

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

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

August 7, 2025

Approved October 30, 2025

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1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of May 2025** by consent (Page 2).
3. **Move to move to approve the Conservation Equivalency Document as modified today** (Page 15).
Motion by Doug Grout; second by Joe Grist. Motion Passed (Page 15).
4. **On behalf of the American Lobster Board, move the Commission send a letter to the New England Fishery Management Council, the Mid-Atlantic Fishery Management Council, and GARFO with the following comments on the Alternative Gear Marking Framework:**
 - **The Lobster Board recommends a delay in final action as there has been insufficient outreach to the lobster and mobile gear industries. A delay would allow additional time to conduct the necessary outreach to industry and allow for these comments to be considered prior to final action.**
 - **The Lobster Board is concerned that the process to approve alternative gear markings and on-demand technologies has not been described, nor is it clear how stakeholders will be engaged in these decisions.**
 - **While the Lobster Board is often supportive of flexibility, there is significant concern about the broad application of ropeless, which is inconsistent with much of the messaging in NOAA’s Ropeless Roadmap that ropeless gear will not be required everywhere.**
 - **The Lobster Board recognizes there may be some value to modifications to current surface marking requirements (e.g., radar reflector requirements, ability to drop an endline); however, the potential application of ropeless gear everywhere significantly increases the breadth of impacted fishermen, establishes intermixing of traditional and ropeless fixed gear, and does not provide clarity to enforcement on where ropeless gear could be encountered.**Motion made by Ms. Zobel on behalf of the American Lobster Management Board. Motion approved by unanimous consent (Page 20).
5. **Motion to adjourn** (Page 20). Motion by John Clark; second by Lynn Fegley. Motion passes by consent.

ATTENDANCE

Board Members

Carl Wilson, ME (AA)	John Clark, DE (AA)
Rep. Allison Hepler, ME (LA)	Roy Miller, DE (GA)
Renee Zobel, NH (AA)	Lynn Fegley, MD (AA)
Doug Grout, NH (GA)	Jamie Green, VA (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Dan McKiernan, MA (AA)	Ben Dyar, SC, proxy for B. Keppler (AA)
Jason McNamee, RI (AA)	Malcolm Rhodes, SC (GA)
David Borden, RI (GA)	Mel Bell, SC, proxy for Sen. Cromer (LA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Doug Haymans, GA (AA)
Matthew Gates, CT, proxy for J. Davis (AA)	Spud Woodward, GA (GA)
Bill Hyatt, CT (GA)	Erika Burgess, FL, proxy for J. McCawley (AA)
Marty Gary, NY (AA)	Gary Jennings, FL (GA)
Joe Cimino, NJ (AA)	Ron Owens, PRFC
Jeff Kaelin, NJ (GA)	Rick Jacobson, USFWS
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)	Mike Ruccio, NMFS
Kris Kuhn, PA, proxy for T. Schaffer (AA)	

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

Staff

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

The ISFMP 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 7, 2025, and was called to order at 10:00 a.m. by Chair Joe Cimino.

CALL TO ORDER

CHAIR JOE CIMINO: Good morning, everyone, Policy Board please take your seats. My name is Joe Cimino; I am the Administrative Commissioner from New Jersey, current Chair of the Commission and so I get to run us through the Policy Board. We have; I think a fairly interesting agenda. There are a couple items that we'll be going through.

We had a Conservation Equivalency Policy that Toni will be speaking about some of the issues that we've had concerns with there. We also have a discussion on both declared interest for states that are declaring interest into being a part of boards, and also voting privileges. I think those will be the two big agenda items.

APPROVAL OF AGENDA

CHAIR JOE CIMINO: But I'll get us started here with Board Consent on Approval of the Agenda. I know of two items that we're going to tackle that are additions to the agenda. Are there any other additions to the agenda? Not seeing any hands. The two items that I am aware of that we are adding is, we would like to recognize a commissioner, who this is their last meeting.

I'm going to turn it over to Bob in a minute to deal with that. Then the Lobster Board has a motion for a letter that is go to both the New England and Mid-Atlantic Councils, and so as always that will come before the Policy Board for approval, and we will do that at the end of our agenda today. With no further hesitation, I'm going to turn it over to Bob Beal.

EXECUTIVE DIRECTOR ROBERT E. BEAL: I think our guest of honor is back in the room, he was out in the hallway. I just wanted to quickly recognize Pat Geer for his career. This is his last meeting, he is retiring on August 15, so he has persevered through his last Striped Bass and Menhaden Board meeting. I just want to recognize his 38-year career in fisheries management. That is nearly four decades of work in this business is a lot.

I want to congratulate Pat on his time in this business. You know he started out as a marine scientist at the Virginia Institute of Marine Science, spent a while there, then he moved down to Georgia for, I think 16 years in Georgia, ended up as the chief marine scientist down there, ran a number of surveys in Georgia, and worked with the likes of Spud and many others while he was down there. Then he's been at VMRC for a while. He's been in the Commission family, if you want to call it that, throughout his career. He's been on technical committees, plan development teams, sat at this Board as a proxy for, I think almost two decades in different capacities. He's been a part of this process and a good friend of all of us, and a great scientist for, again, nearly four decades, which is an impressive career.

I just wanted to quickly recognize him in front of all the Policy Board members, and thank him for all of his time that he's been in this business and done some really impressive and hard things over the course of that time in Georgia and Virginia. Please help me in recognizing Pat, and sending him off, wishing him all the best for a long and happy, healthy retirement. Congratulations, and thank you, Pat.

Pat, I have a gold Commissioner Pin, it's modeled after the compass rose, and the symbolism there is the compass obviously provides direction and guidance to us, as ancient mariners moved around the ocean. The symbolism is that folks that have been in this business as long as you have provided guidance and direction to this process and to marine science. I will bring that back to you in the back of the room, so thanks, Pat.

CHAIR CIMINO: Pat, would you like to say a few words?

MR. PAT GEER: I'll keep it brief. I want to really thank the Commission. I really enjoyed doing this. Even though we don't always agree at this table, what I always find is that there is always respect. Respect and professionalism, at the end of the day even though we disagree, we go to dinner together.

We share a beer, we tell stories about our family, our latest fishing ventures and things like that. That's what I've enjoyed about this, and that's what I'll miss the most is those times we spent at these meetings. After we've had these hard deliberations, we're all still colleagues and professional, and we can get together afterwards and share some personal moments. I really thank you all for that.

I want to thank the Commission, especially Bob, you do a fantastic job with this staff. They are just incredible; always willing to do anything that needs to be done. I've said a hundred times before, what you did with the CARES Act, and I'm sorry you're going through what you're going through. But it was just phenomenal. You continue to do that, you did that with our blue crab stock assessment in the Chesapeake Bay as well.

I won't mention the acronym we use for you for financially, but you've done a great job with that. Finally, just to my staff. I mean all of the administrative commissioners and their proxies sit around this table, but our staff behind the scenes that are doing the things on the TC, and filling us in on what's going on. They deserve a lot of credit as well. Thank you very much, and I hope to see you all sometime in the future. Thank you.

CHAIR CIMINO: Thank you, Pat, you will absolutely be missed. I know personally our careers have overlapped for many years from as soon as I got to Virginia, hearing about how important your contributions were to the VIMS

surveys. Since then, you literally replacing VMRC. I thank you for all the time and effort that you've put in. Again, you will be missed, so we wish you all the best.

APPROVAL OF PROCEEDINGS

CHAIR CIMINO: We're going to move into **approval of the proceedings from May, 2025**. Are there any edits or comments on what was provided for our Policy Board meeting from the spring meeting? Not seeing any, so I'll consider that **approved by consent**, and I will go to public comment.

PUBLIC COMMENT

CHAIR CIMINO: Is there any **public comment** to come before Policy Board today? Not seeing any hands in the room, not seeing any hands online, so I will move into my Executive Committee Report. I apologize, I'm not sure where my notes are. We do have a hand, okay.

PUBLIC COMMENT: I'm not sure when I'm supposed to make my public comment that is scheduled associated with the fishing gear alternative, so I just raised my hand to see if this is the time period. That is for later in the morning.

CHAIR CIMINO: Okay, thank you, yes, I think this is actually, if I'm correct, this is an actual agenda item. We can take this as we have a discussion on that agenda item, if that is all right with you, Sir.

PUBLIC COMMENT: Yes, Sir, ready when you are.

EXECUTIVE COMMITTEE REPORT

CHAIR CIMINO: Okay, so getting into the Executive Committee Report. Executive Committee got a report from Alexander on the Legislative Update, the main item there or main items there are two bills that are before us. One being a bill on sharks and shark fishing, and the other on the updated, sorry Alexander.

MR. ALEXANDER LAW: I'm just going to steal your seat. Presented on three different funding proposals, the FY26 proposed budget from the

President, the Senate CJS bill and the House CJF appropriations bill. Talked about the Sportfish Restoration, Reauthorization and Bill.

CHAIR CIMINO: All of those, I apologize to everybody there, both the bills and all three potential budgets are still up in the air, so those are all things that we will need to be kept abreast of. We have some decent information on what the Senate Budget looks like, and it is more or less friendly to our needs, and so Alexander will keep us up to date on that. I very much apologize on blanking on the Sportfish Restoration Renewal Bill.

We'll see how that goes as well. We also had discussions, as I mentioned, a closed session on law suits, which I will let Bob discuss, both the law suits and the CARES Act update. But similar to the budget situation, we don't know exactly where all of that is going. That is as continuing process and I hope by our October meeting that we will have more information, but I will turn the closed session part over to Bob.

EXECUTIVE DIRECTOR BEAL: Just very quickly. I think a lot of people that are here were in that closed session, so I'll do the easier one first, the CARES Act update. You know we were continuing to struggle through the required repayments for CARES Act, the balance of what the federal government says ASMFC owes them is about 3.2 million dollars. We disagree with the fact that we owe the federal government that money. But we are continuing to work with New Jersey and Florida to try to get back as much of that money as we can. It does appear to be a hardship on the number of businesses and fishermen that we're asking them to return the money. We're continuing to work on that. We have a few businesses and individuals that have set up repayment programs with ASMFC, but those are stretching out for up to two years.

The timeline the federal government has given us to pay them back is by December 4th of this year, so that is incompatible with some of these

timelines that we have. We're going to have to continue to work on that, and if folks have questions, I can answer them offline. Then on the law suit litigation, the Commission is involved directly, and sort of tangentially in a number of law suits. They involve striped bass and lobster, for the most part.

The lobster ones involve Outer Cape Cod v-notching provisions as well as the tracker provisions that are on lobster vessels now, and the striped bass is generally initially related to the bag limit for charter boats in the Chesapeake Bay region. Without going into great detail on those law suits, happy to answer any questions, probably offline, giving the fact that we're running late. But that is the quick background on what we talked about in the closed session.

CHAIR CIMINO: I'm running a little bit out of order on how Ex Com's agenda was set up. But I had noticed in the past I have gotten too in depth, and then realized that Policy Board had some of the same agenda items. I'll try and cover some of those. We talked about the annual meeting, so we'll be meeting in Dewey Beach, Delaware, and then Rhode Island and South Carolina.

One of the big agenda items that we covered at Ex Com was how to handle, as I mentioned, declared interest. I think there is some wording there. In general, the conversation revolved around the fact that states can opt in to be part of a management board, and there really isn't much review on how relevant any one particular state is to their fisheries and that management board.

We will tweak some wording that has existed within the Commission's policies on, it was mentioned as traditional fisheries. We will float that both to the Ex Com again at the annual meeting, and of course it will come before Policy Board. We also had a larger discussion about voting privileges.

It was decided by the Executive Committee, there was a motion that passed that each region, and the regions are not fully defined at this point. Each region would put forward two Executive Committee

representatives for a working group, to talk about voting privileges. The idea behind this is voting privileges on a management board, one of the big concerns is, and anyone on Policy Board or Executive Committee is welcome to correct me.

But one of the big concerns is over how certain states that may not have a true interest in a particular item are voting on that item. As noted by myself, that axe fell many times. On any big issue that comes before Policy Board, and all Policy Board members have an overall vote on accepting what happens through an amendment or addendum.

We will be sending out information. We will be selecting members by region. Regions will be defined. My assumption is that we will be talking about North Carolina, the southernmost border. I think I would do this similar to how we do our rotations for Board members, Mid-Atlantic being North Carolina through New York, and then New England. We'll be looking for representatives. Leadership here will be selecting representatives, and we'll be passing that information on to Policy Board as well. It's been a tough conversation.

I think everyone at Ex Com agrees that it's an important conversation. I certainly hope Policy Board does as well. With that said, and I will say that that would be wrapping up my Ex Com report. I'm going to look to the Policy Board, to see if they have any comments or concerns on the idea of this Regional Executive Committee Working Group on voting privileges, because this is certainly a big deal.

MR. DANIEL McKIERNAN: Just my own information. I thought yesterday's conversation was very meaningful and fruitful. How many folks at this table were not at yesterday's Executive Committee Meeting? One, two, okay thanks.

CHAIR CIMINO: Good to know your audience. I appreciate that. There is certainly more to

come on that, and Policy Board will be well kept abreast of any discussions there that happen through the Executive Committee on voting privileges. Next up is an item that we had attempted to tackle and finish off at our last meeting.

But some items did come up regarding conservation equivalency that we wanted to give this Board more time to discuss. Toni kind of sent out an e-mail on that. I believe she got some responses, and I'm going to turn it over to Toni, to talk about the CE.

REVIEW AND CONSIDER CONSERVATION EQUIVALENCY: POLICY AND TECHNICAL GUIDANCE DOCUMENT

MS. TONI KERNS: There is, we have two versions, well the same version. The CE Guidance Document as revised from the changes at the last meeting. We're posting the meeting materials and e-mailed out to the group. I appreciate those of you that got feedback to me, and I am attempting to address all of the questions, and recommendations in this Power Point presentation.

I'm just going to go through the document, as the changes are in order for the most part. Well, first think about data standards. In the document there are two places where it talks about how we utilize data standards in conservational equivalency, and that meaning that when a state evaluates the conservation of a measure, what datasets are they using, and what types of qualifiers may need to be added to that.

There are not going to be consistent circumstances around when data standards have been applied to a certain management measure every time. Sometimes when we develop FMPs the Board will give guidance to the Technical Committee to say, you can do these things but not these things with the data. Then data standards are preestablished by the Board.

Sometimes the TC will establish some standards as they are developing the proposals, as they review the data and see some limitation. Then sometimes

there are no data standards that are applied. It's difficult to figure out exactly a one-size-fits-all process for this. But the question was raised is when would the state get a list of data standards for the proposal. I'm suggesting that states request data standards, if there are not any known data standards previously set by the Board or TC when that FMP was developed. They would reach out to CES and we would get any data standards to you prior to the development of your proposal. That sentence was added on Page 2, and then in addition on Page 4 we added some language to say there are limitations of data and data aggregations are pulling in any data standards. That highlighted yellow language was added.

Then we took away some of the language in the bullet there that says, it now reads the TC may establish minimum standards, that is not necessarily always going to happen, and then the footnote talks about that data standards could be established during the FMP process, or at the data request of a state prior to the development of the proposal

Not all FMP measures will have data standards. Next slide is thinking about the guidelines and how we state in the document that CE proposals are not required when states adopt a more restrictive measure. A question was raised, should there be some sort of review to ensure that that measure is actually more restrictive that gets put in place.

We thought okay, maybe the Plan Review Team could review those measures, to make sure that they are in fact more restrictive. Sometimes combinations of things can get a little tricky, and you don't actually realize an impact that would make the measure less conservative, instead of actually more conservative. There are two approaches that were brought forward to do this.

The first one is just that the states are responsible for confirming with the PRT Chair that planned adjustments do not require a

conservational equivalency proposal before they are enacted. Before you go through your state rulemaking, we can just work that out between the PRT Chair and you, and the PRT Chair is always going to be the staff Plan Coordinator for that group, so that is a pretty easy conversation to have.

If that person needs to bring in the TC Chair, or some other person, then it is easy to do so. The second approach that was suggested was that as a part of the compliance report review, when the state includes that regulation change the PRT could review the measures and its impact, ensuring that it was more conservative.

The downfall of this second approach is that the state would have already gone through its process to change its measures. If it in fact was not more conservative, that might be a little bit difficult to back out of it. Pros and cons to the first and second approach. I would suggest that if the Board is interested in stating some sort of review, that we either add the language under Number one or Number 2.

The next issue is, if CE is no longer permitted, what happens to the existing state conservation equivalency programs that are in place. The document had read, based on the direction and the conversations that had happened over the period of time, that if the Board determines conservation equivalency is no longer permitted, it would apply to future actions of the Board and existing conservation equivalency programs.

There was a concern raised by some that making changes to state regulations can be difficult under some circumstances, and so having to be forced to go back to change that measure could be problematic. The document does outline that the Board would determine a timeline to bring measures back to the standard of the FMP. It's not necessarily an immediate action, and that outline is at the end of the document where the process is laid out. I think one of the things that could happen, and we could add language to the document, is that a state could request initiation of an addendum in order to keep those conservation

equivalency measures in place, if CE is no longer allowed.

You would have the time to do that, because this document does not specify how quickly any measure has to go back to the standards of the FMP. That language that we could add to Page 3, the end of the paragraph under stock status conditions could read, if conservation equivalency is no longer allowed, the Board could initiate an addendum to maintain the existing state conservation equivalency program.

I think the majority of the circumstances too, where the Board is no longer allowing conservation equivalency, it's now allowing it anymore, because the stock status has changed in that species. I'm assuming that also means that the Board is going to be having to take some management action to address that stock status change.

Usually, management action comes with an addendum, so there is a viable realistic path to keep those measures or a version of those measures that addresses whatever is going on with that stock at that time. Then there was also a question that was raised on Page 4 in the document, where it outlined the standards for the conservation equivalency proposals.

In it, it says, in talking about the number of proposals that are reasonable to bring forward. The Board has talked about this before, but I brought it back up again, just because it was requested in this last round. Is it the intention of this Board to define excessive? The document reads, the proposals include an excessive number of options may delay timely review by the PRT and other groups, and may ultimately delay the report to the Board.

I think sometimes it can be difficult to define what excessive means, because it really depends on how many conservation equivalency proposals are coming to the Board at one time. If every state has to bring forward

some sort of proposal, then three may be excessive, because if you're on a coastwide Board then you're getting 15 times 3, and that is a lot of proposals to review. If it's just one state bringing forward, three may not be that excessive.

I think that is why we had decided not to put a number on it before. But if we do decide we want to put a number here, I'm happy to do so. Then in that same section, under the standards for CE proposals, there is language on Number 2 about how alternative management programs meet all relative objectives and management measures, and that states are responsible for supplying the information to confirm that conservation equivalency.

It had previously said based on the most recent stock assessment, and it was pointed out that there might be other justifications for that, and so we just deleted that text to be silent and to note that you're really just making sure that you're equivalent to whatever the standard is in the FMP that we originally needed to enact that measure for. You can use the science that you have to say, I'm equivalent to that original intention.

The next there under the coordination guidance, and this is coordination with our federal partners. There is a bullet that just talks about how our FMPs could include recommendations to NOAA or potentially I guess Fish and Wildlife Service as well at times, and that the Commission should consider the length of time that it takes for regulations to be implemented in the EEZ, and whether NOAA considers federal regulations possible under the National Standards, and that they should try to minimize the frequency, or we should try to minimize the frequency of requests to the federal government.

There was a concern that if a Board determines that some set of conservation equivalency measures are acceptable, and we approve those measures, then it is important for there to be complementary regulations in the EEZ. It's best to get those options into the federal plan, and that the federal government should continue to support us and not

hinder us, just because we may end up having a couple more requests one year versus another year.

Then lastly, which may be the hardest one to tackle today. I did receive a couple questions on what happens when an FMP contains conservation equivalency guidance now, and it's different than that of what is in this document or the guidance in the FMP may or may not address all of the issues directly.

The only FMP that we have right now that has CE guidance is the striped bass one. Someone asked me, what would we have had to have done, because striped bass was overfished at the last stock assessment in 2024. My interpretation of what I think the Board would needed to have done is just to go ahead and take the two-thirds vote of whether or not you could continue to use conservation equivalency or not.

Then everything else would be applied as it was in the FMP. My interpretation of this is based on the rationale that this Board gave of why you wanted a two-thirds vote to occur. The striped bass FMP does have guidance around whether or not conservation equivalency can occur if the stock is overfished. But it doesn't have that two-thirds vote notion to it.

This Board had said that you wanted to be able to have the flexibility to use conservation equivalency under some circumstances. Because there may be unique things going on with that stock, and you wanted to be able to utilize that tool. Because of that rationale, I would have suggested that the Board do that two-thirds vote. But that is my interpretation, not your interpretation.

We'll need to figure out if that is a blanket thing for every FMP that you do that vote regardless, or does the FMP have to specify you are not utilizing that two-thirds vote, so you are taking it away. The striped bass decisions were made, obviously prior to this document coming

forward, so it's a new look at conservation equivalency here.

I'll need a little guidance on what to do with striped bass. Future documents we can very explicitly state, you're doing something different than the guidance, we recognize that and you move forward. But with this one we'll have to make a decision. That's all I have.

CHAIR CIMINO: Thanks, Toni, and I'm going to obviously ask for questions for Toni. Then what I would like to do is go through the Page 2, Page 3, Page 4 slides again, and address each of those, hopefully quickly, because I don't think there are big challenges there. Then we'll jump to the striped bass one. Just general questions for Toni as of right now. Not seeing any, oh, go ahead.

MR. McKIERNAN: Toni, is it possible for Commission staff to create on the website all the conservation equivalencies that are within that management plan? For example, you mentioned stripe bass. But I think the lobster plan has a conservation equivalency, like New Hampshire's 1,200-600 when that still exists. You can't find that in an ASMFC document, but it was approved and then was codified by NOAA Fisheries as well. I think it would be a good practice if these conservation equivalencies lived someplace where they could be accessed.

MS. KERNS: There is a difference in what I'm talking about with striped bass. The striped bass FMP has standards and guidance when it comes to utilizing conservation equivalency that are very specific to that plan. Other plans use conservation equivalencies; they have them in place. But the FMPs do not put other bounds on how you use conservation equivalency.

Yes, staff can pull together all the CEs. I was hoping that we could do that slowly as we get stock assessments. If this document gets approved, then it will be staff's job to remind the Board of what CEs are in place. We would roll that out as we did new stock assessments, but we can start to tackle that sooner. If that is the prerogative of this Board, we

will definitely do that. I just want to make sure that there is that difference.

CHAIR CIMINO: Thanks, Toni, I agree. I mean I think there is a direct parallel to what we did with de minimis, although we had hoped for an overarching policy. These species that we manage are so different that there has to be some level of FMP specific issues that are going to come up. I think to some extent, you know if we can go to the Page 2 questions. You know at the data level, that alone is going to drive some of this. You know, what are you asking the state to produce that is going to be based on what is possible to work with here.

MS. KERNS: Going to go through to make sure we're okay with language. Dealing with the data standards, it's the new sentence on Page 2 that the states would request for any limitations, and then tied to that is on Page 4, where we added the text in yellow, struck this other text and then added the footnote. Those are all related. Are those, okay?

CHAIR CIMINO: Any concerns with what we have on this slide? I mentioned Page 2, but as Toni pointed out, this encompasses several pages of the document. You know the data standards, again, we're searching for an all-encompassing policy, but we have so many different species. Matt.

MR. MATTHEW GATES: I don't have any problem with what is on the screen right now. But I was thinking about the defining excessive number of options. I know we're going to get to that at a later time. But this may be a place to put in when the states ask for any data standards. That would be another thing they would ask for, is there a number of options, or what would be an excessive number of conservational proposals at that time, as part of the data standards.

MS. KERNS: I think if we're going to put a limit on the number of options that a state can submit, that that should be the decision of this

policy board. I don't want to put staff in a position to have to tell you how many you are allowed or not allowed to do, if we don't have a policy. I think that puts them in an awkward position. They could let you know, like during that time you could ask, are there other states that are putting forward proposals. Normally we would know. I use the example of striped bass when; it was several years ago where everybody had to reduce by a certain percentage.

Then states brought proposals forward of how to get to that percentage, and some states brought like 20 proposals forward, and we were getting something from everyone. We knew, a state would have known that is excessive. But it is hard for staff, without a rule, to say you are not allowed to do that.

CHAIR CIMINO: We're on the wrong slide, but I am going to call a TO on that, because for those of us that sit on the Striped Bass Board, not everyone on Policy Board does, and for those of us that sit on Summer Flounder, Scup and Black Sea Bass, not everyone does. We know that with Flounder, Scup and Sea Bass we change regulations practically every year.

We have discussions about it every year, and so we approve methodology. What happened with Striped Bass was methodology was not allowed to be approved, so every option. What we saw recently with the striped bass tables is, if you're asking for this little difference, it produces 50 different tables.

I think what happened with striped bass CE, when New Jersey, which was a big offender that made this whole conversation of, there are too many options. We had to spell out, for every little change we had to provide a table of what that looks like, even if it was just, we're approving the methodology of the CE change.

We could have provided one table, but instead we had to provide seven tables to explain what every little change would look like to get approval. I think there is that level of this. I don't think any state,

including New Jersey, we certainly didn't want to do that. I don't personally have a concern that any state is going to provide excessive amounts of options.

At some point, maybe not necessarily part of the policy discussion, but are you approving the methodology in allowing a state, if you're allowing conservation equivalency. The state is going back to their constituents and having conversation, are you giving them the flexibility of saying, we're approving a methodology for you to get there.

Then you have a chance to figure it out and come back to ASMFC, to come back to the Boards and discuss what that looks like. The reason why I think we're even having the discussion on excessive options is, that was not allowed, and so New Jersey had to spell out something that looked like, you know 20 different tables. We have a striped bass document right now that has an insane amount of tables, for the same reason. We can go back, John.

MR. JOHN CLARK: I was just thinking that instead of just saying excessive, and you know we'll know when we see it. It actually could be helpful to the states to put a limit on it, just because creating all these proposals is work. If you take it out to a lot of times the public. You know you go to one of your councils and you'll get 15 different views on what we should be doing. It might be nice to say, well, you know those are all good ideas, but we can only submit three proposals. It would save staff. That is why I was just thinking, defining a number for excessive could be helpful. I mean as Toni said, if every state submitted three, that could end up being a lot.

But at the same time, for most of these I think, take striped bass for an example. Right now, we're down to what, three different CE states right now. As I said, I just thought, when you don't have a limit then you take it to your public

and everybody has got their own ideas. That was my thinking.

CHAIR CIMINO: Thanks, John, and that's fair. I still want to call these two in order. I think we could have a further discussion on that. The question still stands, is there any other concerns with what is being proposed here? Erika.

MS. ERIKA BURGESS: I'm going to try and help us move along. It seems like everyone is okay with this, and I want to thank Toni, overall, for her work on this document. But unless I'm reading the room wrong, I think the data standards are okay.

CHAIR CIMINO: Thank you, I appreciate that. I think ultimately it actually will be one of the biggest challenges for the Board to evaluate CE proposals on data poor species. Yes, I also am feeling staff has done a great job on the wording of having an overarching policy. Go ahead, Toni.

MS. KERNS: The next one is the PRT Review, if we think that they are a review of more conservative measures. If language is needed to say that a review would occur, would the two suggested way past are 1 and 2.

CHAIR CIMINO: John.

MR. CLARK: I would say that to shorten the document, I would remove Part 2. That seems like putting the cart before the horse to have a state change their regulation and then come to see if it can be approved. I think Option 1 there is the way it should happen.

CHAIR CIMINO: Other thoughts or comments on this?

MS BURGESS: I support adding language 1 and not 2. I think 2 could be ambiguous, and it might be you need to ask the PRT through the Compliance Report Process for rule change, or if it's after the fact that is a lot of extra works for states. But my concern is if it's before you make a change, and you have to wait for the Compliance Report cycle, that timing

may not match the needs of states. I feel like 1 is flexible, and outlines the expectations reasonably.

CHAIR CIMINO: I agree. I think we've seen some recent issues where there has even been, I think, a misinterpretation of a Board motion. It was found through the compliance report review that states weren't exactly within what was expected of us. I think that actually happened with New Jersey recently, and John, I know in Delaware we talked about this. It was unintentional. I certainly don't support it being a part of policy. If that is the will of the Board, I support that. I'm only bringing it up to say that we have examples of it happening. I think if we have a clear policy that's great. Then I think unintentionally if something had happened, then there would still be that option of either you get in line or if CE is possible, then you would have to put in a CE proposal for it. I don't see or necessarily feel comfortable having that labeled as in a CE policy. I'll turn it back over to Toni.

MS. KERNS: If there is no objection from the Board, I will add Number 1 on Page 3 after the blue highlights, to add to the text there in that paragraph. I'll make sure that I find the most appropriate place to add it so it makes sense. Great, moving on to the next. Then again on Page 3 is thinking about if CE is no longer permitted then it would apply to future actions of the Board, and existing CE programs.

If everybody is agreeing with that, as I think we were agreeing previously, but maybe not. Then to address the concern that was raised we could add the following text, which is on this next slide, to the end of that stock status paragraph that states, if conservation equivalency is no longer allowed the Board could initiate an addendum to maintain those programs.

CHAIR CIMINO: I agree with Toni, that I would hope that staff could bring this up. As we progress through FMPs and stock assessment updates on a species level basis. But I think Dan

has a very good point. You know there are items that states have been working through an FMP that almost creates this dimension of CE.

Programs that have been in existence for many years that are considered conservation equivalency to the FMP, but were never put in as an FMP proposal, because that is simply how we were doing things at the time. I think to some extent, as we move forward that will be there. I don't think it needs to be part of the policy, necessarily. Lynn, did you have your hand up?

MS. KERNS: Just as a reminder, if you have a CE program in place, you can always ask for an addendum to make it solidified forever. You know, there is that process deal at any point in time. Any point in time you want your measures to become a standard of the FMP, you just ask for an addendum, to make it become a standard of the FMP.

MS. LYNN FEGLEY: Thanks, Toni, I appreciate that, and I think that is incredibly valuable information that everybody should internalize that there is that process if you want to codify your conservation equivalency. It sort of relates to this language; the Board could initiate an addendum to maintain. That doesn't mean the Board necessarily has to, right. Okay, thanks.

MS. KERNS: Processing is done. Then that language will be added. I just note that I put some clarifying text on Page 3 of when, under the paragraph for measures that can't be quantified. I didn't think it was like a big deal, but I guess I should just point it out that it just says, when the TC would provide feedback to the Board if a measure is quantifiable or not. Now we're back to excessive. If you want to define what excessive means, please tell me what that value should be. If you don't, then.

CHAIR CIMINO: John Clark.

MR. CLARK: Just because I've already been thinking about that a little bit. I thought three is plenty, and as I said, I think it helps a state when you are dealing with your councils, because they will all with have lots of ideas, and if you can say to them, hey

we can only go forward with three proposals, it would help. But you know, I certainly get it if people don't want to go that route.

CHAIR CIMINO: Yes, I am going to look to the Board. I don't necessarily know that we need a motion, but if we can do this by consent. I will simply point out my example. What we thought was a single item, but we had to lay out, to spell it out in multiple tables, even though it was maybe a single option of one different slot.

MR. CLARK: I get that, Joe. Moving forward I'm just saying, I think that a lot of times most CEs are going to be fairly discreet as to what a state can do. A lot of people want to think around the edges, and like don't cut the size limit, keep the same possession limit, you know change this, change that. You wind up with all these weird combos, and if you can just say, look we can't submit all these.

CHAIR CIMINO: I'm going to look to the Board, are there thoughts, are there objections to a notion that for a conservation equivalency proposal that there would be no more than three proposals by a state. I see Dan's hand.

MR. McKIERNAN: John, I listened to you and it makes sense. But I'm wondering in the annual Scup, Sea Bass, Fluke, things that we do every spring. No, but I mean just as an analogy. It's a combination of bag size and season. I guess my question is, are you suggesting that the states should winnow that down to maybe three options that might have a combination of those factors?

MR. CLARK: I was thinking along those lines, Dan, because I just know the last time, I think it was with black sea bass, when we had to cut back that for our region we ended up with like, at least a dozen different combos of those. You had different groups that supported each one. I just thought that it just made things more difficult to get to a conclusion.

Whereas, overall, in these cases there are some people that are going to want to mess with the size limit but not the possession limit. There are some people going to want to change, you know what I'm saying there. Again, it's just an idea.

MR. KERNS: I'm just noting that by defining excessive you are not limiting the number of proposals states can submit, you're just saying that if you submit more than three options, it may delay the timely review of the PRT and other groups, and may ultimately delay the report to the Board. It's not limiting how many you are allowed.

CHAIR CIMINO: Great distinction, thank you, Toni. I wasn't even fully aware of that. Erika.

MS. BURGESS: I have read what was written in there, and to me it seemed very open. It was just kind of like a caution to folks, and also giving the authority to the Boards if they choose to limit the number, so I'm perfectly fine with how it is written.

CHAIR CIMINO: Yes, I think with Toni's last clarification that I would hope there is a comfort level around the Board. But I'm going to very quickly ask, is there any objection to that notion that it's not that once we get past a certain number, excessive would mean that it couldn't be submitted, it's just how it's treated would be different.

MS. KERNS: I'm sorry, Joe, but I'm not clear if I'm supposed to say, define excessive as three or not, I'm seeing no. Okay, I'm not going to define excessive. Excellent, sorry, John.

MR. CLARK: What would actually delay the timely review if you don't have a definition of excessive in there? That's all I'm saying is, if you say three, then states know that you can tell your council, hey, you want these 10 proposals in here. We can do it, but it won't be in place for this season. It might have to wait until next season, that type of thing. That's all. Let's face it, you can come up with a heck of a lot of proposals for meeting a reduction.

MS. KERNS: As I said before, I do think it is tricky to define excessive, because I think under different circumstances excessive is going to mean something

different. As we go through a conservation equivalency process, and if it's just one state coming forward, and we have plenty of time to look at something. I think the PRT Chair can say to you, hey, John, I see that you're going to propose 25 options.

We're really not going to have time to deal with that, you need to narrow it down, or if we are doing something that requires conservation equivalency across the board, then I think that Board at that time is going to say, no more than five proposals, no more than whatever at that time. Otherwise, we're not going to get this report back. I think we can work with states to let them know when they turn in their report to us, that if we know we can't handle that in that timeframe, we're going to let you know.

MR. CLARK: That's fine, like I said. I just thought that you know as I said, it would help on both sides to know kind of like, hey man, five is too many. You know it's going to slow things down.

CHAIR CIMINO: Toni, I think we have at least one other, okay.

MS. KERNS: This is for the standards of the proposal, making sure that it's okay to delete the language based on the most recent stock assessment. This is because we're recognizing that whatever a state is bringing forward is based off of some standard of the FMP that they will have to meet.

It's just providing them the ability to use the stock assessment or something else. It doesn't matter, the data that they are using will be reviewed by the PRT and the TC to make sure that it is adequate information that they have, to be able to show that it is equivalent, and that standard of the FMP.

CHAIR CIMINO: Being a member of the working group on CE, I think part of trying to tie this to stock assessments was just a notion that we would be getting at least a five-year rotation,

and some of these things weren't being reviewed really at all. I think that Toni has, what staff has looked through and realized that that may not occur. If we're going to see an example with cobia, where we're going to roll through for, unfortunately a considerable amount of time without having a good stock assessment update. Is there any objection to the notion that in our CE policy we'll pull the sentence that mentions that it would be tied to a stock assessment update. Not seeing any hands.

MS. KERNS: Great, thanks, and then lastly, we would, for state coordination guidance with the federal partners is that we pull this bit of language at the end about trying to minimize the frequency of requests to the federal government, noting that when we bring forward changes in the FMP, there are things that we need to have consistency with federal and state waters, in order for that management to be effective.

CHAIR CIMINO: Any concerns here? Not seeing any.

MS. KERNS: Great, we'll delete that language, and then last, so those are the major changes. I will just quickly note that on Page 6 there was a place where we did not make that change of the should to will, and that is under Number 8, and its Board action will consider the PRT Report, because that is why we bring you the report.

It doesn't mean you have to follow it, it's just saying you are considering it, and that ultimately the Board will determine whether a proposal is accepted or not, to be consistent with language that we're using. This is just this last discussion of how to deal with this two-thirds vote for striped bass or not, do what would be needed.

CHAIR CIMINO: Roy.

MR. ROY W. MILLER: Does two-thirds language appear in this document anywhere, Toni?

MS. KERNS: Yes. The guidance in the document is that conservation equivalency cannot be used if the

stock is overfished or depleted. In the striped bass FMP, there is guidance that conservational equivalency for the recreational fishery cannot be used if the stock is overfished. But you can have conservation equivalency for quota-managed measures.

This document is saying, in order to allow for any conservation equivalency to be utilized, you need a two-thirds majority vote to do so. Striped bass does not have that two-thirds majority vote added to it in its FMP. It has conflicting guidance. Because I was asked the question, hypothetically would we have had to take a vote or not?

My rationale was, because this Board said you wanted to have the two-thirds vote to allow conservation equivalency to continue, that that would be more restrictive guidance, and so that would need to occur. It may be that the Striped Bass Board needs to contemplate this at a future management document.

All other guidance in the striped bass FMP touches on different pieces of this conservation equivalency guidance that is somewhat in line with the notions that are already in here, because the striped bass FMP has a lot of specifics about what you can and cannot do under conservation equivalency. It has buffers when you utilize it in the recreational fishery, and other pieces such as that, and those would fall under data limitations and guidance that is in this document as of right now.

CHAIR CIMINO: Follow up, Roy.

MR. MILLER: Mr. Chair, my point in raising this question is, I haven't found this notion of a two-thirds vote anywhere in the document before us. You're saying it's in the striped bass plan, but shouldn't such a measure be in this document?

CHAIR CIMINO: Yes, Roy, hang on. This was in the CE policy, right? It was a notion put forward in the CE Policy and here I sit once again, this

ties back to New Jersey as well. But I would say, you all try being on every board and see if you're not in trouble once in a while. You know because of our bonus program is considered conservation equivalency.

The question is since striped bass FMP specifically has so much information on conservation equivalency, Toni's question is, you know, how does this apply? Which trumps which is going to always be kind of the question we're asking the Policy Board, but go ahead, Toni.

MS. KERNS: On Page 3 of the Conservation Equivalency Document, Roy, under stock status condition, second sentence of that paragraph it says; conservation equivalency is not permitted if a stock is overfished or depleted, unless allowed by a board via two-thirds majority vote.

MR. MILLER: Thank you.

CHAIR CIMINO: Then Toni, the question is, if striped bass FMP spells out so much on CE, does this policy trump that and say, even when we're dealing with striped bass, which spells out other things about CE, should we have still done the two-thirds majority? That is the question to the Board. Did I see a hand, Erika.

MS BURGESS: I was just going to help point out what Toni did, Page 3.

MS. KERNS: I don't know if this has to be resolved today, per say, to approve this guidance. But I'm just pointing out this one discrepancy in this guidance and what is in the striped bass FMP. Moving forward, it is very easy for staff to point out places, as a management board puts constraints on conservation equivalency within an FMP to say, that's not consistent. Let's raise that issue, point it out that it's not consistent with the guidance, and tackle it then. But because the Striped Bass Board did this previously, I don't know how to move forward.

CHAIR CIMINO: Quickly, I'm going to go to Bob, and then I saw Doug Grout.

EXECUTIVE DIRECTOR BEAL: Thank you, I'll be quick. You know if you recall back to the de minimis document that was approved, I don't know a year ago, 18 months ago. When that document was completed, Policy Board said, you know that de minimis guidance document does not override the FMPs. The FMPs stand as they are, and the goal is as we amend FMPs or do addenda, the provisions of that de minimis document will be considered, and potentially incorporated into a specific FMP. That may be another way to approach this. In other words, either guidance or CE on striped bass stands until the next document that has the chance to adjust it. Then this consideration for this notion of two-thirds vote to allow CE for depleted and overfished stocks can be incorporated. But I think there is an example with the de minimis document.

CHAIR CIMINO: Yes, thanks, Bob, I agree. Doug.

MR. DOUGLAS E. GROUT: Bob jumped in front of me and the exact same thing. The only question I would have for staff, because we're focusing on striped bass here. Would changing the conservation equivalency standards within striped bass to reflect this policy take an addendum or an amendment?

MS. KERNS: Addendum. I think we can do that in an addendum, because I believe I'm going to look to Emilie, but I think we have any provision in the management document, under things that are allowed to be changed via an addendum. It's things that are already considered in the management document, and that is considered in the management document already.

MR. GROUT: Because I would not want to go through an amendment.

MR. McKIERNAN: My question is, when does the analysis take place about the appropriateness of the CE that we want to maybe perpetuate. What I'm getting at is, a CE

is approved based on past data, and then the CE is in place and the fishery conducts itself under those parameters.

Going forward the harvest may sort of exceed expectations, or in the case of, I don't mean to pick on New Hampshire's lobster trap limit, but an analysis of the lobster trap utilization in New Hampshire, that could be something that could be examined to see, yes, we approved it 20 years ago, but what was the net effect? New Jersey's striped bass commercial quota transferred into bonus catch for the rec fishery; how does it perform? I'm wondering if it's just an automatic vote, or is it a vote subject to an analysis?

MS. KERNS: It's hard for me to use your example, because it is so old. But, in other conservation equivalencies that we have in place right now. With each FMP review and state compliance. When you turn in your state compliance report, you are reporting out on how your conservation equivalency program is working, and what is going on with that.

We've been doing that for like the past five or so years for equivalencies that they've put in place. Those reviews occur and get reported out on during the FMP reviews. Emilie reports out on New Jersey's conservational equivalency each year the FMP review occurs. With these equivalencies that were put in place in the early 2000s, that has not been happening.

I will have to sit down with staff to see how we would evaluate how those have been going, because some of them may have been put in place when we were measuring the success of the stock under a completely different protocol. For example, when New Hampshire put that measure in place, I believe we were using eggs for that reference points, but I could be wrong. We're not using the same reference points anymore for how the stock was. Then what you based your equivalency on might have been something completely different than the data that we have now. Those super old ones may be when we have to be a little creative in how we do that review.

MR. McKIERNAN: I just got a text from a colleague that says, translated, you are old.

CHAIR CIMINO: I didn't touch my phone. I think we're getting closer here, Toni, do we have any more?

MS. KERNS: Unless there is an objection, then we would just state for striped bass right now the FMP stands until the Striped Bass Board has an opportunity to address this in a future management document, and we will put it on the docket to bring up in the future, as in not the one that is going out right now, but the next one.

CHAIR CIMINO: Yes, I hope there is a comfort level there, because as Toni pointed out, the review of the CE proposals happens annually in the FMP reviews for species like that, certainly for our program. We have a couple more agenda items. I just wanted to give everyone some comfort level. I'll do my very best to get us out of here in 50 minutes or so. With what we have here, Mr. Grout.

MR. GROUT: **I move to approve the Conservation Equivalency Document as modified today.**

CHAIR CIMINO: Thank you very much, second, Joe Grist. **Any objection? No.** Very good, very good, glad to hear that. It's always something that can be revisited. That is kind of the nature of how we do things. As I mentioned, we have a couple more agenda items. As I always do in my Executive Committee Report, I tend to spoil some of the Policy Board discussion items.

Next item up on the agenda is a discussion paper on declared interest. I think really, Bob, pretty clearly there, we do have some wording that we would like to present to Policy Board, and I think this will happen at the annual meeting. We'll hit up Ex Com first again. With just some potential language that makes things a little more clear than some very old language on states declaring interest in.

We will provide Policy Board with just kind of a discussion on how that's gone in the past. I think more importantly is the fact that the Executive Committee voted to establish a working group to talk about voting privileges. I am going to turn it over to Bob very quickly to present to Policy Board, and how we think that is going to go between now and annual meeting, because it is such a big deal. We even talked about hiring a third part facilitator to help us out with that.

REVIEW DISCUSSION PAPER ON ESTABLISHING AND REVIEWING DECLARED INTERESTS

EXECUTIVE DIRECTOR BEAL: Great, thank you, Mr. Chair for the set up. Very briefly, I think even Dan McKiernan's question of who was in the room yesterday that is not at this table. It's pretty much the same group. Don't want to rehash too much, but the motion was passed, as Joe said, by the Executive Committee, to set up a working group. Two members of the Executive Committee from each region, or their designees, so they could designate someone who is not on the Executive Committee. The idea is to get that group together at least once between now and the annual meeting, and hopefully find a facilitator.

I think there was pretty overwhelming agreement that that would be really helpful. It's a difficult issue, and if one of the six members of the working group had to serve as a Chair, I think it would just make their job difficult trying to express their opinion and chair it.

We'll try to find a facilitator that knows a little bit about the Commission, but not too much to inject any bias, which may be really hard, but we'll see who is out there. We'll move that forward, and the issues of declared interest and voting privileges, you know at the discussion yesterday we tried to keep them separate, but it's a really hard thing to do.

There is overlap there, no matter how you tackle this. I think this group is going to wrestle with both those issues kind of simultaneously, just because they are linked together, no matter how we look at it. I think there was a range of opinions around the

table yesterday, a lot to work with. We'll try to make some progress between now and the annual meeting, and bring an update back to the annual meeting. I don't think it will be necessarily the final product of that working group; there is a lot going on. But we'll do what we can between now and the annual meeting.

CHAIR CIMINO: Thanks, Bob, yes, I agree. I don't see us being able to have sort of a final product before the annual meeting. To some extent that means I get to pass this on, which has a level of comfort for me. Are there any questions from Policy Board on what Bob just laid out for process for bringing this back before us on voting privileges?

Okay, not seeing any, very good. I'll consider that agenda item covered. I'm going to turn it over to Toni. We had a member of the public contact both staff and some states on, as you can see in the agenda item, Friendly Fishing Gear and Bait Alternatives. As a Commission we like to provide an opportunity, and kind of act as a go between, when individuals are looking for folks within fisheries to perhaps try out things like alternative bait.

It obviously is a delicate balance of how we deal with that. I'll turn it over to Toni. As we heard earlier, we do have the individual from the public that has come to us, is available, and so will be speaking from our line sometime this week as well. Toni.

MS. KERNS: Simen, if you would come up now, so we can get to you quickly next. As Joe said, during the public comment at the Horseshoe Crab Board meeting in the spring, a gentleman brought up the concept of biodegradable bait bags and bait pucks. A commissioner reached back out after that individual reached back out to him, about working with the states.

He wanted just to make sure there was clarity on process of what we typically do when a member of the public comes forward with a new concept, an idea, in that one that that

member of the public can bring forward information to us to distribute to you all, and then for that individual to talk about the concept of that during the open public comment process.

Then states have the ability either to reach out to that individual, or that individual can follow back up with the states to bring forward testing of that idea, to see if it's something viable that could potentially work within a Commission managed FMP. I think also those individuals could potentially utilize advisory panel member lists to find fishermen who are in this industry from our website, if testing is needing to occur, because I know sometimes it probably could be difficult to figure out who are the right fishermen to reach out to, to do proof of concept for an idea for specific fisheries. That is another format for folks to go forward with. Once proof of concept has been established, then a state can then bring forward that idea to the management board of making a change to the FMP.

Is it something that needs to be changed to the FMP, or working within your own state industry for something that may not be necessarily an FMP change to move forward. We've done this in the past, back in the day. Similar, we tied individuals together with horseshoe crab fishermen, testing different alternative bait pucks as well.

I just wanted to make sure that that process was clear, about how we have sort of treated this in the past, and would continue to move forward treating this in the future. I don't know if you want to. Mr. Ritchie, if you wanted to comment this would be the opportunity to do so. Two minutes. Go ahead.

DISCUSSION OF NATURE- FRIENDLY FISHING GEAR AND BAIT ALTERNATIVES

DR. BRANSON W. RITCHIE: Fantastic, thank you, Toni. I am Branson Ritchie; I am the Director of Technology Development and Implementation at the University of Georgia New Materials Institute. I'm making this comment based on continued conversations with John Clark and other ASMFC members.

One of our primary objectives at the New Materials Institute is replacing environmentally persistent micronizing and toxic plastics with nontoxic biologically degradable alternatives, and we're making great strides. When you use petroleum derived plastic fishing gear, such as bait bags and bait buckets, you are intentionally introducing a micronizing toxic material to your fisheries, where those toxins negatively impact the health of your fisheries that is your livelihood.

We have developed and have preliminary crab and lobster fishing data on biologically degradable bucket replacements for the plastic bait bags and bait buckets that are currently being used in multiple fisheries. You could consider our bait bag system as a sustainable fishing objective, and that any plastic fishing gear you replace with an ocean degradable alternative, will improve the health of your fisheries and your products.

Additionally, in fisheries where the availability of bait is an issue, you go through supply chain or cost. We have developed an ocean degradable bait puck that can be loaded with different lures, depending on the species you are fishing, and can be formulated to degrade in a bay or in multiple bays, depending on a fishery's specific needs.

Our bait bag and puck system are broadly applicable to any fishery using baited bags or buckets. Several lobster fishermen involved in preliminary fishing trials, reported that our bait bag and bait puck fished as well as whole herring. We are currently evaluating a bait puck and lure that could replace horseshoe crabs in welk and eel fisheries. We have fishing trawls plans with Win Garvery and his colleagues in the coming weeks, as fishing conditions permit, and we look forward to presenting our data to the Board at the next meeting, if so invited. I can be reached at britchie@uga.edu or my cell phone number is 706-206-7931, if you have any questions on how we can assist the fishermen reduce the use of toxic fishing gear.

MS. KERNS: Thank you, Mr. Ritchie, and I just want to make sure it's clear for the process that if you want to partner with a state to do some research for proof of concept, and then if that state is interested in bringing it back to a species management board that it needs a sponsorship of that state to do so, in order to bring something forward for the management board to consider in the FMP.

DR. RITCHIE: Thank you for that clarification, and we're looking to Brent and John to understand that process and guide us accordingly.

CHAIR CIMINO: Thank you, Mr. Ritchie, much appreciated. I'll get us through, which is really our last agenda item, we have no noncompliance finding, fortunately. John, go ahead, I'm sorry.

MR. CLARK: Thank you, Dr. Ritchie. Dr. Ritchie had contacted me, as he mentioned, several months ago about this. Since that time, as he also mentioned, a gentleman who runs an NGO in Delaware focused on horseshoe crabs, have spoken to some of our conch fishermen, and they are going to test Dr. Ritchie's bait pucks in the conch fishery, and that is really interesting. We also have one of our scientists who works with our commercial fishermen is going to be part of this trial to. Hopefully, as Dr. Ritchie said, we should have some information by the annual meeting.

CHAIR CIMINO: Great, thanks, John, I appreciate that. Speaking of the annual meeting, next up we have Simen on the ACFHP report. We'll certainly have more time for these important issues and updates at the annual meeting. I was going to mention, spoiler alert, that there are no noncompliance findings. This is truly our last agenda item, okay sorry, lobster letter, which you guys are just going to, I mean we could almost do that now. Anyhow, no need for Business Session, so I was going to say that I feel like Simen and I have a couple of actions left, is all I was going to say about it. Over to him now.

**ATLANTIC COASTAL FISH HABITAT
PARTNERSHIP REPORT**

MR. SIMEN KAALSTAD: I will keep this brief, I know it's been a long week. I guess just to start off most importantly, the Americas Conservation Enhancement Acts was reauthorized in the end of last year. It was signed by President Biden in December, and that sort of changes the flexibility of how we operate as FHPs.

The funding timeline for these projects are no longer constrained to two years. They removed the following fiscal year language, that gives a little bit more of the flexibility that is decided by the NFHP Board. Also, the federal match requirements are no longer at the individual project level, they are at the partnership level.

That also gives some flexibility to some of these smaller organizations that might apply for funding, but may not have the one-to-one nonfederal matching, as used to be required. I guess in a more exciting sense, we are all 20 regional Fish Habitat Partnerships are now Congressionally designated. Then the operations and the coordination funding no longer requires match requirement as well. The cautionary authority now lies with the National Fish Habitat Partnership Board. The Atlantic Coastal Fish Habitat Partnership, we also just finalized our most recent action plan, so key focus areas in there include funding, impactable on the ground restoration projects.

A new item would be advancing submerged aquatic vegetation science and policy. We're hoping to host a workshop in 2026, also improving access to conservation funding for under resourced communities, strengthening partner engagement and outreach, and elevating the use of our data tools to inform project selection.

Some of you may have heard of some of these projects before, I'm not going to go through all of them in detail. But these are the more

recently completed projects; dam removals in New Jersey, oyster restoration in Maryland, with Chesapeake Bay Foundation, as well as a fishway that was constructed with the Atlantic Salmon Federation in Maine.

Here is just a nice pretty picture of the before and after, I just wanted to show this off. For FY25, the more recent funding that was received, the National Fish Habitat Partnership in total received \$23.4 million dollars to support 53 on the ground fish habitat conservation projects in 29 states, so that is between all of the 20 fish habitat partnerships.

We at the Atlantic Coastal Fish Habitat Partnership were in the top funding tier, as we have been, and received about \$305,000 to support coordination, like the workshop, and also two on the ground fish habitat conservation projects. One is in Florida, which is an oyster reef restoration, in collaboration with the University of Florida.

Secondly the Burke's Pond Dam Removal in Pepperell Massachusetts, and that is in partnership with Trout Unlimited, the Squan-a-Tissit Chapter. Then for the following fiscal year we have recommended an additional five projects that have been approved by the Board, and now is just the waiting, next round of Congressional budgets.

These projects include eel grass restoration in Connecticut, dam removal in Rhode Island, another dam removal in Massachusetts, some SAV monitoring and surveying in Delaware, as well as a fish passage restoration project in Maryland. In total we are hoping to be able to restore 15 acres and 31.2 miles of important fish habitats. That's all I've got, so I am happy to take any questions.

CHAIR CIMINO: Any questions or comments? A lot of good news delivered, so I'm happy that we could kind of wrap up on that note, for the most part.

OTHER BUSINESS

CHAIR CIMINO: As Toni pointed out. We do have a motion from Lobster Board to come before us.

**ACTION ON BEHALF OF THE AMERICAN
LOBSTER BOARD**

MS. KERNS: Thanks, Joe, just a quick introduction. The New England and Mid-Atlantic Council is considering a framework that would allow for alternative gear marking for fixed gear, bottom tending fisheries. Traditionally you have buoys that mark those gears, and this document would allow for something different than a traditional gear marked, those fixed gear to be marked by buoys. The Lobster Board is recommending a letter to ask for a delay in this gear marking framework, because this process is a slightly awkward path forward, because the Councils obviously do not manage the American Lobster Fishery, which is your largest fixed gear fishery in New England, and the changes to the management measures that would occur in the lobster fishery, would occur through NOAA Fisheries through their rulemaking, because the Commission's FMP doesn't have any requirements for gear marking.

All the gear marking requirements lie in the federal regulations, as well as within the state regulations. Through this process the American lobster fishermen have not been as engaged, because the framework is not as specific about what is going to happen to the lobster fishery if this alternative gear marking framework were to move forward.

The second part of the rulemaking for the lobster fishery would occur after the Councils have made decisions on their framework. The Board is asking for a delay in the approval of this gear marking framework, until after we engage with the lobster fishery more, as well as after there is engagement with the mobile gear fishery.

It's not us engaging with the lobster fishery, we're asking NOAA to do that engagement, since it will be their rulemaking that changes the regulations. Now I'll let Renee read the motion that is going to be up on the screen for

you, and if you want to add any additional details.

MS. RENEE ZOBEL: Thanks, Toni, and apologies for not still being there in person. I blame Carl for the length of this motion, but I will read it for the record. **Move on behalf of the Lobster Board. Move the Commission sends a letter to the New England Fishery Management Council, the Mid-Atlantic Fishery Management Council, and GARFO with the following comments on the Alternative Gear Marking Framework:**

- **The Lobster Board recommends a delay in final action as there has been insufficient outreach to the lobster and mobile gear industries. A delay would allow additional time to conduct the necessary outreach to industry and allow for these comments to be considered prior to final action.**
- **The Lobster Board is concerned that the process to approve alternative gear markings and on-demand technologies has not been described, nor is it clear how stakeholders will be engaged in these decisions.**
- **While the Lobster Board is often supportive of flexibility, there is a significant concern about the broad application of ropeless, which is inconsistent with much of the messaging in NOAA's Ropeless Roadmap that ropeless gear will not be required everywhere.**
- **The Lobster Board recognizes there may be some value to modifications to current surface marking requirements (e.g., radar reflector requirements, ability to drop an endline, etc.); however, the potential application of ropeless gear everywhere significantly increases the breadth of impacted fishermen, establishes intermixing of traditional and ropeless fixed gear, and does not provide clarity to enforcement on where ropeless gear could be encountered.**

I don't have anything additional to add to that, but I'm happy to answer questions that came before the Board, if there are any.

CHAIR CIMINO: Much appreciated, questions for the Chair.

MR. McKIERNAN: In honor of former Massachusetts Director, David Pierce, I would like to make the motion to approve this.

CHAIR CIMINO: You have a motion before you, Policy Board, that is dangerously close to being a David Pierce motion. We would have to decrease the font a little bit more if it was one of David's motions. We have a motion before us from Lobster Board, is there any discussion on this motion? Hopefully not any additions to this motion. Not seeing any hands. I'm just going to ask the question. Is there any objection to sending this letter to the Councils and NOAA? Not seeing any, okay great, thank you. Mr. Reid.

MR. ERIC REID: The Mid-Atlantic Council meets next week; will they have this letter in hand by then?

MS. KERNS: While they meet next week, they are not taking final action until October on this issue. I don't think we'll have a fully fleshed out letter in time, but I will have a conversation with the Executive Director to let him know that this letter is coming.

MR. REID: Okay, thank you.

CHAIR CIMINO: Yes, and to that end, Eric, I was going to mention too that I would recommend that every state representative here talks to the Council members. I think there is very strong support for additional conversations and outreach. I certainly hope that that conversation happens. **I don't see any objection, so we're going to consider this motion approved by unanimous consent.** As I mentioned, we do not have any noncompliance findings, so now, Bob.

EXECUTIVE DIRECTOR BEAL: Super quickly. I think a lot of you guys have seen this. There is this new infographic on the table outside. The front side looks at like coastwide perspective, economic impacts, Tina and Madeline pulled this together, and I think it's a lot of great information about economic impacts, trips, harvest.

You know just a summary of what fisheries on the east coast is all about. Then on the back is a state-by-state breakdown. Our intention is to inform everyone on how important fisheries management and fisheries are along the east coast, and it's a marketing tool that Alexander and I can take to Capitol Hill and talk about the economic impact at the state level.

If you haven't had a chance to look at it, look it over. If there are suggestions or changes you guys think would be helpful, let us know. But I just want everyone to know it's out there, it's brand new, and it conveys a lot of information very quickly.

CHAIR CIMINO: It certainly does, I will put my support behind it. I think it looks fantastic. I talked to Tina a little bit about it, and then I'm very happy that we were able to produce that, for that reason alone that elevated conversation that you're supposed to have with your Congress members. This will certainly help there.

ADJOURNMENT

As I mentioned, no need for a Business Session, so I'm looking for a motion to adjourn and send you all home. John Clark, Lynn seconded. Assuming no objections, let's safe travels everyone, and thank you for another very productive week.

(Whereupon the meeting adjourned at 11:30 a.m. on Thursday, August 7, 2025)