

# INTRODUCTION TO THE COMMISSION

## A BRIEF HISTORY

Recognizing the coastal fish do not adhere to political boundaries and that sound management required coordinated effort, the 15 Atlantic coast states formed, through an Interstate Compact, the Atlantic States Marine Fisheries Commission in the early 1940s. Congress ratified the Compact in 1942 through Public Law 539 of the 77th Congress, which states in part, "An Act granting the consent and approval of Congress to an interstate Compact relating to the better integration of the fisheries (marine, shell and diadromous) of the Atlantic Seaboard and creating the Atlantic States Marine Fisheries Commission." (See Compact/Rules & Regulations later in this document).

For over 80 years, the Commission has served as a deliberative body, coordinating the conservation and management of the states shared nearshore fishery resources – marine, shell, and diadromous – for sustainable use. Its member states are (from north to south) Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida. Each state is represented by three Commissioners: the director for the state’s marine fisheries management agency, a state legislator, and an individual appointed by the governor. Commissioners participate in the deliberations of the Commission’s main policy arenas: interstate fisheries management, fisheries science, habitat conservation and law enforcement. The one-state one-vote concept allows Commissioners to address stakeholder-resource balance issues at the state level.

**VISION:**  
*Sustainable and cooperative  
management of Atlantic  
coastal fisheries*

The Commission focuses on responsible stewardship of marine fisheries resources. It serves as a forum for the states to collectively address fisheries issues under the premise that as a group, using a cooperative approach, they can achieve more than they could as individuals. The Commission does not promote a particular state or a particular stakeholder sector.

The Mission of the Atlantic States Marine Fisheries Commission as stated in its 1942 Compact:

*To promote the better utilization of the fisheries, marine, shell and anadromous, of the Atlantic seaboard by the development of a joint program for the promotion and protection of such fisheries, and by the prevention of physical waste of the fisheries from any cause.*

The mission grounds the Commission in history. It reminds everyone of the Commission’s sense of purpose that has been in place for over 80 years. The constantly changing physical, political, social, and economic environments have led the Commission to restate the mission in more modern terms:

*To promote cooperative management of fisheries, marine, shell and diadromous, of the Atlantic coast of the United States by the protection and enhancement of such fisheries, and by the avoidance of physical waste of the fisheries from any cause.*

The mission and nature of the Commission as a mutual interstate body incorporate several core concepts.

- States that comprise the Commission are sovereign entities, each having their own laws and responsibilities for managing fishery resources within its jurisdiction.
- States serve broad public interest and represent the common good.
- Multi-state resource management is complex and dependent upon cooperative efforts by all states involved.
- The Commission provides a critical sounding board on issues requiring cross-jurisdictional action, coordinating cooperation and collaboration among the states and federal government.

### **ATLANTIC COASTAL FISHERIES COOPERATIVE MANAGEMENT ACT**

For many years, the Commission served as a forum for states to discuss marine fisheries management, but did not have any real ability to enforce the will of the states - until the passage of the **Atlantic Striped Bass Conservation Act in 1984**. In the late 1970s, the Commission observed declines in striped bass harvest and production of juvenile striped bass. To rebuild and conserve the stock, the Commission developed a coastwide fishery management plan (FMP) for striped bass. Up until then, compliance with interstate plans had been voluntary. Congress recognized a need for action, and gave the Commission authority, through the Atlantic Striped Bass Conservation Act of 1984, to require states to implement mandatory provisions of the Striped Bass Plan. If the Commission determined that a state was not fully implementing the mandatory measures of the plan, the law provided a mechanism whereby the Secretaries of Commerce and the Interior could declare a complete moratorium on the fishing for striped bass in that state's waters.

The FMP, backed up by the legislation, was remarkably effective – within a decade, striped bass stocks went from depleted status to being fully rebuilt. The management success gained from the Striped Bass Act ultimately led Congress to pass the **Atlantic Coastal Fisheries Cooperative Management Act of 1993 (ACFCMA)**, to extend this success to the other species. ACFCMA gave the Commission the same authority to ensure compliance with mandatory management measures in all its fisheries management plans. ACFCMA also authorized Congress to appropriate up to \$10 million a year to carry out these new responsibilities.

### **WHAT THE COMMISSION DOES**

The Commission has five responsibilities, as stated in its original Compact. (See Compact/Rules & Regulations later in this document).

Those responsibilities are:

1. To recommend coastwide management measures to the individual member states for interjurisdictional fisheries in state waters
2. To be a fact-finding and deliberative body with the power to make recommendations to the member states' legislatures, federal agencies, and the Congress of the United States.
3. To establish the Commission's position on national legislation affecting the member states.
4. To nominate and assign duties to the Executive Director and to approve or disapprove any major activities of the Commission proposed by the Executive Director.
5. To develop and administer fishery management plans for the Commission's Interstate Fisheries Management Program (ISFMP).

To carry out its responsibilities, the Commission has developed a series of five-year strategic plans. The latest of these, written in 2024, identified seven goals and strategies for the Commission, as follows. (See the 2024-2028 Strategic Plan later in this document).

1. Rebuild, maintain, fairly allocate, and promote sustainable Atlantic coastal fisheries
2. Provide robust, actionable science to inform management decisions
3. Produce dependable and timely marine fishery statistics for Atlantic coast fisheries
4. Protect and enhance fish habitat and ecosystem health through partnerships and education
5. Promote compliance with fishery management plans to ensure sustainable use of Atlantic coast fisheries
6. Strengthen stakeholder and public support for the Commission
7. Advance Commission and member states' priorities through a proactive legislative policy agenda
8. Ensure the fiscal stability & efficient administration of the Commission

#### Values

*The 2024-2028 Strategic Plan identified eight values to guide its operations and activities:*

1. Effective stewardship of marine resources through strong partnerships
2. Decisions based on sound science
3. Long-term ecological sustainability
4. Transparency and accountability in all its actions
5. Timely response to new information through adaptive management
6. Balancing resource conservation with the economic success of coastal communities
7. Efficient use of time and fiscal resources
8. Work cooperatively with honesty, integrity, and fairness

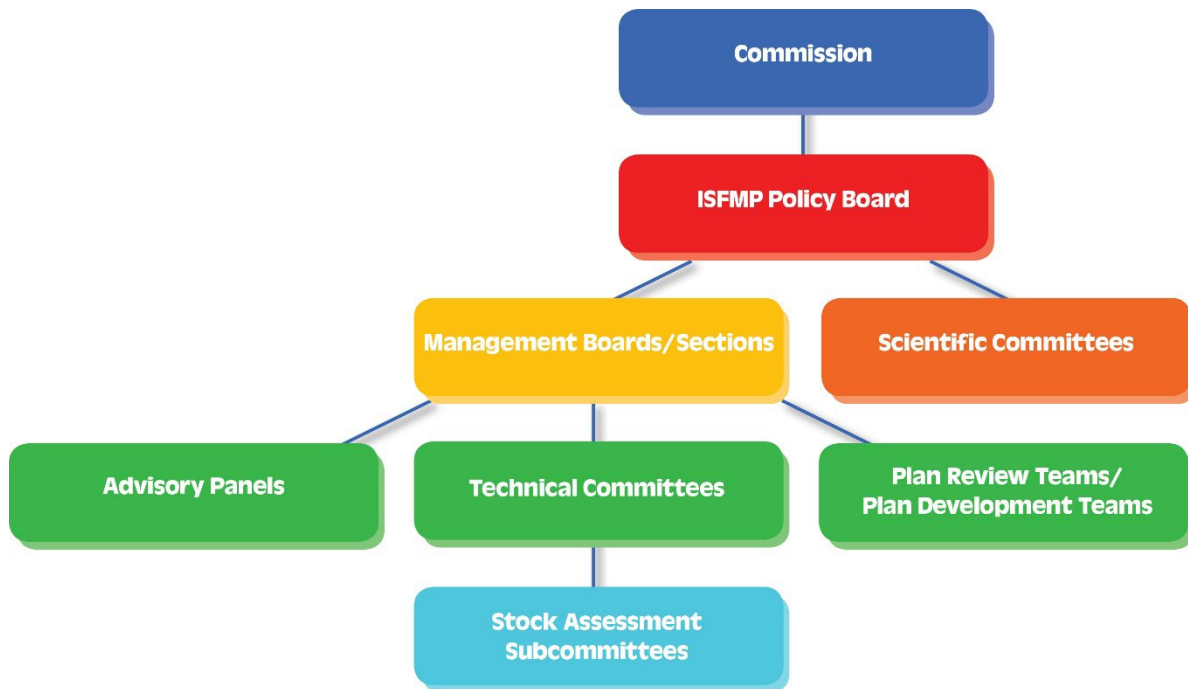
The Commission carries out the bulk of its work through four main programs, detailed below. More information on these programs can also be found later in this document.

1. Interstate Fisheries Management Program (ISFMP)
2. Science Program
3. Habitat Program
4. Law Enforcement Program

## INTERSTATE FISHERIES MANAGEMENT PROGRAM (ISFMP)

The bulk of the Commission's decision making occurs through the ISFMP, where Commissioners determine management strategies that the states implement through fishing regulations. The ISFMP operates under the direction of the Policy Board and works through species management boards.

The ISFMP Policy Board, comprised of the Commissioners from the fifteen member states and representatives of District of Columbia (DC), the Potomac River Fisheries Commission (PRFC), the National Marine Fisheries Service and the US Fish and Wildlife Service, oversees the program and meets at least bi-annually to establish and monitor the direction of the program.



The species management boards, also comprised of Commissioners and representatives from the federal agencies, DC and the PRFC, consider and approve the development and implementation of fishery management plans, including the integration of scientific information, proposed management measures, and considerations for habitat conservation, and the management of protected species/fishery interactions. Board membership is composed of Commissioners from the states that have declared an interest in the species' management program.

## SCIENCE PROGRAM

Recognizing that accurate and timely fisheries data are critical for effective fisheries management, the Commission initiated a fisheries statistics, research, and science program in the mid-1990s. While the Program has undergone a name change from Research & Statistics to

Science Program its emphasis remains the same, ensuring that the best scientific information available – biological, social and economic – is incorporated into the Commission’s fishery management plans. The program provides a focal point for coordination and improvement of fisheries dependent and independent data collection and management; stock assessments and peer reviews; habitat protection, restoration, and enhancement through partnerships; multispecies assessments and models; socioeconomic information; and fishing gear technology. It also oversees varied research activities among state and federal marine resource agencies, and universities on the Atlantic coast. These activities include evaluating alternative sources of fish mortality (i.e., power plant impingement), establishing protocols for angler based tagging programs, establishing standards for fish aging, invasive and exotic species investigations, and fisheries/protected species interactions.

## **HABITAT PROGRAM**

Healthy fish habitat provides the essential foundation for successful fisheries management. The goal of the ASMFC Habitat Program is to improve fisheries habitat conservation through partnerships, policy development, and education. The Commission recognizes how important habitat is to the success of its mission and vision. Habitat loss and degradation have been identified as significant factors affecting the long-term sustainability of the nation’s fisheries. The Commission acknowledges that many forms of habitat conservation are beyond the operational jurisdiction of the federal and state fisheries agencies. The challenge for fisheries managers and the Commission is to maintain vital fish habitat absent specific regulatory authority for habitat conservation, restoration or protection. This calls for creative approaches to the challenges of effectively integrating habitat protection, restoration and enhancement into fisheries management programs and plans. Considering habitat in fishery management decisions is part of moving toward ecosystem-based management.

## **LAW ENFORCEMENT**

The Commission’s Law Enforcement Program assists the states in coordinating their law enforcement efforts through data exchange and problem identification. The program’s primary objective is to ensure that the law enforcement provisions of the Commission’s fishery management plans are enforceable.

## **COMMISSION RELATIONSHIP WITH THE FEDERAL GOVERNMENT**

The states that make up the Commission have jurisdiction over waters from their coast to three miles. From that point out to two hundred miles, the federal government has jurisdiction. This boundary does not stop fish either, and as a result, the Commission works very closely with its federal partners to ensure coordinated management of shared fishery resources.

The lead federal agency in charge of marine fisheries is NOAA Fisheries, also known as the National Marine Fisheries Service. It writes regulations that govern fishing within federal waters. The Commission also works closely with the three Regional Fishery Management Councils along the East Coast: the New England Fishery Management Council (NEFMC), the Mid-Atlantic Fishery Management Council (MAFMC), and the South Atlantic Fishery

Management Council (SAFMC). In fact, the Commission jointly or cooperatively manages several species with the Councils. These include Atlantic herring and winter flounder (NEFMC), bluefish, summer flounder, scup, black sea bass, and spiny dogfish (MAFMC), and Spanish mackerel (SAFMC). (The Commission also cooperatively manages coastal shark species with NOAA Fisheries Division of Highly Migratory Species). The Councils are decision-making bodies and develop and recommend specific management measures in the form of fishery management plans, subject to approval and implementation by NOAA Fisheries.

The Councils act in many ways very similarly to the Commission – they have species boards that develop FMPs and are advised by various technical and advisory committees. However, unlike the Commission, NOAA Fisheries and the councils are bound by the provisions of the Magnuson Stevens Act (MSA), the law that governs the federal management of marine resources.

The Commission maintains a close relationship with the federal government. Representatives of NOAA Fisheries and the US Fish and Wildlife Service are voting members of the ISFMP Policy Board and most species boards. The Commission jointly manages several of its species with the federal government and has established agreements for other species whereby the Commission or the federal government takes exclusive responsibility for management. Additionally, every Commission FMP includes consideration of complementary management in federal waters.