

LEC Agenda-May 6, 2025

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 will be a closed session.

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|--|-----------|
| 1. Welcome/Call to Order (<i>S. Pearce</i>) | 1:00 p.m. |
| 2. Committee Consent (<i>S. Pearce</i>) | 1:00 p.m. |
| • Approval of Agenda | |
| 3. Public Comment | 1:00 p.m. |
| 4. Introductions | 1:10 p.m. |
| 5. NHFG Law Enforcement Case Study (<i>D. Brown</i>) | 1:20 p.m. |
| 6. Break | 2:30 p.m. |
| 7. Review and Discuss Commission Species | 2:45 p.m. |
| • Bluefish Uncertainty Tool (<i>C. Touhy</i>) | |
| • Other Species | |
| 8. Meeting Recess | 5:00 p.m. |

2024 Striped Bass Illegal Commercial Take Cases





**Atlantic States
Marine Fisheries**
COMMISSION

Questions?



The LEC is on a Break!
Back in 15 Minutes

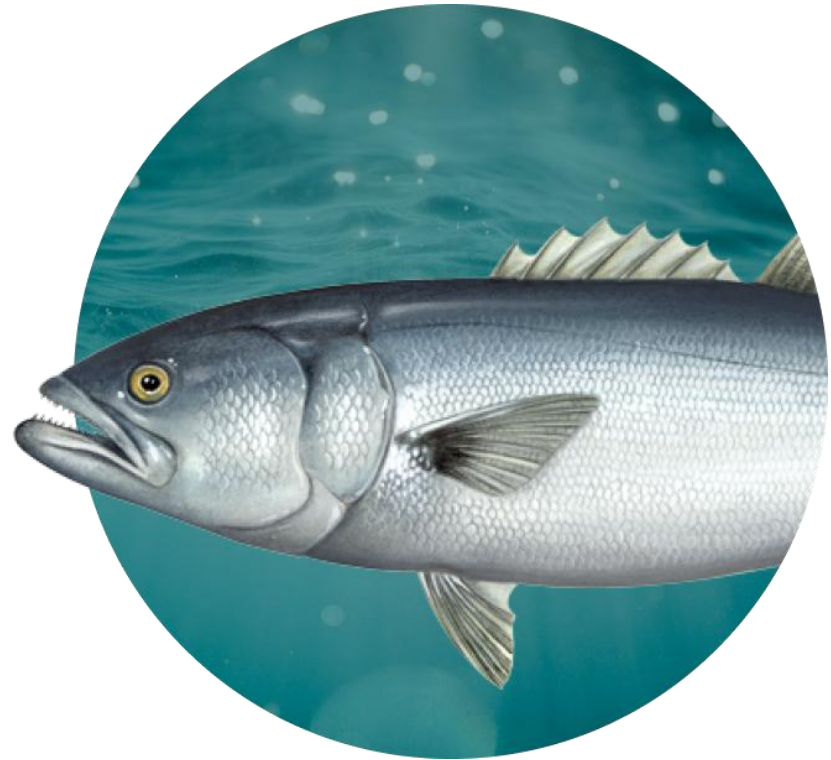


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Bluefish

Risk and Uncertainty Tool

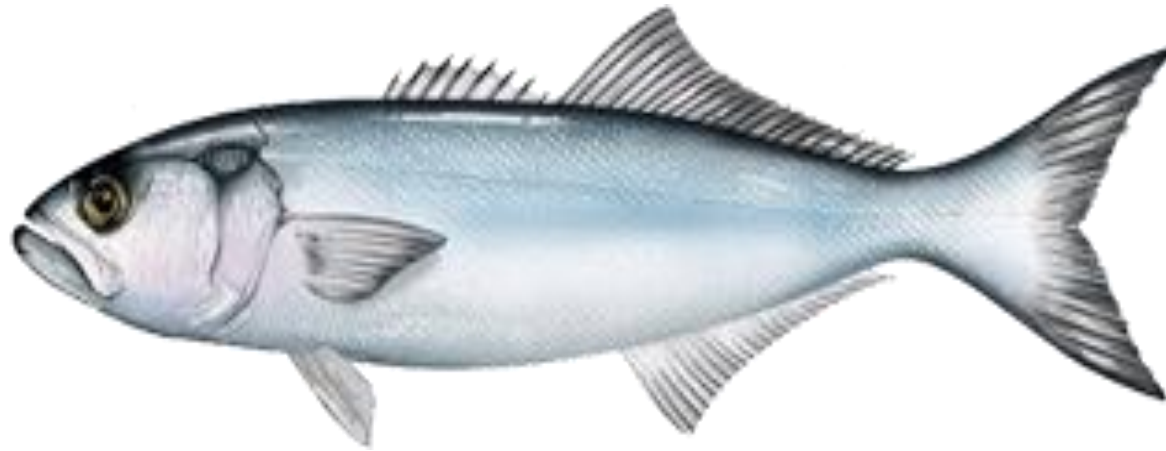
Chelsea Touhy





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Bluefish Management Uncertainty Tool



Law Enforcement Committee

May 2025

**Atlantic States
Marine Fisheries
Commission**
(state waters)

Technical Committee



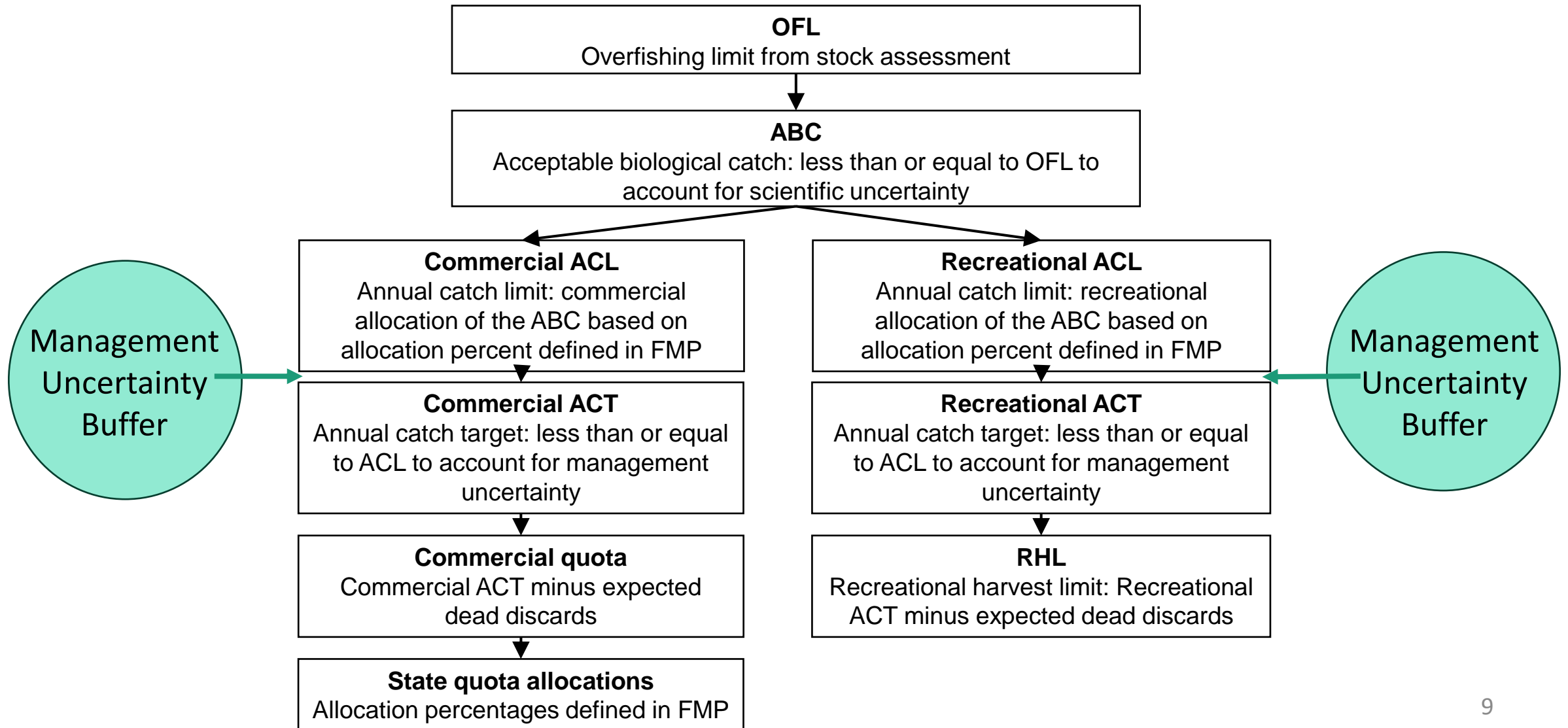
**Mid-Atlantic Fishery
Management Council**
(federal waters)

Monitoring Committee

Management Uncertainty

- Management uncertainty can include:
 - Uncertainty in the ability of managers to control catch
 - Uncertainty in quantifying the true catch
- Management uncertainty may occur because:
 - Lack of sufficient information about the catch (e.g., due to late reporting, underreporting, and/or misreporting of landings or bycatch)
 - Lack of management precision (i.e., the ability to constrain catch to desired levels).

Management Uncertainty



Management Uncertainty

- Management uncertainty buffers have never been recommended for bluefish
 - Partially due to comfortability with selecting a buffer
- In 2023, Bluefish TC and MC developed a management uncertainty buffer tool to help quantify management uncertainty
 - 7 questions
 - Each question weighted based on relative importance of the information to the species
 - Questions are applied to the recreational and commercial sector separately

Uncertainty Tool

Decision Tool Input	Description
How has compliance been in the past year?	How would you rate compliance with regulation(s) in the most recent year? This can be informed by ASMFC compliance reports and/or discussions with ASMFC Law Enforcement Committee (LEC).
How enforceable are the current/proposed regulations?	How enforceable are the current/proposed regulations?
How difficult is it to quantify catch?	How difficult is it to quantify catch (e.g., late reporting, underreporting, misreporting)?
Total removal prediction performance?	What is the total removal prediction performance (i.e., harvest plus dead discards)?
Bycatch.	Is there notable bycatch of bluefish from other fisheries?
Latent effort.	Is there notable latent effort?
Adjustment factor.	Is there anything else that ought to be considered (e.g., change in assessment methodology, permitting, assessment schedule, etc.)?

Uncertainty Tool

	Candidate Weighting		Scoring
Decision Tool Input	Recreational	Commercial	Scale
Compliance	0.10	0.06	-5 to 5
Enforceability	0.10	0.06	-5 to 5
Reporting	0.10	0.06	-5 to 5
Removals	0.70	0.70	Observed level
Bycatch	0.00	0.06	-5 to 5
Latent effort	0.00	0.06	-5 to 5
Adjustment	0.00	0.00	-5 to 5

Uncertainty Tool

	Scenario 1	Scenario 2	Scenario 3	Scenario 4
Z-score	0.25	-0.01	-0.08	-0.07
p(Z)	0.56	0.50	0.48	0.48



Uncertainty Buffer	12%*	0%	-4%	-3%
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Question	Weight	Score or pct	Score or pct	Score or pct	Score or pct
Compliance (-5 to +5 scale)	0.06	5	0	1	0
Enforceability (-5 to +5 scale)	0.06	5	0	2	0
Reporting (-5 to +5 scale)	0.06	5	0	-1	0
Total removals (enter percentage over/under as whole number)	0.70	-10	1	15	10
Bycatch (-5 to +5 scale)	0.06	0	0	0	0
Latent effort (-5 to +5 scale)	0.06	0	0	0	0
Adjustment (+5 to -5 scale)	0.00	0	0	0	0

*Buffers can only lower the ACT from the ACL, but positive buffers are shown in the tool as an example



Questions?

Atlantic Striped Bass

Draft Addendum III

- **Ocean Regions for Recreational Seasonal Closures**
 - **Recreational Mode Split**
 - **Commercial Tagging**
- **Standardized Total Length Measurement**



Ocean Regions for Recreational Seasonal Closures

RI with Mid-Atlantic	RI with New England
Region 1: ME-MA Region 2: RI-NC	Region 1: ME-RI Region 2: CT-NC
Region 1: ME-MA Region 2: RI-NJ Region 3: DE-NC	Region 1: ME-RI Region 2: CT-NJ Region 3: DE-NC

PDT - Does the LEC have any input on the regional split options for the Ocean?

The consensus from the LEC was to adopt a two-region approach, with Rhode Island being included in the southern region to ensure consistent regulations with the adjoining states, particularly consistency among RI-CT-NY. The rationale behind this decision was that with shared waterbodies like the Block Island Sound or Delaware Bay, consistent regulations between states would be more enforceable. This approach would minimize enforcement challenges and promote better compliance across regions.

If the Board does consider a three-region approach, it would help with enforcement challenges if Delaware were included in the same region as New Jersey. This would minimize enforcement challenges in Delaware Bay.

PDT questions for the LEC:

- Does the LEC have input on the type of mode split option: different size limit by mode vs. different season by mode?
- Are there certain regions, waterbodies, or time of year when having different regulations by mode would be more difficult?
- Are there concerns regarding differentiating vessels by mode? E.g., small for hire guide vessel vs. a private vessel.
- Any enforcement insight from species that currently have mode splits in place (e.g., black sea bass in some states)?

The LEC agrees that mode splits between Private/Shore and For Hire modes present enforceability issues. While some mode splits are implemented in other fisheries, Law Enforcement is wary of its broad application. Size and possession limits by mode are enforceable but having consistent regulations for all recreational users is more effective. Seasons by mode complicate enforcement, requiring identification of the sector a vessel belongs to and verification of for-hire trips through interviews, vessel monitoring, or other means. A particular challenge is the same vessel could be used for both private trips and for-hire trips, making it difficult to enforce seasons by mode. Specific enforcement challenges may vary by state depending on state permitting requirements and required trip reporting.

Nonetheless, it was acknowledged that for certain regions (e.g., Long Island Sound), the enforcement of distinct mode-specific regulations could be particularly challenging. The LEC emphasized the importance of clear guidelines and robust monitoring mechanisms to ensure compliance and reduce potential conflicts. They advised that careful consideration be given to the specific characteristics of each region and the type of fishing activity predominant there.

PDT questions for the LEC:

- Are there enforcement concerns in MA, RI, or NC about point of sale tagging and illegal harvest?
- Would the point of harvest tag address concerns about illegal market/personal consumption harvest?
- Are there enforcement concerns about illegal market/personal consumption harvest in state with point of harvest tagging?

The majority opinion of the LEC is to support commercial tagging at the point of harvest. This requirement would improve enforcement of possession from the total time the species is in possession, reduce the ability to hi-grade, and increase accountability. Discussion points included safety at sea, tagging at point of landing (one state has implemented this variation), tag accountability, illegal sales, and personal consumption.

An opposing opinion supported tagging at the point of sale. In this discussion, similar points were considered, as well as the need to establish new tagging programs, individual quotas, the use of Weighmasters, tag accountability, and tracking of unused tags. Some LEC members noted the administrative burden of distributing tags to individual fishers, especially when a state's fishery is not managed with individual quotas. Concerns about sharing tags among fishers were also noted if tagging programs switch to the point of harvest, and it should be considered whether trading tags could potentially outweigh (or even increase) an illegal market fish.

Standardized Total Length Measurement

PDT questions for the LEC:

- Does the LEC have any input on this measurement issue?
- Any LEC guidance on how general or specific the coastwide FMP should be in regulatory language?
- How does the requirement of ‘squeezing the tail’ apply to measuring racks/fillets at sea?

The LEC supports a clear definition of how to measure the length of a fish and consistency among states. A fisher-friendly measure would ensure the best voluntary compliance. The same measurement definition should apply when considering a fillet rule; a rack would be measured in the same manner.



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Questions?



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The LEC is in Recess!

LEC Agenda – May 7, 2025

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A portion of this meeting will be a closed session for Committee members only.

Day 2

- | | |
|---|------------|
| 9. Review and Discuss Ongoing Enforcement Activities (<i>Closed Session</i>) | 8:30 a.m. |
| 10. State Agency Reports (S. Pearce) | 9:30 a.m. |
| 11. ASMFC Website Review (<i>T. Berger</i>) | 10:30 a.m. |
| 12. Other Business/Adjourn | 11:00 a.m. |



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Other topics, cases etc!
Closed Session



The LEC is on a Break!
Back in 15 Minutes



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Agency Reports





Seeking Comments

American Lobster Draft Addendum XXXII

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Thank You!

Meeting Adjourned