the Comptroller audit reported that \$7,049,988 in unallowed costs must be returned to NOAA.

Mr. Beal stated in the written response that the unallowable costs determination was made as part of the audits performed by New Jersey's Office of the State Comptroller (OSC) and the Vander Weele Group (VWG), New Jersey's Integrity Monitor for the CARES Act Marine Fisheries program. Unallowable costs were broken into three categories: more than whole, missing documentation, and not eligible.

Mr. Beal also stated, "The initial audit in New Jersey identified \$7,049,988 of unallowable or improper CARES Act payments. However, subsequent investigations in New Jersey determined that only \$4,808,985 of improper payments were issued." The Att#1 NOAA Mgmt Ltr NJ spreadsheet documents the reference number, business name, award amount, finding, the amount identified to be returned, adjusted amount to be returned, the amount returned, and outstanding balances for each audited recipient. The support documents for the adjusted amount to be returned or the amount returned column were not submitted for review.

ASMFC should submit appropriate documentation to support the recalculations to reduce the debt from \$7,049,988 to \$4,808,985. The support documentation must include the actual documentation that served as the basis for the recalculated debt amount, the support documentation for the calculation, and a certification from the New Jersey Office of the State Comptroller (OSC) or the Vander Weele Group (VWG) New Jersey's Integrity Monitor that the additional documentation would provide adequate support for a recalculation under their original audit methodology.

In the written response, ASMFC states that, to date, \$1,066,744 in improper payments have been returned. A review of the ASAP system shows that the following return payments were received, totaling \$1,159,545.51.

- NA20NMF4540217- September 11, 2023- \$1,036,487.15
- NA20NMF4540217- November 16, 2023- \$25,103.00
- NA21NMF4540291- September 11, 2023- \$97,955.36

ASMFC should provide supporting documentation to identify which recipients' recouped funds were returned in the September 11, 2023, and November 16, 2023, submission to ASAP.

Mr. Beal states in the written response, "As a process update, New Jersey sent final letters to all 18 businesses who owed money. They heard back from eight of these businesses; of the eight that responded, five requested an administrative hearing, and three are in the process of being settled. The other 10 have been referred to the Attorney General's office for action." ASMFC should keep NOAA informed as these cases are resolved through the state of New Jersey's Attorney General's Office.

GMD Determination:

- \$7,049,988 in unallowed costs identified in the State of New Jersey audit must be recouped.
- ASMFC should submit support documentation showing when the recouped payments were returned to the ASAP system.
- ASMFC should submit documentation that includes the actual documentation that served as the basis for the recalculated debt amount, the support documentation for the calculation, and a certification from the New Jersey Office of the State Comptroller (OSC) or the Vander Weele Group (VWG), New Jersey's Integrity Monitor, that the additional documentation would provide adequate support for a recalculation under their original audit methodology.
- Provide updates for the cases submitted to the state of New Jersey Attorney General's office.

Status: Open.

CARES Act, Administrative Recovery Memo 1, Case Number 23-0758-P, NOAA Fisheries Cares Act, and CAA, found \$25,266 in unallowed costs for two fishermen.

Finding Summary: OIG found one applicant should have included all revenue for the reporting period on the CARES application, resulting in revenue for 2020 being understated by \$42,363 that resulted in \$10,679 in unallowed costs and a second applicant should have reported all revenue in their CARES application that resulted in \$14,547 in unallowed costs.

Recipient Response: A written response by Mr. Beal, Executive Director ASMFC, dated August 8, 2024, and a spreadsheet titled Att #2 Florida CARES Audit Overpayments, and Attach #3 NOAA response Florida audit question.

Audit Resolution Determination: The OIG Memo for case number 23-0758-P states that these two recipients could not support a 35 percent loss in revenue and, therefore, were not eligible to receive direct assistance payments.

On June 3, 2024, ASMFC reached out to inform NOAA GMD that during their conversations with the state of Florida, it was discovered that case number 23-0758-P only referenced one payment these recipients received. The state showed that these recipients have received multiple

payments. NOAA GMD responded to ASMFC in a written response dated July 10, 2024, stating that recipients determined to be ineligible to participate in the direct assistance program must return all direct assistance payments. The attachment title Att #2 Florida CARES Audit Overpayment shows that the total Applicant One received was \$11,443, and Applicant Two received \$17,175. Moving forward, this corrective action will be changed to reflect the total amount of unallowed costs to recoup is \$28,618.

Mr. Beal stated in the written response, “Regarding the 11 CARES/CAA recipients in Florida who received an overpayment of funds, Florida Fish & Wildlife Conservation Commission, Division of Marine Fisheries Management, is working with their legal department to recover these funds. Florida is seeking to recover all the funds given to these recipients, not just the amounts identified in the OIG audit.”

GMD Determination:

- Recoup the unallowed costs of \$28,618 from two fishermen in Florida identified in the OIG Case Number 23-0758-P.

Status: Open.

CARES Act, Administrative Recovery Memo 2, Case Number 23-0758-P, NOAA Fisheries Cares Act, and CAA, found \$55,990 in unallowed costs for one fishery-related business.

Finding Summary: A business received \$55,990 in CARES financial assistance due to an in-house accountant's math error on the application. After correcting the math error, the calculation showed that the applicant had a 33 percent loss. Per the program, the percentage had to be above 35 percent to qualify for a payment, so the applicant did not qualify for a payment of \$55,990.

Recipient Response: A written response by Mr. Beal, Executive Director ASMFC, dated August 8, 2024, and a spreadsheet titled Att #2 Florida CARES Audit Overpayments, and Attach #3 NOAA response Florida audit question.

Audit Resolution Determination: OIG Case Number 23-0758-P states that a commercial fisheries business could not support a 35 percent revenue loss and, therefore, was not eligible to receive direct assistance payments. NOAA GMD responded to an inquiry by ASMFC on July 10, 2024, stating that recipients determined to be ineligible to participate in the direct assistance program must return all direct assistance payments received. Att #2 Florida CARES Audit Overpayment attachment shows that the recipient received \$59,995. Moving forward, this corrective action will be changed to reflect the total amount of unallowed costs to recoup is \$59,995.

Mr. Beal stated in the written response, “Regarding the 11 CARES/CAA recipients in Florida who received an overpayment of funds, Florida Fish & Wildlife Conservation Commission, Division of Marine Fisheries Management, is working with their legal department to recover these funds. Florida is seeking to recover all the funds given to these recipients, not just the amounts identified in the OIG audit.”

GMD Determination:

- Recoup the unallowed costs of \$59,995 for a commercial fisheries business in the state of Florida identified in the OIG Case Number 23-0758-P.

Status: Open.

Independent Program Evaluation of National Oceanic and Atmospheric Administration (NOAA) Fisheries Pandemic Relief Program Final Report No. OIG-24-018-I issued April 4, 2024.

Finding Summary: OIG Report Number OIG-24-018-I identified unallowed costs due to errors in the 35 percent calculation or payment calculation.

- Seven applicants claimed a greater than 35 percent loss for \$198,823 in questioned costs, but the calculated loss from the yearly data does not support a 35 percent loss.
- One applicant received an overpayment of \$458 due to a calculation error that showed a 54 percent loss, but the data supports a 46 percent loss.

Recipient Response: A written response by Mr. Beal, Executive Director ASMFC, dated August 8, 2024, and a spreadsheet titled Att #2 Florida CARES Audit Overpayments, and Attach #3 NOAA response Florida audit question.

Audit Resolution Determination: The OIG Final Report No. OIG-24-018-I states that seven recipients identified in the audit could not support a 35 percent revenue loss and, therefore, were not eligible to receive the direct assistance payments, and one recipient was eligible but was made more than whole. NOAA GMD responded on July 10, 2024, to an inquiry by ASMFC stating that recipients determined to be ineligible to participate in the direct assistance program must return all direct assistance payments received. Moving forward, this corrective action will be changed to reflect the total amount of unallowed costs to recoup is \$213,609.

The written response stated, “Regarding the 11 CARES/CAA recipients in Florida who received an overpayment of funds, Florida Fish & Wildlife Conservation Commission, Division of Marine Fisheries Management, is working with their legal department to recover these funds. Florida is seeking to recover all the funds given to these recipients, not just the amounts identified in the OIG audit.”

GMD Determination:

- Recoup the unallowed costs of \$213,096 from seven ineligible recipients who received payments in the direct assistance program.
- Recoup \$513 in unallowed costs identified from one recipient made more than whole.

Status: Open.

Atlantic States Marine Fisheries Commission

January 14, 2024

Discussion Paper on Declared Interests and Voting Privileges

Background

Fisheries management decisions at the Atlantic States Marine Fisheries Commission are primarily made through the use of species management boards. The voting membership of each management board is composed of the states, as well as the District of Columbia and Potomac River Fisheries Commission, with a declared interest in the fishery(ies) covered by the board¹. The Commission has a series of documented procedures on voting practices, declared interests, and other provisions of board conduct. These procedures have largely been unchanged since the approval of the Atlantic Coastal Fisheries Cooperative Management Act in 1993. It's a healthy practice for deliberative bodies to review and, if needed, modify their procedures and guidelines,

This review was prompted by several circumstances. Climate change is affecting the distribution and residency of many species managed by the Commission, which in turn has resulted in (and is anticipated to result in additional) interest by states to alter their participation on one or more species boards. In addition, the mechanisms for conducting management board meetings have expanded in recent years, with the emergence of virtual and hybrid meetings (in addition to in-person). At present, the Commission has limited guidance on the use and operation of these different meeting formats. Guidelines should be developed to better manage future Commission meetings.

Issue 1. Declared Interests

States have an opportunity to declare an interest in a fishery to participate as a voting member of a management board (see Table 1. Declared Interests by Species). The ISFMP Policy Board reviews declared interest requests to determine the membership of each board. The Commission's [Rules and Regulations](#) include the criteria used to determine interest in a species, the criteria are:

- (a) Such fish are found customarily in its territorial waters;
- (b) Such fish are customarily or periodically in the territorial waters of such state for the purpose of spawning or in transit to and from spawning grounds; or

¹ Federal partners such as NOAA Fisheries, can have a voting seat on a Board but they do not have to declare an interest in the fishery.

(c) The citizens of the state are recorded as having taken 5 percent or more of the total Atlantic coast catch of the species of fish in any of the five preceding years.

The Policy Board has generally accepted requests for declared interest if the requesting state provides basic evidence to support their request.

The Policy Board provides primary oversight of the Commission's fisheries management process and species management boards. Some decisions made by a species boards are recommendations to the Policy Board, such as approvals of Amendments or letters. The same votes that are made at the species board level are then made at the Policy Board level.

Discussion Questions

1. Should the declared interest criteria be modified or further defined?
2. Are changes needed for the Policy Boards' review process for declared interest requests?
3. Should Policy Board voting privileges change as an oversight body of species boards?

Issue 2. Voting Privileges

The ISFMP Charter states: "Each state with an interest in the fishery covered by the management board shall be a voting member". The Charter does not provide further guidance on voting privileges for states with a declared interest. Four topics for further discussion were raised at the Executive Committee meeting in October 2024.

1. Voting privileges for *de minimis* states
2. Voting privileges by stock unit of a species
3. Voting privileges for states outside the management unit defined in the FMP
4. Voting privileges for states on boards that manage multiple species

Issue 2.1. Voting privileges for *de minimis* states

*De minimis*² states that are members of a management board are currently able to vote on any issues before the board (see Table 2. *De minimis* States by Species). With the changing species distributions, some boards have an increasing number of member states that have *de minimis* status.

Discussion Questions

1. Are changes needed for voting privileges of *de minimis* states?

² *De minimis* is when fishing activity is so small in a state that its actions regarding a particular fish stock are considered to have a negligible impact on conservation.

Issue 2.2 Voting privileges by stock unit of a species

Many of the Commission-managed species are assessed and managed by stock units that are smaller than the management unit included in the FMP (see Table 3. Stock Units by Species). For example, horseshoe crab's species range extends from Maine through Florida and the stock is divided into four stock units (Northeast, New York, Delaware Bay, and Southeast). The current practice is for all members of a species board to vote on all stock units, rather limiting voting to only stock units off of their coast. The approach is generally used to foster consistency in management throughout the range of a species, as well as to account for mixing of stock units that often occurs at state borders.

Discussion Questions

1. Should voting privileges be modified for species with multiple stock units?

Issue 2.3 Voting privileges for states outside the management unit defined in the FMP

Given the distribution changes of many Commission-managed species, the management units defined in the FMPs may not align with the states with declared interests. For Example, the Atlantic Migratory Group Cobia management unit extends from the Florida-Georgia border through New York. However, due to recreational and commercial catches of cobia in Rhode Island, the Policy Board approved their request for a declared interest in cobia. The current stock distributions have created unique circumstances the Commission will need to consider.

Discussion Questions

1. When should management units in FMPs be adjusted to reflect changes in distribution?
2. Should voting be limited to states within the management unit?

Issue 2.4 Voting privileges for states on boards that manage multiple species

The Commission has a number of boards that manage multiple species. The states with declared interests can vary by species under the management of a single board. For example, the Summer Flounder, Scup and Black Sea Bass Board manages three species. The range of declared interests is not consistent for all three species (See Table 1. Declared Interests).

Discussion Question

1. What should the voting privileges be for multi-species boards?

Issue 3. Virtual and Hybrid Meeting Participation

The Commission adapted to the COVID pandemic by conducting its business virtually. Fortunately, the Commission is now able to meet in-person, but has retained the option to conduct fully virtual meetings or provide a virtual participation option for in-person meetings

(“hybrid meetings”). The Commission does not have guidelines on the conduct of hybrid or virtual meetings. Overall, the hybrid meeting process has worked well, but guidelines may be helpful to ensure a consistent approach across all meetings.

Discussion Questions

1. Should Commissioners be able to fully participate (e.g., make motions, vote) virtually if the meeting is held in-person?
2. How should the Commission handle factors outside of its control that impact board member participation? These factors could include weather events, travel issues, or illness. Does it matter by which mechanism the meeting is occurring?
3. What criteria should be used to cancel or postpone meetings if Commissioners are unexpectedly not able to participate?
4. Should Commissioners be expected to participate in-person unless there are extenuating circumstances?
5. Are there protocols that the Board chair could follow to identify Board members who are participating in the deliberation remotely – or are present and not serving on the Board (e.g., being represented by a proxy who is present).

Table 1. Declared Interest by Species as of February 2024

	ME	NH	MA	RI	CT	NY	NJ	PA	DE	MD	DC	PRFC	VA	NC	SC	GA	FL	NMFS	USFWS	Councils
Managed Species																				
American Eel	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
American Lobster	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Atlantic Herring	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	NEFMC
Atlantic Menhaden	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Atlantic Striped Bass	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Atlantic Sturgeon	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Bluefish	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Coastal Sharks																				
Horseshoe Crab	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Jonah Crab	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	NEFMC
Northern Shrimp	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Shad & River Herring	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Spiny Dogfish	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Tautog																				
Weakfish																				
Winter Flounder	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Summer Flounder, Scup and Black Sea Bass Board																				
Summer Flounder			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Scup			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Black Sea Bass		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Coastal Pelagics																				
Cobia				*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	SAFMC
Spanish Mackerel				*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	SAFMC
Sciaenids Board																				
Atlantic Croaker						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Black Drum						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Red Drum						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Spot						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Spotted Seatrout						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Total # of Species	12	13	18	20	18	19	25	5	23	23	4	17	23	20	15	15	15	23	7	

Table 2. *De minimis* states and management unit by board and species

Board	Management Unit	Current <i>De minimis</i> States
American Eel	ME-FL	NH, MA, PA, DC, GA
American Lobster and Jonah Crab		
American Lobster	ME-NC	DE, MD, VA
Jonah Crab	ME-VA	DE, MD, VA
Sciaenids		
Atlantic Croaker	NJ-FL	Com: NJ, SC, GA; Rec: NJ
Black Drum	NJ-FL	None
Red Drum	NJ-FL	NJ, DE
Spot	NJ-FL	NJ, DE, GA
Spotted Seatrout	NJ-FL	NJ, DE
Atlantic Herring	ME-NJ	NY
Atlantic Menhaden	ME-FL	PA, SC, GA, FL
Atlantic Striped Bass	ME-NC	None
Atlantic Sturgeon	ME-FL	?? None, NA?
Summer Flounder, Scup, Black Sea Bass		
Black Sea Bass	ME-NC	N/A
Scup	ME-NC	DE
Summer Flounder	ME-NC	DE
Bluefish	ME_FL	ME, SC, GA
Coastal Sharks	ME-FL	MA
Coastal Pelagics		
Cobia	RI-NJ, DE-MD, PRFC-GA (excluding CT)	Com: RI, NJ, DE, MD, GA, FL; Rec: RI, NY, NJ, DE, MD, FL
Spanish Mackerel	NY-FL	RI, NJ, DE, GA
Horseshoe Crab	ME-FL	SC, GA, FL
Northern Shrimp	ME-MA	N/A
Shad & River Herring	ME-FL	Shad: ME, NH, MA, FL River Herring: NH, GA, FL
Spiny Dogfish	ME-FL	NY, DE
Tautog	MA-FL	DE, MD
Winter Flounder	ME-DE	Com: NJ
Weakfish	MA-FL	MA, GA, FL

Table 3. Management unit and stock units by species

Species	Management Unit	# of stock units	Stock Units
American Eel	ME-FL	1	ME-FL
American Lobster	ME-NC	2	GOM/GBK (ME-RI), SNE (MA-MD, VA)
Atlantic Croaker	NJ-FL	1	NJ-FL
Atlantic Herring	ME-NJ	1	ME-NJ
Atlantic Menhaden	ME-FL	1	ME-FL
Atlantic Striped Bass	ME-NC	1	ME-NC
Atlantic Sturgeon	ME-FL	5	Gulf of Maine, New York Bight, Chesapeake Bay, Carolina, South Atlantic
Black Drum	NJ-FL	1	NJ-FL
Black Sea Bass	ME-NC (north of Cape Hatteras)		ME-NC (north of Cape Hatteras)
Bluefish	ME-FL	1	ME-FL
Coastal Sharks	ME-FL	By species	
Cobia	RI-NJ, DE-MD, PRFC-GA (excluding CT)	1	RI-GA
Horseshoe Crab	ME-FL	4	NE (ME-RI), New York (CT-NY), Delaware Bay (NJ-VA), SE (NC-FL)
Jonah Crab	ME-VA	4	Inshore GOM & Offshore GOM (ME-MA), Inshore SNE & Offshore SNE (MA-VA)
Northern Shrimp	ME-MA	1	ME-MA
Red Drum	NJ-FL	2	Northern (NJ-NC) and Southern (SC-FL)
Scup	ME-NC (north of Cape Hatteras)	1	ME-NC (north of Cape Hatteras)
Shad & River Herring	ME-FL	1	ME-FL
Spanish Mackerel	NY-FL	1	RI-FL
Spiny Dogfish	ME-FL	1	
Spot	NJ-FL	1	
Spotted Seatrout	NJ-FL	NA	NA
Summer Flounder	ME-NC	1	ME-NC
Tautog	MA-FL	4	MARI (MA-RI), LIS (CT-NY), NJ-NYB (NY-NJ), DelMarVa (DE-MD, PRFC-VA)
Weakfish	MA-FL	1	MA-FL
Winter Flounder	ME-DE	2	GOM (ME-MA); SNE/MA (MA-DE)