

**PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
ISFMP POLICY BOARD**

**The Westin Crystal City
Arlington, Virginia
Hybrid Meeting**

August 6, 2024

Approved October 24, 2024

TABLE OF CONTENTS

Call to Order, Chair Joe Cimino.....1

Approval of Agenda.....1

Approval of Proceedings from May 1, 2024.....1

Public Comment1

Executive Committee Report2

Discuss H.R. 8705, *Fisheries Data Modernization and Accuracy Act of 2024*3

Update on American Eel Convention on International Trade of Endangered Species Activity8

Presentation of National Fish and Wildlife Foundation Electronic Monitoring and Reporting13

Committee Reports16

 Atlantic Coast Fisheries Habitat Partnership.....16

 Habitat Committee.....17

 Assessment Science Committee.....20

Other Business.....21

Adjourn.....22

INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of May 1, 2024** by consent (Page 1).
3. **Move to approve the Habitat Management Series: Anthropogenic Noise Impacts on Atlantic Fish and Fisheries: Implications for Managers and Long-Term Productivity** (Page 19). Motion by Cheri Patterson; second by John Clark. Motion passes by consent (Page 20).
4. **Move to adjourn** by consent (Page 22).

ATTENDANCE

Board Members

Pat Keliher, ME (AA)	John Clark, DE, proxy for David Saveikis (AA)
Rep. Allison Hepler, ME (LA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Cheri Patterson, NH (AA)	Roy Miller, DE (GA)
Doug Grout, NH (GA)	Lynn Fegley, MD (AA)
Dan McKiernan, MA (AA)	David Sikorski, MD, proxy for De. Stein (LA)
Sarah Ferrara (MA), proxy for Rep. Peake (LA)	Jamie Green, VA (AA)
Ray Kane, MA (GA)	James Minor, VA (GA)
Jason McNamee, RI (AA)	Chris Batsavage, NC (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Chad Thomas, VA, proxy for Rep. Wray (LA)
Justin Davis, CT (AA)	Mel Bell, SC (AA)
Bill Hyatt, CT (GA)	Malcolm Rhodes, SC (GA)
Marty Gary, NY (AA)	Doug Haymans, GA (AA)
Jim Gilmore, NY, proxy for Sen. Thiele (LA)	Spud Woodward, GA (GA)
Emerson Hasbrouck, NY (GA)	Erika Burgess, FL, proxy for J. McCawley (AA)
Joe Cimino, NJ (AA)	Gary Jennings, FL (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)	Rick Jacobson (US FWS)
Jeff Kaelin, NJ (GA)	Mike Ruccio (NMFS)
Kris Kuhn, PA, proxy for Tim Schaeffer (AA)	Ron Owens (PRFC)
Loren Lustig, PA (GA)	

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

Staff

Bob Beal	Caitlin Starks	Katie Drew
Toni Kerns	Jeff Kipp	Jainita Patel
Tina Berger	Tracy Bauer	Chelsea Tuohy
Madeline Musante	James Boyle	

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; Thursday, August 8, 2024, and was called to order at 8:30 a.m. by Chair Joe Cimino.

CALL TO ORDER

CHAIR JOE CIMINO: Good morning, everyone, going to Call to Order the Policy Board. We've got a few things to run through, and then we're going to do our very best to get you all out of here, and fingers crossed everyone gets home safely.

APPROVAL OF AGENDA

CHAIR CIMINO: This is another interesting one for us. We'll go through Approval of the Agenda.

Are there any items that need to be added to the agenda for us today? Not seeing any, good deal.

APPROVAL OF PROCEEDINGS

CHAIR CIMINO: The Proceedings from the May, 2024 meeting, any additions or edits to the proceedings? Emerson. All right, Emerson, if it is something on the minutes from the last meeting, we'll get that straightened out. Sorry that we're having some issues here. We're going to move on.

PUBLIC COMMENT

CHAIR CIMINO: Is there any Public Comment to come before the Policy Board today? Okay, we do have one, I believe, so Adam Subhas if you want to go ahead, you are good to go.

MR. ADAM SUBHAS: Thank you so much for letting us provide a comment on our research project. My name is Adam Subhas; I am the lead principal investigator of the LOC-NESS Project, which stands for Lacking Ocean Carbon in the

Northeast Shelf and Slope. LOC-NESS is part of a comprehensive research strategy to address the challenges associated with increasing carbon dioxide emissions.

Broadscale decarbonization of the global economy is the number one solution to keeping future warming to a minimum. However, it is becoming increasingly clear that transitioning away from fossil fuels will not be enough. There is broad scientific consensus from the National Academies, U.S. federal agencies and international bodies that we should evaluate the oceans potential to help remove carbon dioxide from the atmosphere.

Responding to this recognized need for a scientific assessment of marine carbon dioxide removal methods, and the scientific consensus that in-water field experiments are both the logical continuation of existing laboratory research, and a necessary step to completing this assessment. The LOC-NESS Project was established to evaluate one promising carbon dioxide removal pathway, known as ocean alkalinity enhancement, or OAE. OAE involves enhancing the ocean's natural ability to absorb atmospheric carbon dioxide, by temporarily raising the pH of the sea surface.

The goal of LOC-NESS is not to profit by removing CO₂ from the atmosphere, but to carefully evaluate the safety and effectiveness of OAE through a multi-year, multi-disciplinary project. Pending permission from the EPA, the LOC-NESS team plans to conduct a small, constrained and highly monitored field trial in federal waters off of Cape Cod. Federal Consistency Review has determined the project to be consistent with Massachusetts Coastal Zone Management enforceable policies.

This initial field trial is currently planned for September of 2024, this year. The experiment involves an engineered dispersal of sodium hydroxide solution over approximately 0.1 square mile patch, which will raise the surface water pH by a few tenths of a unit. Protected Species observers will accompany a multiplatform, multiday monitoring campaign for both CO₂ uptake and impacts to the marine ecosystem and environment.

Based on peer reviewed international research and our own team’s assessment, we anticipate negligible impacts to the marine ecosystem. A subsequent trial is planned for the summer of 2025 in the Wilkinson Basin Area of the Gulf of Maine. The public comment period for our EPA permit has closed, but there several opportunities for further engagement with our science and our team, and we invite continued input.

We will hold our third dockside session in the conference space above Superior Trawl in Narraganset, Rhode Island, 55 State Street, on August 14, 2024, so that is next Wednesday, from 4:30 to 6:30 p.m. We are hosting a virtual public event about the project on August 21, and for additional information about upcoming events, Ocean Alkalinity Enhancement, our project, and our team, please visit our website, locness.whoi.edu. Thanks again, so much, for letting us provide this comment.

CHAIR CIMINO: Thank you, Adam, much appreciated.

EXECUTIVE COMMITTEE REPORT

CHAIR CIMINO: With that we’re going to move on to the Executive Committee Report. It was a somewhat quiet, fortunately, ExCom meeting. We continued to discuss/address, House Bill, which I’m going to let Bob cover for me. Really the only other item we had at ExCom was just going through the next couple of annual meetings. In October we will be in Annapolis, and then following that we will be in Delaware, so keeping it tight in the Mid-Atlantic. With that I will turn it over to Bob. Okay, sorry, we have a few hands up. Malcolm, you had your hand up?

DR. MALCOLM RHODES: I did, I just had a question on that LOC-NESS Project and how they are going to assess how well this works. I mean we’re doing a lot of that on land here in South Carolina, with carbon flux towers, looking at carbon sequestration over different plant habitat, hard wood, pine plantation, mixed pine

areas, and trying to quantitate how that is done. Are they going to be able to set up like a carbon flux tower in the Gulf of Maine to assess how effective this alkalization is?

CHAIR CIMINO: Yes, I don’t know if Adam has a quick response, I’m happy to let him reply to that, and if it is more in depth then maybe you two can connect offline here. But Adam, do you have a response for Dr. Rhodes?

MR. SUBHAS: Yes. I’m still here, thanks so much for the question. Yes, happy to engage. My e-mail address too is ASUBHAS@whoi.edu, I also shared the comment as a PDF with all this information and contact information with the Board, so if that could get passed around to that would be great.

But yes, short answer is yes, we have a number of ways to evaluate the CO2 update. We are not doing the carbon flux towers, technically that is actually really challenging to do on the ocean, and our experiment might be too small to see that with those flux towers. But we’re looking into that technology and a whole other range of technologies too, to look at the CO2 updates.

CHAIR CIMINO: Great, thank you, Adam, and Malcolm we’ll make sure that you have that contact information, well we’ll make sure that everyone on Policy will have that contact information. Thank you again, Adam. We did have another hand up, so I’m going to go to Mike Ruccio.

DISCUSS H.R. 8705, THE FISHERIES DATA MODERNIZATION AND ACCURACY ACT OF 2024

MR. MIKE RUCCIO: Good morning, everybody, again my regrets that I wasn’t able to get there in person, but hope you all have good success getting back to wherever you’re headed to today. I just wanted to make a brief comment about discussion at the Executive Committee. As you know, federal partners are not part of the Executive Committee, so we weren’t at the table for that.

But some concerns about the information and the structure of the discussion on H.R. 8705, that is the

Fisheries Data and Modernization and Accuracy Act. I mean everyone is entitled to their opinion, and certainly they can express concerns and opinions about what is or what isn't happening with the federal government.

But it is our opinion that a lot of the information on the IRA, the Inflation Reduction Act and MRIP were at odds with a lot of the information that we had shared with state directors on Monday, so just kind of wanted to point that out. Then rather than kind of get into it point by point.

I think the Agency may send a letter to the Commission, to just help clarify some of the points that were substantive in that discussion. Just wanted to kind of alert the Policy Board that a letter may be coming from us to kind of outline where we're at with IRA and what efforts, reinforcing a lot of those things that were provided to the state directors on Monday. Thanks, that's all I wanted to say.

CHAIR CIMINO: Well, I appreciate that, Mike. I am going to have Bob cover this now. They were making note to me that this is a separate agenda item as well, but we'll cover this all at once instead. I think really, where we left it at ExCom was that Congressman Graves' Office was looking for comments from NOAA.

We saw that as an important next step, so I do hope that you guys have the chance to have some of the same dialogue that we have had. I was really appreciative of the Office for showing up here and allowing us to have a discussion on some of the concerns that we have as well. With that I'll turn it over to Bob.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Great, thank you, Mr. Chair. Yes, as folks have talked about. The Executive Committee had a pretty lengthy conversation about H.R. 8705, which is the Fisheries Data Modernization and Accuracy Act of 2024. Really what it does is look at ways of updating and improving and evolving the MRIP Program that NOAA administers right

now. As Joe mentioned, a representative from Congressman Graves' Office came over, Anderson Tran.

Anderson has been working on this for a long time and Alexander and I met with him, I don't know, three or four times about this and talked to him about east coast perspectives on the bill in general. There is not a consensus really among our 15 states on where you go. But there is agreement that recreational data collection on the whole can be improved along the east coast.

However, there is some concerns with the way this bill is currently drafted relative to potential improvements along the east coast. The states talked about those quite a bit in the session that we had yesterday, as well as the conference call we had, I don't now three weeks or so ago. A couple of the main points of concern.

One of them is compatibility of data. As everyone knows here, you know the MRIP program used to be called MRFSS, it's been running since the eighties, so it's got about 40 years' time series of data on recreational fishing along the east coast, and then recreational catch and harvest in landings and other things.

If we were to make significant changes to data collection along the Atlantic Coast there is concerns that the new program may not be compatible with the historic time series of data. Then the other concern relative to compatibility is comparison between neighboring states and states along the coast.

You have states, under this bill there is a potential for states to essentially replace MRIP data collection with the state-specific data collection program. There is concern that if, you know the way Massachusetts is doing it is very different from the way New York is doing it, which is different from the way Maryland is doing it.

You know the compatibility of those different data collection programs is a big concern, both in the management of fisheries and being able to analyze

the data, and understand what differing regulations, what impact they would have, as well as stock assessment work. You know obviously for stock assessments you have to roll together all the recreational information for the range of that species and put back recreational catch into the assessment.

If there are pieces of that data collected within the range of that species that differ, and there is uncertainty about compatibility and how to lump all that together and develop one characterization of recreational catch throughout the range. You know that may actually increase uncertainty in our stock assessments, and obviously that is not something we're striving for.

Uncertainty often means decreased access to fisheries, and that is not what the Commission is hoping for either. Compatibility with the time series and with neighboring states is one of the big concerns. The other issue that came up is that east coast management differs a whole lot from the Gulf Coast. In the Gulf Coast they have a number of in-season closures and changes that happen, and on the east coast we don't do in-season closures. Obviously, in-season closures require very robust, timely data to do that well. For better or for worse we don't do that on the east coast.

For a lot of fisheries, especially the ones we manage at the Mid-Atlantic Council and some others, we essentially set the regulations for a year, let them run out, and see how that year goes, and then adjust in subsequent years if necessary. That is different than the way some fisheries happen in the Gulf Coast.

The phrase apples to oranges came up quite a bit between the way the Gulf and the Atlantic use recreational data. One of the other issues that was talked about quite a bit is the bill establishes, essentially a standing committee through the National Academy of Sciences that will provide advice on species that meet the threshold level of percent standard error.

That standing committee would provide two pieces of information potentially, one is how can we improve the percent standard error, and should any management changes be made, given the uncertainty of the fisheries data. One of the big concerns was the threshold to engage that standing committee was a PSE of 30 percent.

If you're looking at the data, it's 30 percent PSE by wave is the way it is written right now, I believe. That is not defined is it by wave by state, by wave by the entire coast, you know one area that we could clarify? Currently if it is 30 percent standard error as a trigger, 300 out of the 304 species, or something like that would trip that trigger at some point in a year.

That obviously, a standing committee can't wrestle with 300 species and try to provide advice on improving the data collection and/or management of those species. That is an area that we talked about quite a bit on yesterday morning, for the folks that weren't here. Those are the highlights. You know as Joe said, we're going to keep working on this with Representative Grave's Office.

They are apparently waiting on some feedback from NOAA Fisheries on issues like percent standard error and potential cost in implementing this program. It's going to be a continuing dialogue. We are not sending a letter over to Grave's Office or anything like that, we're going to continue to sort of staff-to-staff conversations.

If there is any additional feedback that folks have around the table, on the good parts of this or parts they would like to see changed, we're wide open to that. You know I am happy to answer any questions, but it is going to be an ongoing dialogue. You know recreational data is a big deal for a lot of the species here at the Commission.

If you look at striped bass, red drum, and others, that are solely managed by ASMFC, you know the vast majority of that catch that feed into our management stock assessment is recreational catch. Being able to accurately characterize that is a key piece of sort of it is the underpinnings of how

we manage and assess those populations. Joe, happy to answer any questions on the bill, but it's not finalized and there is a lot of room for conversation I think, still to happen.

CHAIR CIMINO: Yes, absolutely. I'll look around the table. I see Roy, go ahead.

MR. ROY W. MILLER: If Mike Ruccio, I presume he is still listening in. I was wondering if our federal partners would share with us on the sub boardroom on the legislative committee, any comments that they might have put in writing in regard to this particular bill. I think it would help us in our continuing dialogue with our legislative representatives, so if they could share those viewpoints with us, we would be very appreciative.

CHAIR CIMINO: Well, Roy, that is interesting, since Mike Ruccio has his hand up again, maybe he was thinking the same thing. If it's all right, Pat, I'll go to Mike, and then to you, Pat.

MR. RUCCIO: Yes, thanks for the question on that. I'll have to check, honestly. The process that we engage with Congress on is called Technical Drafting Assistance, and it's kind of a separation between the Legislative and the Executive Branches, and there is no value judgment in the comments that we provide, it's all technical.

Like, it's going to cost this much to do how you've got this written, or as this is written, here is how we would interpret that and implement those measures. It may not be very sexy or very telling, even if we can share those, but I'm not entirely certain that I can, and I actually don't have them before me. It's something I'll have to check with our Office of Government Affairs and Legislative engagement on that.

But did want to mention that formally we are engaged on the legislation through this technical drafting assistance process, and have sent our first round of comments on that. We

have also been engaged in formal conversations, much as Bob is describing, with Mr. Law and others on the Commission staff that have talked to the Representative's staff.

We've had those same kinds of informal conversations, and will continue to engage in that as legislation continues to develop. I'll take that as a get back and if it is something that we can share then we'll reach out through Toni and Bob and have that dispersed, and it's not, I'll also close the loop, and let people know that that is not something that we are able to provide.

CHAIR CIMINO: Okay, Mike, you have the microphone, if that was only in response to Roy and you had your hand up previously, why don't you go ahead.

MR. RUCCIO: I had my hand up previously just to say that we have received that request and provided technical drafting assistance, at least the first round, and then wanted to highlight that we've also had some informal conversations, just to highlight that it's not happening in a vacuum. We have been part of the process.

CHAIR CIMINO: I'm going to go to Pat and then Dan.

MR. PATRICK C. KELIHER: Having been involved in discussions, both on the Legislative Committee and then yesterday's Executive Committee meeting, this is a pretty complicated issue. I really appreciated Jason McNamee's comments about the complexities of data collection and the consistencies of the issues that were addressed then. I don't know the best approach forward for us, but getting some additional information and writing from NOAA, I think would be helpful, and I appreciate Mike's comments. But if we're going to come together as a body, with the complexity of issues and differences around this table. I think we're going to need really a focus group to think about this, not the Legislative Committee.

Because frankly, the Legislative Committee is not thinking about this the way Jason and other people

with really strong yourself, Mr. Chairman, with a really strong technical background. If we're going to have ASMFC come up with a consistent position on this, I think it's going to take a lot of work.

I mean we sent in a lot of comments through my Deputy Commissioner for the first round of conversations, and sent that into Alexander. It's complex. It's complex. It is just food for thought, but I don't know how we're going to get to a consistent position on a 20-page piece of legislation that has this type of complexity.

CHAIR CIMINO: Thanks, Pat, and before I go to Dan, I'll just say that yes, I think a lot of our staff has spent time on this already. It is a complex issue. You know there are things that in our conversation, with intent it sounded like we're on the same page. But the wording in that legislation still looks scary at times. It doesn't cover the things that we all are most concerned about.

There is that element of it, and quite frankly, I'll say this to Bob, if we need to get to that point of coordination, I think we should be meeting with Gulf states as well, because they have a different problem, as Bob mentioned. They have things that they are trying to get to that may not exist here, and they've been in the process of having state-specific surveys. There is definitely a learning element to it, and I will go to Dan, but Erica, if you want to, I would actually very much appreciate help from our southern partners.

MR. DANIEL McKIERNAN: Jason made a lot of great points yesterday, talking about precision and accuracy. Folks in the past have made reference to the simple altering the sequence of two questions, had like a 30 percent change in the outcome of output. The thing that struck me, thinking about yesterday and watching the cobia discussion.

Can you imagine challenge of the cobia discussion if one or more states had boutique

data collection systems that were either biased or just perceived to be biased? I think it would really tear apart the ability of the state partners to negotiate some of these quota management outcomes.

CHAIR CIMINO: Erika, did you want to comment?

MS. ERIKA BURGESS: Not yet.

CHAIR CIMINO: Okay, sorry, I jumped the gun there, I thought I saw you. I'm going to go to Dave Sikorski then.

MR. DAVID SIKORSKI: This is good conversation, I had to step out of ExCom halfway through, so I missed some of the final conversation yesterday. I'm glad Dan just mentioned cobia, because that is what is on my mind. Frankly, I think the system we have in place, I think of it slightly differently. I think yesterday was a good highlight of the system that we have in place doesn't work for cobia, and our management is not syncing properly, our stock assessment is pretty weak. I think of cobia as an opportunity. I've said this to my delegation and others in the region for a long time that I think cobia is low hanging fruit to figure out how do we properly assess, properly allocate and properly provide access for a species that is expanding its range?

You know we've had some challenges, but experience with other stuff in the Northeast and Mid-Atlantic, but we've always relied on MRIP. I get that change is difficult, and I totally recognize the expertise that so many of you have in the room that I don't, when it comes to statistics and such, but I think it is necessary that we have the type of conversation that I know Joe and Pat were just talking about, to try and find a solution.

I end it with an open-ended question, which is, does this legislation present an opportunity for the east coast to potentially tackle a problem child, or a challenge like cobia. Frankly, I think it is worth it. I think we recognize the value of that fishery to many of our state partners yesterday. That value is going to change, that value is going to expand.

Speaking as a Maryland angler, as somebody deeply involved in fisheries management, also representing recreational anglers, through an organization that you all know is on top of this topic and is probably involved with Congressman Graves and others in the Gulf for very, very, very good reason.

I'm going to give a little brief history. I had drafted legislation in the state of Maryland to create a recreational data task force, to try and identify ways that combined with outreach and education efforts and engagement efforts, with people that are not engaged in our state. How do we take this opportunity to capture better data and advance the management of our fisheries in the Chesapeake Bay?

We have lots of great priorities that are very difficult and very expensive, but I'm proud of that work, because it was planting a flag to say, we the stakeholders, we the community want to work on this. Well, there is a million very good and very valid reasons that we cannot advance that great work that highlighted some stuff already done in the Gulf, which is allow better angler access and better communication with states managing their resource for their anglers.

We're trying to advance that work in the Chesapeake, but there is something in the way every single time. I have great frustration in that, yet I understand all the reasons why. I believe Maryland is moving forward to lead the charge on pilot programs and efforts to better understand it. Is it ever going to replace MRIP, heck no.

When you stop thinking it through that lens, we need to just obviously push back at that opportunity, which I think we are, or that part of the conversation. But we also need to kind of look on the bright side and say, what are we actually going to do. That is what the stakeholders want. Back to cobia, last point. I didn't say it yesterday, but what Virginia is being challenged with right now is spillover

from North Carolina anglers, Maryland anglers, Delaware anglers all recognizes that there is a great fishery that is being talked about, and that is a challenge we have too. The only way to solve that is to better engage with our anglers, better understand what they are catching, and I'll just leave it with this, low hanging fruit, and I hope this legislation could be an opportunity to solve this thing before many of us around the table are done with this arena.

CHAIR CIMINO: Any other hands? Not seeing any, as mentioned by Bob when we started out here, this discussion will continue. As Pat pointed out, maybe we need to be a little more focused and engaged. We'll see where this all goes. I appreciate everyone's comments. Erika, all right, go ahead.

MS. ERIKA BURGESS: I held back just a little bit to see if there was going to be a specific question or not. I'll respond to your comment about the Gulf states. The Gulf States Commission has written a letter of support for this bill. All of the Gulf states individually have written letters of support, so they are behind it.

But I think if you're interested to learn more about their experience with state data collection programs, calibrating those programs, going through MRIP certification, we would be happy to provide a presentation to ASMFC if there is interest. I know many folks have seen this presentation before, especially if you were at the South Atlantic Council. But happy to if there is interest.

CHAIR CIMINO: Yes, I think it's something to think about. My understanding is that these programs are evolving as well. Former presentations may be evolving as you guys look to make adjustments and probably get a little bit closer together, so that as the Congressmen's folks have said.

You know they realize the importance of having continuity in all of this, so thank you.

UPDATE ON AMERICAN EEL CONVENTION ON INTERNATIONAL TRADE OF ENDANGERED SPECIES ACTIVITY

CHAIR CIMINO: We're going to go to our next agenda item if we don't have any other hands, and that is on the American Eel Trade Issue. There was a letter that went out, and Toni is going to give us an update on that.

MS. TONI KERNS: In mid-May, Fish and Wildlife Service reached out to the Association of Fish and Wildlife agencies on the potential listing of American eel in CITES Appendix III. Fish and Wildlife Agencies then reached out to myself and Caitlin on gathering information on our thoughts on this, and since this was between Commission meetings, but they needed comments prior to mid-June, we went ahead and sort of talked to different states about the issue, and then wrote a joint letter back to Fish and Wildlife Service, which got sent out on June 21.

In that letter we referenced some of the changes that we had made recently in eel management, and then pulled together a list of concerns that the Commission has on the potential listing of CITES Appendix III. If you're not aware, when you have something that is listed as an Appendix III, it means there has to be legal documentation that that or certified documentation of some sort. I'm not 100 percent clear what that documentation needs to be and that I'll get into.

The exports then have to have a permit to leave the country, and that permit has to be issued by Fish and Wildlife Service. Some of our comments were that we had concerns that there isn't a certified legal acquisition process in all of the states that have eel trade, and to put that system together would be costly and potentially burdensome. In some of the states the eel fishery, in particular the yellow eel fishery, not the elver fishery, has monthly reporting, so timeliness of getting that documentation, and then those permits might

be problematic. We also aren't clear on what it means to have a legal acquisition finding.

Like what documentation would be necessary, so it is difficult for us to comment more specifically on what that is, unless Fish and Wildlife Service comes back to us and tells us what that actual documentation would be, so we had a request to have that information worked out prior to any sort of finding to move into an Appendix III.

We also noted that eel is a live specimen oftentimes in trade, especially in the elver fishery. Once those elvers are packed, then they cannot be in their packaging and in transit more than 36 hours at the most, otherwise that product is going to perish. The current permitting system in other species that are listed in Appendix III do not move that quickly.

We had great concerns that the elver fishery would be negatively impacted if we move into the CITES III Appendix, because of the permitting process that is currently in existence. We requested that Fish and Wildlife come back to us and have a conversation about how we can change that permitting system to make sure that this product is not going to be damaged.

The eel fishery, in 2023 the elver fishery was worth over 20 million dollars, it's a very economically important fishery, in particular to the state of Maine, and to lose that fishery would be extremely problematic. We really do want Fish and Wildlife to have this conversation with us.

The last part is that we want to understand how American eel could come out of an Appendix III listing. There is legal authority to remove from that, but the criteria are extremely prohibitive. To come out you can't have more than five shipments per year, and there has to be fewer than 100 individuals.

We cannot imagine a time when we would ever meet that criterion for American eel, because of the nature of the elver fishery. There are thousands of elvers in one pound. That was a huge concern for us. This letter went. The state of Maine also sent a

letter, and I'll let Pat describe anything that he wants to, then the letter that they sent.

We have not heard back from Fish and Wildlife Service. I was hoping that by the time this meeting came around that we would have some more information to share with the Board on the next steps in the process, and how they would be engaging with us, but we have not heard anything from them, nor has Maine or the Association of Fish and Wildlife Service.

Unfortunately, I don't know where Fish and Wildlife Service is in this process, what the steps will be to move forward, if they are going to have a public comment period, if they will engage with us any further in the consideration. That's it. I don't know if Pat has anything he wants to add.

CHAIR CIMINO: Yes, thanks, Toni, Pat, if you would like to add to that.

MR. KELIHER: I don't really have a whole lot more to add, other than it is really disappointing that they have received three letters on this and are not kind of getting back to us on kind of the process side of this. We tried to explain in our letter that we have a really strong chain of custody, all the way up to sealing packages with Marine Patrol present.

Marine Patrol actually seals all exports being shipped out of the state of Maine before they go to an airport, where U.S. Fish and Wildlife Service can then inspect, to ensure that that package has not been tampered with, right. There is strong, stronger chain of custody than any other fishery. It is disappointing I haven't heard back, so hopefully we can kind of keep the heat on and see where this is going to go. Thank you.

CHAIR CIMINO: Rick, go ahead.

MR. RICK JACOBSON: Yes, I am with the U.S. Fish and Wildlife Service, and I just want to be clear, neither of those letters came to me.

Joking aside, I do have some familiarity with this issue. I am not part of the office that deals with CITES listings or with permitting. I was however, with the, while with the state of Connecticut.

I did serve through the Association of Fish and Wildlife Agencies on their CITES Technical Committee, and as Chair of the International Relations Committee worked closely with the Internationals Affairs Program with U.S. Fish and Wildlife Service. This has been on the U.S. Fish and Wildlife Services radar for at least the last seven years, I believe, when the discussion first came up about the potential of listing other anguillids

It's not that the U.S. Fish and Wildlife Service is unaware of the issue, they have been aware of the issue for quite some time. Since Toni brought this to my attention, I have reached out to my colleagues within the International Affairs Program, and I do anticipate we'll be hearing back from them in the near future. That's all.

CHAIR CIMINO: Thanks, Rick, appreciate that. Any other comments or questions on this issue? Okay, we're going to go to Anne St. John.

MS. ANNE ST. JOHN: Appreciate the opportunity to speak briefly on this. My name is Anne St. John, and I am with the Division of Management Authority in the U.S. Fish and Wildlife Service. We are in fact the lead office on CITES for the U.S. Government. Just want to appreciate the information that was provided in the summary of the issue and just to kind of let you know a little bit more, I guess about an Appendix III listing, and then also sort of where we are in this process. Just to be clear, at this point we are in an information gathering process.

We have not made any Agency determination on whether to move forward with an Appendix III listing. We are undertaking consultations as was described. You know we reached out to the Commission through Aqua, and so we have received several responses from you all and from the state of Maine, and so are evaluating those. We are also undertaking a consultation with U.S. Tribes that are engaged in conservation and management of

American eel, and then also with other range countries. We'll be moving forward with that soon. Taking in to consideration the information we received through those consultations, and any additional information that we gather on our own. If we were to decide to move forward with an Appendix III listing, the process would be for us to publish a Proposed Rule in the Federal Register that would solicit public comments on whether or not the United States should move forward with an Appendix III listing.

Then if after evaluating the comments and additional information we decide that it would be appropriate for the U.S. to list the species, then we would publish a final rule, and also notify the CITES Secretary of the listing. We are still very much in the sort of beginning stages of this process, and appreciate any information, and I'm happy to provide my contact information and my leadership contact information, if folks want to be in contact and have additional information.

Then I guess just very quickly, a couple of matters with regard to an Appendix III listing. An Appendix III listing, as Toni described, it is sometimes legality. It is not about making determinations about the biological sustainability of the take and trade in the species, but about ensuring that specimens in the international trade were legally acquired, and that they are traceable through a system of CITES permits and certificates.

What that looks like, what that would look like, if we were to go that direction, you know it is a conversation that we can still have. We have various sort of iterations of what kind of what CITES listings of native species look like. We realize, for example, on U.S. Native species like American ginseng, American Alligator, and Fur bearer species, we rely very heavily on information provided by state Fish and Wildlife Agencies.

That helps us to make programmatic findings, so that we're not having to make determinations to such a degree on an application-by-application basis. There are, you know there is not one single model for what that coordination between the Federal and State and Tribal levels would look like, and that we can still discuss that.

Then the other issue, or the other thing I would want to mention is that for an Appendix III listing, those can be annotated such that they exclude certain products from CITES coverage. The listing would not necessarily cover all American eel specimens in trade. The intention would be to ensure that we're capturing within the permitting system, within the finings system, that we're capturing those specimens that are traded that are the first point of trade.

Then also, specimens that dominate the trade from the wild resource, so we wouldn't be necessarily wanting to sort of impose a burden, an administrative burden on specimens that are further down the processing line. Just to clarify that a listing could be annotated such that it, you know, it only covers whole specimens, or it covers parts and products, right.

Whatever would make sense from a conservation perspective. But yes, just wanted to provide a little bit of additional information, and as I said, we're moving forward with this conversation, with this consultation and we'll definitely be back in touch. But we're really in the early stages and happy to take any questions here, or follow up by e-mail. Thank you.

CHAIR CIMINO: Yes, thank you for that, Anne. We do have a question from Toni, and then I'll look around the room.

MS. KERNS: Anne, so we had several questions in our letter, and then concerns that we would need to be addressed before we can provide any additional comments, if this were to go to a public comment Federal Register Notice. I'm wondering if the Agency will be getting back to us, the state of

Maine and the Association prior to any Federal Register Notice.

Because we won't be able to comment on how this process would work, unless we understand what an LAF is, what the permits are, how you can acquire the permits. The system that is in place right now, we as a Commission have grave concerns about, and without knowing how that would be addressed, we wouldn't be able to provide meaningful comments back to you all, so conversation prior to that would be needed.

MS. ST. JOHN: You bet, yes, we would absolutely plan on doing that, and appreciate your willingness to have those conversations. But yes, there is nothing to be gained by us sort of moving forward in a vacuum. We would absolutely want to have those conversations and appreciate the information that you can provide. You know the intention is right, to support the conservation of the species. We would want to make sure that all of our ducks were in a row, and that we were moving forward in a thoughtful and appropriate manner, so appreciate that.

CHAIR CIMINO: Any other, at least one, Jim.

MR. JAMES J. GILMORE: I'm a little rusty on the issue, but I mean part of the concerns we had with when Maine was going to keep harvesting, I think they corrected, because as I recall, there were limited airports, whatever, that you could essentially get eels, when the whole traffic thing was going.

The system that Maine put in resolved all those issues. It's like it's been fixed, and it's kind of like well, we're going to look for a solution to a problem we've already fixed. I think part of the comment should be into that. We went through this years ago, what Pat did, and the system he put into place.

Kennedy Airport was one of the places they could get eels out of, they can't do that anymore, because of the system that was put

in. It really is, first off not a lot of states involved, it's Maine, and essentially that system took care of any, at least for the elver fishery, or elver trafficking. I think that should be probably highlighted that we took care of this problem, and we really don't need more work.

CHAIR CIMINO: Any other questions or comments on this item? John Clark.

MR. JOHN CLARK: I'm sorry if it came up before, but what was the impetus to look into listing this under Appendix III? Weren't American eel put on Appendix II years ago?

MS. ST. JOHN: I'm happy to respond to the last couple of questions, if that would be helpful.

CHAIR CIMINO: Yes, thank you, Anne.

MS. ST. JOHN: The species currently is not in fact included in the CITES Appendices, so it is not regulated under this International Structure that is CITES. I agree with the previous comment that this has been raised to us as the U.S. trade on CITES. It has been raised to us a number of times the concern with regard to the legality, the biological sustainability of the trade.

The other sort of issue that has come up relatively recently is that the European Union has really tightened up controls on harvesting and trade of European eel, and included that species in the CITES Appendices. With the sort of tightening of the rules around trade in European eel, there is a real concern, and I think that there is increasing evidence of poaching and smuggling in American eel.

The point of the exercise that we're undertaking now is to determine if a CITES Appendix III listing would be useful, would be supportive of the conservation efforts for the species. It would not be intended to be sort of an impediment, but rather to support the conservation. That is just a little bit more information on how we've landed where we are. But like I said, we're still very much in an information gathering phase at this point.

CHAIR CIMINO: Lynn.

MS. LYNN FEGLEY: Curiosity question, I think for Anne. If this were to be listed as Appendix III, then I'm assuming that would apply to all countries dealing in the trade of animals, so Caribbean countries would also need to comply, because it's an international treaty. Is that correct?

MS. ST. JOHN: That is correct. The way what we call sort of a "standard" Appendix III listing works is that the country that listed the species in the appendices in Appendix III. For that country there would be the requirement would be the issuance of a CITES Appendix III export permit. That permit would be predicated solely on a legal acquisition finding.

That would be the document required to export from the U.S. For all other countries, for all other range countries, for all other exports of this species they would have to issue a CITES Certificate of Origin. It's a CITES document that confirms that the specimens in trade were acquired in that country.

It's not a determination of biological sustainability or legality, but simply a confirmation that those specimens being exported were acquired in that country. The other thing that would be required is that all of the trade would be captured within what is called the CITES Annual Trade Report.

Every country that is a party to CITES has to submit an annual report of trade from the prior calendar year, so they have to submit those reports every year. In them they report on imports, exports, and re-exports of CITES listed species. It would also give us sort of more visibility into the trade out of other range countries for the species.

MS. KERNS: Amne, but for that, don't those countries also have to have to decide to have an Appendix III listing? If they don't do that, then do you still get that information?

MS. ST. JOHN: Under this scenario of a standard Appendix III listing, the other countries would not in fact have to agree with it. It is a unilateral decision of the listing country. You'll notice some listings in Appendix III are limited to national populations or particular regions. For a species that is as wide ranging and has such a shared range as American eel.

We don't think that limiting the scope of the geographic coverage of an Appendix III listing would make sense from a conservation perspective. It would sort of limit your visibility on data from other countries. The point would be to understand, you know get a better understanding of the trade, and as I said, make sure that the trade is legal and traceable.

CHAIR CIMINO: Go ahead, Eric.

MR. ERIC REID: With your permission, this has nothing to do with CITES, but since we're having a discussion about Fish and Wildlife and International Trade, I would like to ask a question, which I know I won't get an answer for today, but it's in support of your stakeholders, my stakeholders, stakeholders in the audience and stakeholders from some of the people around this table. Are you okay with that? Okay.

In support of our Mid-Atlantic partners, we have been trying to understand the regulations on having to pay duty for the export of squid. If at this point there is an exemption in the rules for seafood products that includes crustaceans and mollusks, which squid is a mollusk. But squid are not exempt, because they have been deemed to be not seafood, not mollusks, and not even any kind of seafood product, which I don't understand that.

I want somebody from Fish and Wildlife to answer that question for real at a Mid-Atlantic Council meeting, which happens to be next week. Because it just doesn't seem to me that that is anywhere possible that squid is not a seafood product. I think you're familiar with that, Mr. Chair, and I appreciate your indulging my request, but it's been an uphill battle, but the notion that squid is not a seafood

product is, I'm a little confused on that. That is my question, thank you very much, I appreciate it.

CHAIR CIMINO: Anne, I don't know if you have a response to that. As Eric mentioned, the Mid-Atlantic Fishery Management Council has sent letters on this. An important issue for us, and certainly something that we're looking to engage on, and have a response to. It certainly doesn't need to happen today.

MS. ST. JOHN: Yes, appreciate that. I will certainly reiterate the comment and the question to our leadership, but I think that that is a separate office within the U.S. Fish and Wildlife Service. I think that that is the Office of Law Enforcement. I will reiterate the question and the desire for additional conversation about that to our leadership, and pass it along to the appropriate office. Thanks.

CHAIR CIMINO: Yes, great, I appreciate that. Thank you. Any other questions or comments on this potential CITES listing? Not seeing any, we will move on.

PRESENTATION OF NATIONAL FISH AND WILDLIFE FOUNDATION ELECTRONIC MONITORING AND REPORTING

CHAIR CIMINO: As noted, we wrapped in the discussion on House Bill 8705 in with the Executive Committee Report, so we'll be moving on to Presentation of National Fish and Wildlife Foundation Electronic Monitoring and Reporting and we have Willy Goldsmith online, so whenever you're ready, Will.

MR. WILLY GOLDSMITH: Good morning, everybody, I'm sorry I can't be there in person today. My name is Willy Goldsmith, I'm here on behalf of the National Fish and Wildlife Foundation. I'm here to share some information on the electronic monitoring and reporting grant program. This funding opportunity is currently live, and just wanted to share some information about the request proposals, and hopefully provide some helpful

background for any folks or members of your networks who might be interested in getting involved.

Just to reiterate, this request for proposals is currently live, it's available on this web page. I will be providing some more information here in the coming slides. Whether this is the first time you've heard about this program or whether you've been around for a while and are very familiar with it, certainly encourage you all to learn a bit more about it, and to reach out to me if you have any questions. Some brief background on this list. It was created by a Congressional charter back in 1984.

It is an independent nonprofit, but it does work very closely with NOAA Fisheries, and really works a lot in public and private partnerships, working really to leverage public funds with private sector investments, so partnering with corporations and with private foundations as well. As a nonprofit, NFWF does not conduct or fund any advocacy, lobbying or litigation activities. Rather, the main focus of NFWF is on voluntary conservation action, rather than compliance with regulatory or legislative action.

Getting into the subject today, so for the past decade or so electronic technology broadly in U.S. marine fisheries has been a key focus of NMFWS, with about 33 million dollars awarded through these programs to 112 projects. Certainly, the Atlantic Coast has been a major focal area for this program, with about 8 million dollars awarded to 33 projects. As you can see below here, NFWF partners closely with NOAA Fisheries, and here are some examples of some foundations who provide key investments over the years as well.

When it comes to the priorities for the electronic monitoring and reporting program, there are kind of two major buckets into which projects typically fall. The first is really in supporting the use of electronic technologies and data collections for thinking through opportunities to improve and scale electronic monitoring. What is going on, on the water thinking through challenge of the fishery

dependent data collection, and how electronic technologies can help improve those opportunities.

By the same token, looking at electronic reporting and opportunities to pilot new applications for electronic reporting and data collection, as well as to scale concepts that have already been proven in a pilot context. Through both of these efforts, a real key focus is on engaging closely with fishing communities throughout the data collection process, and ensuring that they are an integral part of this whole process.

That is sort of one side of what this program typically funds. The other is more on the data management side, and thinking through how can we best adapt and modernizes the data management process, to ensure that we are processing this data efficiently, that we're doing it in a cost-effective way, and that we're really making any data that are collected available to scientists and managers in a timely and accessible way. Those are kind of the two major areas that this funding opportunity is for. I just want to provide a couple brief examples of the types of work that the NFWF Electronic Monitoring and Reporting Program has funded in the past. Again, these are just illustrative and by no means any indication of the only types of work NFWF funds.

But just to give you a flavor of the kind of work that has gone on in the past. If you are interested, we can provide some final reports for these projects that have wrapped up. Some of them do represent a series of several grants as well. On the electronic monitoring side, one example has been up in New England, where the Gulf of Maine Research Institute has worked to pilot and implement electronic monitoring for the large mobile gear groundfish vessels in New England.

Some of the goals here include enhancing quota utilization, also providing a means for fishermen accountability. That is one example. On the

other end of the spectrum of commercial vessels, Gettysburg College has worked the pilot on EM aboard some small vessels, including a pound net vessel in North Carolina, demonstrating opportunities where cameras onboard might be a means of collecting fishery dependent data when an at-sea in-person observer might not be feasible in those cases.

Some examples of continued opportunities to think through electronic monitoring and its application include thinking through costs, so what are cost efficient ways to monitor fisheries electronically, just in terms of expenses of equipment and also thinking through the time and effort of fishermen who are of course integrally involved in the implementation and the successes of some of these programs.

A second aspect that has been a key priority is thinking through new tools to further reduce cost, such as artificial intelligence. Okay, so moving ahead here. We talked about EM, this is the other category of kind of on the water, fishermen implementation, and that would be electronic reporting. Again, here are just some regional examples of work that has been funded in the past.

Cornell Cooperative Extension has been working with both for-hire and commercial fleets in New York, to transition to the electronic trip reporting. Meanwhile, down in Maryland, the Oyster Recovery Partnership has looked into integrating commercial shellfish harvest into existing systems for other commercial fisheries in the state.

Then down in Virginia, and relevant to the conversation earlier, there has been a big focus on thinking through recreational data collection and the piloting of a new recreational and citizen science reporting application called RecFish, to both provide value to fishermen, for anglers in Virginia and beyond.

Will also provide information for us. Some of the key next steps here include kind of lowering the barriers to participation from fishermen. Thinking through how to make these Aps and other

technologies accessible to fishermen, trying to create efficiencies, and bringing multiple reporting platforms or requirements under one umbrella, and then again relevant to the questions about our recreational data collection, how there might be opportunities to better engage the recreational community in reporting their catch and effort and other key fishery dependent activities.

Then again, once these data are collected either electronic monitoring or that reporting, thinking through ways to process that data QA/QC, and making that data available, so that it gets to be applied for science and management purposes is another real key priority here. Here are a couple of examples, Teem Fish monitoring up in New England has been looking into using AI to automate from the groundfish discard data collected through EM, identifying species, measuring fish, issuing counts, those sorts of data.

Meanwhile, CFRF in Rhode Island has looked into a buoyless gear location marking allocation for mobile and fixed gear fisheries related to the North Atlantic Right Whale conservation. Again, the key next steps here really involve rolling the ball forward towards increasing efficiency and accessibility, so that folks who really need to use these data are able to do so, kind of as quickly as possible once they are collected, and ensured that that data has been verified for quality and accuracy.

That is hopefully some helpful background for you all on the types of projects that NFWF Electronic Monitoring and Reporting Grant Program has funded in the past. Again, the RFP was released back in mid-July, and the application window is currently live. The deadline for applications is October 2, at 11:59 p.m. eastern time, and about 5 million dollars in funding are available to support electronic technologies and fisheries around the nation.

For more information there is a landing page on NFWFs website, bit.ly/EMRRFP2024, and I

believe in the meeting materials for this meeting, in addition to our PDF of this presentation there is a quick one-pager that just has a quick overview of eligibility kind of restated some of the program priorities and providing some key resources for you all to access.

In terms of what makes a good proposal, and again this information is highlighted in much greater detail elsewhere, but just want to give some key points here. First off, partnerships are really important. To ensure this work isn't happening in a vacuum, demonstrating that fishermen are engaged and invested, and now they are trying to pilot new technologies or to implement new technologies of scale.

That is a really key element here., as well as demonstrating to the folks who will ultimately be using or regulating or applying any information that are collected is also key, so that might be NOAA Fisheries, that might be a regional council, other groups that could be involved there. The other piece of course is thinking through the strong technical elements, and ensuring that the technical expertise and the folks who are involved in the proposal are kind of available and capable of implementing the work that is proposed.

Certainly, having a team with the requisite experience and familiarity, both with the technology and with the fishery is key here. Then lastly, it is important that grantees really be prepared from a financial standpoint, to receive federal funds. There are several steps that need to be taken there, and we have much more information on this and some additional background materials. But just a note that this is something to consider. If you have concerns about this, it might be beneficial to consider partnering with an organization that is well versed in the federal off funds arena. Coming to the end here.

Just to give a big of background on my role in this process. This is something that I had the fortune of participating in last year as well. I'm serving as a field liaison for NFWF EMR Program this year for the RFP, and my goals are really, first off, to spread

awareness of the opportunity to make sure that any entities, including those who may not have participated in the past are aware of this funding opportunity.

To help identify perspective applicants, and with those folks' kind of help think through potential ideas for projects and partners that align well with the goals of this fund draft, this funding opportunity. Then lastly, really to help serve as a resource when developing the application material. There are several parts that go into a proposal, and just want to make sure that everybody is putting their best foot forward here.

My contact information is on the right-hand side of this slide, and certainly hope to hear from some of you, and I hope that you can also circulate this information to the folks in your network, and again, the deadline for applications is in a little bit less than two months from now. I think that is about all I have for you all.

Again, just want to thank you for taking the time this morning. If you do have any additional questions, or would like some more information, feel free to contact Gray Reading, he is the Program Manager for the Fisheries Independent Fisheries Innovation Fund at NFWF. Of course you can reach out to me as well, and then once again the bit-lead to the RFP is on this slide. With that, if there is any time for questions, I am happy to take them, otherwise, I hope to hear from some of you after the meeting. Thanks.

CHAIR CIMINO: Well, thank you, that was a great presentation, encouraging to see the diversity of projects that have been funded in the past. I think, as you mentioned, application information is in the meeting materials, contact information is as well. It may be better as we move forward.

If folks do have questions or comments on applying here, that they do reach out to contact yourself and to Gray. Appreciate that.

COMMITTEE REPORTS

CHAIR CIMINO: With that we'll move on to our next item, which is our Committee Reports. We're going to go into two, we have Simen up here and he'll start us off with the Habitat Committee, or ACFHP.

ATLANTIC COAST FISHERIES HABITAT PARTNERSHIP

MR. SIMEN KAALSTAD: Thanks everyone for your time. I do have a few updates here on the Atlantic Coastal Fish Habitat Partnership and the Habitat Committee Reports. I'll start with the Partnership. The Atlantic Coastal Fish Habitat Partnership, we met in Virginia Beach at the Chesapeake Bay Foundations Brock Environmental Center, where we discussed project updates, plans for our next science and data projects, as well as outreach initiatives. I guess the biggest item would be that we had elected a new Chair and that is Justin Coakley from the Mid-Atlantic Fisheries Management Council, and the new Vice-Chair is Chris Moore from the Chesapeake Bay Foundation. We also were privileged to have some guest speakers from the Lynnhaven River NOW Organization. Michelle Bachman from the New England Fisheries Management Council, who presented on becoming a new ACFHP partner, as well as Sofia Hoffman from the Virginia Coast Reserve Long Term Ecological Restoration Network, and Alex McOwen from NOAA and part of the NFHP staff who updated us on the NFHP activities as well as the ACE Act Reauthorization.

I won't bore you with the details on the ACE Act Reauthorization, but in short it benefits the partnerships in that there will be additional support and funding for habitat projects as well as FHP operations. It encourages greater collaboration among various stakeholders. Basically, new seats were added to the Board, as well as promotes conservation and recreational and commercial fisheries and sustainable fishery management practices, and it provides data and tools to support effective habitat management and decision making.

A few updates on recently completed projects that were supported by the Atlantic Coastal Fish Habitat Partnership. There was the Dana Dam removal along the Norwalk River in Connecticut, that opened up 6.5 miles of high-quality habitat to migratory fish, and reconnected about 1.1 acres of floodplain.

Another project that recently wrapped up was the Cape Fear River Wetland Restoration at the USS North Carolina Battleship. They restored about 800 linear feet of hardened berth with a living shoreline, and created 2 acres of tidal wetlands in what was an existing parking area previously. Another dam removal as well in Massachusetts, the Armstrong Dam, which opened up 36 miles of river and reconnects about 180 acres of river herring spawning habitat.

It's tricky, because we sort of operate in 3 fiscal years. Right now, FY24, those projects were recently approved by the U.S. Fisheries Service, so we will receive about \$300,000.00 in funding again, and we'll be supporting two additional restoration projects, one in Maryland that restores about 39 acres of wetland habitat, and that is led by the DelMarVa Research Conservation and Development Council.

The second project to be supported for FY24 is another dam removal in New Jersey, the E.R. Collins Dam, and that is led by the Nature Conservancy, and that opens about 3 miles of river access, but is part of a bigger sort of effort, where several other dams will be removed, and I'll tell you a little bit about them. We just received approval for the FY24 projects and we also recommended the next round.

It takes about a year until the funds make it to where they need to go, so for FY25 we recommended 3 more projects to the NFHP Board, which have been approved, but they've not yet made it to the Fisheries Service, and we have not secured that funding quite yet. But it seems to be looking good. We'll be supporting 2 additional dam removals by the Nature

Conservancy, and that is the Cedar Grove Dam and the No Name Dam, so those are part of that E.R. Collins Dam effort as well, so there will be 4 dams removed in total on the Pequest River in New Jersey.

Those removals will add about 57 miles of additional riverine habitat access, and the last project that we recommended for FY25 is not a dam removal, that is for oyster reef restoration in Florida. That is an effort led by the town of Marine Land, sort of in partnership with the University of Florida, and that will build about a 500-foot living shoreline, as well as doing some tidal vegetation restoration along that part of the river.

HABITAT COMMITTEE

SIMEN KAALSTAD: Moving on to the Habitat Committee Report.

Mainly we've been discussing the Habitat Management Series next issue, and I'll get into that. Recently we had a virtual summer meeting. Well, the Committee approved the final draft of the Acoustic Impacts Habitat Management Series Document, and began developing plans for the next one, which we have come to a consensus that we'll focus it on shell recycling programs along the Atlantic Coast.

In addition to the Habitat Management Series, we talked about the Habitat Hotline Atlantic, which is a bit of a question on format and content. We discussed what is the most useful content to you all, what kind of format and what should be the next steps. Obviously, the anticipated release date would be in December, sort of the last chance to release the 2024 Issue.

The Habitat Management Series Acoustic Impacts Document that we are seeking approval for, the longer title is Anthropogenic Noise Impacts on Atlantic Fish in Fisheries Implications for Managers and Long-Term Productivity, which is a mouthful. But that report folks is on the effects of anthropogenic noise on fish managed by the Commission.

It covers the potential impacts of human generated noise. What is not covered is marine mammal sound production and those affects, since they fall outside of the Commission's management scope. But sensitivity to noise varies by species, and fish perceive sound through pressure and particle motion.

Some of these effects are physiological, damage to the ear and lateral line tissues, hearing loss, and can be potentially lethal, for example pile driving or under subsurface explosions. Behavioral effects such as freezing, increased swimming speed and disrupted feeding or spawning or schooling and other critical life functions.

Just some examples of specific species that are affected, that is covered obviously more in depth in this document. Atlantic cod for example, they freeze in place or they'll increase their swimming speeds, and Elasmobranchs, they are startled by sudden noises, but they may habituate over time.

Then crabs and other marine invertebrate settlement can be delayed by turbine noises. What is not on the slide here is the effects on zooplankton. Air gun blasts can obviously increase zooplankton mortality, which will have indirect effects on fish species that feed on these zooplankton. It goes a little further into, you know cumulative effects such as the chronic noise that leads to stress, reduced condition, and decreased fitness.

There can be potential population level impacts if spawning behavior is disrupted. It goes a little into the effects on fisheries catch rates, which are decreased in areas exposed to seismic air gun blasts and some fish populations may be redistributed, due to exposure to different noises, and these responses again vary amongst species. Mitigation Strategies is sort of what the whole ideas of the document, covers vessel noise reduction, such as alternative propeller design or soundproofed hulls, better, I guess improved marine spatial planning, protecting

critical spawning and aggregation sites from loud noises, and monitoring compliance with tracking technologies.

On the seismic survey side, higher sensitivity hydrophone, so that you can pick up those non-impulsive low frequency marine vibriosis. Sort of lastly here, discusses the construction noise mitigation, for example, like "quiet" foundation technologies for offshore wind turbines at various sound dampening measures, bubble curtains, isolation casings or soft-start and ramp-up strategies to deter mobile species.

The last bit of the document covers research priorities, which focuses, you know we need further study on the impacts of particle motion, evaluating these new novel seismic survey technologies and development of best practices and noise thresholds, and overall research on the effectiveness of various noise mitigation measures. That is what the newest issue of the Habitat Management Series covers, and with that I'm happy to answer any questions.

CHAIR CIMINO: Questions for Simen? Loren.

MR. LOREN W. LUSTIG: Thank you for that fascinating report. I really appreciate learning more about the habitat management initiatives. Early in your report you used the phrase outreach initiatives, which caught my attention right away. Sometimes that's a euphemism for educational components that are inherent to the work.

Could you describe any parts of the habitat work that use or employ educational components as a function of what is being done? For example, I'm working with high schools in Pennsylvania to try to encourage graduating seniors to get involved in hands-on projects. That would be an example, where perhaps there would be opportunities for internships among young people on these projects. Thank you.

MR. KAALSTAD: Yes, thank you for your question. There are, and that for example is a great example of an outreach initiative that ACFHP would love to sort of be a part of or get involved with. Most of

the outreach that ACFHP does directly is sort of actually indirectly through our projects. Each project has an outreach component that is in the criteria for the restoration projects that we support.

A lot of them just kind of naming some examples, they won't have, from my experience, I am less than two years in. But they won't have as direct educational components as, for example, reaching out and directly engaging high school classes, but they do have seminars or they will sort of show the benefits of this restoration project at local community events.

For example, with oyster there is always, you know oyster cookouts and things like that where the local community can get involved, and a lot of the proceeds go to further restoration of the watersheds. In that case they will invite smaller educational groups. A lot of informational signage at some of these boardwalks that are placed along rivers where dams are removed, and that is just kind of a few examples I can think of. Anything under the sun, I guess is sort of possible, and I'm always looking for other efforts to sort of expand our outreach, so what you mentioned would be a great example of something that we would love to get involved with.

MR. LUSTIG: Thank you, and Mr. Chairman, if I could have a follow up question, please. There are many nature centers operated by counties, for example, or by jurisdictions of various types in the coastal areas. I think if I wanted to really enhance the educational component of a local project, I would start there, with a real good connection with the nature center administration, and see how you could work together for sort of a win-win kind of effort.

MR. KAALSTAD: Are there any other questions, but to your point also, in general the outreach discussions that we've had have been how-to, sort of engage with underserved communities and tribal organizations, without being a

nuisance, I suppose. A lot of our partners already work with organizations that work with underserved communities or tribal organizations, and so we're sort of trying to leverage that relationship, without being another person who is just flooding their inbox with hey, join up.

CHAIR CIMINO: We'll look around the table for any other, John Clark.

MR. CLARK: Thank you for the presentation, Simon. Just curious on the noise. For offshore wind there has been a lot of focus, those groups opposing it about the seismic activity used to look for good sites, and you mentioned there was mitigation going on to reduce the sound used when they survey these sites. I'm just curious if any of that is being used right now to mitigate the amount of sound coming out of those seismic cannons there to read bottom.

MR. KAALSTAD: That is a very valid question, and I'll be honest. I was not involved with the writing of this document as much as I was in getting everyone to sort of put the finishing touches on it. I read through it a fair amount of times. I believe there are a few people looking into sort of how to mitigate the seismic disturbances. Whether or not it is implemented as sort of standardized practice, I couldn't tell you, but I would hope so. At least that is the direction it seems to be moving in.

CHAIR CIMINO: Yes, John, and I can send you some information of some recent stuff that has been put out there, you know the research that has gone on, on the East Coast here, but also some of the stuff that has been put out by the wind energy companies themselves that has recently made some headlines on their activities. Any other questions for Simon? This is an action item, we would like to have the Policy Board's approval of this report, so I'll look to Cheri, since I don't see any other questions.

MS. CHERI PATTERSON: I would like to **move to approve the Habitat Management Series: Anthropogenic Noise Impacts on Atlantic Fish and**

Fisheries: Implications for Managers and Long-Term Productivity.

CHAIR CIMINO: Great, thank you, second to that John Clark. Any discussion on this? **Seeing none; any objection to this approval? Seeing none; great, thank you, and again, Simen, thank you and motion carries by consent.** I want to thank everyone for the work that went into this report, much appreciated.

ASSESSMENT SCIENCE COMMITTEE

CHAIR CIMINO: Our next committee report is going to come out of the ASC, and I'll go to Janita for that.

MS. JAINITA PATEL: I just have a brief update to the stock assessment schedule that I would like to present to you all. This is the updated schedule; I know it is very hard to read on the slide. But I believe you should have a version that is easier to see in the supplemental materials for this meeting. A couple things to note here. You will notice we've added the 2027 and 2028 assessments to the schedule.

We've also added for this year and for next year the quarters in which you will be receiving updates for the benchmark assessments or the update assessments, so you know what to expect at each meeting. I will just go over briefly the newly added assessments, and some things that have changed since the last time you saw this.

For the benchmark assessments, cobia will have a benchmark assessment in 2025. Coastal shark will also have a benchmark assessment in 2026, and the species included for that are tiger, spinner, bull and Finetooth. In 2027 black drum will have a benchmark assessment, scup will have updates in 2025 and 2027, with a benchmark in '28.

Striped bass has been added for '27, and sturgeon for '28. For assessments that have been moved, the Atlantic croaker assessment

will now take place next year, and you'll be hearing about the full benchmark report during the next summer meeting, and spot will take place a year after that, so you'll be hearing about that in the annual meeting of '26.

Then for the long-term schedule for the updates, in '27 you will hear about eel, black sea bass, bluefish, horseshoe crab, scup, and then summer and winter flounder, and for '28 there is herring, horseshoe crab, Jonah crab and potentially menhaden. That's all. Any questions?

CHAIR CIMINO: Any questions or comments on the updated schedule? Lynn.

MS. FEGLEY: Just one question, because I may have misheard. On the chart that I'm looking at here to the cobia benchmark in 2026, you said 2025, right?

MS. PATEL: Yes, good question. The projected timeline for that assessment is that it is supposed to be completed sometime at the end of 2025, but just to give the Committee a bit more time before they present the benchmark report, it will be presented in the first quarter of '26, even though the assessment will actually take place in '25.

CHAIR CIMINO: Other questions or comment on this?

MS. KERNS: I think it's not in here, and I think it affects the quarter. Just to note that lobster did shift from the August meeting in '25 to the annual meeting in '25.

CHAIR CIMINO: Jeff Kaelin.

MR. KAELIN: Thanks for the update. I'm looking at menhaden. I thought that the BAM model, we were going to have a benchmark on the BAM model after the ERP benchmark, but all I see is an update all the way through 2028. What is going on there? I thought there was going to be a benchmark following the ERP benchmark, no? I guess I'm wrong. It's been a long time. Just a question.

CHAIR CIMINO: We're phoning a friend. Katie is coming up. Go ahead, Katie.

DR. KATIE DREW: The intent was we're only doing an update for this cycle, as we know in 2025, and then it will get a full benchmark the next time we do the ERP and the benchmark together, which will be in 2031.

MS. PATEL: Thanks, Katie.

CHAIR CIMINO: If there are no other questions or comments, we would like to have at least Board consent on this. I'll ask this, is there any concerns or objections to this updated schedule, and we will obviously continue these updates as I appreciate Jainita put in there so we would know what to expect when we are getting updates at each of these meetings.

Not seeing any, so with that I am going to consider that approval by consent. Much appreciated there. We have no noncompliance findings, which was the next item on our agenda, and with that no need for the Business Session.

OTHER BUSINESS

CHAIR CIMINO: I will look to Other Business and open it up to, if there are any other public comments that were not made earlier in the meeting, I will open that up now. Okay, Emerson, we see your hand up.

MR. HASBROUCK: Just getting back to the previous proceedings. Just a very minor item, and that is for the attendance of Board members. Amy Karinoski is listed there as proxy for Senator Gopal. She was actually proxy for Assemblyman Thiele. Just to set that straight. Thank you.

CHAIR CIMINO: Okay, thank you. We have one other hand and that is James Fletcher. Jim, do you have a comment?

MR. JAMES FLETCHER: Yes, I have a comment. I have listened patiently most of the week and I have not heard anybody bring up the nano plastics or microplastics, and where this comes in is every one of these species that spawns and the egg comes near the surface, the egg as it hatches and feeds is exposed to the nano and microplastics. I know it is not ASMFC's job, but in all of these Congressional things the fisheries as a whole, Council, National Marine, ASMFC needs to point out that these microplastics are a major, major problem, and support ground application of waste water or lake or pond application of waste water, to allow the plastics to float to the shore and go into that situation, rather than coming in.

But is it possible ASMFC and the way that it is formed, could help bring this situation, because you discussed the eels this morning. Those eels are exposed to nano plastics, and if it blocks their digestive system they die. Every fish we have it is the same thing. The situation with the plankton and stuff that is being studied, I can't find where they're saying we did X number of surveys and found X number of microplastics. It's just the United National Fishermen is off on another tangent. But the microplastics and the plastics are our major problem, and going back to another one of your species, the sturgeon. They feed on the bottom in the rivers, and the amount of plastic on the bottom in the river is blocking the intestines of these fish.

Is it possible ASMFC can maybe make a major issue of the microplastics, nano plastics and just all plastics that are going into the water and support land. The way to do it, solution to the problem is land application of all waste water. Where that is not feasible, drop the waste waters in the lakes and let evaporation go on. I thank you for your time and I hope somebody is listening. James Fletcher, United National Fishermen's Association.

CHAIR CIMINO: Thank you, Jim, I think you know this is an issue that a lot of states are dealing with somewhere within the state government. I know for New Jersey, as a representative of EDP that the

forever chemicals and some of the stuff that you've talked about are important issues for us.

I'll work with staff and see if there is a nexus where we can kind of gather some of the information on how states are tackling this. It wouldn't hurt to put that forward in the fish world, even if it is another group within the states that are taking a look at this and doing their best to tackle it. I appreciate that. Do we have any other hands? Okay, don't see any other hands.

ADJOURNMENT

CHAIR CIMINO: With that, I don't think there is any other business before us. I hope that everyone gets home safely. We have a lot of weather out there, and it looks like in just about every direction. Travel safe everyone, and we will see you at the annual meeting. Take care, thank you.

(Whereupon the meeting adjourned at 10:08 a.m. on Thursday, August 8, 2024.)