

*DIRECTOR'S  
REPORT*

*A PRESENTATION  
WILL BE GIVEN AT  
THE MEETING*



ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

STEPHEN W. MURPHEY  
*Director*

Oct. 25, 2019

## MEMORANDUM

**TO:** N.C. Marine Fisheries Commission

**FROM:** Stephen J. Poland, Executive Assistant for Councils

**SUBJECT:** Information on Circle Hooks and Bent Barbs

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### Issue

During the August business meeting, the Marine Fisheries Commission asked the Division of Marine Fisheries to provide information on the current science and management considerations for implementing regulations for the use of circle hooks and bent-barbed treble hooks for the recreational fishery in North Carolina. Division staff advised the Commission that an internal workgroup was formed to explore the request and that an information paper consisting of a synopsis of the current state of the science, management related to hooks and recreational discards of neighboring jurisdictions, and comments on the range of feasible options for implementation in state waters would be presented to the Commission in February 2020. The commission asked that the Division update them on the progress of this work during the November 2019 business meeting.

### Findings

A workgroup was formed to investigate and report on the Commission's request for information about hook modifications for the recreational fishery. The workgroup consisted of Division staff from the Director's office, Fishery Management, Habitat Enhancement, License and Statistics Sections, and Marine Patrol, who reviewed the currently available peer-reviewed science on the efficacy of using circle hooks to reduce discard mortality in catch-and-release fisheries.

Not all species available to recreational anglers are covered in the literature but for the species that are covered they do suggest that circles hooks are effective for reducing hook trauma. Literature for the effects of treble hooks on the survival of captured and released fish is limited and at this time, no studies have been reviewed for species that occur in the state.

Hook styles and industry standards were also reviewed and it was found that hook sizes are not standardized across manufacturers or within various styles of hooks available from a manufacturer. Other management agencies and jurisdictions that currently have circle hooks requirements in place typically only specify that circle hooks must be used and do not have size requirements associated with the regulation. Exceptions to this include the current red drum rule that requires 4/0 or larger hooks be used when fishing at night in certain locations and federal pelagic longline requirements which require circles hooks larger than 18/0.

The Division workgroup is on track to provide a completed information paper for the Commission's review at the February 2020 meeting.

### Action Needed

For informational purposes only, **no action is needed at this time.**



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*Director*

Oct. 25, 2019

## MEMORANDUM

**TO:** N.C. Marine Fisheries Commission

**FROM:** Col. Carter Witten, Marine Patrol

**SUBJECT:** Civil Penalty Assessment for the Illegal Purchase and Sale of Seafood

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### Issue

Per a request from Marine Fisheries Commission Chair Rob Bizzell, in coordination with Commissioner Cameron Boltes, a report has been prepared detailing the civil penalty assessment process over the last 10 years and includes a discussion of the revision of the process that is currently underway.

The full report can be found here:

Report on Civil Penalty Assessments for Illegal Purchase and Sale of Seafood

### Action Needed

For informational purposes only, **no action is needed at this time.**



**Report on Civil Penalty Assessments for the Illegal Purchase  
and Sale of Seafood**

Colonel Carter Witten  
North Carolina Marine Patrol  
October 15, 2019

DRAFT

## **Civil Penalty Assessment Process**

The Division of Marine Fisheries (“DMF”) is authorized to assess civil penalties for the illegal purchase and sale of seafood pursuant to the authority of N.C.G.S. §§ 143B-289.53 (“Marine Fisheries Commission - quasi-judicial powers; procedures”) and 113-191 (“Unlawful sale or purchase of fish; criminal and civil penalties”). The Secretary of the North Carolina Department of Environmental Quality (NCDEQ) delegated the responsibility of administering the program for assessing civil penalties to the DMF Director (Director). The Director, in turn, delegated part of this responsibility to the DMF Marine Patrol Section (Marine Patrol).

Commercial seafood industry participants are required to be licensed under a Standard Commercial Fishing License in order to harvest and sell their catch. Participants must also maintain a Dealer’s License in order to buy a fisherman’s catch. Dealers are required to report their purchases through DMF’s Trip Ticket Program. Failure to comply with these requirements can result in the assessment of a civil penalty. Civil penalty assessments are not levied against participants in recreational fisheries.

Marine Patrol officers initiate recommendations for assessment of civil penalties when they find violations of N.C.G.S. §§ 113-168.4 (“Sale of fish”) or 113-169.3 (“Licenses for fish dealers”). Civil penalties may be assessed independent of any criminal action for a violation. Marine Patrol officers prepare and present the civil penalty case recommendations to their district captain following adjudication of the violator’s criminal prosecution in District or Superior Court. The District Captain then prepares a draft case file. The draft case file is presented to the Marine Patrol Major who prepares a draft assessment which then moves through the DMF Civil Penalty Review Committee (Review Committee). The Marine Patrol Colonel or his designee shall act as Chairman of the Review Committee. The Major of the Marine Patrol serves as the Civil Penalty Coordinator.

The Review Committee consists of the District Captains, the Marine Patrol Major and Colonel, the DMF Deputy Director, the Director, NCDEQ legal counsel, and the Marine Patrol Headquarters Administrative Assistant. The Director shall make the final DMF level decision on a civil penalty assessment recommendation following consideration by the Review Committee. The Director may approve, disapprove, modify or return the recommendation to the Review Committee for additional information. The Review Committee meets at least once each quarter to review cases and assure consistency, continuity and cooperation in implementing the civil penalty program throughout the Marine Patrol.

The Director may authorize penalties up to the maximum amount (\$10,000) based on any one or combination of the following factors: (1) the degree and extent of harm to the marine and estuarine resources within the jurisdiction of the Commission, as described in G.S. 113-132, to the public health, or to private property resulting from the violation; (2) the frequency and gravity of the violation; (3) the cost of rectifying the damage; (4) whether the violation was committed willfully or intentionally; (5) the prior record of the violator in complying or failing to comply with programs over which the Marine Fisheries Commission (MFC) has regulatory authority; and (6) the cost to the State of the enforcement procedures. (N.C.G.S §§ 113-191(d) and 143B-289.53(b)). The Director may also consider other relevant factors to include, but not limited to, the

value of seafood product and the number of violations found against the violator within a 36-month period.

A violator has the option to pay a penalty outright, request a payment plan, request a remission (reduction) of the penalty from the Director, or file a petition for contested case hearing with the Office of Administrative Hearings (OAH). In the case of a request for remission for the purpose of contesting the reasonableness of the amount of penalty, the Director and the requestor may attempt to resolve the request. If they cannot resolve the request, the Director shall forward the remission request and accompanying documentation to the MFC Committee on Civil Penalty Remissions (MFC Remission Committee). (N.C.G.S. §§ 143B-289.53(c)-(d) and 113-191(f)).

The MFC Remissions Committee considers the Director’s recommendation along with the following factors in rendering a decision on the remission request: (1) whether one or more of the civil penalty assessment factors in N.C.G.S. § 143B-289.53(b) were wrongly applied to the detriment of the requestor; (2) whether the violator promptly abated continuing environmental damage resulting from the violation; (3) whether the violation was inadvertent; (4) whether the violator had been assessed civil penalties for any previous violations; and (5) whether payment of the civil penalty will prevent payment for the remaining necessary remedial actions. (N.C.G.S. § 143B-289.53(c)). The MFC Remissions Committee’s decision shall constitute the final agency decision on the issue of remission.

The Marine Patrol opened 78 civil penalty case files from 2012 through the third quarter of 2015. Twenty-seven (27) penalties were assessed and paid in full during that period. An additional 12 penalties were assessed but ultimately sent to collections because of nonpayment. Thirteen (13) penalties were dismissed [by the Director resulting from remission request discussions/MFC Remissions Committee action]. Twenty-six (26) cases were not assessed but given warnings. Table 1 depicts the breakdown of penalties assessed, paid and collected from 2012 through 2015.

**Table 1. Assessment amounts paid and collected**

<b>Year</b>	<b>Assessed</b>	<b>Paid</b>	<b>Collections</b>
2012	\$26,969.01	\$11,961.53	\$6,529.52
2013	\$1,645.43	\$1,159.11	\$486.32
2014	\$6,199.37	\$4,107.92	\$2,091.45
2015	\$5,231.33	\$2,989.24	\$1,036.85
<b>TOTAL</b>	<b>\$40,045.14</b>	<b>\$20,217.80</b>	<b>\$10,144.14</b>

**Note:** The total of the amounts paid plus the amounts sent to collections does not equal the total amounts assessed. This difference resulted from settlement agreements along with those assessments that were not sent to collections because of the *Heater* legal decision discussed below.

## Revision of Civil Penalty Assessment Process

In late 2015, NCDEQ legal counsel notified the Marine Patrol of the decision in matter of *Heater Utilities, Inc. vs. North Carolina Department of Environment and Natural Resources*, Wake County Superior Court File No. 01-CVS-013610 (*Heater*). This matter brought into question the legality of assessing the same or similar penalties for small violations as for large violations using one civil penalty matrix. Since the civil penalty used by the Marine Patrol in assessing civil penalties was similar to the matrix used in the *Heater* matter, assessment of civil penalties was suspended until the penalty matrix could be appropriately revised to comport with the decision in that matter.

Even though the Marine Patrol's civil penalty matrix was developed with consistency and fairness in mind, application of the *Heater* decision resulted in a determination that the Marine Patrol's matrix was vulnerable to legal challenge. Consequently, the Marine Patrol is in the process of revising the civil penalty assessment process allowing for more consideration of subjectivity and discretion as guided by express statutory factors and taking into consideration the conclusions of law described in the *Heater* opinion. This revision is being made in consultation with NCDEQ's Office of the General Counsel and the Attorney General's office. Marine Patrol anticipates resolution of the matrix revision by January 1, 2020. Resumption of DMF's civil penalties assessment program should occur shortly thereafter.



# Atlantic States Marine Fisheries Commission

## 78<sup>th</sup> Annual Meeting Summary

*Sustainable and Cooperative Management of Atlantic Coastal Fisheries*

78<sup>th</sup> Annual Meeting  
New Castle, NH  
October 28 – 31, 2019

Toni Kerns, ISFMP, or  
Tina Berger, Communications  
For more information, please contact  
the identified individual at  
703.842.0740

### Meeting Summaries, Press Releases and Motions

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***Press Release***

**ASMFC Atlantic Herring Board Initiates Draft Addendum  
to Improve Quota Management in Area 1A**

New Castle, NH – The Commission’s Atlantic Herring Management Board initiated an addendum to Amendment 3 of the Interstate Fishery Management Plan for Atlantic Herring to consider new approaches for managing the Area 1A (inshore Gulf of Maine) sub-annual catch limit (ACL) under low quota scenarios. This action responds to the challenges encountered in managing the reduced sub-ACL based on the 2018 benchmark stock assessment, which highlighted declining trends in recruitment and spawning stock biomass.

Currently, the Board can allocate the sub-ACL throughout the fishing season using bi-monthly, trimester, or seasonal quota periods to meet the needs of the fishery. For the 2019 fishing season, the Board implemented a bimonthly quota period approach to maximize the reduced sub-ACL when demand for bait is high. Due to the low quota, the 2019 fishery has experienced frequent closures to avoid an overage of the sub-ACL. It is anticipated the 2020 sub-ACL will be further reduced creating challenges in distributing the quota throughout the fishing season. The draft addendum will consider alternatives to allow the Board more flexibility in specifying the allocation under low quota scenarios moving forward. For 2020, the Board set the Area 1A sub-ACL with 72.8 percent available from June through September and 27.2 percent allocated from October through December. The Board may reconsider 2020 quota allocation following final action on the addendum.

Additionally, the draft addendum will consider expanding landing provisions for permit holders within the days out program. The Board utilizes days out of the fishery to slow the rate of Area 1A catch. In addition to days out of the fishery, landing restrictions, such as weekly landing limits, can be assigned to different vessel categories. The draft addendum will include options for the days out program such as expanding the small mesh bottom trawl fleet days out provision to all Category C and D permits.

The Board will consider approval of the draft addendum for public comment at the Commission’s Winter Meeting in February. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740.

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PR19-30

***Motions***

**Move to allocate the 2020 Area 1A sub-ACL seasonally with 72.8 percent available from June through September and 27.2 percent allocated from October through December. The fishery will close when 92 percent of the seasonal period’s quota has been projected to be harvested and underages from June through September shall be rolled into the October through December period.**

Motion made by Dr. Pierce and seconded by Mr. Cimino. Motion passes (8 in favor, 1 abstention).

**Move to initiate an addendum to expand the quota period options in Amendment 3 by adding options which address challenges experienced in low quota scenarios (frequent starting and stopping of fishing days, small amounts of quota left at the end of the year). The addendum should include, but does not**



**have to be limited to, an option which allocates 100% of the Area 1A quota to the months of June-December. The addendum should also consider expanding the Small Mesh Bottom Trawl Fleet Days Out provision to all Category C and D permits.**

Motion made by Mr. Train and seconded by Mr. Grout. Passes without objection.

**Move to nominate Cate O’Keefe (MA) as Vice-Chair to the Atlantic Herring Board.**

Motion made by Dr. Pierce and seconded by Mr. Reid. Passes without objection.

## **AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 28, 2019)**

### ***Meeting Summary***

The American Lobster Management Board met to discuss several issues: implementation of reporting requirements under Addendum XXVI for lobster and Addendum III for Jonah crab; the development of Draft Addendum XXVII on resiliency of the Gulf of Maine/Georges Bank (GOM/GBK) stock; and the progress of the lobster benchmark stock assessment.

Staff updated the Board on the status of implementing new reporting requirements for commercial harvesters resulting from Addenda XXVI and III. Currently, two of the required data elements are still in the process of being added to reporting platforms: location (spatial resolution: 10 minute square), and number of buoy lines. Because not all reporting platforms can collect the data elements, the Board agreed to postpone the requirement for states to collect these two data elements from January 1, 2020 to January 1, 2021. In response to concerns about inconsistent reporting, the Board also tasked the Data Work Group with establishing a consistent method for collecting information on trip-level fishing effort.

The Board also discussed Draft Addendum XXVII, which was initiated in August 2017 to enhance the resiliency of the GOM/GBK stock. The addendum focused on the standardization of management measures across the Lobster Conservation Management Areas within GOM/GBK to provide equal protection to the stock. However, development of the addendum stalled as work on Atlantic Right Whale issues was prioritized. The Board agreed the Plan Development Team should resume development of Draft Addendum XXVII at this time, but recognized it should also take into account current stock information that will result from the ongoing benchmark stock assessment. The stock assessment is expected to be available for Board review in October 2020.

Finally, Jeff Kipp provided a progress update on the 2020 Lobster Benchmark Stock Assessment. The Assessment has progressed slowly due to competing priorities among Stock Assessment Subcommittee (SAS) members’ individual workloads. Earlier this month the SAS met for an assessment workshop focused on establishing reference points for each stock. A second Assessment Workshop, tentatively scheduled for February 2020, will focus on finalizing the base run of the model and determining stock status.

For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at [cstarks@asmfc.org](mailto:cstarks@asmfc.org) or 703.842.0740.

### ***Motions***

No motions made.

## **TAUTOG MANAGEMENT BOARD (OCTOBER 28, 2019)**

### ***Meeting Summary***

The Tautog Management Board met to receive an update on the implementation of the commercial harvest tagging program. In August 2019, the Board requested states indicate whether they would be able to meet the implementation deadline of January 1, 2020 and, if not, provide an alternative date. While many states can implement the program by January 1, a number of states are unable to but are intending to have regulations in place prior to the start of their commercial fishing season. Outside of states with a declared interest in the resource (Massachusetts through Virginia), tautog are also commercially caught and sold in North Carolina, as well as sold in markets in Pennsylvania. North Carolina indicated at the meeting that the state will not be implementing the tagging program due to low landings in recent years and the expectation that fish landed in the state will not be able to be sold outside of the state without a commercial tag. Pennsylvania had not indicated by the meeting whether the state could enforce the tag requirement of fish entering their commercial markets. The state will provide further detail on this request for enforcement during the ISFMP Policy Board.

Staff also provided an update on the purchase order of tags and applicators. In September, states provided their requested number of tags and applicators to ensure all commercial caught fish are tagged in 2020. Staff indicated the orders are currently being processed and the states should expect to receive their orders by late November or early December 2019.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740.

### ***Motions***

No motions made.

## **ATLANTIC MENHADEN MANAGEMENT BOARD (OCTOBER 28, 2019)**

### ***Meeting Summary***

The Atlantic Menhaden Management Board received a progress update on the 2019 single-species and ecological reference points (ERP) benchmark stock assessments. ASMFC staff requested the Board begin thinking about next steps towards implementing ERPs for menhaden and that there is not a single answer for ecosystem reference points. Specifically, the ERP Assessment will provide tools to evaluate trade-offs of different management objectives for various predator and prey populations and fisheries. Both reports have been submitted to SEDAR for peer-review, which is scheduled for November 4-8, in Charleston, South Carolina.

The Board unanimously approved a motion to recommend the ISFMP Policy Board find the Commonwealth of Virginia out of compliance for not fully and effectively implementing and enforcing Section 4.3.7 *Chesapeake Bay Reduction Fishery Cap* of Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. Action was taken in response to the 51,000 mt cap being exceeded in September. In making its decision, the Board noted that implementation of this measure is necessary to achieve the conservation goals and objectives of the FMP, to maintain the Chesapeake Bay marine environment, and to assure the availability of the ecosystem's resources on a long-term basis (see the Business Session section later in this document for the Commission's action on this issue).

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at [mappelman@asmfc.org](mailto:mappelman@asmfc.org) or 703.842.0740.

***Motions***

**Move the Atlantic Menhaden Management Board recommend to the ISFMP Policy Board that the Commonwealth of Virginia be found out of compliance for not fully and effectively implementing and enforcing Section 4.3.7 *Chesapeake Bay Reduction Fishery Cap* of Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. The Commonwealth of Virginia must implement an annual total allowable harvest from the Chesapeake Bay by the reduction fishery of no more than 51,000 mt. The implementation of this measure is necessary to achieve the goals and objectives of the FMP and maintain the Chesapeake Bay marine environment to assure the availability of the ecosystem's resources on a long-term basis.**

Motion made by Mr. McMurray and seconded by Rep. Peake. Motion passes without objection. (Roll Call: In favor – ME, NH, MA, RI, CT, NY, NJ, DE, PA, MD, VA, NC, SC, GA, FL; Abstentions – NOAA Fisheries, USFWS.)

**ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 28, 2019)**

***Meeting Summary***

The ACCSP Coordinating Council met to review the activities of the Funding Subcommittee and to take final action on the allocation of funding for FY2020. The Council opted to fund the FY2020 proposals as presented by the Advisory and Operations Committees. If there is need for further funding discussions after the overhead rates have been determined, then the decision will be left to the ACCSP Management and Policy Committee.

The Coordinating Council also considered the consolidation of the Technical Committees and the formation of a Data Coordination Committee. They approved further development of the Technical Committee Consolidation, and moving forward with ad-hoc data coordination calls.

Finally, the Council received a number of program and committee updates, including topics such as the status of electronic reporting, registration tracking, Data Warehouse partner feeds and queries, For-Hire Methods Workshop, and state conduct of the For-Hire Telephone Survey.

For more information, please contact Geoff White, ACCSP Director, at [Geoff.white@accsp.org](mailto:Geoff.white@accsp.org) or 703.842.0740.

***Motions***

**Move to fund all maintenance proposals as ranked in the FY20 Average Proposal Rankings spreadsheet following the 75/25 percent split between maintenance and new proposals. Fully fund the three highest ranked of the four new proposals. For the new proposal from Maine, fund with remaining available funds.**

Motion made by Ms. Knowlton and seconded by Dr. McNamee. Motion carries without opposition.

***Press Release***

**ASMFC Spiny Dogfish Board Approves Addendum VI**

New Castle, NH – The Commission’s Spiny Dogfish Management Board approved Addendum VI to the Interstate Fishery Management Plan (FMP) for Spiny Dogfish. The Addendum allows commercial quota to be transferred between all regions and states to enable the full utilization of the coastwide commercial quota and avoid quota payback for unintended quota overages.

The Commission’s FMP allocates the coastwide quota to the states of Maine-Connecticut as a regional allocation and to the states of New York-North Carolina as state-specific allocations. Previously, the FMP only allowed quota transfers between states with individual allocations, with regions excluded from benefitting from quota transfers. The 2019-2020 coastwide quota was reduced by 46% due to declining biomass. If landings in the 2019-2020 fishing year remain the same as 2018-2019 landings, there was concern the coastwide quota would not be exceeded but some states could face early closures due to reaching their allocation and being unable to access available unused quota from the northern region through quota transfers.

In order for the northern region to participate in quota transfers the Director of each state’s marine fisheries agency within the region must agree to the transfer in writing. As with transfers between states, transfers involving regions do not permanently affect the shares of the coastwide quota. Additionally, the Addendum extends the timeframe for when quota transfers can occur up to 45 days after the end of the fishing year to allow for late reporting of landings data. The Addendum’s measures are effective immediately and allow for transfers between all states and the northern region starting with the 2019-2020 fishing year.

Addendum VI will be available on the Commission’s website ([www.asmfc.org](http://www.asmfc.org)) on the Spiny Dogfish webpage in early November. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740.

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PR19-33

***Meeting Summary***

In addition to approving Addendum VI, the Spiny Dogfish Management discussed the federal commercial trip limit. Draft Addendum VI included a scoping question for the public to provide feedback on whether the Commission should make recommendations New England and Mid-Atlantic Fishery Management Councils (Councils) and NOAA Fisheries on whether the federal trip limit should be eliminated. This issue was under consideration due to concern that the coastwide quota has been substantially underutilized over the past seven years and the federal trip limit is viewed by some as an additional constraint on the fishery beyond state commercial trip limits. The Commission does not establish the federal commercial trip limit, but can make recommendations to the Councils and NOAA Fisheries on this measure during the federal specifications process. There were few comments received on this topic during the public comment period and without a clear approach moving forward, the Board directed the states within each of the respective regional levels (ME-CT; NY-NC) discuss alternatives for commercial trip limits. States will meet via conference call in the coming months to discuss the topic further, with the intention of reporting back to the Board at its next meeting.

Next, the Board considered whether to make any changes to specifications to the 2020-2021 fishing season. The Mid-Atlantic Council met earlier in October and made no changes to the previously approved specifications for 2020-2021 fishing season. Based on this, the Board did not adjust the previously established specifications. Lastly, the Board approved the 2019 Fishery Management Plan Review of the 2018 fishing year.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740

### **Motions**

**Move to adopt Draft Addendum VI to the Spiny Dogfish management plan with Option 2: Allow Quota Transfers between all states and regions effective immediately.**

Motion made by Dr. Pierce and seconded by Mr. White. Motion approved by consent. (roll call)

**Move to accept the FMP Review and state Compliance Reports for Spiny Dogfish and *de minimis* requests from New York and Delaware.**

Motion made by Sen. Miramant and seconded by Mr. Hasbrouck. Motion approved by consent.

## **ATLANTIC COASTAL FISH HABITAT PARTNERSHIP STEERING COMMITTEE (OCTOBER 28 & 29, 2019)**

### **Meeting Summary**

The Atlantic Coastal Fish Habitat Partnership (ACFHP) Steering Committee met to discuss a number of issues. John Macone (Merrimack River Watershed Council) presented on their current water quality initiatives for the Merrimack River, and Erik Martin (The Nature Conservancy) provided an update on ACFHP's Northeast Fish Habitat Conservation Assessment. This assessment is on track to be completed by the end of the calendar year, and will complement the completed fish habitat conservation assessment in the Southeast.

The Steering Committee developed the actions for the 2020 – 2021 Action Plan, which contains a subset of the 2017 – 2021 Conservation Strategic Plan's objectives, strategies, and actionable items that can be completed in a two-year timeframe. This will be published by the end of the calendar year, and include conservation, science and data, outreach and communication, and finance tasks.

Dr. Lisa Havel (ACFHP Coordinator) provided updates on the National Fish Habitat Partnership, the recent funding received to restore sponges for fish and spiny lobster habitat in Florida Bay, and our current communications initiatives.

Finally, the Steering Committee finalized their ranking of recommended conservation projects for FY2020 National Fish Habitat Partnership-US Fish and Wildlife funding. From 2010 to 2019 ACFHP has facilitated NFHP in awarding >\$860,000 to partners to complete 25 on-the-ground projects from Florida to Maine. Funding supported 3 tidal vegetation projects, 4 SAV projects, 4 oyster reef restoration projects, 13 fish passage projects, and 1 sturgeon spawning habitat restoration project.

For more information, please contact Dr. Lisa Havel, ACFHP Coordinator, at [lhavel@asmfc.org](mailto:lhavel@asmfc.org) or 703.842.0740.

## **MANAGEMENT AND SCIENCE COMMITTEE (OCTOBER 29, 2019)**

### ***Meeting Summary***

The Management and Science Committee (MSC) met to review Committee activities and discuss plans for the future.

The Committee discussed how the Commission measures success in rebuilding and sustaining stocks. A subcommittee of the MSC will develop clear stock definitions to better capture the nuances of stock status for the purposes of the Policy Board's annual review.

The Committee received a presentation from scientists at the NOAA Fisheries Southeast Fisheries Science Center on the development of an Ecosystem Status Report and a Fish Stock Climate Vulnerability Assessment for the South Atlantic. The Science Center will continue to seek Commission input to the Assessment and present final results to the Committee in 2020. The Committee will also determine how to apply Climate Assessment results for stock assessment and fisheries management purposes.

The Committee received an overview of Management Strategy Evaluation (MSE) methods and discussed how to use MSEs for Commission-managed species in the future. A work group consisting of Committee representatives, MSE analysts, and technical committee representatives will identify candidate species that would benefit from the MSE approach.

The Committee received a presentation from the U.S. Geological Survey (USGS) regarding scientific support USGS provides to ASMFC. Current projects range from horseshoe crab tagging and modeling to the development of new habitat metrics to use in eel stock assessments.

The Committee received a presentation regarding new MRIP survey data, including extensive analyses to explain differences between the old Coastal Household Telephone Survey estimates and the new Fishing Effort Survey estimates.

The Committee reviewed the Commission's research priorities and began identifying project ideas to address information gaps for multiple species. A subcommittee of MSC will further review Commission's research priorities, then develop proposals and pursue funding for research projects.

The Committee received an overview of recent wind energy and fisheries activities on the Atlantic coast. The Committee held a brief discussion on the Commission's roles in supporting coordination among the states, participation in the existing RODA/ROSA partnerships, as well as the Committee's interest in tracking scientific research regarding the effects of wind energy development on fisheries resources.

For more information, please contact Sarah Murray, Fisheries Science Coordinator, at [smurray@asmfc.org](mailto:smurray@asmfc.org) or 703.842.0740.

**Press Release**

**ASMFC Horseshoe Crab Board Sets 2020 Specifications  
for Horseshoe Crabs of Delaware Bay Origin**

New Castle, NH – The Commission’s Horseshoe Crab Management Board approved the harvest specifications for horseshoe crabs of Delaware Bay origin. Under the Adaptive Resource Management (ARM) Framework, the Board set a harvest limit of 500,000 Delaware Bay male horseshoe crabs and zero female horseshoe crabs for the 2020 season. Based on the allocation mechanism established in Addendum VII, the following quotas were set for the States of New Jersey, Delaware, and Maryland and the Commonwealth of Virginia, which harvest horseshoe crabs of Delaware Bay origin:

	<b>Delaware Bay Origin Horseshoe Crab Quota (no. of crabs)</b>	<b>Total Quota**</b>
<b>State</b>	<b>Male Only</b>	<b>Male Only</b>
Delaware	162,136	162,136
New Jersey	162,136	162,136
Maryland	141,112	255,980
Virginia*	34,615	81,331

\*Virginia harvest refers to harvest east of the COLREGS line only

\*\* Total male harvest includes crabs which are not of Delaware Bay origin.

The Board chose a harvest package based on the Delaware Bay Ecosystem Technical Committee’s and ARM Subcommittee’s recommendation. The ARM Framework, established through Addendum VII, incorporates both shorebird and horseshoe crab abundance levels to set optimized harvest levels for horseshoe crabs of Delaware Bay origin. The horseshoe crab abundance estimate was based on data from the Benthic Trawl Survey conducted by Virginia Polytechnic Institute (Virginia Tech). This survey, which is the primary data source for assessing Delaware Bay horseshoe crab abundance for the past two years, as well as the ongoing benchmark stock assessment, does not have a consistent funding source. However, due to the efforts of three Senators and six Representatives – namely, Senators Chris Coons (D-DE), Tom Carper (D-DE), Cory Booker (D-NJ); and Representatives Frank Pallone (D-NJ), Frank LoBiondo (R-NJ), Lisa Blunt-Rochester (D-DE), Donald Norcross (D-NJ), Chris Smith (R-NJ), and Bill Pascrell (D-NJ) – and the support of NOAA Fisheries, annual funding for the survey has been provided since 2016. They have also requested that NOAA Fisheries incorporate the survey into the agency’s annual budget.

For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at 703.842.0740 or [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org).

###

PR19-31

**Meeting Summary**

In addition to setting 2019 specifications for bait harvest of horseshoe crabs of Delaware Bay origin, the Horseshoe Crab Management Board reviewed recommended updates to the Adaptive Resource Management (ARM) Framework from the ARM Subcommittee and Delaware Bay Ecosystem Technical Committee (DBETC). These recommendations revisit several aspects of the ARM model to incorporate horseshoe crab population estimates from the Catch Multiple Survey Analysis (CMSA) model used in the



2019 Benchmark Stock Assessment and the most current scientific information available for horseshoe crabs and red knots. The Board directed the ARM Subcommittee to begin working on the recommended updates. This work will include several workshops and webinars over approximately two years, ending with an external peer review of the updated Framework.

The Board decided to indefinitely postpone Draft Addendum VIII, which sought to incorporate mortality associated with biomedical use of horseshoe crabs into the ARM Framework and develop harvest packages for the ARM Framework that would allow low levels of female bait harvest. Incorporation of the CMSA model into the ARM Framework, as previously directed by the Board, includes estimates of all sources of removals accounted for in the benchmark assessment, including bait harvest, biomedical mortality, and commercial discard mortality, without the need for an addendum. The Board was also reminded that regardless of the number and type of alternative harvest packages proposed, no packages including female bait harvest would be selected unless abundance of red knots or female horseshoe crabs exceeds threshold levels built into the ARM Framework. Neither of these abundances are currently above threshold levels.

Finally, the Board reviewed state compliance with the Fishery Management Plan during the 2018 fishing year. All states' regulations were found to be consistent with the FMP and *de minimis* requests were granted to the Potomac River Fisheries Commission, South Carolina, Georgia, and Florida. The Board also changed the annual state compliance report due date to July 1.

For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org) or 703.842.0740.

### ***Motions***

#### **Move to postpone Draft Addendum VIII indefinitely.**

Motion made by Mr. Luisi and second by Mr. Wright. Motion passes unanimously.

#### **Move to select Harvest Package 3 (500,000 male-only crabs) for 2020 horseshoe crab bait harvest in Delaware Bay.**

Motion made by Mr. Michels and seconded by Mr. Millard. Motion passes unanimously.

#### **Move to approve the 2019 FMP Review, state compliance reports, and *de minimis* status for Potomac River Fisheries Commission, South Carolina, Georgia, and Florida.**

Motion made by Mr. Michels and seconded by Mr. Bell. Motion passes unanimously.

#### **Move to adopt a July 1<sup>st</sup> due date for state compliance reports.**

Motion by made by Mr. Michels and seconded by Mr. Bell. Motion passes unanimously.

## **AMERICAN EEL MANAGEMENT BOARD (OCTOBER 29, 2019)**

### ***Meeting Summary***

The American Eel Management Board met to consider approval of the Coastwide Cap Coverage Policy. Addendum V, approved in 2018, specified management action will be initiated if the yellow eel coastwide cap (Cap) is exceeded by 10% in two consecutive years. If the management trigger is exceeded, only those states accounting for more than 1% of the total yellow eel landings (1% states) will be responsible for adjusting their measures to reduce harvest to the Cap. Addendum V did not outline what action the states



would need to undertake to reduce harvest in the case of an overage. To address this, an Allocation Work Group (WG) met over the past year to develop a draft policy for how to respond to overages of the Cap. Under the Policy, the Board will annually review preliminary landings at the Spring Meeting to determine what type of management action should occur. Using a decision tree to evaluate the extent of an overage, the policy focuses on the states, which harvest more than 1%, to voluntarily adjust measures to take reductions in harvest if needed. Depending on performance in subsequent years, those voluntary measures could be expanded. The goal in responding to overages prior to the management trigger being tripped allows for proactive management that could prevent the need for significant adjustments to measures. If the management trigger is tripped, an addendum would be initiated to develop options for mandatory reductions in harvest by the states, which harvest more than 1%.

The Board approved the Policy as presented and it will be added to Addendum V as an appendix. The revised Addendum V will be posted to the Commission's website by the end of November. Lastly, the Board approved the 2019 Fishery Management Plan Review of the 2018 fishing year.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740

### ***Motions***

#### **Move to approve the Coastwide Cap Overage Policy as presented today.**

Motion made by Mr. Reid and seconded by Ms. Patterson. Motion passes. (Roll Call: In favor – NH, MA, RI, CT, NY, PA, DE, MD, PRFC, VA, NC, SC, GA, FL, NMFS, USFWS; Opposed – ME, NJ.)

#### **Move to accept the FMP Review and State Compliance Reports for American eel and *de minimis* requests from New Hampshire, Massachusetts, Pennsylvania, Georgia, and Florida requested *de minimis* status for their yellow eel fisheries; and *de minimis* status for both South Carolina's yellow eel and glass eel fisheries and accept and forward the PRT's recommendations.**

Motion made by Ms. Patterson and seconded by Ms. Fegley. Motion passes.

## **WEAKFISH MANAGEMENT BOARD (OCTOBER 29, 2019)**

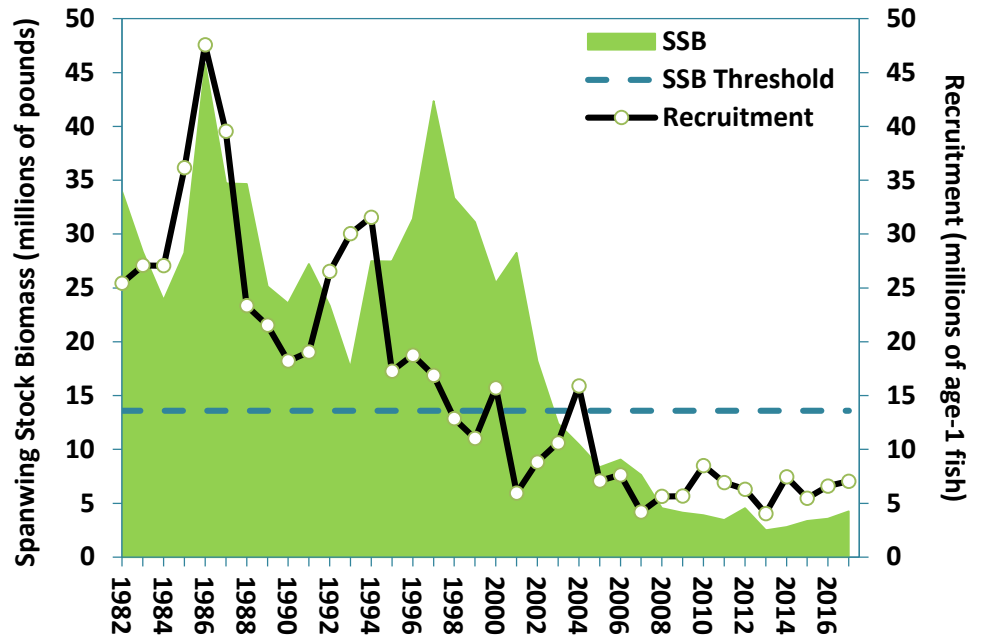
### ***Press Release***

#### **Weakfish Assessment Update Indicates Stock is Depleted *Total Mortality Exceeds Threshold; Overfishing is not Occurring***

New Castle, NH – The 2019 Weakfish Assessment Update indicates weakfish continues to be depleted and has been since 2003. Under the reference points, the stock is considered depleted when the stock is below a spawning stock biomass (SSB) threshold of 30% (13.6 million pounds). In 2017, SSB was 4.24 million pounds. While the assessment indicates some positive signs in the weakfish stock in the most recent years, with a slight increase in SSB and total abundance, the stock is still well below the SSB threshold. Given the weakfish management program is already highly restrictive with a one fish recreational creel limit, 100 pound commercial trip limit, and 100 pound commercial bycatch limit, the Board took no management action at this time.

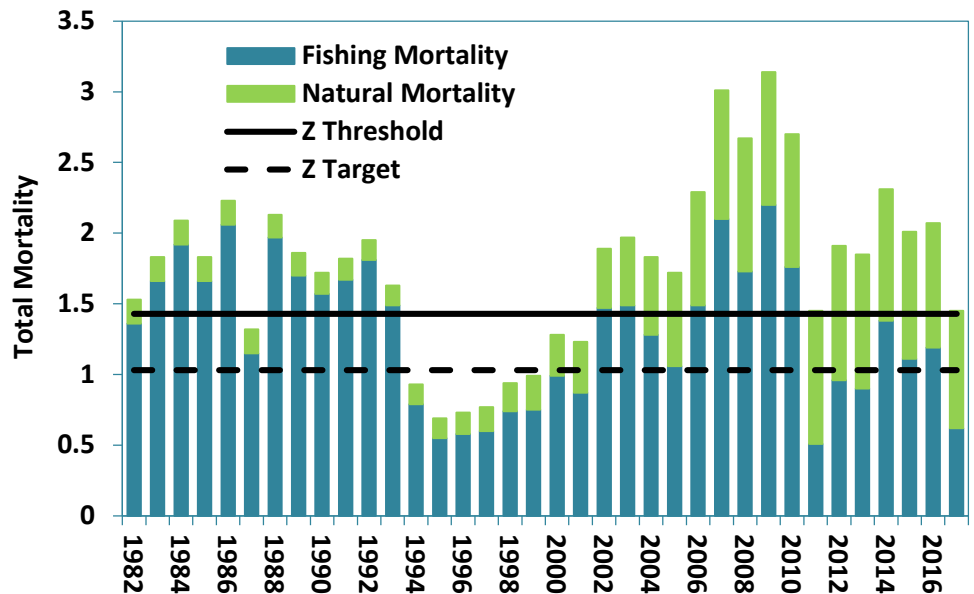
The assessment indicates natural mortality (e.g., the rate at which fish die because of natural causes such as predation, disease, and starvation) has been increasing since the early 2000s. Fishing mortality was also high during the mid- to late 2000s. Therefore, even though harvest have been at low levels in recent years, the weakfish population has been experiencing very high levels of total mortality (which includes fishing mortality and natural mortality), preventing the stock from recovering.

**Weakfish Spawning Stock Biomass (SSB) & Recruitment**



To better address the issues impacting the weakfish resource, the Technical Committee recommends the use of total mortality (Z) benchmarks to prevent an increase in fishing pressure when natural mortality is high. The assessment proposes a total mortality target of 1.03 and threshold of 1.43. Total mortality in 2017 was 1.45, which is above both the threshold and target, indicating that total mortality is too high. Fishing mortality has increased in recent years, but was below the threshold in 2017.

**Contribution of Fishing and Natural Mortality to Total Weakfish Mortality**

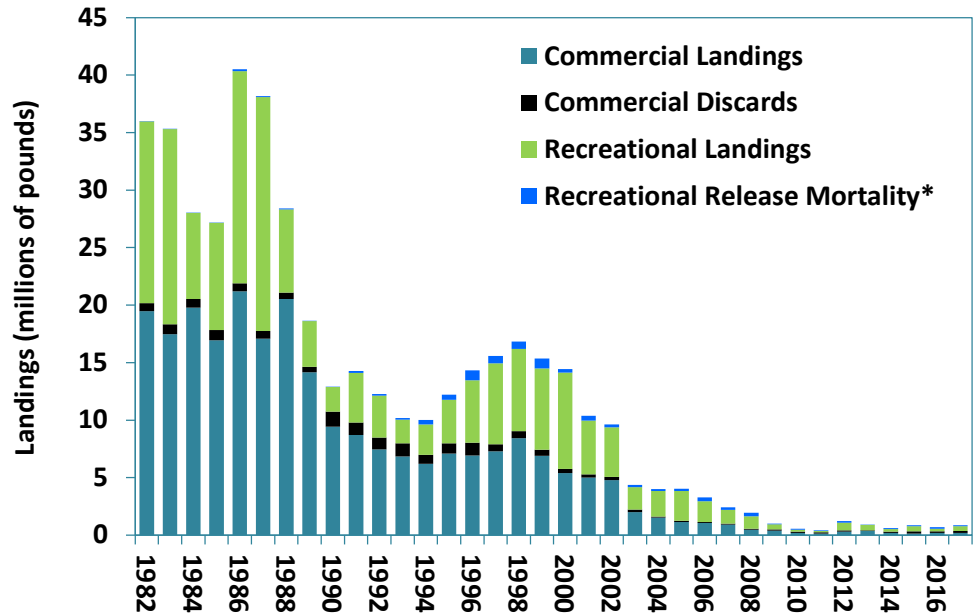


Weakfish commercial landings have dramatically declined since the early 1980s, dropping from over 19 million pounds landed in 1982 to roughly 180,560 pounds landed in 2017. The majority of landings occur in North Carolina and Virginia and, since the early 1990s, the primary gear used has been gillnets. Discarding of weakfish by commercial fishermen is known to occur, especially in the northern trawl fishery, and the discard mortality is assumed to be 100%. Discards peaked in the 1990s but have since declined as the result of management measures and a decline in stock abundance.

Like the commercial fishery, recreational landings and live releases have declined over time. It is assumed that 10% of weakfish released alive die, so that total recreational removals are equal to the number of weakfish landed plus 10% of the weakfish released alive. The assessment update used the new time-series of calibrated estimates of landings and live releases from the Marine Recreational Information Program. These estimates were higher than the values used in the 2016 benchmark

assessment, but showed the same overall trend. Total recreational removals peaked in 1987 at 20.4 million pounds and have declined since then to slightly less than 500,000 pounds in 2017. The proportion of fish released alive has increased over time; over the past 10 years, 88% of weakfish were released alive. Most of the recreational catch occurs in the Mid-Atlantic between North Carolina and New Jersey.

**Weakfish Commercial Landings and Discards & Recreational Landings and Release Mortality**



\* The stock assessment assumes 10% of the released fish died as a result of being caught and released.

The Assessment Update and a stock assessment overview will be available on the Commission’s website, [www.asmfc.org](http://www.asmfc.org), on the Weakfish page under Stock Assessment Reports. For more information on the stock assessment, please contact Katie Drew, Stock Assessment Team Leader, at [kdrew@asmfc.org](mailto:kdrew@asmfc.org); and for more information on weakfish management, please contact Mike Schmidtke, FMP Coordinator, at [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org).

###

**Meeting Summary**

In addition to considering the results of the Stock Assessment Update, the Board reviewed annual state compliance with the FMP. The Board found all states’ regulations to be consistent with the measures of the FMP and approved *de minimis* requests for Massachusetts, Connecticut, and Florida. The Board discussed biological sampling requirements that have been impacted by increased catch estimates from the Marine Recreational Information Program’s transition to using the mail-based Fishing Effort Survey. Age sampling requirements are based on each state’s total harvest, thus increases to recreational harvest estimates increase the sampling requirements. The Board tasked the Technical Committee with evaluating assessment needs and state’s sampling abilities to determine whether current requirements should be maintained or changed.

For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org) or 703.842.0740.

### ***Motions***

The motions from this meeting will be updated to the document on Monday, November 4.

## **EXECUTIVE COMMITTEE (OCTOBER 30, 2019)**

### ***Meeting Summary***

The Executive Committee met and discussed several issues including: 1) the FY19 Audit; 2) a policy on non-payment of state assessments; 3) allocation of remaining plus-up funds; 4) the public input process; and 5) future Commission Annual Meetings. The following action items resulted from the Committee's discussions:

- FY19 Audit – The Administrative Oversight Committee (AOC) Chair presented the FY19 Audit of the Commission for approval, noting the auditors provided a clean opinion and found no issues of concern. A motion to approve the audit was made and passed unanimously.
- Allocation of Remaining Plus-up Funds – Staff presented options for allocating the remaining plus-up funds and the Committee had a good discussion on potential projects. Following the discussion, the Committee agreed to support the Winter Striped Bass Tagging Cruise (~\$25,000) and discuss allocation of the remaining ~\$175,000 at a future meeting.
- Advisory Panel and Public Input Process – There is concern that public engagement in the Commission's process is dropping off; so the Committee discussed possible ways to remedy this. The Committee requested staff provide an analysis of current membership and participation. The Committee also requested the Management & Science Committee brainstorm on better ways to capture public input including the possible use of surveys designed by the Committee on Economics and Social Sciences to facilitate input.
- Policy on Non-payment of State Assessments – Staff presented a policy concerning non-payment of state appropriations. After a couple of clarifying questions, a motion to recommend the full Commission approve the policy was made and passed unanimously.
- Future Annual Meetings – The Commission's next three Annual Meetings will be held in New Jersey (2020), North Carolina (2021) and Maryland (2022).

For more information, please contact Laura Leach, Director of Finance & Administration, at [lleach@asmfc.org](mailto:lleach@asmfc.org) or 703.842.0740.

### ***Motions***

**On behalf of the AOC, move approval of the FY19 Audit. The motion passed unanimously.**

Motion made by Mr. Keliher. Motion passes unanimously.

**Move the Policy Addressing Non-payment of State Assessments be forwarded to the full Commission for action.**

Motion made by Mr. Grout and seconded by Mr. Keliher. Motion passes unanimously.

## **LAW ENFORCEMENT COMMITTEE (OCTOBER 29 & 30, 2019)**

### ***Meeting Summary***

The Law Enforcement Committee (LEC) met to review species activities as well as compliance reporting. The LEC welcomed several new members: Captain Chris Hodge (GA), Major Robert Beal (ME), Lt. DeLayne Brown (NH), and Major Jason Walker, (NC). Captain Scott Simmons was an alternate representative for Maryland and Jeff Odom was the alternate for the USFWS. Because of the retirement of Captain Steve Anthony from North Carolina, Captain Doug Messeck served as Acting Chair for this meeting.

### **Species Issues**

**Coastal Sharks and Atlantic Striped Bass** — The LEC reviewed and confirmed its recommendations regarding the requirement for the use of circle hooks in both the coastal sharks and the Atlantic striped bass fisheries. The positions taken were previously recorded in separate memoranda to the respective species management boards based on a September 20, 2019 teleconference. After some discussion and review of specific situations that make strict enforcement difficult, it was agreed the prepared memoranda accurately reflect LEC concerns. In general, the LEC continues to believe that compliance with circle hook requirements will be primarily dependent on angler buy-in and intensive education and outreach efforts. Doug Messeck and Kurt Blanchard were scheduled to present the LEC recommendations at the next day's management board meetings.

**Atlantic Herring** — The LEC reviewed the request from the Atlantic Herring Management Board to review and report on current protocols and enforcement issues with regard to the loading, off-loading and transportation of Atlantic herring catches. The request stems from the recent report of enforcement action in Maine that uncovered significant under-reporting of catch in circumvention of established trip limits and quotas. A Work Group of the LEC (to be determined) will participate in the review of this fishery and make recommendations to the Atlantic Herring Management Board for possible regulatory improvements. Preliminary discussion by the LEC focused on tightening up the standards for weights/measures of containers used in transporting herring to fish houses, but other issues may be identified.

**Spot/Atlantic Croaker** — Mike Schmidtke of ASMFC staff briefed the LEC on proposed regulations for bag/size limits of spot and croaker, primarily affecting the recreational for-hire fishery. Regarding how best to manage harvest bags and retention of fish in live wells for bait, the LEC recommended maintaining a strict harvest bag limit for both species reflecting the number of anglers on-board. For

Atlantic croaker, the LEC recommended establishing a maximum size limit for retention as bait in live wells. Where a live-bait size limit may not be feasible, the LEC felt that size and number of live wells and the need to keep fish alive would ultimately limit the number of fish kept. These combinations of rules would help to minimize illegal retention of fish over the bag limits.

**Cobia** — Members of the LEC expressed concern about the possible outcome of regulations concerning the application of size/bag limits in federal waters. Mike Schmidtke clarified the ASMFC recommendation was to have federal waters harvest be controlled by the regulations of the state of landing. The state of landing would be tied to the angler (or vessel) state license. NOAA Fisheries' position was that a variety of factors may need to apply, such as location fished, vessel license, or other factors that would help determine the ultimate state of landing. That way, given a boarding or encounter in federal waters, enforcement officers could notify the applicable state of a potential landing. NOAA Fisheries' preference is for a single coastwide minimum size limit, but regulations are still in process.

### **Other Issues**

Toni Kerns, ISFMP Director, briefed the LEC on current **compliance reporting** by the states and the need to standardize information as reported in the enforcement section of these reports. The goal would be to determine the type and detail of information that can be consistently provided by each state. There was good discussion and input by LEC members indicating that data-driven reports may vary depending on each state's ability to provide the number of "contacts" by species along with the numbers of citations or warnings. Most states may not have the ability to identify specific types of violations along with citation numbers. The LEC discussed including a narrative template in the compliance reports that would depend on enforcement perspectives on current problem areas, or emerging trends that officers are seeing that are influencing or driving compliance by species. The LEC recommended that ASMFC consider a subcommittee composed of LEC, ASMFC staff and state managers to clarify what is needed and feasible in annual compliance reports. Toni Kerns will continue to work on this issue in consultation with the LEC and the LEC Coordinator.

The LEC elected a Chair and Vice Chair for the next two-year term. Captain Doug Messeck was elected Chairman, and Captain Jason Snellbaker is the new Vice Chair. The LEC thanked Mark Robson for his service to the Committee as part-time staff coordinator. Mark is embarking on his "full retirement" as of January 1, 2020, and will be greatly missed his LEC and ASMFC colleagues.

## **HABITAT COMMITTEE (OCTOBER 30, 2019)**

### ***Meeting Summary***

The Habitat Committee (Committee) met to discuss a number of issues. Michelle Bachman (NEFMC) and Jessica Coakley (MAFMC) updated the committee on the Northeast Regional Fish Habitat Assessment, and led a discussion on the data still needed.

The Committee continued to work on the Fish Habitats of Concern designations for all Commission-managed species. The goal is to present these designations to the Policy Board in the summer of 2020.

The HC completed the Aquaculture Impacts to Atlantic Fish Habitat *Habitat Management Series* publication, which summarizes the aquaculture activities and impacts on fish habitat in U.S. Atlantic waters. The Acoustic Impacts to Fish Habitat *Habitat Management Series* publication is on track to be completed in the spring of 2020, and the 2019 Habitat Hotline Atlantic, which focuses on aquaculture, will be released by the end of the calendar year.

The next Habitat Management Series publication will highlight some of the recent habitat assessments being carried out by HC members and other fish habitat scientists and managers along the Atlantic coast.

For more information, please contact Dr. Lisa Havel, Habitat Coordinator, at [lhavel@asmfc.org](mailto:lhavel@asmfc.org) or 703.842.0740.

### **SHAD & RIVER HERRING MANAGEMENT BOARD (OCTOBER 30, 2019)**

#### ***Meeting Summary***

The Shad and River Herring Management Board met to consider a number of topics, including Technical Committee (TC) recommendations on management and monitoring inconsistencies with Amendments 2 and 3, revisions to the Maine River Herring Sustainable Fishery Management Plan (SFMP), a progress update on the ongoing American shad benchmark stock assessment, an update on shad habitat plans, the 2019 FMP Review and state compliance, and nominations to the Shad and River Herring Advisory Panel (AP).

First, the Board received a report from the TC Chair on work done by the TC to address the Board task assigned in October 2017. The TC report identified various management and monitoring inconsistencies with the requirements of Amendments 2 and 3 to the Fishery Management Plan (FMP). Amendments 2 and 3 require that states and jurisdictions implement SFMPs for all river systems that will remain open to commercial and/or recreational harvest of river herring and shad, respectively. Three general types of inconsistencies were identified: 1) tributaries of river systems with SFMPs and monitoring that are not explicitly addressed in the SFMP; 2) rivers with recreational harvest addressed by a SFMP, but with insufficient monitoring to support sustainability metrics; and 3) rivers legally open to recreational harvest without an approved SFMP. The TC recommended the following actions for each type of inconsistency, respectively: 1) include tributaries under the SFMP for the mainstem and apply management metrics and responses to those tributaries; 2) apply management metrics and response from other appropriate monitored system(s), or implement catch and release only regulations, and 3) implement catch and release only regulations, or consider development of an alternative management regime. The Board directed the states to submit proposals to resolve any inconsistencies based on the TC recommendations. Following TC evaluation, the Board will consider approval of state proposals at the 2020 Spring Meeting.

The Board also considered proposed changes to Maine's River Herring SFMP. Maine's proposal would provisionally open three municipally-managed river herring runs to limited commercial harvest. Within a five-year period, the three municipal waters selected for inclusion in this program must meet the

established sustainability criteria for harvest to continue under the SFMP. Following the TC recommendation, the Board approved Maine's proposal.

Next, staff provided an update to the Board on the ongoing Benchmark Assessment for American shad. The Stock Assessment Subcommittee will convene November 18-22 in Charleston, SC for the last Assessment Workshop, where they will finalize assessment models for each stock. Staff expressed concern with the pace of assessment progress, noting several assessment tasks have not been completed by the committee in accordance with the stock assessment timeline. At this time there is no need to further delay the assessment completion, currently scheduled for the 2020 Summer Meeting. Staff also updated the Board on the status of the American shad habitat plans, which were required by Amendment 3. Most states and jurisdictions submitted habitat plans for Board approval in 2014. To date, habitat plans have not been submitted for the Merrimac and Hudson Rivers. As five years have passed since the initial approval of shad habitat plans, the Board agreed that states and jurisdictions should review and update their plans as needed, and that new plans should be submitted for the Hudson and Merrimac Rivers.

The Board approved the 2019 FMP Review for Shad and River Herring and *de minimis* status for the following states: Maine, New Hampshire, and Massachusetts and Florida for American shad; and New Hampshire and Florida for river herring.

Finally, the Board appointed three new members to the Shad and River Herring AP: Mike Thalhauser with the Maine Center for Coastal Fisheries and Alewives Harvesters of Maine; Mark Amorello, a recreational fisherman from Massachusetts; and Chuckie Green, a recreational angler and Tribal Nation representative from Massachusetts.

For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at [cstarks@asmfc.org](mailto:cstarks@asmfc.org) or 703.842.0740.

## ***Motions***

### **Main Motion**

**Move to direct the states to follow the TC recommendations. And to present to the board in February a plan with a timeline of how they will follow the TC recommendations.**

Motion made by Mr. Sullivan and seconded by Mr. Reid.

### **Motion to Substitute**

**Move to substitute to direct states to respond to the TC recommendation with a written proposal in time for Board consideration at the spring meeting of 2020. If the state does not submit a proposal by the 2020 spring meeting, the management board can take such actions necessary to implement the TC recommendations.**

Motion made by Mr. Woodward and seconded by Mr. Bell. 16-2-0-0 Motion passes

### **Main Motion as Substituted**

**Move to direct states to respond to the TC recommendation with a written proposal in time for Board consideration at the spring meeting of 2020. If the state does not submit a proposal by the 2020 spring**



**meeting, the management board can take such actions necessary to implement the TC recommendations.**

Motion made by Mr. Woodward and seconded by Mr. Bell. 17-1 Motion approved.

**Move to approve Maine’s proposal to modify the river herring SFMP as recommended by the TC.**

Motion made by Sen. Miramant and seconded by Mr. Reid. Motion is approved unanimously.

**Move to approve the 2019 Shad and River Herring FMP Review, state compliance reports, and *de minimis* status for Maine, New Hampshire, Massachusetts and Florida.**

Motion made by Ms. Fegley and seconded by Dr. Davis. Motion is approved unanimously.

**Move to appoint Mike Thalhauser, Mark Amorello, and Chuckie Green to the Shad and River Herring Advisory Panel.**

Motion made by Mr. Keliher and seconded by Mr. Kane. Motion is approved unanimously.

### **CAPTAIN DAVID H. HART AWARD LUNCHEON (OCTOBER 30, 2019)**

#### ***Press Release***

#### ***ASMFC Presents Thomas P. Fote Prestigious Captain David H. Hart Award***

New Castle, NH – The Atlantic States Marine Fisheries Commission presented Thomas P. Fote, New Jersey’s Governor Appointee to the Commission, the Captain David H. Hart Award, its highest annual award, at the Commission’s 78th Annual Meeting in New Castle. Mr. Fote has admirably served the State of New Jersey and the Commission since 1991 when he replaced Captain David Hart as New Jersey’s Governor Appointee to the Commission.



From Left: ASMFC Chair Jim Gilmore, Hart Award Recipient Thomas Fote and ASMFC Executive Director Bob Beal

Mr. Fote’s longstanding service to marine conservation and management is notable. His history is one of dedicated volunteerism on a continuous basis. After volunteering to serve in Vietnam, Mr. Fote was medically retired from the US Army as an Army Captain in 1970. Upon his return, Tom began to carve out a critical spot for himself in the world of marine conservation through diligent study, hard work, the willingness to ask penetrating questions, and engagement into a wide spectrum of conservation and fisheries management roles, all as a full time volunteer. In the process, he has become

a knowledgeable and staunch fishery advocate, acting locally on behalf of his fellow New Jersey anglers, while also considering the needs of other states.

A strong proponent of habitat protection and enhancement, Mr. Fote recognizes the critical role healthy habitat plays in fisheries management. As the founding member and first chair of the Habitat Committee, Mr. Fote was instrumental in the development of the Commission's Habitat Program. Throughout his life, he's become increasingly active in environmental issues and has been a powerful voice in opposition to those who would degrade the marine environment. Having seen firsthand the devastation of "Agent Orange" in Vietnam, Mr. Fote found that this same Agent Orange had been made in New Jersey and dumped into Newark Bay. Mr. Fote worked with numerous conservation agencies to rid New Jersey's waters of a whole spectrum of contaminants.

With his service to the Commission dating back to 1991, Mr. Fote's has become the onsite "functional historian" for the Commission. His long range perspective puts difficult decisions into context and brings clarity to confusing dilemmas. Understanding how important it is to bring new members up to speed so they can quickly and constructively engage in the Commission process, Mr. Fote goes out of his way to help new Commissioners understand the complexities of the organization and how to work through the sometimes confusing maze of options.

Mr. Fote firmly believes in the inherent strength of partnerships and collaboration. He frequently communicates with others to develop a compromise and/or coalition for the common good. His extensive knowledge, reputation, and impassioned viewpoint are key catalysts in bringing divergent groups together for a common cause. This is exemplified through his work as a volunteer with numerous organizations including the New Jersey Environmental Federation and the New Jersey Coast Anglers Association. Throughout his life, Mr. Fote has demonstrated that a conservation ethic and spirit of volunteerism can be lifelong passions. Atlantic coast fisheries management is better because of his involvement.

The Commission instituted the Hart Award in 1991 to recognize individuals who have made outstanding efforts to improve Atlantic coast marine fisheries. The Hart Award is named for one of the Commission's longest serving members, who dedicated himself to the advancement and protection of marine fishery resources, Captain David H. Hart, from the State of New Jersey.

###

PR19-36

## **COASTAL SHARKS MANAGEMENT BOARD (OCTOBER 30, 2019)**

### ***Meeting Summary***

The Coastal Sharks Management Board met to consider a postponed motion requiring the use of circle hooks for the recreational fishery, set 2020 specifications, consider approval of the 2019 FMP Review, and elect a new Vice-Chair.

In May 2019, the Board considered a request by NOAA Fisheries to implement a circle hook requirement for the recreational fishery consistent with measures approved in HMS Amendment 11. As part of the Amendment, circle hooks are now required across the hook and line shark fisheries in all areas of federal waters. Circle hooks have been required for federal permit holders since 2017 as outlined in Amendment 5b. The Board postponed action on this measure until receiving feedback from the Advisory Panel (AP) and Law Enforcement Committee (LEC). The AP met in October, with the members present recommending that circle hook measures be required in state waters so long as the regulatory language is consistent with federal measures, specifically allowing an exemption for those fishing with flies and artificial lures. The LEC met in September and indicated the difficulties of enforcing a regulation that might require evidence that an angler is “targeting” a particular species of fish with a prohibited hook type or size. Therefore, if the Board were to implement such a requirement, the LEC emphasized the importance of using intensive education and outreach to garner support for a circle hook regulation. Taking into consideration both reports, the Board moved to require circle hooks for state waters for the recreational shark fishery, with an implementation date of July 1, 2020.

Next, the federal proposed 2020 Atlantic shark specifications were presented. Similar to 2017-2019, NOAA Fisheries proposed a January 1 open date for all shark management groups, with an initial 25 shark possession limit for large coastal and hammerhead management groups with the possibility of in-season adjustments. The Board will set the 2020 coastal shark specifications via an email vote after the final rule is published.

As part of the 2019 FMP Review, staff provided a progress update on state implementation of the new shortfin mako recreational measures. In May, the Board approved changes to the recreational size limit for Atlantic shortfin mako sharks in state waters, specifically, a 71-inch straight line fork length (FL) for males and an 83-inch straight line FL for females with an implementation date of January 1, 2020. The measures were approved in response to the 2017 Atlantic shortfin mako stock assessment that found the resource is overfished and experiencing overfishing and to promote consistency between measures required in federal waters as part of Amendment 11. A number of the states have already implemented these measures while others are still in their rule-making process. Lastly, the Board approved the 2019 Fishery Management Plan Review of the 2018 fishing year.

For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at [krootes-murdy@asmfc.org](mailto:krootes-murdy@asmfc.org) or 703.842.0740.

### ***Motions***

#### **Postponed Motion from May Meeting**

**Move to require, for state waters, the use of circle hooks on lines intended to catch sharks.**

#### **Motion to Substitute**

**Move to substitute to require the use, in state waters, of non-offset, corrodible, non-stainless steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures, implemented no later than July 1, 2020.**

Motion made by Mr. Gillingham and seconded by Mr. McNamee. Motion approved by unanimous consent.

**Main Motion as Substituted**

**Move to require the use, in state waters, of non-offset, corrodible, non-stainless steel circle hooks when fishing for sharks recreationally, except when fishing with flies or artificial lures, implemented no later than July 1, 2020.**

Motion made by Mr. Gillingham and seconded by Mr. McNamee. Motion approved unanimously.

**Move to approve the 2020 coastal sharks specifications via an email vote after NOAA Fisheries publishes the final rule for the 2020 Atlantic Shark Commercial Fishing season.**

Motion by Mr. Miller, second by Mr. Estes. Motion passes unanimously.

**Move to accept the 2019 FMP Review for Coastal Sharks, state compliance reports, de minimis status for Massachusetts specific to the possession limit and fishery closure requirements for the Aggregate Large Coastal and Hammerhead species groups.**

Motion made by Mr. Hasbrouck and seconded by Mr. Rhodes. Motion passes unanimously.

**Move to nominate Mel Bell (SC) as Vice-Chair to the Coastal Sharks Board.**

Motion made by Mr. Rhodes and seconded by Mr. Haymans. Motion passes unanimously.

**ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 30, 2019)**

*Press Release*

**ASMFC Atlantic Striped Bass Board Approves Addendum VI**

New Castle, NH – The Commission’s Atlantic Striped Bass Management Board approved Addendum VI to Amendment 6 of the Interstate Fishery Management Plan for Atlantic Striped Bass. The Addendum reduces all state commercial quotas by 18%, and implements a 1 fish bag limit and a 28”-35” recreational slot limit for ocean fisheries and a 1 fish bag limit and an 18” minimum size limit for Chesapeake Bay recreational fisheries. States may submit alternative regulations through conservation equivalency to achieve an 18% reduction in total removals relative to 2017 levels.

Addendum VI was initiated in response to the 2018 Benchmark Stock Assessment, which indicates the resource is overfished and experiencing overfishing. The Addendum’s measures are designed to reduce harvest, end overfishing, and bring fishing mortality to the target level in 2020.

Since catch and release practices contribute significantly to overall fishing mortality, the Addendum requires the mandatory use of circle hooks when fishing with bait to reduce release mortality in recreational striped bass fisheries. Outreach and education will be a necessary element to garner support and compliance with this important conservation measure.

States are required to submit implementation plans by November 30, 2019 for review by the Technical Committee and approval by the Board in February 2020. States must implement mandatory circle hook requirements by January 1, 2021. All other provisions of Addendum VI must be implemented by

April 1, 2020. In May 2020, the Board will consider a postponed motion to initiate an Amendment to rebuild spawning stock biomass to the target level and address other issues with the management program.

Addendum VI will be available on the Commission's website ([www.asmfc.org](http://www.asmfc.org)) on the Atlantic Striped Bass webpage in early November. For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at [mappelman@asmfc.org](mailto:mappelman@asmfc.org) or 703.842.0740.

###

PR19-35

### **Motions**

#### **Main Motion**

**Move to approve Option 2 under Section 3.1 for equal percent reductions.**

Motion by Mr. Keliher and seconded by Mr. White.

#### **Motion to Table**

**Move to table the motion to discuss the TC memo for conservation equivalency criteria.**

Motion made by Mr. Nowalsky and seconded by Mr. Reid. Motion fails (5 in favor, 8 opposed, 2 abstentions). (Roll Call: In favor – NJ, MD, PRFC, VA, NC; Opposed – ME, NH, MA, RI, CT, NY, PA, DE; Abstain – NMFS, USFWS.)

#### **Main Motion**

**Move to approve Option 2 under Section 3.1 for equal percent reductions.**

Motion by Mr. Keliher and seconded by Mr. White.

#### **Motion to Substitute**

**Move to substitute to approve Option 3 under Section 3.1 for unequal percent reductions.**

Motion made by Mr. Reid and seconded by Mr. Clark. Motion fails (4 in favor, 8 opposed, 2 abstentions, 1 null). (Roll call: In favor – NY, DE, MD, PRFC; Opposed – ME, NH, MA, RI, CT, NJ, PA, VA; Abstain – NMFS, USFWS; Null – NC.)

#### **Main Motion**

**Move to approve Option 2 under Section 3.1 for equal percent reductions.**

Motion by Mr. Keliher and seconded by Mr. White. Motion passes (11 in favor, 4 opposed). Roll call: In favor – ME, NH, MA, RI, CT, NJ, PA, VA, NC, NMFS, USFWS; Opposed – NY, DE, MD, PRFC.)

#### **Main Motion**

**Move to approve Sub-Option 2-A2 1 fish at 28-35 inches for Section 3.1 for the ocean fishery.**

Motion made by Dr. Davis and seconded by Mr. Luisi.

**Motion to Amend**

**Move to amend to include a conservation equivalency proposal to achieve an 18% reduction in total removals relative to 2017.**

Motion made by Mr. Nowalsky and seconded by Mr. Batsavage. Motion passes 11-2-2abs-0.

**Main Motion as Amended**

**Move to approve Sub-Option 2-A2 1 fish at 28-35 inches for Section 3.1 for the ocean fishery. Conservation equivalency proposals are required to achieve an 18% reduction in total removals relative to 2017.**

Motion passes 12-1-2abs-0.

**Move to approve Sub-Option 2-B1 1 fish at 18 inch minimum for Section 3.1 for Chesapeake Bay. Conservation equivalency proposals are required to achieve an 18% reduction in total removals relative to 2017.**

Motion made by Mr. Geer and seconded by Mr. Gary. Motion passes 12-0-3abs-0.

**Move to approve Option B, requiring mandatory circle hook regulations for Section 3.2.**

Motion made by Mr. White and seconded by Sen. Miramant. Motion passes unanimously.

**Main Motion**

**Move that states submit implementation plans by November 30, 2019. The Board will take action on implementation plans in February, 2020. All provisions of Addendum VI must be implemented by April 1, 2020.**

Motion made by Mr. Shiels and seconded by Mr. White.

**Motion to Amend**

**Move to amend to have the circle hook requirements implemented by January 1, 2021.**

Motion made by Mr. Gilmore and seconded by Mr. Clark. Motion passes 11-2-2abs-0.

**Main Motions as Amended**

**Move that states submit implementation plans by November 30, 2019. The Board will take action on implementation plans in February, 2020. Circle hook requirements must be implemented by January 1, 2021. All other provisions of Addendum VI must be implemented by April 1, 2020.**

Motion passes unanimously.

**Move to approve Addendum VI to Amendment 6 to the Atlantic Striped Bass FMP as amended today.**

Motion made by Ms. Patterson and seconded by Mr. Borden. Motion passes without objection.

## **INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (OCTOBER 31, 2019)**

### ***Meeting Summary***

The ISFMP Policy Board met to consider a number of issues, including an update from Executive Committee; process implications for the Ecological Reference Point (ERP) Benchmark Assessment; consider a noncompliance recommendation from the Atlantic Menhaden Management Board; and receive reports from the Habitat, Management and Science, Assessment Science and the Atlantic Coastal Fish Habitat Partnership Steering Committees.

The Commission Chair Jim Gilmore presented the Executive Committee Report (see Executive Committee meeting summary earlier in this document) to the Board.

Dr. Katie Drew provided a progress report on the ERP Benchmark Stock Assessment. Commission staff requested the Board begin thinking about next steps towards implementing ERPs for menhaden and that there is not a single answer for ecosystem reference points. Specifically, the ERP Assessment will provide tools to evaluate trade-offs of different management objectives for various predator and prey populations and fisheries. Depending on the management response, the Policy Board may need to provide guidance regarding what process to follow up in making management decisions (e.g., what board(s) should have oversight).

The Board unanimously approved a motion to recommend the Commission find the Commonwealth of Virginia out of compliance for not fully and effectively implementing and enforcing Section 4.3.7 Chesapeake Bay Reduction Fishery Cap of Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden (note the USFWS and NOAA Fisheries abstained from voting). The decision comes after notification that the reduction fishery cap of 51,000 metric tons had been exceeded in September 2019. In making its decision, the Board discussed the implementation of this measure is necessary to achieve the conservation goals and objectives of the FMP, to maintain the Chesapeake Bay marine environment, and to assure the availability of the ecosystem's resources on a long-term basis.

The Board reviewed committee reports from the Habitat Committee (see Habitat Meeting Summary), Atlantic Coastal Fish Habitat Partnership (see ACFHP Meeting Summary), Management and Science Committee (see MSC Meeting Summary), and Assessment Science Committee (ASC). The Habitat Committee Chair presented the latest instalment of the *Habitat Management Series: Aquaculture Impacts to Habitat along the Atlantic Coast*, which was approved by the Board. The document provides a broad description of current and common marine aquaculture practices along the Atlantic seaboard and some potential effects on fish habitats. Staff presented ASC's recommended revisions to the stock assessment schedule, which were approved by the Board. With Mark Robson retiring at the end of the year, the Board thanked him for his time with the Commission and the excellent work he did coordinating the Law Enforcement Committee for the past 8 years.

Starting in 2020, states will implement the tautog commercial harvest tagging program. This requires all commercial caught tautog to be tagged. The Tautog Board was concerned a loop hole could be created if there were no regulations for tagged tautog in Pennsylvania since it has a significant market.

Pennsylvania agreed to implement regulations to ensure efforts of the tagging program would not be undermined, as they have done with other species.

The mandatory use of circle hooks was discussed by several boards over the course of the week. The Policy Board tasked the MSC to complete a synthesis of the existing literature on the use of circle hooks to better understand if there are improvements in species survival rates with the use of circle hooks. The Board thanked the Commissioners of New Hampshire for hosting a magnificent 78<sup>th</sup> Annual Meeting and acknowledged Doug Grout for his three decades of service to New Hampshire and the Commission.

For more information, please contact Toni Kerns, ISFMP Director, at [tkerns@asmfc.org](mailto:tkerns@asmfc.org) or 703.842.0740.

### ***Motions***

#### **Main Motion**

**On behalf of the Atlantic Menhaden Management Board, move the ISFMP Policy Board recommend to the Commission that the Commonwealth of Virginia be found out of compliance for not fully and effectively implementing and enforcing Section 4.3.7 Chesapeake Bay Reduction Fishery Cap of Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. The Commonwealth of Virginia must implement an annual total allowable harvest from the Chesapeake Bay by the reduction fishery of no more than 51,000 mt. The implementation of this measure is necessary to achieve the goals and objectives of the FMP and maintain the Chesapeake Bay marine environment to assure the availability of the ecosystem's resources on a long-term basis.**

Motion made by Ms. Merserve.

#### **Motion to Amend**

**Move to amend to include the unused quota provision whereby unused quota may not be transferred to the Cap to reduce an overage, the rollover provision where unlanded fish from the cap cannot be rolled over into the subsequent year; lastly if the cap is exceeded the amount over the cap will be deducted from the next year's allowable harvest.**

Motion made by Mr. Reid and seconded by Mr. Grout. Motion is approved by unanimous consent with abstentions from NOAA Fisheries and USFWS. Upon reconsideration of the motion, the amended motion fails.

#### **Motion to Reconsider**

**Move to reconsider the previous motion to amend.**

Motion by Mr. Borden, second by Mr. Fote. Motion passes. With the passing of this motion, the above amended motion fails.

#### **Main Motion**

**Move the Interstate Fisheries Management Program Policy Board recommend to the Commission that the Commonwealth of Virginia be found out of compliance for not fully and effectively implementing and enforcing Section 4.3.7 Chesapeake Bay Reduction Fishery Cap of Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. The Commonwealth of Virginia must implement an annual total allowable harvest from the Chesapeake Bay by the reduction fishery of no more than**



**51,000 metric tons. The implementation of this measure is necessary to achieve the goals and objectives of the Fishery Management Plan and maintain the Chesapeake Bay marine environment to assure the availability of the ecosystem's resources on a long-term basis.**

Motion made Ms. Meserve. Motion passes unanimously (16 in favor, 2 abstentions).

**Move to approve the *Habitat Management Series: Aquaculture Impacts to Fish Habitat along the Atlantic Coast*.**

Motion made by Mr. Clark and seconded by Mr. Rhodes. Motion passes unanimously.

**Move to approve the ASMFC Stock Assessment Schedule as presented today.**

Motion made by Dr. McNamee and seconded by Mr. Clark. Motion passes by unanimous consent.

**Move to have the Management and Science committee investigate discard mortality across all species. This review should focus on the use of circle hooks and/or other tools that would address discard mortality.**

Motion made by Mr. Keliher and seconded by Mr. Grout. Motion passes by unanimous consent.

## **BUSINESS SESSION (OCTOBER 29 & 31, 2019)**

### ***Press Releases***

#### **Patrick C. Keliher Elected ASMFC Chair**

New Castle, NH – Today, member states of the Atlantic States Marine Fisheries Commission (Commission) thanked James Gilmore of New York for an effective two-year term as Chair and elected Commissioner Patrick C. Keliher of Maine to succeed him.

“It is both a great honor and huge responsibility to be trusted to lead the Commission for the next two years. I am humbled by my fellow Commissioners’ confidence in me,” said Mr. Keliher. “While my obligation to the great State of Maine will always come first and foremost, I also recognize that Maine sits on boards for just 10 of the 27 species managed by the Commission. As Chair, I will be working with ASMFC leadership to shape the course of interstate fisheries management for more than just the Pine Tree State and will ensure substantial resources are devoted to issues of equal importance in the fisheries of the Mid- and South Atlantic states. I look forward to bolstering the Commission’s relationship with NOAA Fisheries and Congress to ensure mutual cooperation. I’d like to thank Jim Gilmore for his superb leadership over the past two years. I learned a great deal from him and will use the knowledge gained to work with newly elected Vice-chair Spud Woodward to advance the Commission’s vision of *Cooperative and Sustainable Management of Atlantic Coastal Fisheries*.”



Under Mr. Gilmore’s chairmanship, the Commission made important strides in furthering its strategic goals. Management accomplishment’s during the past two years include approval of plan amendments for Atlantic cobia and summer flounder, protections for spawning Atlantic herring, and approval of an addendum to end overfishing of Atlantic striped bass. The Commission’s Science Program completed benchmark assessments and peer reviews for horseshoe crab, Atlantic striped bass and northern shrimp, and made significant progress on the benchmark assessments for American lobster, American shad, and Atlantic menhaden (including the establishment of ecological reference points).

The Atlantic Coastal Cooperative Statistics Program (ACCSP) continued to successfully implement state conduct of the Marine Recreational Information Program’s Access-Point Angler Intercept Survey. ACCSP also made significant advancements in technological innovations, including tablet and mobile data entry apps for dealers, commercial fishermen and the for-hire industry. During his chairmanship, Mr. Gilmore oversaw the selection of a new ACCSP Program Director, Geoff White.

The Atlantic Coastal Fish Habitat Partnership funded restoration projects in six states to conserve a total of 40 acres of fish habitat and provide access to over 29 river miles and 3,900 acres of spawning habitat. It also launched a redesigned website, created an online query tool for the Species-Habitat Matrix, and completed a research project to understand black sea bass habitat use in the Mid-Atlantic Bight.

A Gardiner native, Mr. Keliher has spent much of his life in the woods and on the waters of Maine. His experiences as a youth, fishing and lobstering with family in Casco Bay, instilled in him early on an appreciation for the importance and value of our natural resources. He has been Commissioner of Maine’s Department of Marine Resources since January 2012.

The Commission also elected A.G. “Spud” Woodward, Georgia’s Governor Appointee to the Commission, as its Vice-Chair.

###

PR19-32

**ASMFC Finds the Commonwealth of Virginia Out of Compliance with Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden  
*Noncompliance Finding to be Forwarded to the Secretary of Commerce***

New Castle, NH – The Atlantic States Marine Fisheries Commission has found the Commonwealth of Virginia out of compliance with a mandatory management measure contained in Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. The Commission will notify the Secretary of Commerce of its finding. This action was taken pursuant to the provisions of the Atlantic Coastal Fisheries Cooperative Management Act of 1993.

Specifically, the Commonwealth of Virginia has failed to effectively implement and enforce Section 4.3.7 *Chesapeake Bay Reduction Fishery Cap* of Amendment 3. In order to come back into compliance, the Commonwealth must implement an annual total allowable harvest from the Chesapeake Bay by the

reduction fishery of no more than 51,000 mt. The implementation of this measure is necessary to achieve the goals and objectives of Amendment 3 and maintain the Chesapeake Bay marine environment to assure the availability of the ecosystem's resources on a long-term basis.

Upon notification by the Commission, the Secretary of Commerce has 30 days to review the recommendation and determine appropriate action, which may include a federal moratorium on fishing for or possessing Atlantic menhaden in the Commonwealth's state waters.

For more information, please contact Toni Kerns, ISFMP Director, at [tkerns@asmfc.org](mailto:tkerns@asmfc.org) or 703.842.0740.

###

PR19-34

### ***Meeting Summary***

The Business Session (also known as the full Commission) met to consider approval of the 2020 Action Plan, elect new Commission leadership, and consider a noncompliance recommendation from the ISFMP Policy Board, as well as a draft policy on the non-payment of state appropriations. The Business Session reviewed and approved the 2020 Action Plan, which outlines the Commission's administrative and programmatic activities for next year. The Plan will be available on the Commission's website, [www.asmfc.org](http://www.asmfc.org), under Guiding Documents early next week. By unanimous acclamation, the Business Session elected Patrick C. Keliher of Maine and A.G. "Spud" Woodward of Georgia the Commission Chair and Vice-chair, respectively. In accepting the chairmanship, Patrick Keliher expressed appreciation for the many contributions of outgoing Chair Jim Gilmore of New York (see above press release for more details).

The Business Session considered and unanimously approved a motion to find the Commonwealth of Virginia out of compliance for not fully and effectively implementing and enforcing Section 4.3.7 Chesapeake Bay Reduction Fishery Cap of Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. The Commission has 10 business days to forward a letter to the Secretary of Commerce of its determination (see above press release for more details).

Based on a recommendation from the Executive Committee, the Commission approved a Policy on Non-Payment of State Appropriations. The Policy contains a timeline for payment of annual state appropriations which are due on June 30 each year. If a state is delinquent in submitting its dues, it will lose its voting rights on October 1. This Policy was developed in response to the rare occasions that states do not submit timely payments and to respond to state concerns regarding the fairness of a state being able to participate in the Commission process while being in arrears on annual appropriations. This Policy will be added to the Commission's Rules and Regulations.

For more information, please contact Robert Beal, Executive Director, at [rbeal@asmfc.org](mailto:rbeal@asmfc.org) or 703.842.0740.

### ***Motions***

#### **Move to accept the Action Plan as amended today.**

Motion made by Mr. Keliher and seconded by Mr. Clark. Motion passes unanimously.

**On behalf of the Nominating Committee, I nominate Pat Keliher as the Chair of the Atlantic States Marine Fisheries Commission effective at the end of the Annual Meeting.**

Motion made by Mr. Grout. Motion passes by unanimous consent.

**On behalf of the Nominating Committee, I nominate Spud Woodward as the Vice-Chair of the Atlantic States Marine Fisheries Commission effective at the end of the Annual Meeting.**

Motion by Mr. Grout. Motion passes by unanimous consent.

**On behalf of the Interstate Fishery Management Program Policy Board, move that the Atlantic States Marine Fisheries Commission find the Commonwealth of Virginia out of compliance for not fully and effectively implementing and enforcing Section 4.3.7 Chesapeake Bay Reduction Fishery Cap of Amendment 3 to the Interstate Fishery Management Plan for Atlantic Menhaden. The Commonwealth of Virginia must implement an annual total allowable harvest from the Chesapeake Bay by the reduction fishery of no more than 51,000 metric tons. The implementation of this measure is necessary to achieve the goals and objectives of the Fishery Management Plan and maintain the Chesapeake Bay marine environment to assure the availability of the ecosystem's resources on a long-term basis.**

Motion made by Mr. Gilmore. Motion passes by unanimous consent

**Move to amend the Commission's Rules and Regulations to implement the policy on non-payment of state appropriations**

Motion made by Mr. Train and seconded by Dr. Davis. Motion passes by unanimous consent.

## **SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (OCTOBER 31, 2019)**

### ***Meeting Summary***

The South Atlantic State/Federal Fisheries Management Board (Board) met to consider Draft Addendum III to Amendment 1 to the Interstate Fishery Management Plan (FMP) for Atlantic Croaker and Draft Addendum III to the Omnibus Amendment to the Interstate FMPs for Spanish Mackerel, Spot, and Spotted Seatrout (Omnibus Amendment) for public comment. These addenda were initiated to incorporate updates to the annual Traffic Light Approaches (TLA) applied to Atlantic croaker and spot and consider changes to the management responses defined in Addendum II to the Atlantic Croaker FMP and Addendum II to Spot FMP. The TLA assigns a color (red, yellow, or green) to categorize relative levels of indicators on the condition of the fish population (abundance metric) or fishery (harvest metric). For example, as harvest or abundance increases relative to its long-term mean, the proportion of green in a given year will increase and as harvest or abundance decreases, the amount of red in that year will increase. The Board annually evaluates amounts of red against threshold levels to potentially trigger management action. While both species have shown strong declines in recent harvest, neither species had management action triggered because abundance metrics from fishery-independent surveys do not show similar declines. Updates to the TLAs have been recommended by the Atlantic Croaker Technical Committee and Spot Plan Review Team, which include use of regional harvest and abundance metrics, additional fishery-independent surveys, age information, and changes to the triggering mechanisms. The Board made several edits to the Draft Addenda, which will be incorporated before

they are released for public comment. The Board then approved the document, as modified, for public comment.

The Board also discussed differences between federal and state management of Spanish mackerel. Spanish mackerel are managed, primarily, by the South Atlantic Fishery Management Council (SAFMC) with cooperative management from the states through the Commission's Omnibus Amendment. Differences between current SAFMC management and that of the Omnibus Amendment were noticed due to an early federal closure of the commercial Northern Zone of Spanish mackerel. Differences between the plans include differing definitions of commercial management zones and accountability measures. Ongoing action from the SAFMC could potentially change accountability measures for Spanish mackerel in the near future. Therefore, the Board will wait to pursue an addendum to better align state and federal management until a decision on these potential changes has been made.

Finally, the Board reviewed annual state compliance with the FMPs for red drum, black drum, and spotted seatrout. The Board found all states' regulations to be consistent with the measures of the respective FMPs and approved *de minimis* requests for New Jersey (red drum and spotted seatrout) and Delaware (red drum and spotted seatrout).

For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org) or 703.842.0740.

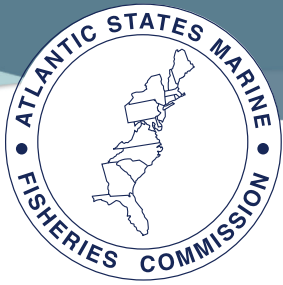
### ***Motions***

**Move to approve Draft Addendum III to Amendment 1 to the Interstate FMP for Atlantic Croaker and Draft Addendum III for Spot to the Omnibus Amendment with the additions discussed for public comment.**

Motion made by Dr. Rhodes and seconded by Mr. Haymans. Motion approved unanimously.

**Move to approve the 2019 Spotted Seatrout, Black Drum, and Red Drum FMP Reviews, state compliance reports, and *de minimis* requests for New Jersey and Delaware for red drum and spotted seatrout.**

Motion made by Ms. Fegley and seconded by Mr. Estes. Motion approved by unanimous consent.



ASMFC

# FISHERIES *focus*

Vision: Sustainable and Cooperative Management of Atlantic Coastal Fisheries

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**October 28-31**  
Wentworth by the Sea

## Preliminary Agenda

*The agenda is subject to change. Bulleted items represent the anticipated major issues to be discussed or acted upon at the meeting. The final agenda will include additional items and may revise the bulleted items provided below. The agenda reflects the current estimate of time required for scheduled Board meetings. The Commission may adjust this agenda in accordance with the actual duration of Board meetings. Interested parties should anticipate Boards starting earlier or later than indicated herein.*

**MONDAY, OCTOBER 28**

**8:30 – 9:30 a.m.**

### Atlantic Herring Management Board

- Progress Update on 2019 Atlantic Herring Area 1A Fishery Performance
- Progress Update on Development of Georges Bank Spawning Protection Discussion Document
- Review and Set Atlantic Herring Fishery Specifications for 2020/2021 Season

*ANNUAL MEETING PRELIMINARY AGENDA, continued on page 6*

**Atlantic States Marine Fisheries Commission**

1050 North Highland Street, Suite 200 A-N • Arlington, Virginia 22201 • [www.asmfc.org](http://www.asmfc.org)



## Upcoming Meetings

*The Atlantic States Marine Fisheries Commission was formed by the 15 Atlantic coastal states in 1942 for the promotion and protection of coastal fishery resources. The Commission serves as the deliberative body of the Atlantic coastal states, coordinating the conservation and management of nearshore fishery resources, including marine, shell and diadromous species. The fifteen member states of the Commission are: Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida.*

### Atlantic States Marine Fisheries Commission

James J. Gilmore, Jr. (NY), *Chair*  
Patrick C. Keliher (ME), *Vice-Chair*

Robert E. Beal,  
*Executive Director*

Patrick A. Campfield,  
*Science Director*

Toni Kerns,  
*ISFMP Director*

Laura C. Leach,  
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#### **September 24 - 26**

New England Fishery Management Council, Beauport Hotel, Gloucester, MA

#### **October 1 (5:30 PM)**

Coastal Sharks Advisory Panel Conference Call, go to <http://www.asmfc.org/calendar/10/2019/coastal-sharks-advisory-panel-conference-call/1454> for more details.

#### **October 8 - 10**

Mid-Atlantic Fishery Management Council, Durham Convention Center, 301 W. Morgan Street, Durham, NC

#### **October 10 (10 AM - 12:30 PM)**

Atlantic Striped Bass Technical Committee Webinar, go to <http://www.asmfc.org/calendar/10/2019/atlantic-striped-bass-technical-comm-webinar/1452> for more details

#### **October 16 (10 AM - 3 PM)**

Atlantic Striped Bass Advisory Panel, Courtyard Baltimore BWI Airport, 1671 West Nursery Road, Linthicum, MD

#### **October 28 - 31**

ASMFC Annual Meeting, Wentworth by the Sea, 588 Wentworth Road, New Castle, NH

#### **November 4 (begins at 9 AM) - 8 (ends at 1 PM)**

SEDAR 69 Atlantic Menhaden Single-Species and Ecological Reference Points Review Workshop, Town and Country Inn and Suites, 2008 Savannah Highway, Charleston, SC, go to <http://www.asmfc.org/calendar/11/2019/sedar-69-atlantic-menhaden-and-ecological-reference-points-review-workshop/1447> for more details

#### **November 19 - 21**

SEDAR 58 Atlantic Cobia Peer Review Workshop, Beaufort Hotel, 2440 Lennoxville Road, Beaufort, NC, go to <http://www.asmfc.org/calendar/11/2019/sedar-58-atlantic-cobia-assessment-review-workshop/1448> for more details

#### **November 2 - 6**

South Atlantic Fishery Management Council, Hilton Wilmington Riverside, 301 North Water Street, Wilmington, NC

#### **December 3 - 5**

New England Fishery Management Council, Hotel Viking, Newport, RI

#### **December 10 - 12**

Mid-Atlantic Fishery Management Council, Westin Annapolis, 100 Westgate Circle, Annapolis, MD

#### **December 11 (begins at 1 PM) - 12 (ends at 1 PM)**

ASMFC Tautog Ageing Workshop, Massachusetts Division of Marine Fisheries, 30 Emerson Avenue, Gloucester, MA

#### **January 28 - 30**

New England Fishery Management Council, Portsmouth Event Center, Portsmouth, NH



### ACCSP: Transitions in Leadership

As many of our readers are already aware, there have been some recent changes in leadership within the Atlantic Coastal Cooperative Statistics Program over the past several months. In mid-May, former ACCSP Director Michael Cahall retired after two decades of service. Under his leadership, ACCSP enjoyed tremendous growth, truly becoming the principal source of marine fishery statistics for the U.S. Atlantic coast. Both innovative in his problem solving and deft at seeking funding, Mike was able to spearhead projects that significantly advanced

ACCSP's mission and objectives, including tablet and mobile data entry apps for dealers, commercial fishermen and the for-hire industry.

In August, Geoff White was named the new ACCSP Director based on his long-standing dedication to the Commission and ACCSP, combined with his outstanding record of accomplishments over two decades. Geoff began with the Commission in 1998 as a Fisheries Specialist, working on ASMFC and SEAMAP Strategic Plans, and coordinating the development of two multispecies assessments, the lobster

assessment database, and an assortment of fisheries research programs. Looking for a change, Geoff became ACCSP's System Administrator in 2004, and was subsequently promoted to Data Team Lead/System Administrator in 2008 and promoted again to Recreational Program Manager in 2015.

As Recreational Program Manager, Geoff was particularly impressive in overseeing the transition of MRIP's Access Point Angler Intercept Survey from a federal contractor to state conduct for the states of Maine through Georgia. He also brings to the position an extensive background in both

fisheries science and information technology. He understands the absolute necessity for high quality, dependable, and timely fisheries data, as well as the need to leverage technological innovations to improve efficiencies at all levels of data collection and management. I am excited to see what further technological innovations and efficiencies ACCSP will achieve under Geoff's leadership.

Joining Geoff in a new leadership position is Julie Defilippi Simpson as ACCSP Deputy Director. Julie is another ACCSP veteran, having joined the Program in November 2007 as a Fisheries Data Coordinator. Like Geoff, Julie has risen through the ranks to become a Senior Fisheries Data Coordinator in 2013 and more recently Data Team Lead in 2015. Major accomplishments over those 12 years include leading the annual data compilation process for Fisheries of the United States since 2008. As a result of Julie's efforts, data have been provided earlier each year to accelerate production of the report. Julie also redesigned the Data Warehouse web application to improve data access and has been instrumental in providing data to dozens of stock assessments conducted by the Commission and the SouthEast Data Assessment and Review process. As Deputy Director, Julie will coordinate the annual request for proposals process as well as staff the Operations Committee. She will also continue to lead the Data Team, providing guidance on all data-related activities including standards, warehousing, and dissemination.

In accepting the Director position, Geoff stated, "I am honored and privileged to direct a program I feel so passionate about. I'm very proud to have been part of the progress ACCSP has made to date and I am excited to work with Julie to maintain our rigorous program standards while exploring opportunities to improve data collection and access. One of our goals will be to more fully integrate ACCSP's activities with partner needs."

In 1995, recognizing the need for consistency across Atlantic coast fishery-dependent data collection efforts, the 23 state, regional, and federal agencies responsible for fisheries management on the Atlantic coast established the ACCSP. Using a committee-based approach, ACCSP works with its partners to increase data utility by: (1) developing and implementing coastwide data standards; (2) providing electronic applications that improve partner data collection; (3) integrating and sharing partner data via a coastwide repository; (4) facilitating fisheries data access while protecting confidentiality; and (5) supporting further technological innovation. Since the Program's inception, the Commission has played an important role in its creation and administration. In 2016, ACCSP officially became a Commission program.

**"I am honored and privileged to direct a program I feel so passionate about. I'm proud to have been part of the progress ACCSP has made to date and I am excited to work with Julie to maintain our rigorous program standards while exploring opportunities to improve data collection and access."**

**-- Geoff White**



# Species Profile: Summer Flounder

## Joint Management Action Adapts to Changing Conditions in the Summer Flounder Fishery

### Introduction

Highly valued by both commercial fishermen and recreational anglers from Massachusetts to North Carolina, summer flounder are often considered the most important flounder along the Atlantic coast. In addition to commercial fishing, enterprises such as recreational charters, party boats, bait and tackle stores, and any number of businesses associated with boating and angling view summer flounder as an essential component of their livelihood. Because of this importance, there has been considerable debate and concern over the status of the resource and the need for management to respond to changing conditions in the summer flounder fishery.

The Commission and the Mid-Atlantic Fishery Management Council (Council), which jointly manage summer flounder, set the 2019-2021 specifications at a 7.69 million pound recreational harvest limit (RHL) and an 11.53 million pound commercial quota. Both represent a substantial change from the 2018 fishing season and respond to the inclusion of the recalibrated estimates from the Marine Recreational Information Program (MRIP) in the 2018 stock assessment, which indicates the resource is not overfished nor experiencing overfishing. Recent additions to the fishery management program aim to maintain and enhance the stock's condition while balancing the economic importance of the fishery to both the commercial and recreational sectors.

### Life History

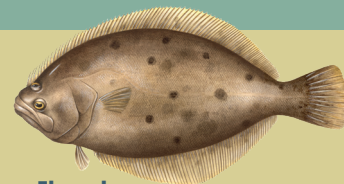
Summer flounder are found in inshore and offshore waters from Nova Scotia, Canada to the east coast of Florida. In the U.S., they are most abundant in the Mid-Atlantic region from Cape Cod, Massachusetts to Cape Fear, North Carolina. Summer flounder usually begin to spawn at age one at lengths greater than 12 inches. Spawning occurs in the fall and winter while the fish are offshore. Spawning migration is linked to sexual maturity, with the oldest and largest fish migrating first. Seasonal migrations of spawning summer flounder vary regionally as well. Summer flounder in the northern portion of the range spawn and move offshore (depths of 120 to 600 feet) earlier than those in the southern part of the range. Larvae migrate to inshore coastal and estuarine areas from October to May. The larvae, or fry, move to bottom waters upon reaching the coast and spend their first year in bays and estuaries. At the end of their first year, some juveniles join the adult offshore migration. Recent research has indicated a northward shift in the center of biomass linked to an expansion of age structure of the population and possibly to changes in sea surface temperatures. Adults spend most of their life on or near the sea bottom burrowing in the sandy substrate. Flounder lie in ambush and wait for their prey. They are quick and efficient predators with well-developed teeth allowing them to capture small fish, squid, sea worms, shrimp, and other crustaceans. Skilled anglers take advantage of their ambush behavior by fishing near the bottom with moving bait.

### Commercial & Recreational Fisheries

Summer flounder are one of the most sought after commercial and recreational fish along the Atlantic coast, with total landings at approximately 14 million pounds in 2018 (see Figure 1). Using the base years of 1980 to 1989, the current plan allocates the summer flounder quota on a 60/40 percent basis to commercial and recreational fisheries, respectively.

Two major commercial trawl fisheries exist — a winter offshore and a summer inshore. Summer flounder are also commercially harvested by pound nets and gillnets in estuarine waters. Throughout the 1980s, commercial landings ranged from 21 to 38 million pounds. By 1990, landings reached a

### Species Snapshot



#### Summer Flounder

*Paralichthys dentatus*

#### Management Unit

Massachusetts to North Carolina

#### Interesting Facts

- Left-eyed flatfish (both eyes on the left side of its body when viewed from above with the top fin facing up).
- Fluke begin with eyes on both sides of their body; the right eye migrates to the left side in 20-32 days.
- Summer flounder are called chameleons of the sea because of their ability to match the color of the bottom on which they are found.

#### Largest Recoded

27.9 lbs (Ocean City, MD)

#### Maximum Age

14 years old

#### Age at Maturity

50% mature by age 1; ~10" for males and 11.5" for females

#### Stock Status

Not overfished nor experiencing overfishing



Photo (c) MA DMF

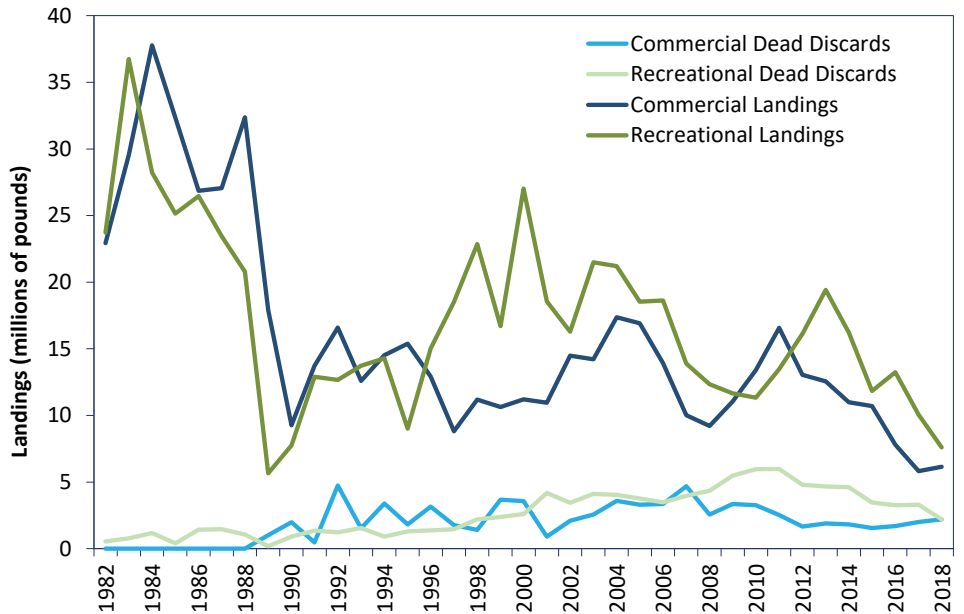
low of 9 million pounds and have since fluctuated between 9 and 17 million pounds. In 1993, the coastwide quota was implemented for the first time, setting a commercial landings limit of 12.4 million pounds. Since then, commercial landings, which are limited by the quota, have ranged from approximately 10 to 18 million pounds. Over the past five years, commercial landings have been on the decline, in part due to annual quota limits, dropping from approximately 11 million pounds in 2015 to 6 million pounds in 2018.

Summer flounder are also highly prized in the recreational fishery. Anglers catch summer flounder from the shore, piers, and boats with hook and line. Estimates of recreational effort and catch, generated by MRIP, were improved through a 2015 transition from a phone-based survey to a mail-based survey to estimate fishing effort. Old catch estimates prior to 2015 were subsequently calibrated to new estimates from the improved mail-based survey.

As a result of the survey improvements, new recreational landings estimates increased, on average, about 1.5 times in the early 1980s and about 3 times in the most recent 5 years (see Figure 2). These new MRIP estimates result in a larger stock abundance than previously estimated using old MRIP estimates. From 1981 through 2004, recreational landings varied widely from a high of 37 million pounds in 1981 to a low of 6 million pounds in 1989. Starting in 1993, harvest limits were implemented for the recreational fishery. Beginning in the mid-2000s, recreational harvest began to decline, in part due to decreases in the coastwide recreational harvest limit (RHL). In 2018, recreational anglers harvested 7.6 million pounds of summer flounder.

**Figure 1. Summer Flounder Commercial and Recreational Landings and Discards**

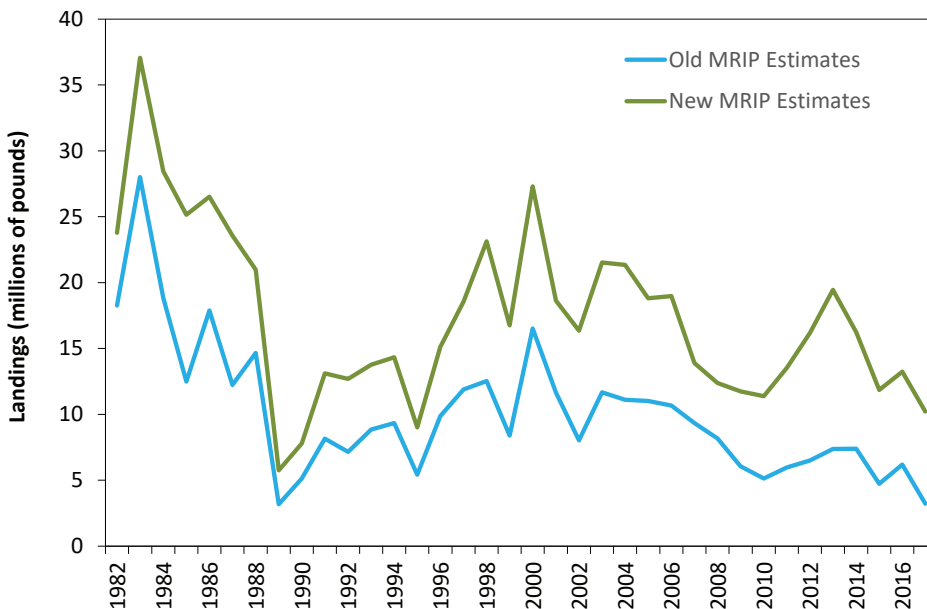
Source: 66th Northeast Regional Stock Assessment Workshop, 2018



**Figure 2. Comparison of Old & New MRIP Estimates of Summer Flounder**

**Recreational Landings**

Source: ACCSP Data Warehouse, 2019



**Stock Status**

The 2018 stock assessment indicates summer flounder is not overfished nor experiencing overfishing. Female spawning stock biomass (SSB) is estimated at 98 million pounds, below the SSB target of 126 million pounds, but above the SSB threshold of 63 million pounds. While total fishing mortality is estimated at 0.334, below the fishing mortality threshold of 0.448, mortality from all sources is greater than current levels of recruitment. This means that total mortality is removing more fish than the stock can produce (recruitment) over the long-term to sustain itself, resulting in declining abundance.

To a large extent, increases in MRIP catch estimates from the new survey method have led to an increase in estimates of abundance relative to earlier stock assessments. Summer flounder recruitment, or the number of age-0 fish, has experienced significant

*continued, see SUMMER FLOUNDER on page 12*

# 78th Annual Meeting Preliminary Agenda (cont'd)

## 9:45 – 10:30 a.m. American Lobster Management Board

- Progress Update on Resiliency in the Gulf of Maine
- Progress Update on 2020 American Lobster Benchmark Stock Assessment

## 10:45 – 11:45 a.m. Tautog Management Board

- Progress Update on Commercial Tagging Program

## 1:00 – 5:00 p.m. Atlantic Coastal Fish Habitat Partnership (ACFHP) Steering Committee

- Develop Action Plan for 2020-2021
- Finalize Recommendations for FY2020 National Fish Habitat Partnership-U.S. Fish and Wildlife Service Funding
- Progress Update on Northeast Fish Habitat Conservation Mapping Prioritization
- Develop Strategy for Sub-regional Project Fundraising

## 1:00 – 5:00 p.m. Management and Science Committee

- Review Commission Success in Rebuilding and Sustaining Stocks
  - Consider Climate Change Impacts on Stock Distributions and Productivity
- Consider Use of Management Strategy Evaluations (MSE)
- Discuss Offshore Wind and Fisheries Interactions
- Discuss Implementation of New Recreational Data in Fisheries Management

## 1:15 – 2:45 p.m. Atlantic Menhaden Management Board

- Progress Update on the 2019 Atlantic Menhaden Single-Species and Ecological Reference Point Benchmark Stock Assessments
- Update on Reduction Fishery Harvest from the Chesapeake Bay

## 3:00 – 5:30 p.m. Atlantic Coastal Cooperative Statistics Program (ACCSP) Coordinating Council

- Funding Subcommittee Report
- Consider Approval of Recommendations of FY2020 Submitted Proposals
- Discuss Changes to ACCSP Committee Structure
- Formulation of Data Coordination Committee
- Program/Committee Updates

## 6:00 – 8:00 p.m. Welcome Reception

### TUESDAY, OCTOBER 29

## 8:00 – 9:30 a.m. Spiny Dogfish Management Board

- Consider Approval of Addendum VI
- Review and Revise (if Needed) Spiny Dogfish Fishery Specifications for 2020/2021 Season
- Review and Consider Approval of 2019 Fishery Management Plan Review and State Compliance

## 8:30 a.m. – Noon Management and Science Committee (continued)

## 8:30 a.m. – 5:00 p.m. ACFHP Steering Committee (continued)

## 9:45 – 11:45 a.m. Horseshoe Crab Management Board

- Review Adaptive Resource Management (ARM) Subcommittee and Delaware Bay Ecosystem Technical Committee Recommended Updates for the ARM Model
- Review and Set Horseshoe Crab Harvest Specifications for 2020 Season

## Public Comment Guidelines

For issues that are not on the agenda, management boards will continue to provide opportunity to the public to bring matters of concern to the board's attention at the start of each board meeting. Board chairs will use a speaker sign-up list in deciding how to allocate the available time on the agenda (typically 10 minutes) to the number of people who want to speak.

For topics that are on the agenda, but have not gone out for public comment, board chairs will provide limited opportunity for comment, taking into account the time allotted on the agenda for the topic. Chairs will have flexibility in deciding how to allocate comment opportunities; this could include hearing one comment in favor and one in opposition until the chair is satisfied further comment will not provide additional insight to the board.

For agenda action items that have already gone out for public comment, it is the Policy Board's intent to end the occasional practice of allowing extensive and lengthy public comments. Currently, board chairs have the discretion to decide what public comment to allow in these circumstances.

In addition, the following timeline has been established for the submission of written comment for issues for which the Commission has NOT established a specific public comment period (i.e., in response to proposed management action).

1. Comments received 3 weeks prior to the start of a meeting week will be included in the briefing materials.
2. Comments received by 5 PM on Tuesday, October 22<sup>nd</sup> will be distributed electronically to Commissioners/Board members prior to the meeting and a limited number of copies will be provided at the meeting.
3. Following the October 22<sup>nd</sup> deadline, the commenter will be responsible for distributing the information to the management board prior to the board meeting or providing enough copies for management board consideration at the meeting (a minimum of 50 copies).

The submitted comments must clearly indicate the commenter's expectation from the ASMFC staff regarding distribution. As with other public comment, it will be accepted via mail, fax, and email.



- Consider Postponed Development of Draft Addendum VIII
- Review and Consider Approval of 2019 Fishery Management Plan Review and State Compliance

**12:30 – 5:00 p.m. Law Enforcement Committee**

(A portion of this meeting may be a closed session for Committee members only)

- Review Circle Hook Regulations and Enforcement
- State and Federal Agency Reports
- Review Action Plan for 2020
- Discuss State Compliance Reporting Process
- Review ASMFC Managed-Species as Needed
- Elect Chair and Vice-chair

**1:15 – 2:15 p.m. American Eel Management Board**

- Draft Policy on Coastwide Cap Overages for Board Approval
- Review and Consider Approval of 2019 Fishery Management Plan Review and State Compliance

**2:30 – 4:00 p.m. Weakfish Management Board**

- Progress Update on 2019 Benchmark Stock Assessment
- Consider Management Response to the 2019 Weakfish Benchmark Stock Assessment Update
- Review and Consider Approval of 2019 Fishery Management Plan Review and State Compliance

**4:15 – 5:15 p.m. Business Session**

- Review and Consider Approval of 2020 Action Plan
- Elect Chair and Vice-Chair

**6:00 – 9:00 p.m. Annual Dinner**

**WEDNESDAY, OCTOBER 30**

**8:00 – 10:00 a.m. Executive Committee**

(A portion of this meeting may be a closed session for Committee members and Commissioners only)

- Report of the Administrative Oversight Committee
- Review and Consider Approval of FY19 Audit
- Review Policy Addressing Non-payment of State Assessments
- Future Annual Meetings Update

**8:00 a.m. – Noon Law Enforcement Committee (continued)**

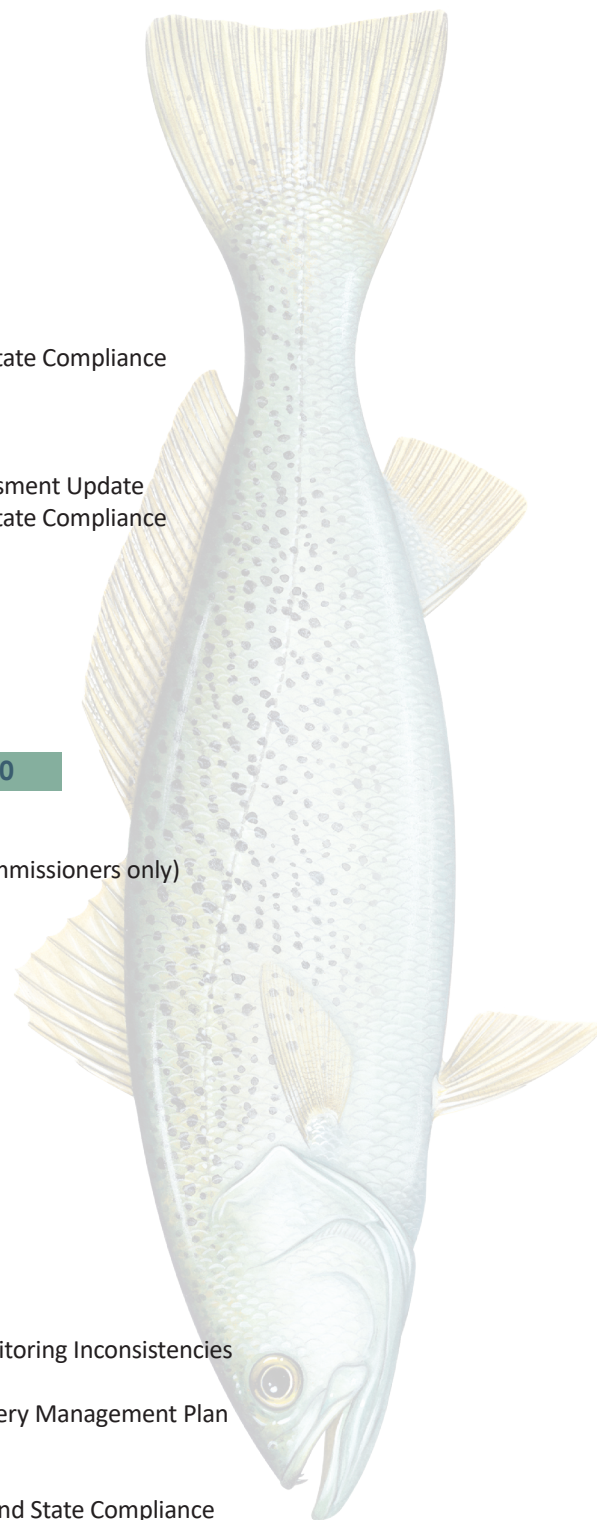
**8:30 a.m. – 3:30 p.m. Habitat Committee**

- Discuss Progress on ASMFC Fish Habitats of Concern
- Review Success of Species Assignments
- Progress Update on Acoustics Impacts Document, Aquaculture Document, and *Habitat Hotline Atlantic*

**10:15 – 11:45 a.m. Shad and River Herring Management Board**

- Review Technical Committee Recommendations on Management and Monitoring Inconsistencies with Amendments 2 and 3
- Consider Approval of Revisions to the Maine River Herring Sustainable Fishery Management Plan
- Discuss Updates to Shad Habitat Plans
- Progress Update on Shad Benchmark Stock Assessment
- Review and Consider Approval of 2019 Fishery Management Plan Review and State Compliance

**11:45 a.m. – 1:15 p.m. Captain David H. Hart Award Luncheon**



ANNUAL MEETING PRELIMINARY AGENDA, continued on page 14

## Atlantic Cobia

The Commission approved Amendment 1 to the Interstate Fishery Management Plan (FMP) for Atlantic Migratory Group Cobia (Atlantic cobia). Amendment 1 establishes management measures that transition the FMP from complementary management with the South Atlantic and Gulf of Mexico Fishery Management Councils to sole management by the Commission. Amendment 1 to the FMP was initiated in anticipation of the Councils' Regulatory Amendment 31 to the Coastal Migratory Pelagics (CMP) FMP, which was approved earlier this year and removed Atlantic cobia from the Councils' oversight.

Amendment 1 changes several portions of the Commission's FMP that were previously dependent on the CMP FMP and institutes a long-term strategy for managing in the absence of a federal plan. Several of these changes establish processes for the Commission to carry out management responsibilities previously performed by the South Atlantic Council, including setting of harvest quotas and sector allocations, defining stock status criteria, and recommending management measures to be implemented by NOAA Fisheries in federal waters. Additionally, Amendment 1 transitions responsibilities of monitoring and closing (if necessary) commercial harvest to the Commission.

Moving forward, the Commission will recommend to NOAA Fisheries that fishing in federal waters be regulated according to the state of landing. If a vessel has licenses for multiple states with open seasons, they must follow the most restrictive license's regulations. If a vessel has licenses for multiple states, only one of which has an open season, they may fish under the regulations of the open state. Regulations resulting from this recommendation would only apply in federal waters. Fishermen would still be required to follow state possession or landing limits in state waters.

Amendment 1 establishes a harvest specification process, which allows the Board to specify a limited set of management measures for up to 3 years. One of the mea-

asures that may be set through this process is a coastwide harvest quota. However, until the first specification process occurs, after completion of the ongoing stock in 2020, the current coastwide quota (670,000 pounds) remains in effect.

The Amendment also changes the units used to measure and evaluate the recreational fishery from pounds to numbers of fish. To accommodate this change, the recreational harvest quota in pounds (620,000) is converted to numbers (22,142 fish) and allocated among the states, resulting in the following state recreational harvest targets:

- Virginia: 8,724 fish
- North Carolina: 8,436 fish
- South Carolina: 2,679 fish
- Georgia: 2,081 fish
- 1% *De Minimis* Set Aside: 222 fish

States still may set their own seasons and vessel limits to achieve their respective targets.

Finally, Amendment 1 establishes a *de minimis* status for the commercial sector that exempts states with small commercial harvests from in-season monitoring requirements. States are required to implement measures of Amendment 1 by July 1, 2020.

For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at [mschmidtke@asmfc.org](mailto:mschmidtke@asmfc.org).

## Atlantic Menhaden

The Atlantic Menhaden Management Board maintained the total allowable catch (TAC) of 216,000 mt for the 2020 fishing season with the option to revisit the 2020 TAC following review of the 2019 single-species and ecological reference

2020 ATLANTIC MENHADEN QUOTAS			
		Metric Tons	Pounds
<b>TAC</b>		216,000	476,198,486
<b>1% Set Aside*</b>		2,160	4,761,985
<b>TAC After Set Aside</b>		213,840	471,436,501
STATE	ALLOCATION	QUOTA (MT)	QUOTA (LBS)
ME	0.52%	1,106	2,437,866
NH	0.50%	1,069	2,357,313
MA	1.27%	2,725	6,008,565
RI	0.52%	1,107	2,440,542
CT	0.52%	1,103	2,431,491
NY	0.69%	1,477	3,256,768
NJ	10.87%	23,250	51,257,740
PA	0.50%	1,069	2,357,183
DE	0.51%	1,096	2,416,467
MD	1.89%	4,038	8,901,558
PRFC	1.07%	2,295	5,060,296
VA	78.66%	168,213	370,846,528
NC	0.96%	2,044	4,507,320
SC	0.50%	1,069	2,357,183
GA	0.50%	1,069	2,357,183
FL	0.52%	1,108	2,442,500
<b>TOTAL</b>	<b>100%</b>	<b>213,840</b>	<b>471,436,501</b>

\*1% of the TAC is set aside for episodic events, the remaining TAC is allocated to the states per the provisions of Amendment 3. Quotas may be adjusted pending final 2019 landings and the redistribution of any relinquished quota.

point benchmark stock assessments and peer-review reports. The TAC will be made available to the states based on the state-by-state allocation established by Amendment 3 (see accompanying table).

The 2019 benchmark stock assessments are scheduled for peer review at the Southeast Data, Assessment and Review process (SEDAR 69) in early November. It is expected the benchmark assessments and peer-review reports will be available for Board review in February 2020. The assessments will be used to evaluate the health of the stock and inform the management of the species in an ecological context. Should the Board determine a change in the quota is necessary after review of the assessments, a two-thirds vote would be required for reconsideration of the 2020 TAC.

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at [mappelman@asmfc.org](mailto:mappelman@asmfc.org).

## Atlantic Striped Bass

The Atlantic Striped Bass Management Board approved Draft Addendum VI for public comment. The Addendum was initiated in response to the 2018 Benchmark Stock Assessment which indicates the resource is overfished and experiencing overfishing. The Draft Addendum explores a range of management alternatives designed to end overfishing and reduce fishing mortality to the target level in 2020.

“The Draft Addendum is a critical first step to stem overfishing as quickly as possible and begin efforts to rebuild the biomass,” said Board Chair Dr. Michael Armstrong with the Massachusetts Division of Marine Fisheries. “Following approval of the Addendum, the Board will likely initiate a new amendment to consider a longer term strategy to fully rebuild the resource.”

The Draft Addendum proposes management options for both commercial and recreational sectors in the ocean and in Chesapeake Bay in order to reduce total fishery removals by 18% relative to 2017 levels. The proposed measures include reduced quotas for commercial fisheries, and changes in bag limits, minimum sizes, and slot size limits for the recreational sector. Since catch and release practices represent a significant component of overall fishing mortality, the Draft Addendum also explores the mandatory use of circle hooks when fishing with bait to reduce release mortality in recreational striped bass fisheries.

Atlantic coastal states from Maine through North Carolina will be conducting public hearings throughout September and early October. Check the Commission's website

calendar at <http://www.asmfc.org/calendar/> for more information. Fishermen and other interested groups are encouraged to provide input on the Draft Addendum either by attending state public hearings or providing written comment. The Draft Addendum is available at [http://www.asmfc.org/files/PublicInput/StripedBassDraftAddVI\\_PublicComment\\_Aug2019.pdf](http://www.asmfc.org/files/PublicInput/StripedBassDraftAddVI_PublicComment_Aug2019.pdf). Public comment will be accepted until 5:00 PM (EST) on October 7, 2019 and should be forwarded to Max Appelman, Fishery Management Plan Coordinator, 1050 N. Highland St, Suite A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at [comments@asmfc.org](mailto:comments@asmfc.org) (Subject line: Draft Addendum VI).

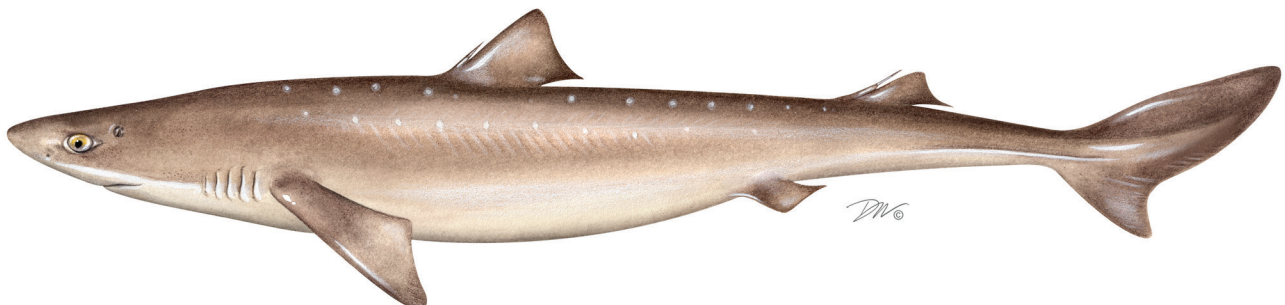
## Spiny Dogfish

The Spiny Dogfish Management Board approved Draft Addendum VI to the Interstate Fishery Management Plan (FMP) for Spiny Dogfish for public comment. The Draft Addendum proposes allowing commercial quota to be transferred between all regions and states to enable the full utilization of the coastwide commercial quota and avoid quota payback for unintended quota overages. The Commission's FMP allocates the coastwide quota to the states of Maine-Connecticut as a regional allocation and to the states of New York-North Carolina as state-specific allocations. Currently, the FMP only allows quota transfers between states with individual allocations, with regions excluded from benefitting from quota transfers. The 2019-2020 coastwide quota was reduced by 46% due to declining biomass. If landings in the 2019-2020 fishing year remain the same as 2018-2019 landings, the coastwide quota may not be exceeded but some states could face an early closures due to

reaching their allocation and being unable to access available unused quota from the northern region through quota transfers.

The Draft Addendum also includes a scoping question on whether the federal commercial trip limit should be eliminated and replaced by state and regional trip limits. This issue is under consideration due to concern that the coastwide quota has been substantially underutilized over the past seven years and the federal commercial trip limit is viewed by some as an additional constraint on the fishery beyond the commercial trip limits implemented for state permit holders. The Commission does not establish the federal commercial trip limit, but it can make recommendations to the New England and Mid-Atlantic Fishery Management Councils and NOAA Fisheries on this management measure during the federal specifications process. The public is encouraged to provide comments on this question to help inform future recommendations from the Commission to the Councils and NOAA Fisheries on the management of spiny dogfish in federal waters.

Draft Addendum VI is available at [http://www.asmfc.org/files/PublicInput/SpinyDogfishDraftAddVI\\_PublicComment\\_Aug2019.pdf](http://www.asmfc.org/files/PublicInput/SpinyDogfishDraftAddVI_PublicComment_Aug2019.pdf). Fishermen and other stakeholders are encouraged to provide input on Draft Addendum VI either by attending state public hearings, ASMFC webinar, or providing written comment. Public comment will be accepted until 5 PM (EST) on September 23, 2019 and should be sent to Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, 1050 N. Highland St, Suite A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at [comments@asmfc.org](mailto:comments@asmfc.org) (Subject line: Spiny Dogfish Draft Addendum VI).





## Where Have All the Weakfish Gone?

Effective rebuilding of harvested fish stocks requires accurate fishing and natural mortality estimates. The fishing mortality rate ( $F$ ) allows management to meet stock rebuilding goals through comparisons with target and threshold fishing levels based on biological reference points, whereas the natural mortality rate ( $M$ ) affects estimates of stock size and productivity, which ultimately determine harvest rates. Stock assessments typically estimate  $F$  by relating catch-at-age data to changes in stock abundance, whereas  $M$  is difficult to measure since natural deaths (predation, disease) are rarely observed. Natural mortality is often estimated using life history characteristics and environmental variables, and used as a constant value in stock assessment models. However, estimates of  $M$  are often uncertain, and do not account for differences across time or locations.

Mortality estimates can be derived through acoustic telemetry and tag-return experiments. In acoustic telemetry studies, estimates of survival can be determined from capture-recapture models that calculate the probability a fish is present in a given area and its chances of survival. Tag-return models divide total mortality rate ( $Z$ ) into estimates of  $F$  and  $M$ , although the precision of the estimates depend on a number of factors, including tag-reporting rate, tag loss, and survival from the tagging procedure. Multi-year tagging studies of rigorous design can generate reliable estimates of mortality. Both approaches provide insight into the timing and causes of mortality. For example, estimates can be applied to any time-scale and matched with seasonal stock locations, whereas most traditional stock assessments lack the enhanced spatiotemporal resolution.

Historically, weakfish supported vibrant commercial and recreational fisheries at the height of its spawning stock biomass (SSB) in the 1970s and 80s. SSB has since declined to record lows in 2008, with no appreciable recovery thereafter, despite management efforts to reduce harvest. The lack of stock recovery is surprising because weakfish can reach sexual maturity at age-0, facilitating a rapid stock rebuild. The reduced harvest combined with the lack of rebuilding prompted management to hypothesize that  $M$  has increased in

recent years. In the latest stock assessment time-series from 1982-2014, the statistical catch-at-age model estimated a time-varying  $M$  (natural mortality changing across years), which increased through the time-series and peaked in 2008, when an estimated 61% of the population perished from natural mortality. Total mortality matched the increasing trends of  $M$ , and peaked in 2007 when an estimated 97% of the population died. However, the mortality estimates contain uncertainty, because the model may attribute changes in other factors such as recruitment or fishery selectivity to changes in  $M$ . Therefore, reliable empirical estimates of survival, along with their

spatial and temporal variability, are vital for understanding the lack of stock recovery.

Survival models depend on high numbers of acoustically-tagged animals. From 2006 to 2016, weakfish with acoustic tags ( $n=324$ ; Figure 1) were released in five estuaries between New Jersey and North Carolina by researchers at North Carolina State University (NCSU), Rutgers University Institute for Marine and Coastal Sciences, and the NOAA Fisheries Northeast Fisheries Science Center James J. Howard Marine Sciences Laboratory. These weakfish encompass the core of the stock's distributional range and the time-period of the population decline (2004 to 2016). From 2013 to 2017, an additional 3,672 conventionally tagged weakfish were released by NCSU in North Carolina (Figure 2). A majority of fish were double-tagged to estimate tag loss, and each tag had a \$100 reward to ensure 100% reporting.

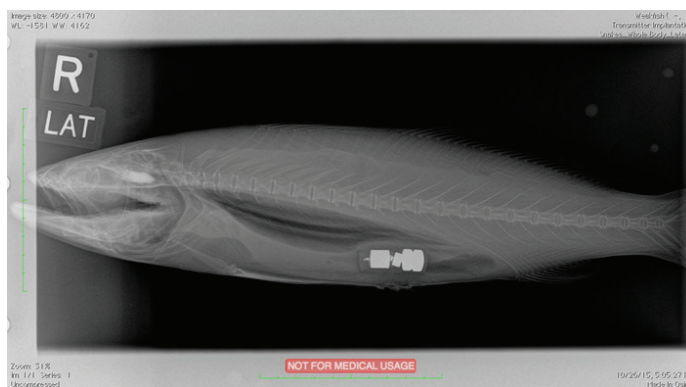


Figure 1. Radiograph of an acoustically-tagged weakfish. Photo (c) Craig Harms, DVM at North Carolina State University.



Figure 2. A conventionally-tagged weakfish with a high-reward internal anchor tag. Photo (c) Benjamin Almond.

Telemetry and tag-return studies both indicated extremely high mortality that peaked during the weakfish overwintering migration. Weakfish leave estuaries in the fall to overwinter on the continental shelf, then return to their natal estuaries to spawn the following spring. At least 61% of acoustically-tagged weakfish emigrated from estuaries, but only 2 out of 149 with long-lived batteries were detected alive after their overwintering migration. For conventionally tagged fish, only 4 out of 140 tag returns occurred in subsequent years after the overwintering period. Both tagging models estimated an annual population loss greater than 99% over multiple years,

SCIENCE HIGHLIGHT continued on page 13

# SAFIS eTRIPS/mobile Migrates to Version 2

## WHAT IS IT?

The Standard Atlantic Fisheries Information System (SAFIS) is a coastwide fisheries data collection system that uses various online applications that allow fishermen to create and submit commercial, party/charter, or recreational trip reports via a web browser. Interactive reports can be made to illustrate progress and history of catch and effort.

## WHEN WILL IT HAPPEN?

August 31, 2019

## WHAT DOES THIS MEAN?

- SAFIS eTRIPS/mobile v2, which is GARFO certified, is available and offers
  - Ease of transfer from v1 to v2 (see Useful Information)
  - Expanded platforms and operating systems, including phones
- SAFIS eTRIPS/mobile v1 will no longer be available for download in the app stores.
- ACCSP will not be providing updates or maintenance for eTRIPS/mobile v1.
- IMPORTANT: Applications that exist on individual devices will still be functional. However, SAFIS eTRIPS/mobile v1 will no longer be acceptable for use by all partners, please be sure to check with your administrator.

## USEFUL INFORMATION

- How do I know which version I have?
  - Go to Settings => About. If you see iOS/Android Release 1.34 or any number beginning with 1, then you have version v1.
- If you would like to migrate to SAFIS eTRIPS/mobile v2, all of your data and favorites can be transferred.
  - Use the 'Settings' --> 'Support' --> 'Backup Data for import to eTrips/mobile 2' button in v1 to backup your information
  - Use the 'About --> Restore eTRIPS 1 Data' button in v2 to download it again
- You can get SAFIS eTRIPS/mobile v2 here:
  - iOS version: <https://apps.apple.com/us/app/etrrips-mobile-2/id1457132829>
  - Android version: [https://play.google.com/store/apps/details?id=org.accsp.et2&hl=en\\_US](https://play.google.com/store/apps/details?id=org.accsp.et2&hl=en_US)
  - Windows 10 version: <https://www.microsoft.com/en-us/p/etrrips-mobile-2/9pcpdxwkwtb?activetab=pivot:overviewtab>
- Help Desk: 1.800.984.0810



ACCSP is a cooperative state-federal program focused on the design, implementation, and conduct of marine fisheries statistics data collection programs and the integration of those data into a single data management system that will meet the needs of fishery managers, scientists, and fishermen. It is composed of representatives from natural resource management agencies coastwide, including the Atlantic States Marine Fisheries Commission, the three Atlantic fishery management councils, the 15 Atlantic states, the Potomac River Fisheries Commission, the D.C. Fisheries and Wildlife Division, NOAA Fisheries, and the U.S. Fish & Wildlife Service. For further information please visit [www.accsp.org](http://www.accsp.org).



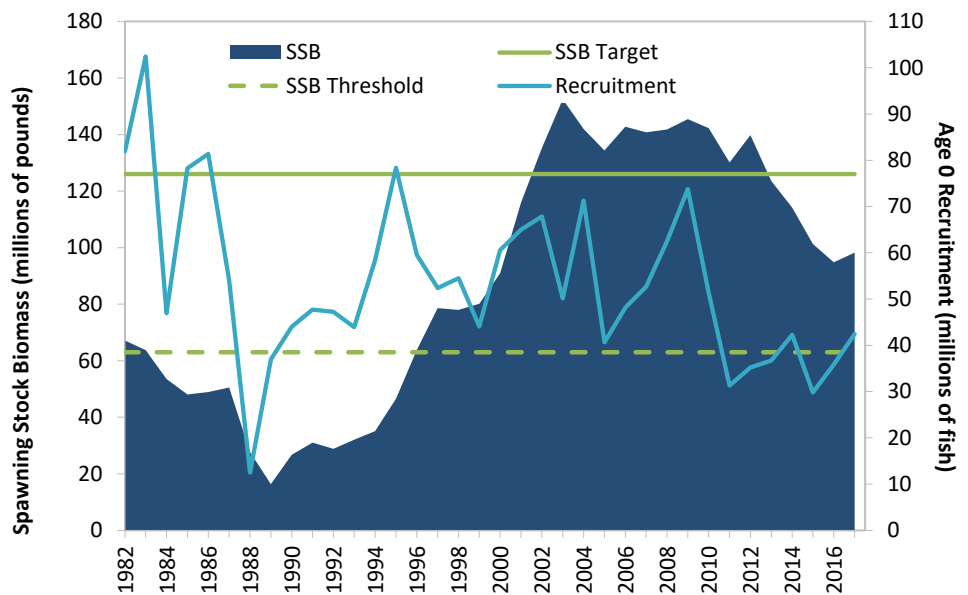
variability since 1982, the first year included in the age-structured stock assessment model. Recruitment has averaged 53 million fish over the 36 year time span, with higher levels in the 1980s and earlier 1990s and below average levels since 2011. Recruitment in 2017 was estimated at 42 million fish. The assessment indicates increasing relative abundance of older fish and an expanding age structure since about 2000. However, the assessment also shows decreasing trends in average lengths- and weights-at-age for both sexes, suggesting slower growth and delayed maturity. Lastly, the assessment found the spatial distribution of the resource is continuing to shift northward and eastward. The next benchmark stock assessment is tentatively scheduled for completion in 2021.

### Atlantic Coastal Management

The Commission approved the first Summer Flounder Fishery Management Plan (FMP) in 1982, followed by a similar FMP approved by the Council in 1988. Since then, both groups have made significant revisions to the plan, from allowing states to craft regional recreational management measures through conservation equivalency, to instituting accountability measures for evaluating annual landings to coastwide catch limits. The commercial fishery is managed by annual state-by-state quotas that are controlled through trip limits, gear specifications, and permit requirements. On the recreational side, annual harvest limits are managed through the implementation of minimum size limits, possession limits, and season lengths. In recent years, a regional management approach has allowed states within a region to implement consistent measures and improve equitable access to the resource. This approach has come with tradeoffs, where the boundary waters of neighboring regions have created situations where anglers are subject to different regulations while fishing within the same waterbody. The Commission is continuing to seek solutions to address this dilemma.

Based on the 2018 stock assessment findings, the Commission and the Council revised the 2019 specifications and set new specifications for 2020 and 2021, with the intent to maintain regulatory stability. For the 2019-2021 fishing seasons, the commercial quota is set at 11.53 million pounds and the RHL is set at 7.69 million pounds. Specifications for fishing seasons beyond 2019 may be adjusted based on changes in the fishery or new scientific information. While the revised RHL represents an approximate 49% increase over the previously set 2019 RHL, the Board chose to maintain recreational measures, which are projected to achieve a harvest level close to the revised RHL based on the calibrated

**Figure 3. Summer Flounder Spawning Stock Biomass & Recruitment**  
Source: 66th Northeast Regional Stock Assessment Workshop, 2018



MRIP recreational harvest data. Under authority of Addendum XXXII, New Jersey and Rhode Island made minor adjustments to their recreational measures, which still holds projected 2019 harvest at 2018 levels.

In May 2019, the Board and Council approved the Summer Flounder Commercial Issues Amendment. The Amendment revises the management program's goals and objectives specific to summer flounder and implements new state-specific commercial allocations. The new state commercial allocations are based upon a 9.55 million pound trigger point. When the annual coastwide commercial quota is at or below 9.55 million pounds, the formula for allocating the quota to the states will remain status quo, i.e., the same state-specific percentages that have been in effect since 1993. When the annual coastwide quota exceeds 9.55 million pounds, additional quota above 9.55 million pounds will be distributed as follows: 0.333% to the states of Maine, New Hampshire and Delaware and 12.375% to Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, Virginia, and North Carolina. As a result, state allocations will vary over time based on overall stock status and the resulting coastwide commercial quotas. These measures are expected to go into effect for the 2021 fishing season.

The Board and Council will meet in October to revisit previously established catch limits for 2020, and consider whether any changes are needed. In addition, the decision to continue recreational regional management for 2020 will be considered at the joint meeting in December.

For more information, please contact Dustin Colson Leaning, Fishery Management Plan Coordinator, at [dleaning@asmfc.org](mailto:dleaning@asmfc.org).

and the tag-return study found that M consistently and significantly exceeded F.

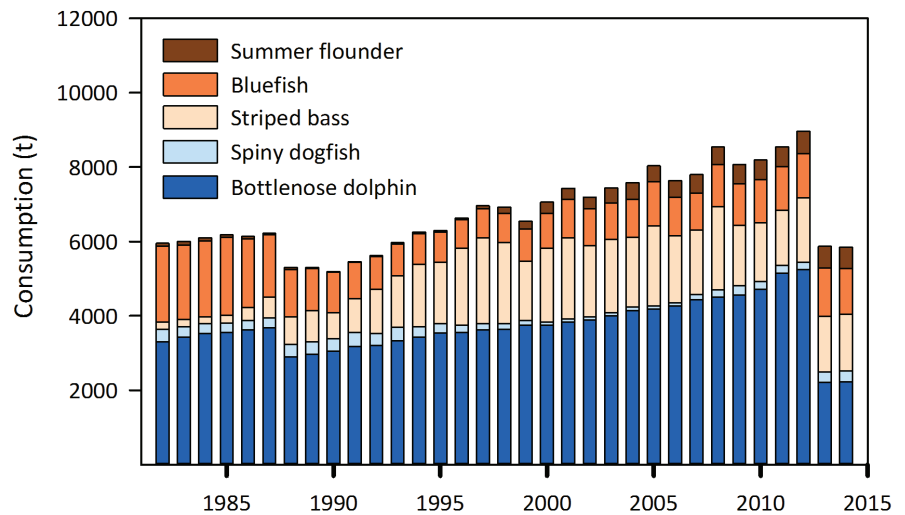
Discerning the sources of mortality is essential for effective stock rebuilding. Fishing mortality is directly attributed to commercial and recreational fisheries based on harvest, whereas M encompasses the removal of fish from the stock due to causes unrelated to fishing such as predation. For weakfish, predation was hypothesized in the 2009 weakfish stock assessments as a cause for the increased natural mortality. In this study, predation of weakfish was estimated by assessing the product of the predators' biomass, amount of weakfish in their diet, their daily prey consumption, and their spatial and temporal overlap with weakfish. Data were derived from literature review, including predator stock assessments, collaborations between NOAA Fisheries Southeast Fisheries Science Center Beaufort Lab and NCSU and examining the diet of stranded common bottlenose dolphins. The predation estimates can be compared with fishery landings to assess the magnitude of predation. In addition, the estimated biomass attributable to M from a stock assessment can be compared with independent estimates of biomass consumed by predators to ascertain the relative proportion of predation to total natural mortality.

The sum of the stock assessment biomass attributable to M and total predator consumption were similar, indicating that predation is largely responsible for the increase in M observed in the weakfish population in recent years. Predators consumed on average 6,767 mt (14.9 million pounds) of weakfish from 1982 to 2014, of which the leading predator, common bottlenose dolphin, consumed 55%, followed by striped bass at 21%, bluefish at 17%, summer flounder at 4%, and spiny dogfish at 3% (Figure 3). Predator consumption has increased through the time series as many of the predator populations have increased (Figure 4), and the average predator consumption was over 29 times greater than the average combined commercial and recreational harvest (7,656 t to 259 mt or 16.9 million to 571,095 pounds; respectively; Figure 4), during the years of marked weakfish stock decline (2004 to 2014). The predation study also indicated as the majority of biomass in the weakfish population has shifted toward age-0s, predators consuming late age-0s have resulted in a recruitment bottleneck. As such, while the number of age-0 weakfish remained largely unaltered throughout the high SSB of the 1980s and the low SSB of the 2000s, predation has caused a decline in age-1 weakfish, perpetuating poor stock rebuilding.

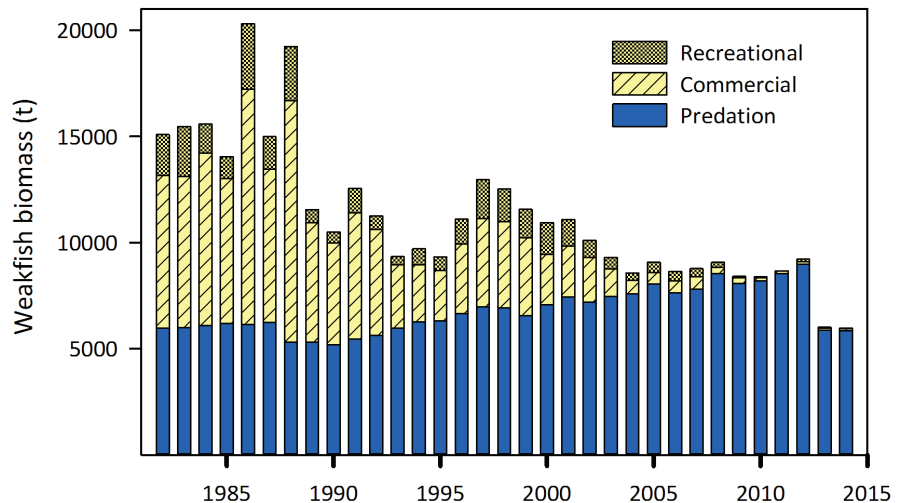
It appears predation currently is an important driver of weakfish population dynamics. Therefore, further reductions in weakfish harvest alone may be ineffective for stock rebuilding. Although weakfish are often categorized as a mid-level predator, our work highlights their importance as a forage species at younger ages for our modeled predators, especially common bottlenose dolphins. With increases in many fish-eating marine mammal and finfish predator populations, explicit incorporation of predation and ecosystem considerations in the weakfish stock assessment may enhance effective management and stock rebuilding.

The Commission would like to thank Dr. Jacob Krause with North Carolina State University for contributing this article. More information on this research can be found in Dr. Krause's dissertation at <http://www.lib.ncsu.edu/resolver/1840.20/36684>. For questions about the project,

**Figure 3. Cumulative Consumption of Weakfish by all Modeled Predators**



**Figure 4. Cumulative Weakfish Biomass Removed by Predator Consumption as Compared to Recreational and Commercial Harvest (Landings and Dead Discards) from the 2016 Weakfish Stock Assessment**



**1:15 – 2:30 p.m. Coastal Sharks Management Board**

- Consider Postponed Motions from May 2019:  
*Move to require, for state waters, the use of circle hooks on lined intended to catch sharks.*

*Move to postpone until the Board has received feedback from the Law Enforcement Committee and the Advisory Panel with the intention of considering the motion at the Annual Meeting.*

- Set Coastal Sharks Fishery Specifications for 2020
- Review and Consider Approval of 2019 Fishery Management Plan Review and State Compliance
  - Status Update on State Implementation of North Atlantic Shortfin Mako Measures

**2:45 – 5:45 p.m. Atlantic Striped Bass Management Board**

- Consider Approval of Addendum VI

**THURSDAY, OCTOBER 31**

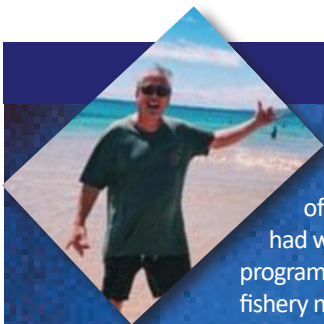
**8:00 – 10:00 a.m. Interstate Fisheries Management Program Policy Board**

- Discuss Commission Strategy to Address Changing Ocean Conditions
- Review Draft Stock Status Definitions
- Committee Reports from ACFHP, Assessment Science, Habitat, Law Enforcement, and Management and Science

**10:00 – 10:15 a.m. Business Session (continued)**

**10:30 a.m. – 12:15 p.m. South Atlantic State/Federal Fisheries Management Board**

- Consider Approval of Atlantic Croaker Draft Addendum III and Spot Draft Addendum II for Public Comment
- Consider Approval of 2019 Fishery Management Plan Reviews and State Compliance for Red Drum, Black Drum, Spotted Seatrout, and Spanish Mackerel



## IN MEMORIAM

**JOSEPH DESFOSSE** died Monday, August 19, 2019, in Gulfport. He had been a longtime resident of the Mississippi Gulf Coast and was employed with NOAA Fisheries at its Pascagoula Laboratory. A graduate of Rutgers College and the Virginia Institute of Marine Science's Graduate School of William and Mary, Joe had worked for the Commission from 1995 to 2002. Over that time, he worked in the research and statistics program and later on for the fisheries management program, where he was instrumental in revising a number of fishery management plans to be compliant with the Atlantic Coastal Fisheries Cooperative Management Act. After leaving the Commission, Joe worked for NOAA Fisheries' Highly Migratory Species Division. He was an exceptional coworker and colleague who brought his fisheries expertise and humor to every team effort and task. Those of us who knew him are very saddened by his passing.

Joe is survived by his wife, Lisa Desfosse; his daughter, Jamie Desfosse; brother, Jeff Desfosse; and his parents, Joseph and Dorothy Desfosse. He also leaves behind his four beloved pet dogs, Dakota, Cheyenne, Mercedes, Bandit and guinea pig Saint.



ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

STEPHEN W. MURPHEY  
*Director*

Oct. 25, 2019

**MEMORANDUM**

**TO:** N.C. Marine Fisheries Commission  
**FROM:** Holly White, Lead for the Division of Marine Fisheries and Wildlife Resources  
Commission American Shad Work Group  
**SUBJECT:** American Shad Sustainable Fishery Plan Annual Update

**Issue:**

Annual update to the American Shad Sustainable Fishery Plan submitted to the Atlantic States Marine Fisheries Commission, including 2020 management measures.

**Findings:**

- Two sustainability parameters exceeded their thresholds, the Albemarle Sound independent gill net survey female catch-per-unit-effort (Figure 2) and the Tar-Pamlico electrofishing female catch-per-unit-effort (Figure 5). All other sustainability parameters were within range.
- No management changes are required under the plan unless a trigger has been exceeded for three consecutive years.
- The American Shad Work Group agreed to maintain the 2019 American shad management measures for the 2020 season in all systems.

**2020 North Carolina American Shad Management Measures**

<p><b><u>Albemarle Sound-Roanoke River</u></b></p> <ul style="list-style-type: none"> <li>• Recreational: 10 fish shad aggregate, 1 A. shad limit</li> <li>• Commercial: March 3 – March 24</li> </ul>	<p><b><u>Tar-Pamlico River</u></b></p> <ul style="list-style-type: none"> <li>• Recreational: 10 fish shad aggregate</li> <li>• Commercial: February 15 – April 14</li> </ul>
<p><b><u>Neuse River</u></b></p> <ul style="list-style-type: none"> <li>• Recreational: 10 fish shad aggregate, 1 A. shad limit</li> <li>• Commercial: February 15 – April 14</li> </ul>	<p><b><u>Cape Fear River</u></b></p> <ul style="list-style-type: none"> <li>• Recreational: 10 fish shad aggregate, 5 A. shad limit</li> <li>• Commercial: February 20 – April 11</li> </ul>
<p><b><u>All other areas</u></b></p> <ul style="list-style-type: none"> <li>• Recreational: 10 fish shad aggregate</li> <li>• Commercial: February 15-April 14</li> </ul>	

**Action Needed:**

For informational purposes only, **no action is needed at this time.**

For more information see the [American Shad Sustainable Fishery Plan Update](#).



## NC American Shad Sustainable Fishery Plan Update

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Holly White, Biologist  
North Carolina Division of Marine Fisheries



## Overview

In October 2017 the Atlantic States Marine Fisheries Commission (ASMFC) approved the North Carolina American Shad Sustainable Fishery Plan (SFP) for 2018-2022. The North Carolina SFP for 2018-2022 contains the sustainability parameters for the Albemarle Sound-Roanoke system, Tar-Pamlico, Neuse, and Cape Fear rivers. The current SFP maintained the sustainability parameters outlined in the 2013-2017 SFP for each of the systems with only two minor changes: 1) Relative  $F^*$  is now computed by dividing commercial landings by a hind cast three-year average of a fishery independent\* survey index whereas the previous plan used a centered three-year average; and 2) Thresholds (75th and 25th percentiles) for sustainability parameters have been set using available survey data from 2002 (2003 Cape Fear River only) through 2017 and will remain fixed during the current five-year management period. The SFP is evaluated by the ASMFC American Shad Technical Committee and Management Board every five years. The sustainability parameters are updated each fall when the most recent data and the upcoming year's American shad management measures for each system are determined.

The N.C. American Shad Work Group consists of biologists from the N.C. Division of Marine Fisheries and N.C. Wildlife Resources Commission. Their purpose is to:

- conduct the annual updates
- determine the seasons for each system
- conduct the five-year evaluations of the SFP

The Work Group met on October 16, 2019 to conduct the annual evaluation of the sustainability parameters for all systems and set the 2020 management measures for each system.

### Albemarle Sound-Roanoke System

For the Albemarle Sound-Roanoke River, one of the sustainability parameters, female independent gill net survey catch-per-unit-effort, exceeded the threshold but did not trigger management (Figures 1-3). Management is only triggered if the sustainability parameter exceeds the threshold for three consecutive years. It is critical to note that although the commercial seasons for American shad from 2014 to 2019 for the Albemarle Sound were the same, March 3 – March 24 for a total of 22 days, landings have declined from 107,131 pounds in 2014 to 30,164 pounds in 2019 (Figure 4).

### Tar-Pamlico River

For the Tar-Pamlico River, one of the sustainability parameters, female catch-per-unit-effort index, exceeded the threshold but did not trigger management (Figures 5-6). No American shad were harvested commercially in the Tar-Pamlico River in 2019 most likely due to the March 18, 2019 prohibition of all gill nets upstream of the ferry lines from the Bayview to Aurora Ferry in the Tar-Pamlico River and the Minnesot Beach and Cherry Branch ferry in the Neuse River (Proclamation M-6-2019). This prohibition directed by the N.C. Marine Fisheries Commission and was in response to Supplement A to Amendment 1 to the N. C. Estuarine Striped Bass FMP, and was intended to reduce striped bass fishing mortality, but essentially protected American shad as well by removing gill nets from the normal fishing grounds for American shad in the Tar-Pamlico River (Figure 7).

## Neuse River

For the Neuse River, none of the sustainability parameters exceeded the threshold in 2019 (Figures 8-9). Commercial landings occurred prior to the March 18 gill net prohibition and have been used to calculate the sustainability parameter for Relative  $F$ , in lieu of the March through April data (Figure 10).

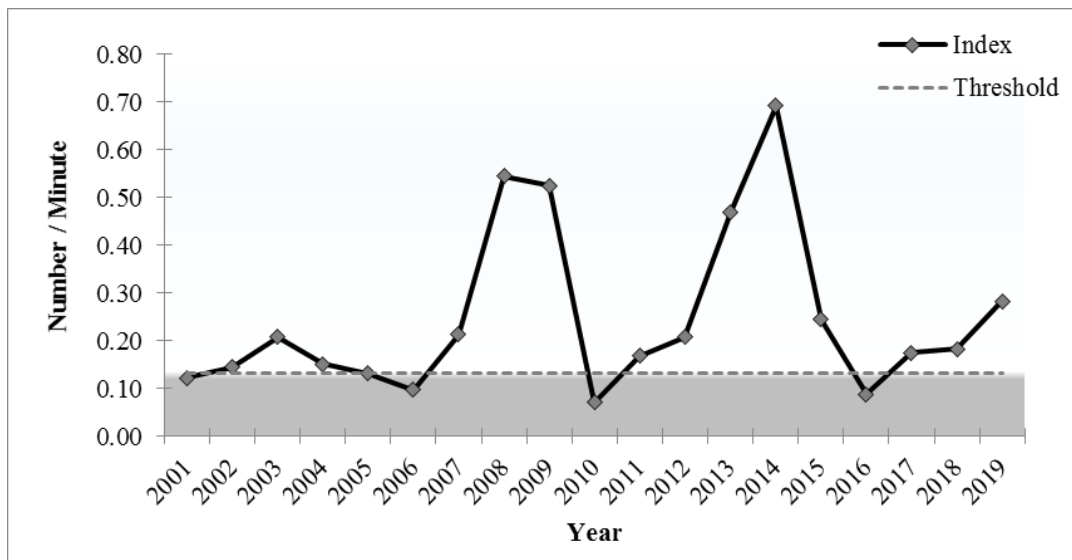
## Cape Fear River

For the Cape Fear River, none of the sustainability parameters exceeded the threshold in 2019 (Figures 11-12), and commercial landings and gill net trips landing American shad declined from 46,000 pounds in 2014 to 5,000 pounds in 2019 (Figure 13).

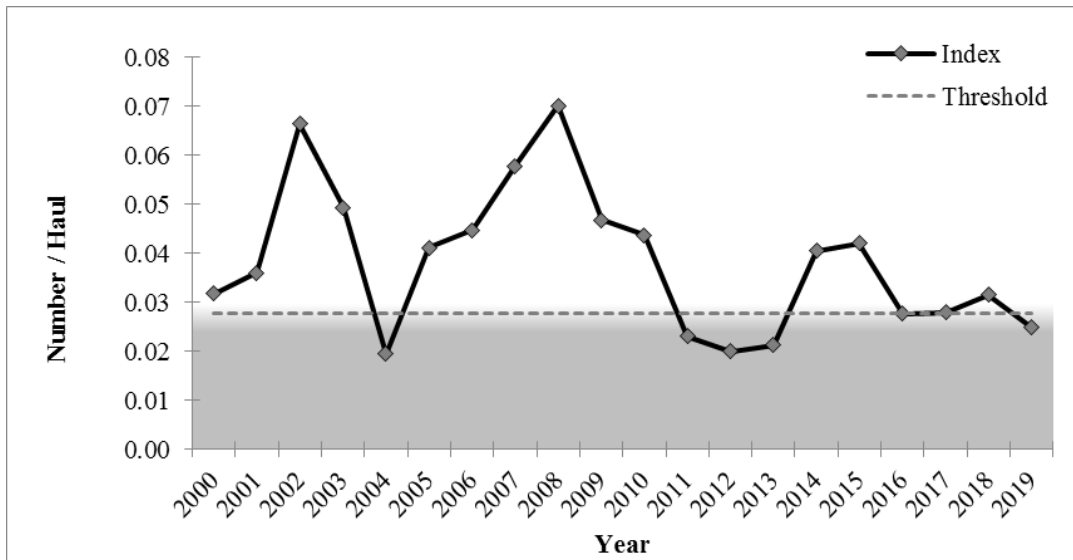
## Conclusions

It must be recognized that even though the Work Group recommended continuing with the same commercial seasons, forecasting 2020 landings are uncertain due to several factors. Annual American shad harvest is highly variable due to environmental conditions during the spring, amount of effort such as gill net trips, gear restrictions, area and closures, and relative strength of the year classes in the run. Since none of the sustainability parameters in the other systems exceeded any of their thresholds, except for the female American shad catch-per-unit-effort in the Albemarle and Tar-Pamlico (which did not trigger further management), the Work Group agreed to maintain the 2019 American shad measures for the 2020 season in all systems.

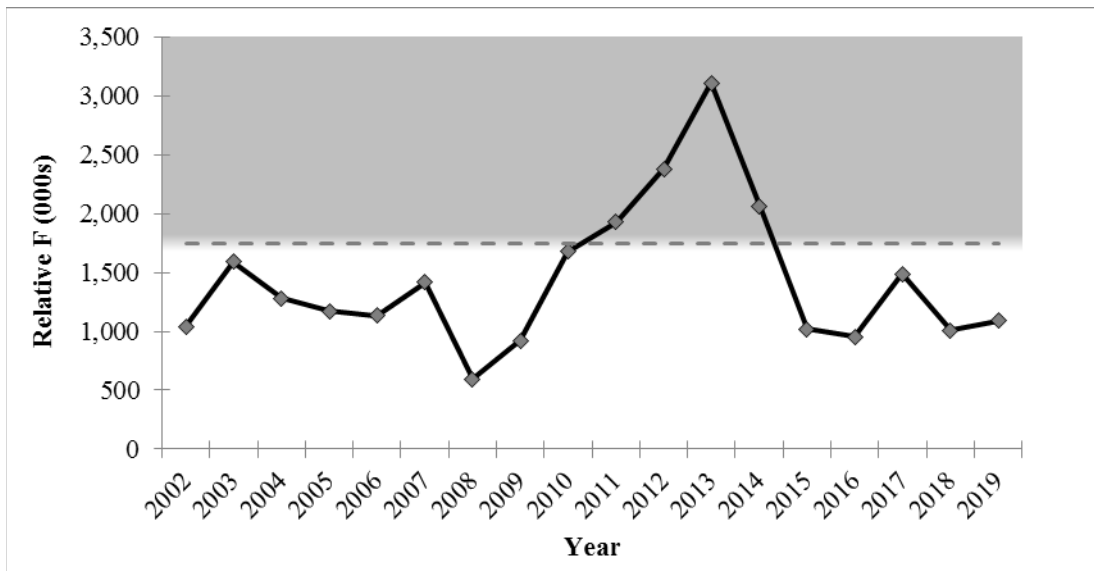
## Figures



**Figure 1.** Female American shad catch-per-unit-effort index of abundance from the electrofishing survey, 2001-2019, **Roanoke River, NC**. The threshold represents the 25<sup>th</sup> percentile (where 75 percent of all values are higher). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2019 index value **did not** exceed the threshold.*

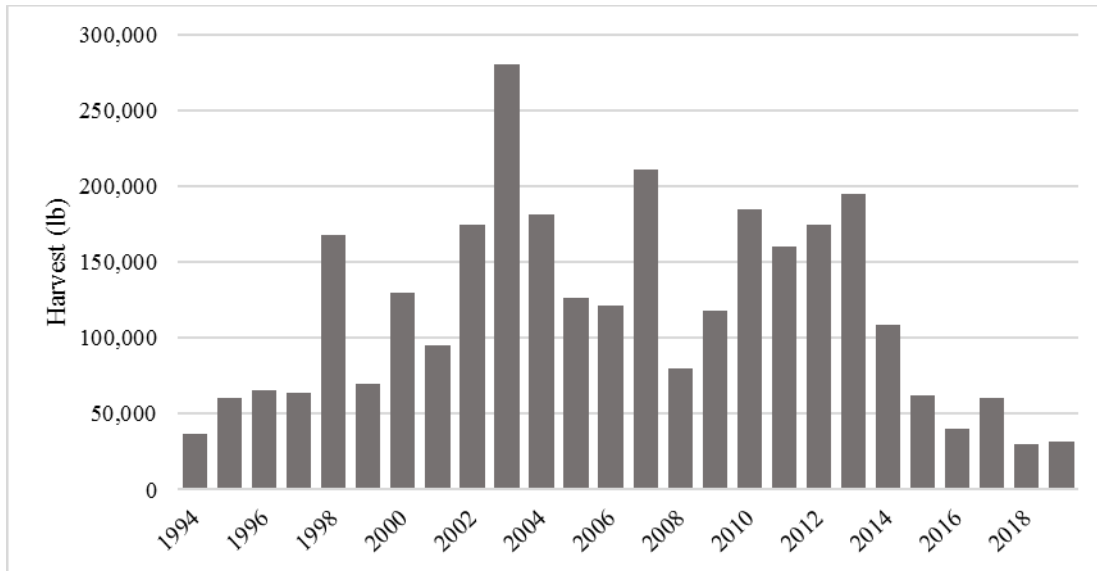


**Figure 2.** Female American shad catch-per-unit-effort index of abundance from the independent gill net survey for 2000–2019, **Albemarle Sound, NC** (January-May). The threshold represents the 25<sup>th</sup> percentile (where 75 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2019 index value **did** exceed the threshold.*

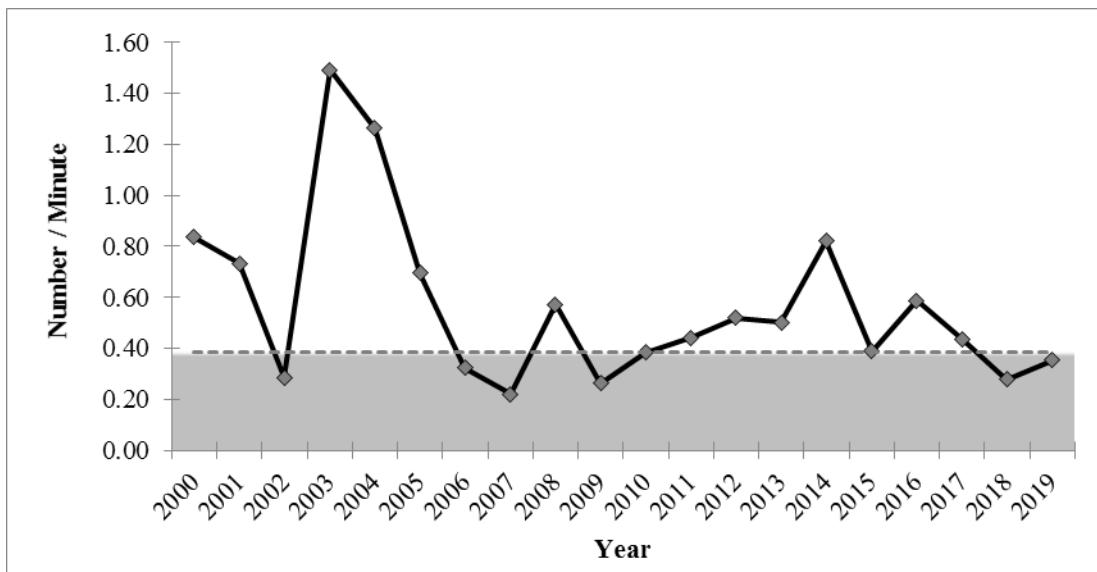


**Figure 3.** Estimates of American shad female relative  $F$  based on female CPUE from the independent gill net survey and commercial harvest for 2002-2019, **Albemarle Sound, NC**. The threshold represents the 75<sup>th</sup> percentile (where 25 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2019 index value **did not** exceed the threshold.*

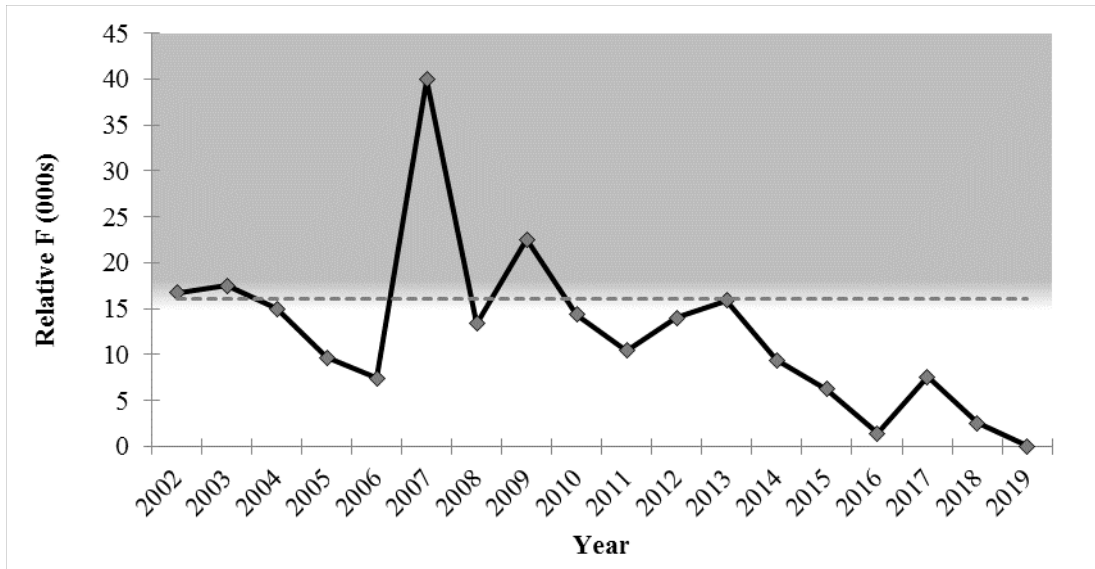




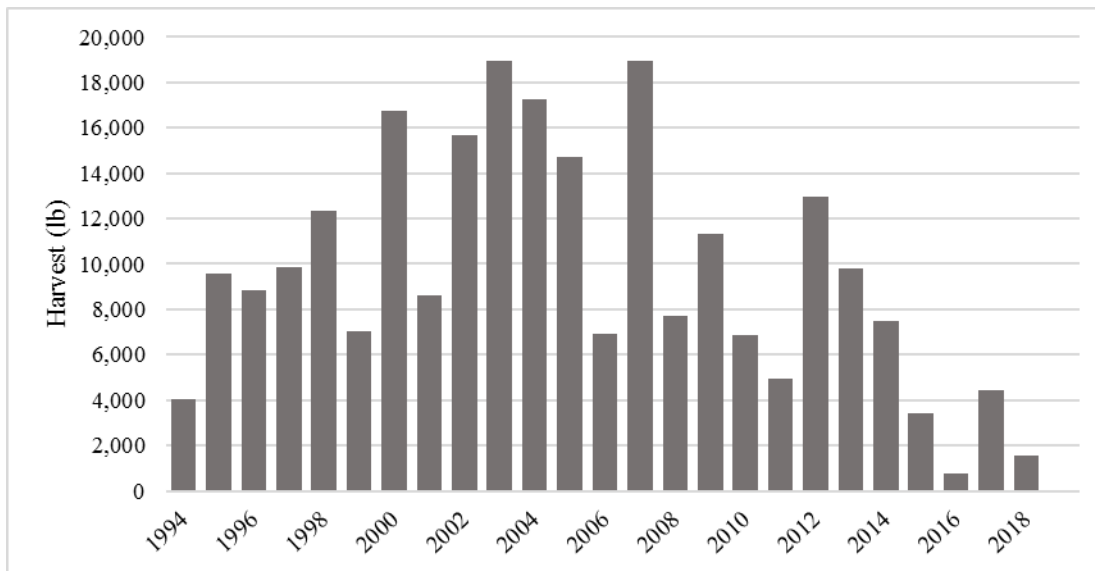
**Figure 4.** American shad commercial landings for 1994-2019, Albemarle Sound, NC.



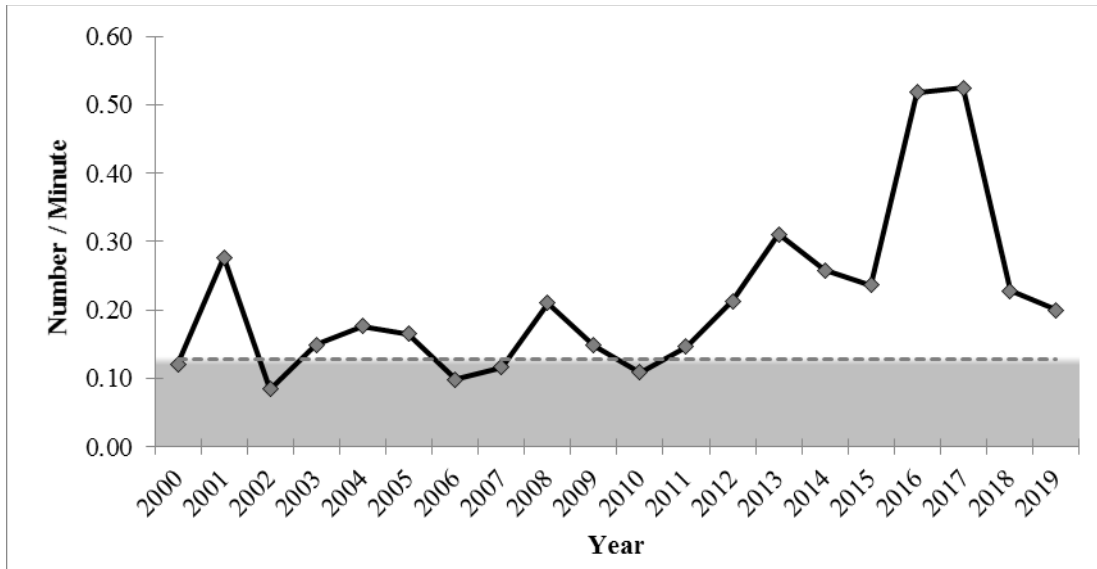
**Figure 5.** Female American shad catch-per-unit-effort index of abundance from the electrofishing survey, 2000-2019, Tar-Pamlico River, NC. The threshold represents the 25<sup>th</sup> percentile (where 75 percent of all values are higher). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2019 index value did exceed the threshold.*



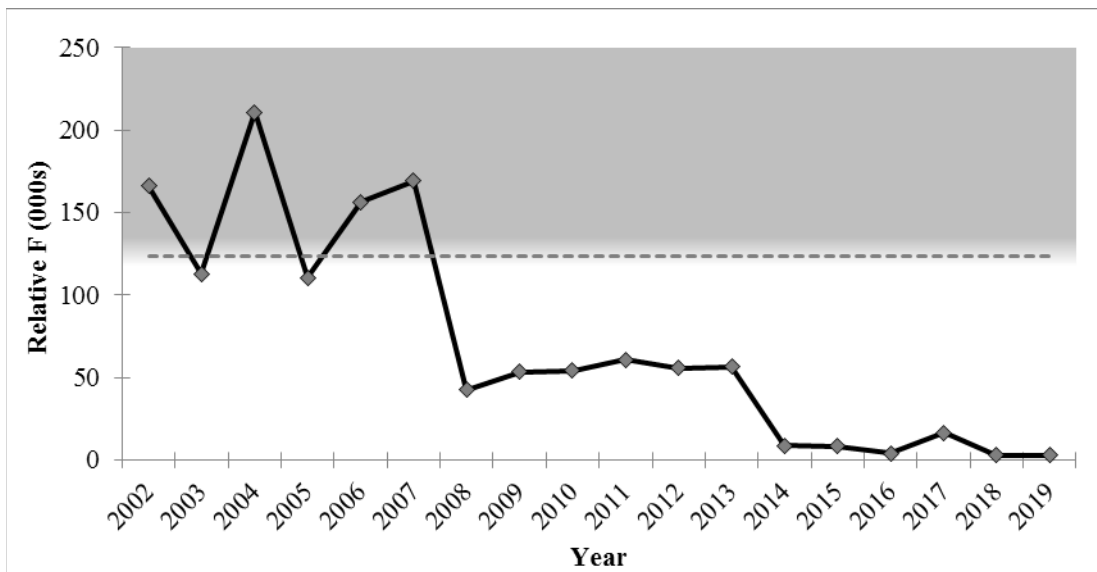
**Figure 6.** Estimates of American shad female relative  $F$  based on female CPUE from the independent gill net survey and commercial landings for 2002-2019, **Tar-Pamlico River, NC**. The threshold represents the 75<sup>th</sup> percentile (where 25 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2019 index value **did not** exceed the threshold.*



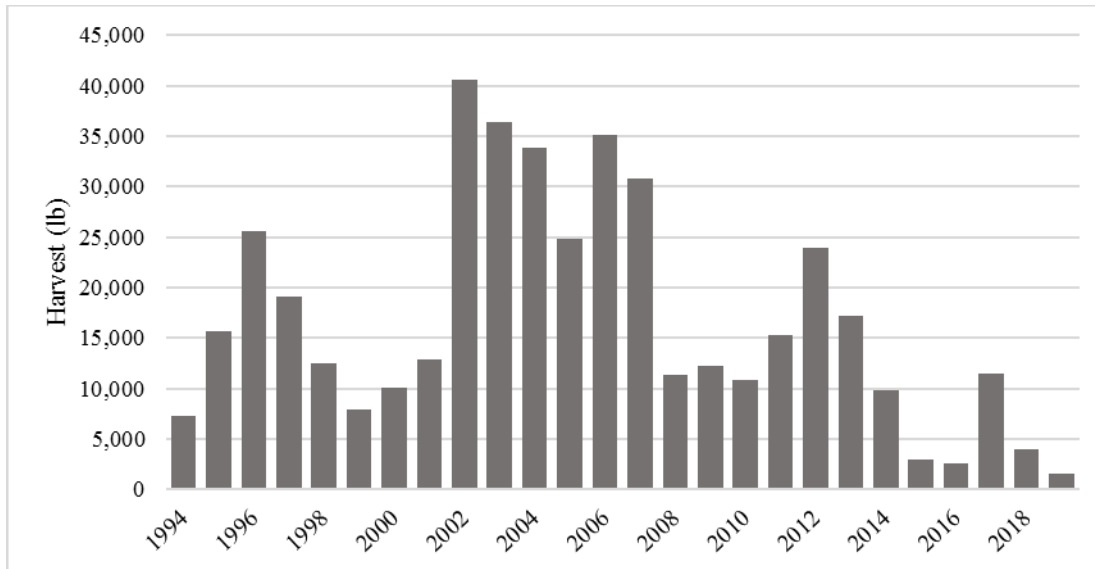
**Figure 7.** American shad commercial landings for 1994-2019, **Tar-Pamlico River, NC**. *No harvest occurred in 2019.*



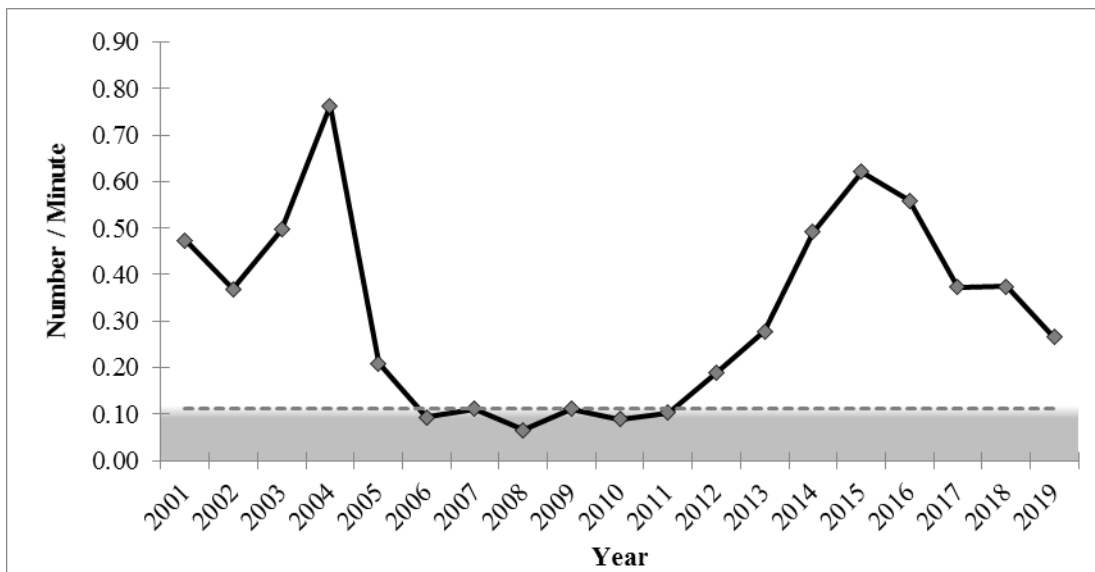
**Figure 8.** Female American shad catch-per-unit-effort index of abundance from the electrofishing survey, 2000-2019, **Neuse River, NC**. The threshold represents the 25<sup>th</sup> percentile (where 75 percent of all values are higher). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2019 index value **did not** exceed the threshold.*



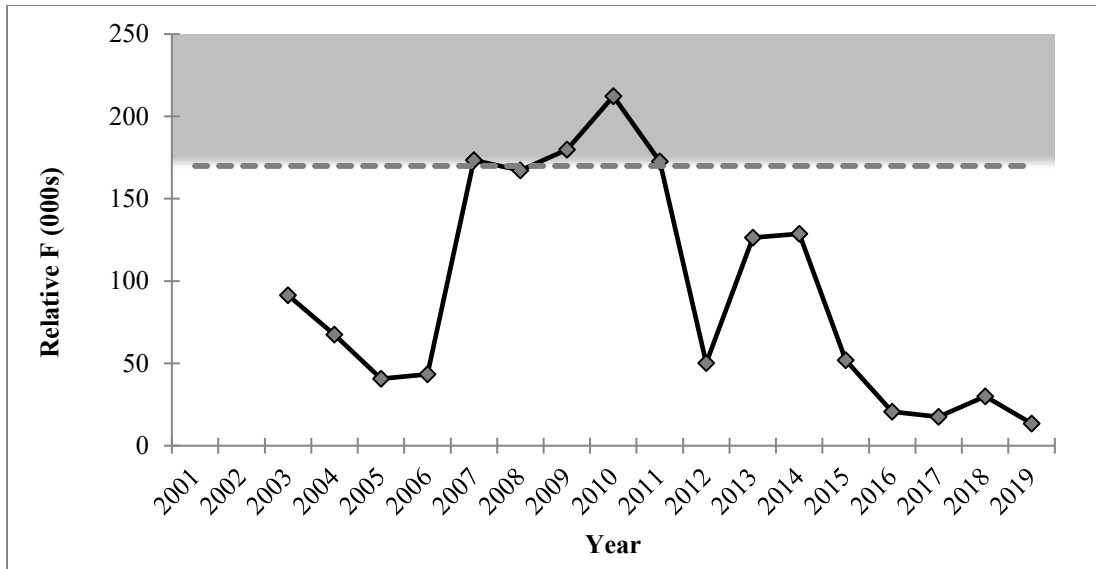
**Figure 9.** Estimates of American shad female relative  $F$  based on female CPUE from the independent gill net survey and commercial landings for 2002-2019, **Neuse River, NC**. The threshold represents the 75<sup>th</sup> percentile (where 25 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2019 index value **did not** exceed the threshold.*



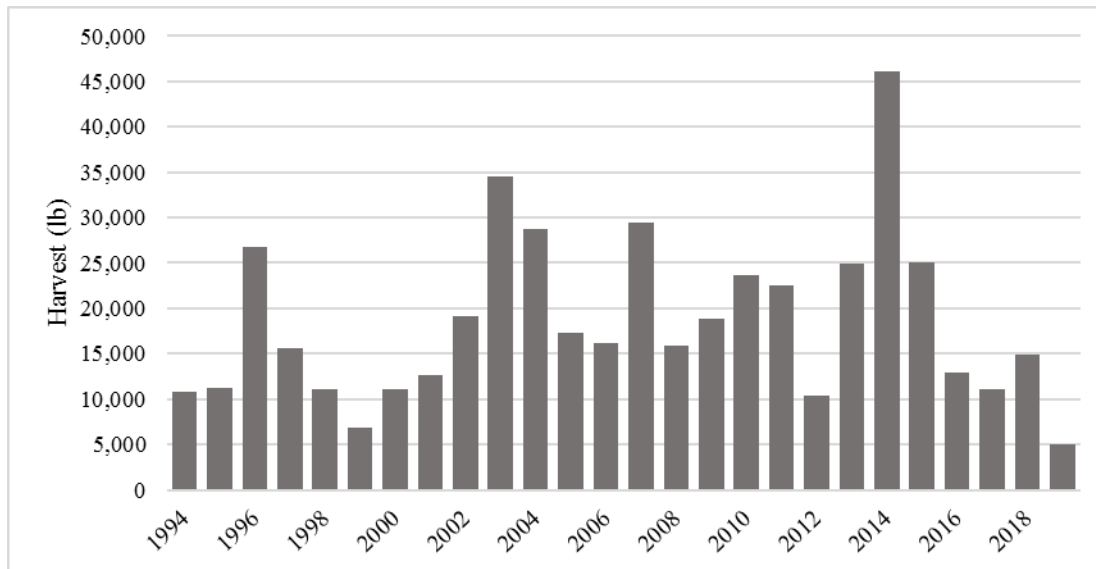
**Figure 10.** American shad commercial landings for 1994-2019, Neuse River, NC.



**Figure 11.** Female American shad catch-per-unit-effort index of abundance from the electrofishing survey, 2001-2019, Cape Fear River, NC. The threshold represents the 25<sup>th</sup> percentile (where 75 percent of all values are higher). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2019 index value **did not** exceed the threshold.*



**Figure 12.** Estimates of American shad female relative  $F$  based on female CPUE from the independent gill net survey and commercial landings for 2003-2019, **Cape Fear River, NC**. The threshold represents the 75<sup>th</sup> percentile (where 25 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2019 index value **did not** exceed the threshold.*



**Figure 13.** American shad commercial landings for 1994-2019, **Cape Fear River, NC**.



## August 2019 Council Meeting Summary

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**August 13-15, 2019**

*Philadelphia, PA*

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's August 2019 meeting in Philadelphia, PA. Presentations, briefing materials, and webinar recordings are available at: <http://www.mafmc.org/briefing/august-2019>.

### Joint Meeting of the Council and Scientific and Statistical Committee

The Council and its Scientific and Statistical Committee (SSC) met jointly to discuss a variety of topics of mutual interest. The joint meeting provided a unique opportunity to foster increased dialogue and relationships. Topics discussed by the Council and the SSC included the role of the SSC in the Council process, increased utilization of social and economic science advice from the SSC, communication policies and procedures, and future SSC membership needs and expertise. The Council provided feedback on topics and issues for development and agreed to hold future joint meetings, possibly on an annual basis, to ensure open and continued communication regarding the Council's science priorities and needs.

### Summer Flounder Recreational MSE Project

The Council received a presentation on the results of a Council-funded summer flounder recreational Management Strategy Evaluation (MSE) for F-based recreational management. The project includes two major components: a recreational fleet dynamics model, which expands on previous work to forecast how changes in recreational measures impact changes in harvest; and a forecasting simulation model, which tests the performance of current and alternative management approaches (including *status quo* and F-based management, both with and without incorporating estimates of uncertainty). A final report on this model is still in preparation. The recreational fleet dynamics model will be used this fall by the Monitoring Committee to assist in developing recreational measures for 2020, and the Monitoring Committee, Council, and Board may revisit the final project results later this fall to determine whether an alternative management strategy should be pursued for summer flounder through a fishery management plan (FMP) action.

### Council Risk Policy - Framework Meeting 1

The Council held the first meeting for the Omnibus Risk Policy Framework Action. The risk policy specifies the acceptable level of risk (i.e., probability of overfishing) the Council is willing to accept for its managed species. The Council first initiated this framework in 2017, but development was postponed until after the completion of additional analyses to more fully consider social and economic impacts and trade-offs of different risk policy alternatives. The Council reviewed and approved nine different draft alternatives for further evaluation and analysis. It is expected the Council will take final action on the framework at the December 2019 meeting.

### Black Sea Bass Commercial and Recreational Issues

The Council received a brief update on recent Atlantic States Marine Fisheries Commission (ASMFC) discussions regarding potential changes to the state-by-state commercial black sea bass quota allocations, as well as an update on a joint Council and ASMFC initiative on recreational management reform. A management action has not yet been initiated to address either topic. Both topics will be discussed in more detail at the October 2019 Council meeting, which will include a joint meeting with the ASMFC's Summer Flounder, Scup, and Black Sea Bass Management Board.

## River Herring & Shad Update and Cap Review

The Council voted to maintain the 129 metric ton (MT) river herring and shad cap in the mackerel fishery for 2020. The Council also voted to remove an 89 MT trigger that is in effect before the mackerel fishery lands 10,000 MT of mackerel. This approach should provide for some additional opportunity for the mackerel fishery while also limiting the overall amount of river herring and shad caught by the fishery to the same maximum amount, 129 MT. The 129 MT cap will maintain a high incentive for the fleet to avoid river herring and shad. In order to land most of the mackerel quota in 2020, the fishery will have to substantially reduce its interaction rate with river herring and shad compared to 2019. The Council also voted to initiate a framework action to establish a long-term strategy for biologically-relevant river herring and shad catch caps in the mackerel fishery.

## Allocation Review Criteria for All FMPs

The Council discussed [NMFS Policy Directive 01-119](#), which provides guidance to the Regional Fishery Management Councils on reviewing allocations. This policy directs each Council to identify criteria that will be used to trigger reviews of allocations within their Fishery Management Plans. The Council adopted an allocation review policy indicating that relevant allocations will be reviewed at least every 10 years, with the possibility of more frequent review based on public interest or other factors. While the policy does not apply to allocations to individuals or vessels under Individual Transferable Quota and Individual Fishing Quota (ITQ/IFQ) programs, other allocations under these fisheries would be reviewed as part of periodic catch share reviews. The Council will develop a review schedule in connection with its 5-year strategic plan and annual implementation plans. The full description of allocation review criteria adopted by the Council, including a list of the allocations it applies to, can be found [here](#).

## Research Steering Committee

The Research Steering Committee met to discuss and develop recommendations on several topics. Council staff, in conjunction with NOAA Office of Law Enforcement, provided presentations on Committee requests and recommendations, RSA-related violations, and an overview of the MAFMC and NEFMC Research Set-Aside (RSA) programs. The Committee discussed options for the RSA program, which has been suspended since 2014, and recommended that the Council convene an RSA Workshop in 2020 to identify the need for an RSA program and consider a range of program design alternatives. The Committee also had a general discussion about the future role of the Research Steering Committee and agreed that in addition to addressing RSA-related issues, the Committee should have a role in evaluating research proposals and contracts submitted in response to RFPs. On the topic of whether the Committee should review Council-funded project reports, the Committee agreed that final reports and presentations should be provided to the full Council and ASMFC at joint meetings. Finally, the Committee discussed whether to pursue any formal partnerships with research organizations. The Committee did not recommend any such relationships at such time but noted that the SCoMFIS Board may be an option for future consideration.

## 2020-2024 Strategic Plan

The Council reviewed a draft framework for its 2020-2024 Strategic Plan and approved a vision, mission, and goal statements. Staff will present a complete draft strategic plan for Council consideration at the October 2019 meeting.

## Offshore Wind Update

The Council received a brief update on offshore wind development activities in the northeast region and discussed how they can most effectively participate in the offshore wind development process to ensure that impacts to Council-managed fisheries are minimized. The Council agreed to continue providing strategic comment letters to the Bureau of Ocean Energy and Management, maintaining a webpage on offshore wind and fisheries (<http://www.mafmc.org/northeast-offshore-wind>), and participating in various groups, including the Responsible Offshore Science Alliance.

## Hab in the Mab: Characterizing Black Sea Bass Habitat in the Mid-Atlantic Bight

Bradley Stevens (University of Maryland Eastern Shore) presented a final report on a project funded by the Council through the Atlantic Coast Fish Habitat Partnership. The project, entitled “Hab in the Mab,” sought to characterize black sea bass habitat in the mid-Atlantic Bight. The full report is available [here](#).

## Other Business

### **Council Policies**

Council staff provided an overview of Council policies on public comment deadlines, webinars, and Fishery Management Action Teams (FMATs). These documents can be found at <http://www.mafmc.org/council-policies>.

### **Swearing in of New and Reappointed Council Members**

The Council swore in two new members: Kate Wilke of Virginia and Scott Lenox of Maryland. The Council also swore in two reappointed members: Peter Hughes of New Jersey and Wes Townsend of Delaware.

### **Election of Officers**

During the yearly election of officers, the Council reelected Mike Luisi as Council Chairman and Warren Elliott as Vice-Chairman. Mr. Luisi is the director of the Fisheries Monitoring and Assessment Division at the Maryland Department of Natural Resources. Mr. Elliott serves as the Pennsylvania Citizen Representative to the Chesapeake Bay Commission and as a member of the Pennsylvania Fish and Boat Commission.

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## Next Council Meeting

**Monday, October 7, 2019 – Thursday, October 10, 2019**

Meeting: Durham Convention Center  
301 W. Morgan St., Durham. NC 27701  
919-956-9404

Lodging: Durham Marriott Center City  
201 Foster St., Durham, NC 27701  
919-768-6000

<http://www.mafmc.org/council-events/october-2019-council-meeting>





## October 2019 Council Meeting Summary

**October 7-10, 2019**

*Durham, NC*

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council’s October 2019 meeting in Durham, NC. Presentations, briefing materials, and webinar recordings are available at: <http://www.mafmc.org/briefing/october-2019>.

### Summer Flounder, Scup, Black Sea Bass, and Bluefish Specifications

The Council met jointly with the Atlantic States Marine Fisheries Commission’s Summer Flounder, Scup, and Black Sea Bass Board (Board) and Bluefish Board to adopt 2020-2021 specifications for scup, black sea bass, and bluefish and to review previously-implemented 2020 specifications for summer flounder. During the meeting, the Council and Boards reviewed the results of operational stock assessments for black sea bass, scup, and bluefish, which were peer reviewed and accepted in August 2019. The assessments incorporated fishery catch and fishery-independent survey data through 2018, including revised recreational catch data from the Marine Recreational Information Program (MRIP). The revised MRIP data are based on a new estimation methodology accounting for changes to the angler intercept methodology and the recent transition to a mail-based effort survey. The revised estimates of catch and landings are several times higher than the previous estimates for shore and private boat modes, substantially raising the overall catch and harvest estimates. The Council and Board also considered recommendations from the Scientific and Statistical Committee (SSC), Monitoring Committees, and Advisory Panels and comments from members of the public.

The table below summarizes commercial quotas and recreational harvest limits (RHL) for summer flounder, scup, black sea bass, and bluefish (2019 values are provided for comparison purposes). The summer flounder limits were previously approved by the Council and Board in March 2019. For scup, black sea bass, and bluefish, the Council will forward its recommendations for federal waters (3 – 200 miles from shore) to the NOAA Fisheries Greater Atlantic Regional Fisheries Administrator for final approval. Note that the landings limits shown below are initial limits prior to any deductions for past overages.

	Commercial Quota <i>millions of pounds</i>			Recreational Harvest Limit <i>millions of pounds</i>		
	2019	2020	2021	2019	2020	2021
<b>Scup</b>	23.98	22.23	18.06	7.37	6.51	5.34
<b>Black Sea Bass</b>	3.52	5.58	5.58	3.66	5.81	5.81
<b>Summer Flounder</b>	11.53	11.53	11.53	7.69	7.69	7.69
<b>Bluefish</b>	7.71	2.77	2.77	11.62	9.48	9.48

### ***Scup 2020-2021 Specifications***

The 2019 scup operational assessment concluded that the scup stock was not overfished, and overfishing was not occurring in 2018 relative to the updated biological reference points calculated through the assessment. Spawning stock biomass was estimated to be about 2 times the biomass target. The assessment indicated that the stock experienced very high recruitment in 2015 and below-average recruitment during 2016-2018. Based on the SSC’s recommendation, the Council and Board approved an Acceptable Biological Catch (ABC) of 35.77 million pounds for 2020 and 30.67 million pounds for 2021. After accounting for expected discards, this results

in a commercial quota of 22.23 million pounds and an RHL of 6.51 million pounds in 2020 and a commercial quota of 18.06 million pounds and an RHL of 5.34 million pounds in 2021. Compared to 2019 landings limits, this represents a 7% decrease in the commercial quota and a 12% decrease in the RHL in 2020 and a 25% decrease in the commercial quota and a 28% decrease in the RHL in 2021.

The Council and Board also reviewed an evaluation of scup discards by mesh size, calendar quarter, and statistical area in the commercial fishery. Discards have been well above average in recent years and the Council and Board agreed with the Monitoring Committee recommendation that no immediate management action was needed but that discards should continue to be monitored.

### ***Black Sea Bass 2020-2021 Specifications***

The 2019 black sea bass operational stock assessment concluded that the black sea bass stock was not overfished, and overfishing was not occurring in 2018 relative to the updated biological reference points calculated through the assessment. Spawning stock biomass was estimated to be about 2.4 times the biomass target in 2018. The assessment indicated recruitment was above average in 2015 and below-average during 2016-2018. Based on the SSC's recommendation, the Council and Board approved an ABC of 15.07 million pounds for 2020 and 2021, which results in a commercial quota of 5.58 million pounds and an RHL of 5.81 million pounds for both years after accounting for expected discards. This represents a 59% increase for both the commercial quota and the RHL compared to the 2019 measures. This could allow for a notable increase in commercial landings. However, because recreational harvest is now estimated based on the revised MRIP methodology, which shows much higher recreational harvest than under the previous methodology, it will not be possible to allow for an increase in recreational harvest in 2020, despite the 59% increase in the RHL. Recreational measures (bag, size, and season limits) for the 2020 fishing season will be considered at the Council and Board's December 2019 joint meeting.

### ***Summer Flounder 2020 Specifications Review***

The Council and Board received a data update for summer flounder, including updated catch, landings, and fishery independent survey indices through 2018. State and federal survey indices indicate that the aggregate stock size of summer flounder increased from 2017 to 2018 and that recruitment in 2018 was above average. The most recent benchmark stock assessment concluded that the summer flounder stock was not overfished, and overfishing was not occurring in 2017. After reviewing this information, the Council and Board determined that no changes are needed to the previously-implemented specifications for summer flounder. For 2020 and 2021, the commercial quota is 11.53 million pounds and the RHL is 7.69 million pounds.

### ***Bluefish 2020-2021 Specifications***

The 2019 bluefish operational assessment concluded that the bluefish stock was overfished and overfishing was not occurring in 2018 relative to the updated biological reference points. Based on the SSC's recommendation, the Council and Bluefish Board adopted an ABC of 16.28 million pounds for both years. After accounting for expected discards, this ABC translates to a commercial quota of 2.77 million pounds and an RHL of 9.48 million pounds for 2020 and 2021. Compared to 2019, this represents a 64% decrease in the commercial quota and an 18% decrease in the RHL. In recent years, a portion of the total allowable landings above the expected recreational harvest have been transferred from the recreational fishery to the commercial fishery. However, because the recreational fishery is anticipated to fully harvest the RHL, the Council did not authorize a quota transfer from the recreational to the commercial sectors for 2020-2021.

### ***Bluefish Allocation Amendment and Bluefish Rebuilding***

The Council and Bluefish Board received an update on the Bluefish Allocation Amendment and revisited the list of issues previously identified for consideration in the amendment. As background, the Council and Board initiated the amendment in December 2017 with the goal of reviewing and possibly revising the allocation

between the commercial and recreational fisheries and the commercial allocations to the states. In August 2018, the Council and Bluefish Board agreed to postpone finalization of the public hearing document until after the results of the bluefish operational assessment were available. These results, which were released in August 2019, indicate that the stock is overfished with overfishing not occurring in 2018 relative to the updated biological reference points. Once the Council receives official notification from NOAA Fisheries regarding the overfished status of the bluefish stock, the Council will be required by the Magnuson-Stevens Act to initiate a rebuilding plan to be implemented within two years that rebuilds the stock to the biomass target within ten years.

During their joint meeting, the Council and Bluefish Board affirmed the list of five issues previously identified for consideration in the amendment. These include: (1) FMP Goals and Objectives, (2) Commercial and Recreational Allocations, (3) Commercial Allocations to the States, (4) Quota Transfers, and (5) Other Issues. The Council and Board also provided specific recommendations for further analysis by the Fishery Management Action Team (FMAT). Specifically, the Council and Board recommended that the FMAT consider the dynamics between seasonality and region when analyzing state allocations. The Council and Board also requested that the FMAT explore addressing management uncertainty by sector. Lastly, the Council and Board agreed to incorporate rebuilding into the amendment in order to streamline the development and implementation of a rebuilding plan. Because this additional issue modifies the scope of the amendment, the Council and Board will need to provide additional hearings and opportunities for public comment. Additional information and updates will be posted on the Council website at <http://www.mafmc.org/actions/bluefish-allocation-amendment>.

## Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocations

The Council and Board initiated the development of a joint amendment to reevaluate the commercial and recreational sector allocations in the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan. This action aims to address the allocation-related impacts of the revised recreational catch and landings data provided by MRIP. The initiation of the amendment directs Council and Commission staff to begin preparing analyses to guide a public scoping process. The Council and Board will revisit this issue during their next joint meeting in December 2019.

## Black Sea Bass Commercial Issues

After reviewing potential management strategies and engaging in a joint discussion on Council involvement, the Board initiated an addendum to consider changes to the black sea bass commercial state by state allocations. Consistent with Board discussion at the August 2019 ASMFC meeting, this action will consider the current distribution and abundance of black sea bass as one of several adjustment factors to achieve more balanced access to the resource. Proposed strategies for adjusting the commercial state allocations include: 1) a dynamic approach, referred to as "TMGC," which gradually shifts allocations over time based on a combination of historical landings information and current stock distribution information; 2) several trigger-based allocation approaches; 3) a method to raise the Connecticut quota to 5% in addition to any other reallocation method; and 4) hybrid approaches. Although this is a Board-specific action, both the Council and Board agreed that future discussions of the addendum should occur at joint Council and Board meetings to allow for Council input. The Council deliberated the need for a joint action but decided to postpone further consideration of a joint action until the joint December 2019 meeting.

## Recreational Reform Initiative

The Council and Board reviewed progress made by a joint steering committee on recreational management reform for summer flounder, scup, and black sea bass. The steering committee has discussed a new process for setting recreational management measures for multiple years at a time, as well as the development of guidelines for maintaining status quo recreational management measures. The Council and Board agreed the steering committee should continue to develop these concepts.

## Monkfish 2020-2022 Specifications

The Council approved the same monkfish specifications for 2020-2022 as recommended by the New England Fishery Management Council at their September 2019 meeting. These recommendations include a 10% increase in the ABC for the Northern Fishery Management Area and a status quo ABC for the Southern Fishery Management Area. No changes were recommended at this time by either Council for effort controls, possession limits, or days-at-sea measures. Additional information about these recommendations is available in the New England Council press release: <https://s3.amazonaws.com/nefmc.org/Council-Approves-2020-2022-Monkfish-Specifications.pdf>

## Dogfish 2020 Specifications Review

The Council reviewed spiny dogfish specifications for 2020, which will be year 2 of the 2019-2021 multi-year specifications. After considering input from the SSC, the Spiny Dogfish Advisory Panel, and the Spiny Dogfish Monitoring Committee, the Council made no changes to the previously-recommended ABC of 31.1 million pounds for 2020. This ABC results in a commercial quota of 23.2 million pounds, a 13% increase compared to the 2019 quota. Additional information about 2019-2022 specifications is available here:

<https://www.federalregister.gov/d/2019-09915>.

## Illex Permitting and MSB Goals and Objectives Amendment

The Council reviewed progress on the *Illex* Permitting and MSB Goals and Objectives Amendment and provided direction to staff on further development. This amendment considers modifications to the *Illex* permitting system and revisions to the goals and objectives for the Mackerel, Squid, Butterfish (MSB) fishery management plan (FMP). For the FMP goals and objectives, staff will continue to refine the proposed wording based on the input of the Council.

For the *Illex* permitting component, staff will further develop re-qualification alternatives and analyses, including several options that consider landings through 2019. The Council also voted that options for individual fishing quotas (or "ITQs" or "catch shares") will not be considered in this action. The Council approved a motion to not include a 10,000-trip qualification since that is the incidental trip limit and approved including options for a tiered approach to *Illex* permit requalification. Updates on this action are posted at <http://www.mafmc.org/actions/illex-permitting-msb-goals-amendment>.

## Illex Working Group

Staff provided an update on work being done by the *Illex* working group to develop approaches for in-year quota adjustments and the next research track assessment. Updates on this effort are posted at <http://www.mafmc.org/actions/illex-working-group>.

## Five-Year (2020-2024) Comprehensive Research Priorities

Staff presented the draft Five-Year (2020-2024) Comprehensive Research Priorities for Council review and feedback. The Council's current research priorities run through 2020; however, the Council agreed to update the priorities early in order to align with and be informed by the development of the Council's next Strategic Plan and new 5-Year Cooperative Agreement. The draft priorities document includes revised and updated broad research themes, a proposed new organization and prioritization set-up for species/FMP specific priorities, and potential strategies to improve the effectiveness and utility of the document to the Council and its management and science partners. Council feedback and recommendations will be incorporated into a revised document with final approval of the five-year research priorities scheduled for the December 2019 meeting.

## Draft 2020-2024 Strategic Plan

The Council reviewed and provided comments on a draft strategic plan for 2020-2024. The plan contains Mission and Vision statements and a suite of objectives and strategies organized around five goal areas: Communication,

Science, Management, Ecosystem, and Governance. The Council intends to use the plan to guide its management activities and operations over the next five years. Staff will incorporate Council feedback and post the draft strategic plan online for public feedback. The Council will review public comments and approve a final strategic plan at the December Council Meeting. Sign up for the Council's email list to be notified about availability of the draft plan for public comment: <http://www.mafmc.org/email-list>.

### Draft 2020 Deliverables

The Executive Committee reviewed and provided feedback on a draft list of actions and priorities for 2020. The full Council will review a revised list of actions and deliverables at the December Council Meeting.

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## Next Council Meeting

**December 9 - 12, 2019**

Westin Annapolis

100 Westgate Circle, Annapolis, MD 21401

Telephone: 410-972-4300

<http://www.mafmc.org/council-events/december-2019-council-meeting>



# South Atlantic Fishery Management Council

## News Release

FOR IMMEDIATE RELEASE  
September 23, 2019

CONTACT: Kim Iverson  
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### Council Wraps Up Meeting Week by Approving Measures for Best Fishing Practices

*Regulatory Amendment 29 would require descending devices; New Executive Director selected*

Charleston, SC - Members of the South Atlantic Fishery Management Council concluded their week-long meeting in Charleston, SC after approving federal fishery management measures intended to help implement best fishing practices and improve survivability of released fish. The measures, as included in Regulatory Amendment 29 to the Snapper Grouper Fishery Management Plan, would require fishermen fishing for snapper grouper species to have a descending device onboard and readily available for use when fishing in federal waters. The devices can be used to help reduce injuries caused by barotrauma, injury that occurs due to expansion of gas when fish are reeled up from deeper water. The condition may result in protruding stomachs from a fish's mouth, enlarged eyes, and other conditions that keep fish from swimming back to depth. Descending devices are designed to help get the fish back down to deeper water and alleviate the symptoms. Both descending devices and venting tools, when properly used, can be used to treat barotrauma and significantly increase the likelihood that a released fish survives.

The amendment includes additional measures to modify existing requirements for the use of non-stainless-steel and circle hooks when fishing for snapper grouper species with natural baits to help reduce injury to released fish. A measure to standardize the use of powerhead gear by divers off the coast of South Carolina is also included. If approved by the Secretary of Commerce, regulations in Regulatory Amendment 29 may be implemented in 2020.



The Council had lengthy discussions about requiring the devices onboard and how to best define a descending device for regulatory purposes. "The intent is to encourage fishermen to use descending devices when necessary to help increase the likelihood that a fish pulled up rapidly from deep water survives," said Council Vice Chair Mel Bel, representing the SC Department of Natural Resources Division of Marine Fisheries. "No one wants to see fish floating on the surface after being released. The purpose of the regulation isn't to write tickets, but to reduce release mortality by providing fishermen with the understanding and tools needed to do so when they run offshore."

Council members continued to stress the importance of outreach and education for informing fishermen on the proper use of the devices. A Best Practices video tutorial is currently available from the Council's website at: <https://safmc.net/electronic-reporting-projects/myfishcount/> (click the "Best Practices" tab) and additional outreach materials will be developed. The regulatory amendment also includes a research and monitoring plan that recommends NOAA Fisheries monitor the use of descending devices and continue research to determine their effectiveness in reducing discard mortality. The information may be used to evaluate improvements in the survival of released snapper grouper species in order to incorporate new discard mortality estimates into future stock assessments.



## **Council Wraps up Meeting Week (continued)**

### **Other Items**

The Council heard concerns from fishermen representing the commercial fishery for Spanish mackerel on the Outer Banks of NC and the charter industry from the Florida Keys. Fishermen spoke about the negative impacts of a recent closure of the commercial Spanish mackerel fishery in the Northern Zone (NC/SC line through NY). The Council reviewed a detailed “white paper” that provided analysis of effort in the fishery and discussed options to control effort as recommended by the Mackerel Cobia Advisory Panel. After listening to fishermen and reviewing the paper, Council members agreed to begin work on an amendment to revise accountability measures that would allow a stepdown to 500 pounds per trip once the Northern Zone quota is met, with the fishery closing once the total annual catch limit (recreational and commercial) is reached. The amendment will continue to be developed and information on upcoming public scoping and hearings distributed as it becomes available. Charter captains from the Florida Keys also expressed concerns about the dolphin fishery and its economic importance. The Council continues to work on a comprehensive amendment for the fishery.

### **New Executive Director**



The Council announced today that **John Carmichael**, the current Deputy Executive Director for Science and Statistics at the South Atlantic Fishery Management Council has been selected to become its next Executive Director. Carmichael was selected to assume the position upon Executive Director Gregg Waugh’s retirement in December 2019. As the Deputy Director for Science, John currently manages the Council’s science activities such as the Scientific and Statistical Committee, stock assessments, and Citizen Science efforts. He has worked at the Council since 2003. Previous positions include serving as a stock assessment scientist with the NC Division of Marine Fisheries Commission; Fishery Management Plan Coordinator with the Atlantic States Marine Fisheries Commission; and a biologist with the Maryland Department of Natural Resources.

“I am honored to be chosen by the Council to serve at the next Executive Director,” said Carmichael upon the announcement. “I look forward to continuing working with the Council, our constituents and partners to manage our fisheries.”

Additional information about the September Council meeting, including a story map, committee reports and summary motions is available from the Council’s website at: <https://safmc.net/safmc-meetings/council-meetings/>. The next meeting of the South Atlantic Fishery Management Council is scheduled for December 2-6, 2019 in Wilmington, NC.

**The South Atlantic Fishery Management Council, one of eight regional councils, conserves and manages fish stocks from three to 200 miles offshore of North Carolina, South Carolina, Georgia and east Florida.**



# SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

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 Call: (843) 571-4366 | Toll-Free: (866) SAFMC-10 | Fax: (843) 769-4520 | Connect: [www.safmc.net](http://www.safmc.net)

Jessica McCawley, Chair | Mel Bell, Vice Chair  
 Gregg T. Waugh, Executive Director

## SEPTEMBER 16-20, 2019 COUNCIL MEETING REPORT CHARLESTON, SOUTH CAROLINA

The following summary highlights the major issues discussed and actions taken at the South Atlantic Fishery Management Council’s September 2019 meeting in Charleston, South Carolina. Briefing materials, presentations, and public comments are available on the Council’s website at: <http://safmc.net/safmc-meetings/council-meetings/>

Final Committee Reports contain more details of what was accomplished for each committee and are located on the September 2019 briefing book page. In addition, the Summary of Motions on the Council’s website includes all motions from the meeting. Read further details and see images and other links at the September 2019 Council Meeting Round-up Story Map: <https://www.arcgis.com/apps/MapJournal/index.html?appid=ed2e53f896dc41498fca6e1d4d6d2c1f>

Issue:	Action Taken:	Schedule:
<p><b>Mackerel</b> Emergency Action</p>	<p>In June 2019, the Council approved a request for NMFS to raise the commercial king mackerel trip limit south of the Flagler/Volusia County line, Florida from 50-fish to 75-fish for the 2019-2020 season via emergency rule. The value of unharvested quota over the last four fishing seasons averaged \$3,880,961 per season.</p>	<p>The Council’s letter requesting emergency action was sent to NMFS on June 21, 2019 with a request to implement this prior to Season 2 of the 2019-2020 season (October 1<sup>st</sup>). NMFS reported that the emergency action <b>request is under review at NOAA Headquarters.</b></p>
<p>CMP Framework Amendment 8 – the Council approved various alternatives to permanently increase the trip limit in the southern zone.</p>	<p>Alternative trip limits for Season 2 include:</p> <ol style="list-style-type: none"> <li>1. 75 fish 10/1-1/31 with increase to 100 fish in Feb if less than 70% of quota landed</li> <li>2. 100 fish 10/1-1/31 with increase to 150 fish in Feb if less than 70% of quota landed</li> <li>3. 150 fish 10/1-1/31 with increase to 175 fish in Feb if less than 70% of quota landed</li> <li>4. <b>Preferred:</b> 100 fish 10/1 to the end of February</li> </ol>	<p>Staff and the IPT will prepare CMP Framework Amendment 8 <b>for public hearings prior to December.</b> Bring public comments and document back to the Council at the December Council meeting to approve for formal review. The Council’s intent is to have these permanent regulations in place prior to the start of the second season of the 2020/21 fishing year (October 1<sup>st</sup>).</p>



Issue:	Action Taken:	Schedule:
<p><b>Atlantic Spanish Mackerel</b> Commercial effort</p> <p><b>Mackerel Advisory Panel</b></p>	<p>The Council reviewed the staff white paper and approved development of a framework amendment to revise the Spanish mackerel accountability measures so that when the northern zone commercial sector quota is met, a stepdown to 500-pounds will occur. The Spanish mackerel fishery will close when the total annual catch limit (ACL), commercial and recreational combined, is met or projected to be met. The Council requested trip limit analyses for the Northern Zone of 1,500, 2,000, 2,500, and 3,500 pounds (no action).</p> <p>During the June meeting, the Council approved a control date of March 7, 2019 when they began considering effort controls for Atlantic Spanish mackerel.</p> <p>The Council approved adding 2 seats to the Mackerel Advisory Panel.</p>	<p>The Committee &amp; Council will review the framework amendment in December and have <b>scheduled a special webinar Council meeting before the March 2020 meeting to approve for formal review.</b></p> <p>The request is currently being reviewed at NOAA Headquarters.</p> <p>Seats will be advertised and <b>appointments made at the December 2-6, 2019 meeting</b> in Wilmington, NC.</p>
<p><b>Issue:</b></p> <p><b>Snapper Grouper</b> Abbreviated Framework Amendment 3 (South Atlantic Blueline Tilefish ACL)</p>	<p><b>Action Taken:</b></p> <p>The Council gave guidance to staff to revise the annual catch limits (ACLs) and the recreational annual catch target (ACT):</p> <ul style="list-style-type: none"> <li>• Increase the total ACL from 174,798 to 233,968 lbs ww</li> <li>• Increase the commercial ACL from 87,521 to 117,148 lbs ww</li> <li>• Increase the recreational ACL from 87,277 to 116,820 lbs ww</li> <li>• Increase the recreational ACT from 54,653 to 70,886 lbs ww</li> </ul>	<p><b>Schedule:</b></p> <p>Public comments will be taken at the December 2-6, 2019 meeting in Wilmington, NC. The Council will make any necessary revisions and <b>consider approving for formal review at the December meeting.</b></p>
<p>Wreckfish ITQ Review</p>	<p>The Council discussed and accepted the final review document and directed staff to begin a plan amendment for the wreckfish fishery to consider the recommendations.</p>	<p>The Council will review a draft plan amendment at the June 8-12, 2020 meeting in Key West, FL.</p>

Issue:	Action Taken:	Schedule:
<p><b>Snapper Grouper</b> Regulatory Amendment 33 (Red Snapper Season Modifications)</p>	<p>Options being considered:</p> <ol style="list-style-type: none"> <li>1. Remove minimum #days (3) for a season – keep or remove (<b>Preferred</b>)</li> <li>2. Modify commercial season:               <ol style="list-style-type: none"> <li>a. No Action – 2<sup>nd</sup> Monday in July, unless otherwise specified.</li> <li>b. <b>Preferred:</b> May 1, unless otherwise specified.</li> <li>c. 2<sup>nd</sup> Monday in June, unless otherwise specified.</li> </ol> </li> </ol>	<p>The Council will consider <b>approving the amendment for formal review at the December 2-6, 2019 Council meeting</b> in Wilmington, NC.</p>
<p><b>Snapper Grouper</b> Snapper Grouper Regulatory Amendment 29 (Best Fishing Practices &amp; Powerheads)</p>	<p>The Council reviewed the amendment and:</p> <ol style="list-style-type: none"> <li>1. Require a descending device be on board a commercial, private, and for-hire vessel fishing for or possessing species in the snapper grouper fishery management unit. For the purpose of this requirement, “descending device” means an instrument to which is attached a minimum of a 16-oz weight and a length of line that will release the fish at the depth from which the fish was caught or a minimum of 50-feet. The descending device attaches to the fish’s mouth or is a container that will hold the fish. The device <b>MUST</b> be capable of releasing the fish automatically, by the actions of the operator of the device, or by allowing the fish to escape on its own. Since minimizing surface time is critical to increasing survival, descending devices shall be readily available for use while engaged in fishing.</li> <li>2. Require the use of non-offset, non-stainless-steel circle hooks when using hook-and-line gear and natural baits in the EEZ north of 28 degrees north latitude (about 25 miles south of Cape Canaveral, FL).</li> <li>3. Require use of non-stainless-steel hooks when fishing with hook-and-line gear and natural baits in the EEZ.</li> <li>4. Allow powerheads in the EEZ off SC with the exception of within SMZs where they will remain prohibited.</li> </ol>	<p><b>The Council approved the amendment for formal review.</b> The document will be sent to NMFS by mid-October.</p>

<b>Issue:</b>	<b>Action Taken:</b>	<b>Schedule:</b>
<b>Snapper Grouper</b> Snapper Grouper Regulatory Amendment 34 (SMZs in NC & SC)	The Council directed staff to continue to develop the amendment to establish special management zones (SMZs) around artificial reefs in NC & SC, and to conduct scoping webinars with listening stations prior to and at the December 2019 meeting.	<b>Scoping meetings prior to and at the December 2019 meeting.</b> The Council will review scoping comments at the special webinar Council meeting prior to the March 2-6, 2020 meeting in Jekyll Island, GA.
<b>Protected Resources</b> The Council reviewed the Memorandum of Understanding (MOU) with NMFS and the Council and received updates on biological opinions.	The Council directed staff to work with the Southeast Regional Office Protected Resources Division to provide information for the Dolphin Wahoo biological opinion and to track development of the opinion.	Staff will track development of the biological opinion as the dolphin wahoo amendment proceed.
<b>Habitat Protection &amp; Ecosystem-Based Management</b>	The Council reviewed the Advisory Panel (AP) report. Art Sapp, Council member, reviewed video and photograph documenting a large oil spill associated with Hurricane Dorian on Grand Bahama, Bahamas. Concern was raised on the potential impact of the spill on both the Bahamas and potentially habitat and species managed by the Council. The Council directed staff to: <ul style="list-style-type: none"> <li>• Coordinate with the AP to help identify sites to monitor oceanographic changes in the region.</li> <li>• Engage appropriate organizations and agencies (e.g., SECOORA, etc.) to brief the Council in December or March on the potential impacts of the Bahamian oil spill on habitats and species under Council jurisdiction.</li> <li>• Facilitate review of state activities addressing climate change and extreme weather events.</li> <li>• Facilitate a presentation in December on innovative technologies to characterize fish habitat and spawning events.</li> </ul>	The Council will receive reports at the December 2019 meeting.

<b>Issue:</b>	<b>Action Taken:</b>	<b>Schedule:</b>
<p><b>Joint Golden Crab, Habitat &amp; Ecosystem, and Shrimp</b></p>	<p>The Council discussed Coral Amendment 10/Golden Crab Amendment 10/Shrimp Amendment 11 and directed staff to:</p> <ul style="list-style-type: none"> <li>• Remove golden crab options from the document and contact permitted fishermen in the norther zone to discuss the possibility of developing an exempted fishing permit.</li> <li>• Separate the shrimp vessel transit through cold-weather closed areas issue into a separate document</li> <li>• Separate Oculina Bank Coral Habitat Area of Particular Concern boundary and new coral habitat areas of particular concern into a separate document</li> </ul> <p>The Council also discussed ways to obtain input from Advisory Panels on changes to the Florida Keys National Marine Sanctuary in preparation for the Council’s review at the December 2-6, 2019 meeting in Wilmington, NC.</p>	<p><b>Shrimp Vessel Transit – scoping in fall 2019</b>, then hearings with the intent to approve for formal review at the March 2-6, 2020 meeting in Jekyll Island, GA.</p> <p>Oculina Bank &amp; Coral Habitat Areas of Particular Concern – a revised options paper will be presented to the Committee &amp; Council at the June 8-12, 2020 meeting in Key West, FL.</p> <p>Council staff are organizing presentations to the Habitat, Snapper Grouper, Spiny Lobster, Shrimp, Mackerel, Dolphin Wahoo, and Coral Advisory Panels. The Council will receive a presentation and make decisions at the December 2-6, 2019 meeting in Wilmington, NC.</p>

<b>Issue:</b>	<b>Action Taken:</b>	<b>Schedule:</b>
<p><b>Dolphin Wahoo</b> Goals and Objectives</p> <p>Amendment 10</p>	<p>The Council discussed and provided some changes to the goals and objectives. The final committee report shows the revisions.</p> <p>The Council reviewed Amendment 10 and provided guidance to staff:</p> <ul style="list-style-type: none"> <li>• In Actions 1-8, no changes.</li> <li>• In Action 9 (Commercial Accountability Measures (AMs) for Dolphin), removed language discussing recreational AMs and modified alternatives that would reduce the likelihood of a commercial closure.</li> <li>• Approved adding Action 10 (Recreational AMs for Dolphin) and modified the alternatives to share unharvested allocations and modify the post-season AM.</li> <li>• Approved adding Action 11 (Recreational AMs for Wahoo) and modified the post-season AM.</li> <li>• Moved Action 12 (Announce starting and ending dates before recreational season for dolphin and wahoo) to the considered but rejected appendix.</li> <li>• Approved edits to Action 13 (Allowable gear for dolphin wahoo) to allow retention of 250, 500, 750 or 1,000 pounds gutted weight of dolphin caught by rod and reel; the trip limit remains 500 pounds gutted weight for wahoo.</li> <li>• Retained Action 14 (Remove operator card requirement)</li> <li>• Retained Action 15 (Modify the recreational vessel limit for dolphin)</li> <li>• Modified Action 16 (Gear, bait, and training requirements in the commercial longline fishery to align with HMS) by adding 3 new alternatives.</li> <li>• Added Action 17 (Allow filleting of dolphin at sea onboard for-hire vessels in the waters north of the Virginia/North Carolina border), with a range of alternatives including skin on entire fillet, 2 fillets = 1 fish, and no frames need to be retained).</li> </ul>	<p>The revised goals and objectives will be added to the next plan amendment.</p> <p>The Council will review a revised Amendment 10, with goals and objectives, at the December 2-6, 2019 meeting in Wilmington, NC.</p>

<b>Issue:</b>	<b>Action Taken:</b>	<b>Schedule:</b>
<p><b>Dolphin Wahoo</b> Amendment 12 (Bullet &amp; Frigate Mackerel)</p>	<p>The Council approved adding Action 1 (Designating bullet &amp; frigate mackerel as ecosystem component species in the dolphin wahoo FMP).</p> <p>The Council also requested NMFS provide the following information:</p> <ul style="list-style-type: none"> <li>• Feasibility of the additional actions in the amendment (beyond Action 1).</li> <li>• Jurisdictional Issue – examine the precedent of extending CMP management through the MAFMC; if including as an action in an amendment will not work, then how does the SAFMC gain authority for a species along the entire east coast?</li> <li>• From an ecosystem component species perspective, what are appropriate regulatory actions that could prevent development of an unregulated fishery before the Council can develop an amendment to determine whether management is needed? For example, commercial trip limits and a total quota.</li> <li>• Allowable gear for dolphin includes automatic reel, bandit gear, handline, pelagic longline, rod and reel, and spear (including powerheads). If bullet and frigate mackerel are added to the Dolphin Wahoo FMP, would this list of allowable gears apply? (Note: current commercial fishery (non-FMP) allowable gear includes trawl, gillnet, hook and line, longline, handline, rod and reel, bandit gear, cast net, lampara net, and spear.)</li> </ul>	<p>The Council will review a revised Amendment 12 at the December 2-6, 2019 meeting in Wilmington, NC.</p> <p>The Council will receive a response from NMFS at the March 2-6, 2020 meeting in Jekyll Island, GA.</p>

<b>Issue:</b>	<b>Action Taken:</b>	<b>Schedule:</b>
<b>MyFishCount</b>	<p>Dr. Chip Collier, Council staff, gave an update on Years 1 &amp; 2:</p> <ul style="list-style-type: none"> <li>• About 1,000 users/member profiles.</li> <li>• Pilot project demonstrated voluntary electronic reporting. Aid in development of Amendment 46.</li> <li>• Information has already been used in management.</li> <li>• Retention and recruitment is crucial for electronic reporting projects.</li> <li>• Validation is needed.</li> <li>• Cooperation with SC Wildlife Federation on a Best Fishing Practices tutorial.</li> <li>• Shiny app (data.safmc.net/MyFishCount) that allows anglers to access information collected through MyFishCount.</li> <li>• Survey to understand angler perceptions &amp; opinions.</li> <li>• Data are being edited and uploaded to ACCSP; the API is now complete.</li> </ul> <p>BeBe Harrison is working with private recreational fishermen to have them report and updated the Council on outreach efforts.</p>	<p>Council staff are continuing to work on MyFishCount during the 3<sup>rd</sup> year (2019-2020).</p> <p>Information from the pilot project will be used by the Council when they continue work on the permitting and reporting amendment at a future meeting.</p>
<b>Issue:</b> <b>Citizen Science Program</b>	<p><b>Action Taken:</b></p> <p>Julia Byrd, Program Manager, gave an update:</p> <ul style="list-style-type: none"> <li>• Outlined 2019 activities of the various teams and partners.</li> <li>• SAFMC Release app to collect discard data on Scamp Grouper launched on June 20<sup>th</sup>. Data collected will be considered for use in the upcoming scamp assessment and for future management. Commercial, for-hire, and recreational fishermen are currently being recruited to participate in this project.</li> <li>• FISHstory, a pilot project to document the historical catch and length distribution for early headboat catches is under development and will launch in early 2020. Thanks to Rusty Hudson for all the pictures from the early years of the fishery.</li> <li>• Continuing Partnership Development.</li> </ul>	<p><b>Schedule:</b></p> <p>Work will continue on the program and these two projects.</p> <p><b>Scamp results will be available for 2020 scamp assessment.</b> The length data will be available for future assessments once the project is completed.</p>

<b>Issue:</b>	<b>Action Taken:</b>	<b>Schedule:</b>
<b>For-Hire Recreational Reporting</b>	The Amendment was sent for formal review on March 4, 2017 with a request for implementation by January 1, 2018. The amendment was approved on June 12, 2018 and the Final Rule was expected to publish in mid-April 2019 with a 60-day cooling off period.	At the September meeting, the Council was told the <b>final rule is still being reviewed</b> as they work out some final technical issues between NMFS and ACCSP. No specific timing was available.
<b>Full Council Actions:</b> 1. Special Webinar Council Meeting  2. Scientific & Statistical Committee  3. 2020 Topics  4. Next Executive Director	The Council requested staff schedule a Webinar Council meeting in late January or early February 2020 to address: <ol style="list-style-type: none"> <li>1. Spanish mackerel framework</li> <li>2. NC &amp; SC SMZs</li> </ol> The Council appointed Dr. Jared Flowers to the Georgia DNR seat and Dustin Addis to the Florida FWC seat on the Scientific and Statistical Committee.  The Council developed their work plan for the remainder of 2019 and for 2020.  The Council announced hiring John Carmichael as the next Executive Director effective December 13 <sup>th</sup> at 5:01 p.m.	Council staff is working on the dates and will post the information as soon as possible.  Appointment letters will be distributed and they will attend the SSC meeting October 15-17, 2019 in Charleston, SC.



# SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL

Charleston, SC

September 16 – 20, 2019

## SUMMARY OF APPROVED COUNCIL MOTIONS

**Note:** These summary motions show the wording of the actions/alternatives as modified by the motions. For details of what was changed, see the Final Committee Reports available from the Council's website in the folder named Committee Reports:

<https://safmc.net/briefing-books/briefing-book-2019-september-council-meeting/>

### SNAPPER GROUPER

#### Regulatory Amendment 29 (Best Fishing Practices & Powerheads)

**MOTION #1:** REMOVE “DISCARDS AND” FROM THE NEED FOR ACTIONS.

The *purpose* is to modify gear requirements for the snapper grouper fishery to promote best fishing practices and to ensure consistent regulations for the dive component of the snapper grouper fishery.

The *need* is to reduce ~~discards and~~ discard mortality of snapper grouper species and to decrease the burden of compliance with differing regulations for the dive component of the snapper grouper fishery while minimizing, to the extent practicable, adverse social and economic effects.

**MOTION #2:** APPROVE THE FOLLOWING DEFINITION OF DESCENDING DEVICE FOR INCLUSION IN ACTION 1:

For the purpose of this requirement, “descending device” means an instrument to which is attached a minimum of a 16-oz weight and a length of line that will release the fish at the depth from which the fish was caught or a minimum of 50-feet. The descending device attaches to the fish's mouth or is a container that will hold the fish. The device **MUST** be capable of releasing the fish automatically, by the actions of the operator of the device, or by allowing the fish to escape on its own. Since minimizing surface time is critical to increasing survival, descending devices shall be readily available for use while engaged in fishing.

**MOTION #3:** APPROVE SNAPPER GROUPE R REGULATORY AMENDMENT 29 FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND RE-DEEM THE CODIFIED TEXT.

APPROVED BY COUNCIL

The Committee also discussed an outreach plan for best fishing practices and prioritized the following:

- A brochure on best fishing practices and the requirements contained in Regulatory Amendment 29.
- Working with influencers to promote best fishing practices.
- Beginning discussions on incentivizing fishermen to use best fishing practices.

The Committee also requested a document summarizing current and past outreach efforts in the South Atlantic and their results.

**Abbreviated Framework 3 (Blueline Tilefish)**

**MOTION #4:** MOVE TO REVISE THE ACL AND RECREATIONAL ACT FOR BLUELINE TILEFISH TO REFLECT THE ACTIONS IN THE DECISION DOCUMENT AND MAINTAIN AS AN ABBREVIATED FRAMEWORK AND RETURN TO THE DECEMBER COUNCIL MEETING.

**Wreckfish ITQ Review**

**MOTION #5:** ACCEPT THE 2019 WRECKFISH ITQ REVIEW AS FINAL AND BEGIN A PLAN AMENDMENT FOR THE WRECKFISH FISHERY.

**Regulatory Amendment 33 (Red Snapper Seasons Modifications)**

**MOTION #6:** ACCEPT THE IPT’S EDITS TO ALTERNATIVE 2 UNDER ACTION 1 AND SELECT AS PREFERRED

*Action 1. Remove the minimum number of days for the South Atlantic red snapper seasons*

**Alternative 1 (No Action).** If the projected commercial or recreational fishing season is determined by the National Marine Fisheries Service to be three days or less then the commercial or recreational fishing season will not open for that fishing year.

**Alternative 2.** Remove the requirement specifying the red snapper commercial and recreational seasons in the South Atlantic would not open if projections indicate the commercial or recreational season would be three days or less fewer.

It was clarified during discussion of this action that under both current and proposed regulations, recreational and commercial harvest of red snapper operate independently of each other; that is, harvest for one sector can open without the other.

**MOTION #7:** MOVE ACTIONS 2 & 3 TO THE CONSIDERED BUT REJECTED APPENDIX

*Action 2. Modify the start date for the recreational red snapper season*

*Action 3. Revise the days of the week recreational harvest of red snapper would be allowed during an open season*

**MOTION #8:** MODIFY ALTERNATIVE 2 UNDER ACTION 4 FOR A MAY 1<sup>ST</sup> START DATE AND SELECT ALTERNATIVE 2 AS PREFERRED

*Action 4. Modify the start date for the red snapper commercial season*

**Alternative 1 (No Action).** The commercial red snapper season begins on the second Monday in July, unless otherwise specified.

**Alternative 2.** Modify the commercial red snapper season ~~start date~~ to ~~start the second Monday in~~ on May 1, unless otherwise specified.

**MOTION #9:** ACCEPT THE IPT'S SUGGESTED EDITS UNDER ACTION 4 AND MOVE ALTERNATIVE 4 TO THE CONSIDERED BUT REJECTED APPENDIX

*Action 4. Modify the ~~start date for~~ the red snapper commercial season*

**Alternative 1 (No Action).** The commercial red snapper season begins on the second Monday in July, unless otherwise specified.

**Alternative 2.** Modify the commercial red snapper season start date to ~~start the second Monday in~~ May 1, unless otherwise specified.

**Alternative 3.** Modify the commercial red snapper season ~~start date~~ to ~~start~~ the second Monday in June, unless otherwise specified.

**Alternative 4.** ~~Modify the commercial red snapper season start date to start May 1. Commercial harvest would not be allowed during July and August.~~

**MOTION #10:** APPROVE SUGGESTED EDITS TO THE PURPOSE AND NEED STATEMENT:

The purpose and need of this framework amendment is to ~~modify the structure of~~ ~~remove the minimum number of days to allow commercial or recreational harvest of red snapper in the South Atlantic and modify the start date of the red snapper commercial and recreational fishing seasons~~ to increase the socio-economic benefits to fishermen and fishing communities while minimizing discard mortality.

**Regulatory Amendment 34 (SMZs in NC and SC)**

**MOTION #11:** APPROVE INCLUSION OF ACTION 1 IN REGULATORY AMENDMENT 34.

*1. Establish Special Management Zones in the Exclusive Economic Zone off North Carolina*

**Option 1 (No Action).** There are currently no special management zones in the exclusive economic zone off North Carolina at permitted artificial reef sites. Do not establish new special management zones in the exclusive economic zone off North Carolina at permitted artificial reef sites. The allowable gear for the snapper grouper fishery management plan for the commercial and recreational sectors are handline, rod and reel, spear, bandit gear, powerhead, pot, and longline (the last two are commercial sector only). Do not implement new restrictions on fishing gear used to harvest snapper grouper species on designated artificial reefs in federal waters off North Carolina.

**Option 2.** Establish 30 special management zones at state permitted artificial reef sites in the exclusive economic zone off North Carolina (**Table 1 and Figures 1-3**). Within the special management zones, harvest of snapper grouper species would be allowed with handline, rod and reel, and spear. All harvest by spear would be limited to the applicable recreational bag limit.

**MOTION #12:** APPROVE INCLUSION OF ACTION 2 IN REGULATORY AMENDMENT 34 AND SELECT OPTION 2 AS PREFERRED.

*2. Establish Additional Special Management Zones in the Exclusive Economic Zone off South Carolina*

**Option 1 (No Action).** There are currently 29 special management zones at permitted artificial reef sites in the exclusive economic zone off South Carolina. Do not establish additional special management zones in the exclusive economic zone off South Carolina at permitted artificial reef sites. Allowable gear within the special management zones includes handline, rod and reel, and spear (without powerheads), and all harvest of snapper grouper species is limited to the recreational bag limit. Do not implement new restrictions on fishing gear used to harvest snapper grouper species on designated artificial reefs in federal waters off South Carolina.

**Option 2.** Establish four additional Special Management Zones at permitted artificial reef sites in the exclusive economic zone off South Carolina (**Table 2 and Figures 4-5**). Within the special management zones, harvest of snapper grouper species would only be allowed with handline, rod and reel, and spear and harvest would be limited to the applicable recreational bag limit.

GUIDANCE THAT STATES WILL CONDUCT MONITORING AND ENFORCEMENT OF ARTIFICIAL REEFS SO NO NEED FOR COUNCIL TO DEVELOP SMP

**MOTION #13:** DIRECT STAFF TO COMPLETE THE FOLLOWING TASKS:

- SEND LETTERS TO THANK PARTICIPANTS WHO DELIVERED PRESENTATIONS DURING THE SSC/MRIP WORKSHOP.
- PROVIDE SUMMARY OF OUTREACH EFFORTS TO DATE ON DESCENDING DEVICES AT THE DECEMBER 2019 MEETING.
- PREPARE ABBREVIATED FRAMEWORK 3 (ACL ADJUSTMENT FOR BLUELINE TILEFISH) FOR REVIEW AND CONSIDERATION FOR FORMAL APPROVAL AT THE DECEMBER 2019 COUNCIL MEETING.
- INITIATE DEVELOPMENT OF AN AMENDMENT TO THE SNAPPER GROUPE FMP BASED ON MANAGEMENT RECOMMENDATIONS FROM THE WRECKFISH ITQ REVIEW.
- CONDUCT SCOPING WEBINARS WITH LISTENING STATIONS FOR REGULATORY AMENDMENT 34 (3 IN NORTH CAROLINA AND ONE IN SOUTH CAROLINA) BEFORE THE DECEMBER 2019 COUNCIL MEETING.
- CONTINUE WORKING ON REGULATORY AMENDMENT 34
- PREPARE REGULATORY AMENDMENT 33 (MODIFICATIONS TO RED SNAPPER SEASONS) FOR CONSIDERATION FOR FORMAL REVIEW AT THE DECEMBER 2019 MEETING.
- SUBMIT REGULATORY AMENDMENT 29 FOR FORMAL REVIEW

**MACKEREL COBIA**

**CMP Framework Amendment 8 (king mackerel commercial trip limits during season two)**

**MOTION #1:** ACCEPT THE IPT'S RECOMMENDED CHANGES TO THE PURPOSE AND NEED STATEMENT.

The *purpose* is to modify increase the commercial trip limit for Atlantic king mackerel in the Atlantic Southern Zone during Season 2 (October 1 to the end of February).

The *need* is to provide a commercial trip limit sufficient to support fishing activity and revenue opportunity while constraining harvest to the annual catch limit and providing for year-round access.

**MOTION #2: ACCEPT THE IPT'S RECOMMENDED CHANGES TO THE ACTION/ALTERNATIVES LANGUAGE, REMOVING REFERENCE TO SEASON 1**

**Alternative 1 (No Action):** The commercial trip limits for Atlantic king mackerel in Season 2 south of the Flagler/Volusia line (29°25'N) to the Miami-Dade/Monroe line (25°20'24"N) are:

**North** of the Flagler/Volusia line (29°25'N): 3,500 pounds year-round.

**South** of the Flagler/Volusia line (29°25'N) to the Miami-Dade/Monroe line (25°20'24"N):

- March 1 – March 31 (Season 1): 50-fish\*
- April 1 – September 30 (Season 1): 75-fish, unless NMFS determines that 75% or more of the Season 1 quota has been landed, then, 50-fish\*
- October 1 – January 31 (Season 2): 50-fish
- February 1 – end of February (Season 2): 50-fish, unless NMFS determines that less than 70% of the Season 2 quota has been landed, then, 75-fish.

**Alternative 2:** Adjust Increase the commercial trip limits for Atlantic king mackerel in the Atlantic Southern Zone for Season 2 south of the Flagler/Volusia line (29°25'N) to the Miami-Dade/Monroe line (25°20'24"N):

**North** of the Flagler/Volusia line (29°25'N): 3,500 pounds year-round.

**South** of the Flagler/Volusia line (29°25'N) to the Miami-Dade/Monroe line (25°20'24"N):

- March 1 – March 31 (Season 1): 50-fish\*
- April 1 – September 30 (Season 1): 75-fish, unless NMFS determines that 75% or more of the Season 1 quota has been landed, then, 50-fish\*
- October 1 – January 31: 75-fish
- February 1 – end of February: 75-fish, unless NMFS determines that less than 70% of the Season 2 quota has been landed, then, 100-fish.

**Alternative 3:** Adjust Increase the commercial trip limits for Atlantic king mackerel in the Atlantic Southern Zone for Season 2 south of the Flagler/Volusia line (29°25'N) to the Miami-Dade/Monroe line (25°20'24"N):

**North** of the Flagler/Volusia line (29°25'N): 3,500 pounds year-round.

**South** of the Flagler/Volusia line (29°25'N) to the Miami-Dade/Monroe line (25°20'24"N):

- March 1 – March 31 (Season 1): 50-fish\*
- April 1 – September 30 (Season 1): 75-fish, unless NMFS determines that 75% or more of the Season 1 quota has been landed, then, 50-fish\*
- October 1 – January 31: 100-fish
- February 1 – end of February: 100-fish, unless NMFS determines that less than 70% of the Season 2 quota has been landed, then, 150-fish.

**Alternative 4:** Adjust Increase the commercial trip limits for Atlantic king mackerel in the Atlantic Southern Zone for Season 2 south of the Flagler/Volusia line (29°25'N) to the Miami-Dade/Monroe line (25°20'24"N):

**North** of the Flagler/Volusia line (29°25'N): 3,500 pounds year-round.

**South** of the Flagler/Volusia line (29°25'N) to the Miami-Dade/Monroe line (25°20'24"N):

- March 1 – March 31 (Season 1): 50-fish\*
- April 1 – September 30 (Season 1): 75-fish, unless NMFS determines that 75% or more of the Season 1 quota has been landed, then, 50-fish\*
- October 1 – January 31: 150-fish
- February 1 – end of February: 150-fish, unless NMFS determines that less than 70% of the Season 2 quota has been landed, then, 175-fish.

**MOTION #3:** ADD AN ALTERNATIVE FOR A SEASON 2 TRIP LIMIT OF 100-FISH WITH NO STEP-UP AND SELECT AS THE PREFERRED ALTERNATIVE

**MOTION #4:** APPROVE COASTAL MIGRATORY PELAGICS FRAMEWORK

#### **Spanish Mackerel White Paper**

**MOTION #5:** REVISE SPANISH MACKEREL ACCOUNTABILITY MEASURES SO WHEN THE NORTHERN ZONE COMMERCIAL SECTOR QUOTA IS MET A STEPDOWN TO 500-LBS WILL OCCUR.

THE SPANISH MACKEREL FISHERY WILL CLOSE WHEN THE TOTAL ACL (COMMERCIAL AND RECREATIONAL COMBINED) IS MET OR PROJECTED TO BE MET.

**MOTION #6:** MOVE TO ANALYZE AND DEVELOP ALTERNATIVES FOR TRIP LIMITS FOR THE NORTHERN ZONE COMMERCIAL SECTOR OF 1,500, 2,000, 2,500 POUNDS.

**MOTION #7:** ADOPT THE FOLLOWING TIMING AND TASKS:

1. Continue work on CMP Framework Amendment 8 and prepare FOR PUBLIC HEARINGS AND a final draft for the approval at the December 2019 Council meeting.
2. Begin work on a framework amendment to address Spanish mackerel accountability measures and commercial trip limits in the Northern Zone FOR REVIEW IN DECEMBER 2019 AND FINAL ACTION DURING A WEBINAR BEFORE THE MARCH 2020 MEETING.
3. Prepare for the October 2019 Mackerel Cobia Advisory Panel Meeting

#### **PROTECTED RESOURCES**

**MOTION # 1.** ADOPT THE FOLLOWING TIMING AND TASKS:

1. Work with SERO PRD to provide information relative to the Dolphin Wahoo BiOp, as necessary, and follow the progress of BiOp development.

## **DOLPHIN WAHOO**

### **Amendment 10 (Revise Dolphin and Wahoo Management Measures)**

#### **DIRECTION TO STAFF:**

In Action 10, remove the referral to stock status in Alternatives 2 and 3.

**MOTION #1:** ADD ALTERNATIVE 5 AND ACCEPT THE IPT RECOMMENDATIONS TO ACTION 9.

*Action 9. Revise the **commercial** accountability measures for dolphin*

**Alternative 1 (No Action).** The current commercial **AM accountability measure** includes an in-season closure to take place if the commercial **ACL annual catch limit** is met or projected to be met. If the commercial **ACL annual catch limit** is exceeded, it will be reduced by the amount of the commercial overage in the following fishing year only if the species is overfished and the total **ACL annual catch limit** is exceeded.

~~The current recreational AM includes a shortening of the recreational season that may be triggered if the recreational ACL is exceeded, but only after recreational landings have been monitored for persistence in increased landings. The length of the recreational season will not be reduced if the RA determines the best available science shows that it is not necessary. If a reduction is necessary, the recreational season may be reduced and the ACL in the following fishing year will be reduced by the amount of the recreational overage only if the species is overfished and the total ACL is exceeded.~~

**Alternative 2.** The commercial **AM accountability measure** will include an in-season closure to take place if the commercial **ACL annual catch limit** and the available common pool **ACL annual catch limit** is met or projected to be met. If the commercial **ACL annual catch limit** and the available common pool **ACL annual catch limit** is exceeded, it will be reduced by the amount of the commercial overage in the following fishing year only if the species is overfished and the total **ACL annual catch limit** is exceeded.

~~The recreational AM will include a shortening of the recreational season that may be triggered if the recreational ACL and the available common pool ACL is exceeded, but only after recreational landings have been monitored for persistence in increased landings. The length of the recreational season will not be reduced if the RA determines the best available science shows that it is not necessary. If a reduction is necessary, the recreational season may be reduced and the ACL in the following fishing year will be reduced by the amount of the recreational overage only if the species is overfished and the total ACL is exceeded.~~

**Alternative 3.** The commercial **AM accountability measure** will include an in-season closure to take place if the commercial **ACL annual catch limit** and the available uncaught sector **ACL annual catch limit** from the previous fishing year is met or projected to be met. If the commercial **ACL annual catch limit** and the available uncaught sector **ACL annual catch limit** from the previous fishing year is exceeded, it will be reduced by the amount of the commercial overage in the following fishing year only if the species is overfished and the total **ACL annual catch limit** is exceeded.

**Alternative 4.** ~~The recreational AM will include a shortening of the recreational season that may be triggered if the recreational ACL and the available uncaught sector ACL from the previous fishing year is exceeded, but only after recreational landings have been monitored for persistence in increased landings. The length of the recreational season will not be reduced if the RA determines the best available science shows that it is not necessary. If a reduction is necessary, the recreational season may be reduced and the ACL in the following fishing year will~~



be reduced by the amount of the recreational overage only if the species is overfished and the total ACL is exceeded.

**Alternative 5.** The commercial AM will include a shortening of the commercial season that may be triggered if the commercial ACL is exceeded, but only after commercial landings have been monitored for persistence in increased landings. The length of the commercial season will not be reduced if the RA determines the best available science shows that it is not necessary. If a reduction is necessary, the commercial season may be reduced and the ACL in the following fishing year will be reduced by the amount of the commercial overage only if the species is overfished and the total ACL is exceeded.

**Alternative 4.** If commercial landings exceed the commercial annual catch limit, then during the following fishing year, commercial landings will be monitored for persistence in increased landings. If the commercial annual catch limit is exceeded for a second consecutive year, it will be reduced by the amount of the commercial overage in the following fishing year and the commercial season will be reduced by the amount necessary to ensure that commercial landings do not exceed the reduced annual catch limit only if the species is overfished and the total annual catch limit is exceeded. However, the commercial annual catch limit and length of the commercial season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 5.** If commercial landings exceed the commercial annual catch limit, then during the following fishing year, commercial landings will be monitored for persistence in increased landings. If the commercial annual catch limit is exceeded for a second consecutive year, the commercial season will be reduced by the amount necessary to ensure that commercial landings do not exceed the current year commercial sector annual catch limit. However, the length of the commercial season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

#### **MOTION #2: MODIFY THE LANGUAGE FOR ALTERNATIVE 5 IN ACTION 9.**

**Alternative 5.** If commercial landings exceed the commercial annual catch limit, then during the following fishing year, commercial landings will be monitored for persistence in increased landings. If the commercial annual catch limit is exceeded for a second consecutive year, the commercial season will be reduced by the amount necessary to ensure that commercial landings do not exceed the current year commercial sector annual catch limit. However, the length of the commercial season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

#### **MOTION #3: APPROVE ACTION 10 FOR CONSIDERATION IN AMENDMENT 10. REMOVE ALTERNATIVE 4 AND 6.**

*Action 10. Revise the recreational accountability measures for dolphin*

**Alternative 1 (No action).** The fishing year for dolphin is the same as the calendar year. If recreational landings exceed the recreational annual catch limit, then during the following fishing year, recreational landings will be monitored for persistence in increased landings. If the recreational annual catch limit is exceeded, it will be reduced by the amount of the recreational overage in the following fishing year and the recreational season will be reduced by the amount necessary to ensure that recreational landings do not exceed the reduced annual catch limit only if the species is overfished and the total annual catch limit is exceeded. However, the

recreational annual catch limit and length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 2.** If recreational landings exceed the recreational annual catch limit and the available common pool annual catch limit, then during the following fishing year recreational landings will be monitored for persistence in increased landings. If the recreational annual catch limit and the available common pool annual catch limit is exceeded, it will be reduced by the amount of the recreational overage in the following fishing year and the recreational season will be reduced by the amount necessary to ensure that recreational landings do not exceed the reduced annual catch limit only if the species is overfished and the total annual catch limit is exceeded. However, the recreational annual catch limit and length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 3.** If recreational landings exceed the recreational annual catch limit and the available uncaught sector annual catch limit from the previous fishing year, then during the following fishing year recreational landings will be monitored for persistence in increased landings. If the recreational annual catch limit and the available uncaught sector annual catch limit from the previous fishing year is exceeded, it will be reduced by the amount of the recreational overage in the following fishing year and the recreational season will be reduced by the amount necessary to ensure that recreational landings do not exceed the reduced annual catch limit only if the species is overfished and the total annual catch limit is exceeded. However, the recreational annual catch limit and length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 4.** ~~Remove the post season accountability measures.~~

**Alternative 5.** Only implement post season accountability measures if:

**Sub-alternative 5a.** The recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Sub-alternative 5b.** The recreational annual catch limits are constant and the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Sub-alternative 5c.** The recreational annual catch limits are constant and recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year.

**Sub-alternative 5d.** The total (commercial and recreational combined) annual catch limit is exceeded.

**Sub-alternative 5e.** The stock is overfished based on the most recent Status of U.S. Fisheries Report to Congress.

**Alternative 6.** ~~If the post season accountability measure is triggered, reduce the recreational sector annual catch limit by the amount of the overage in the following fishing season.~~

**Alternative 7.** If the post-season accountability measure is triggered, reduce the length of the following recreational fishing season by the amount necessary to reduce the probability that the annual catch limit will be exceeded in the following year.

**MOTION #4:** APPROVE ACTION 11 FOR CONSIDERATION IN AMENDEMNT 10.  
REMOVE ALTERNATIVE 2. ADD OVERFISHED STATUS TO ALTERNATIVE 4.

*Action 11. Revise the recreational accountability measures for wahoo*

**Alternative 1 (No action).** The fishing year for wahoo is the same as the calendar year. If recreational landings exceed the recreational annual catch limit, then during the following fishing year recreational landings will be monitored for persistence in increased landings. If the recreational annual catch limit is exceeded, it will be reduced by the amount of the recreational overage in the following fishing year only if the species is overfished and the total annual catch limit is exceeded. However, the recreational annual catch limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 2.** Remove the post season accountability measures.

**Alternative 3.** Only specify post season accountability measures if:

**Sub-alternative 3a.** The recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Sub-alternative 3b.** The recreational annual catch limits are constant and the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Sub-alternative 3c.** The recreational annual catch limits are constant and recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total acceptable biological catch in any one year.

**Sub-alternative 3d.** The total (commercial and recreational combined) annual catch limit is exceeded.

**Sub-alternative 3e.** The stock is overfished based on the most recent Status of U.S. Fisheries Report to Congress.

**Alternative 4.** If the post-season accountability measure is triggered, reduce the recreational sector annual catch limit by the amount of the overage in the following fishing season **only if the species is overfished.**

**Alternative 5.** If the post-season accountability measure is triggered, reduce the length of the following recreational fishing season by the amount necessary to reduce the probability that the annual catch limit will be exceeded in the following year.

**MOTION #5: MOVE ACTION 12 TO CONSIDERED BUT REJECTED.**

~~*Action 12. Announce starting and ending dates before a recreational season starts for dolphin and wahoo*~~

~~**Alternative 1 (No Action).** The fishing year for dolphin and wahoo are the same as the calendar year. There are no in-season closures for the recreational sector for dolphin or wahoo.~~

~~**Alternative 2.** The National Marine Fisheries Service will annually announce the recreational fishing season start and end dates for dolphin in the Federal Register and by other methods, as deemed appropriate. The fishing season will start at the beginning of the fishing year and end on the date the National Marine Fisheries Service projects the recreational annual catch limit will be met.~~

~~**Alternative 3.** The National Marine Fisheries Service will annually announce the recreational fishing season start and end dates for wahoo in the Federal Register and by other methods, as deemed appropriate. The fishing season will start at the beginning of the fishing year and end on the date the National Marine Fisheries Service projects the recreational annual catch limit will be met.~~

**MOTION #6: APPROVE THE IPT'S SUGGESTED EDITS IN ACTION 13.**

*Action 13. Allow properly permitted commercial fishing vessels with gear onboard that are not authorized for use in the dolphin wahoo fishery to possess dolphin and wahoo*

**Alternative 1 (No Action).** The following are the only authorized commercial gear types in the fisheries for dolphin and wahoo in the Atlantic EEZ Exclusive Economic Zone: Automatic reel, bandit gear, handline, pelagic longline, rod and reel, and spearfishing gear (including powerheads). A person aboard a vessel in the Atlantic EEZ Exclusive Economic Zone that has on board gear types other than authorized gear types may not possess a dolphin or wahoo.

**Alternative 2.** A vessel in the Atlantic EEZ Exclusive Economic Zone that possesses both an Atlantic Dolphin/Wahoo Commercial Permit and the necessary state and/or federal commercial permits for trap, pot, or buoy gear are authorized to retain dolphin and wahoo caught by rod and reel while in possession of such gears. Dolphin retained on trips when trap, pot, or buoy gear are onboard shall not exceed (*Sub-alternatives 2a through 2d*). The wahoo commercial trip limit will remain at 500 pounds. A person aboard a vessel in the Atlantic EEZ Exclusive Economic Zone that has on board other gear types that are not authorized in the fisheries for dolphin and wahoo may not possess a dolphin or wahoo.

**Sub-alternative 2a.** 250 pounds gutted weight

**Sub-alternative 2b.** 500 pounds gutted weight

**Sub-alternative 2c.** 750 pounds gutted weight

**Sub-alternative 2d.** 1,000 pounds gutted weight

**MOTION #7: ADD ALTERNATIVES 3, 4, AND 5 TO ACTION 16.**

*Action 16. Modify gear, bait, and training requirements in the commercial longline fishery for dolphin and wahoo to align with Highly Migratory Species requirements*

**Alternative 3.** Require that a valid Safe Handling, Release, and Identification Workshop certificate be supplied when renewing an Atlantic Dolphin/Wahoo Commercial Permit if the permitted vessel lands dolphin or wahoo with pelagic longline gear.

**Alternative 4.** Require the following for vessels with a commercial dolphin wahoo permit when using pelagic longlines that do not have an HMS permit that allows the use of pelagic longline gear (tri-pack):

**Sub-alternative 4a.** Must possess valid Safe Handling, Release, and Identification Workshop certificate onboard for both the owner and operator.

**Sub-alternative 4b.** Must use only corrodible (i.e., non-stainless steel) 12/0 or larger non-offset circle hooks.

**Sub-alternative 4c.** Must use only corrodible (i.e., non-stainless steel) 14/0 or larger non-offset circle hooks.

**Sub-alternative 4d.** Must use only corrodible (i.e., non-stainless steel) 16/0 or larger non-offset circle hooks.

**Sub-alternative 4e.** Must use whole finfish and/or squid as bait.

**Alternative 5.** Require a longline endorsement on the commercial dolphin wahoo permit to use longline gear to land dolphin or wahoo.

**MOTION #8: ACCEPT THE IPT'S EDITS TO ALTERNATIVE 1 IN ACTION 16.**

**Alternative 1 (No Action).** The owner or operator of a vessel for which a commercial permit for Atlantic dolphin and wahoo has been issued and that has on board a pelagic longline must

post inside the wheelhouse the sea turtle handling and release guidelines provided by NMFS the National Marine Fisheries Service. Such owner or operator must also comply with the sea turtle bycatch mitigation measures, including gear requirements and sea turtle handling requirements, as specified in 50 C.F.R. §635.21(c)(5)(i) and (ii). There are no protected species handling, release or identification training, circle hook, hook material, or gangion length requirements.

**MOTION #9:** APPROVE ACTION 17 AND THE PROPOSED RANGE OF ALTERNATIVES FOR CONSIDERATION IN AMENDMENT 10.

*Action 17. Allow filleting of dolphin at sea onboard charter or headboat vessels in the Atlantic Exclusive Economic Zone north of the Virginia/North Carolina border.*

**Alternative 1 (No Action).** Dolphin possessed in the Atlantic Exclusive Economic Zone must be maintained with head and fins intact, with specific exceptions for fish lawfully harvested in the Bahamas. Such fish harvested from the Atlantic Exclusive Economic Zone may be eviscerated, gilled, and scaled, but must otherwise be maintained in a whole condition.

**Alternative 2.** Exempt dolphin from regulations requiring head and fins be intact onboard properly permitted charter and headboat vessels in the Atlantic Exclusive Economic Zone north of the Virginia/North Carolina border where dolphin may be filleted under the following requirements:

**Sub-alternative 2a.** Skin must remain intact on the entire fillet of any dolphin carcass.

**Sub-alternative 2b.** Two fillets of dolphin, regardless of the length of each fillet, is the equivalent to one dolphin.

#### **Amendment 12 (Bullet and Frigate Mackerel)**

DIRECTION TO STAFF:

Provide additional information on the remaining actions beyond Action 1 in the amendment and jurisdictional information at the June 2020 meeting.

**MOTION #10:** APPROVE ACTION 1 AND THE PROPOSED RANGE OF ALTERNATIVES FOR CONSIDERATION IN AMENDMENT 12.

*Action 1. Designate bullet mackerel and frigate mackerel as ecosystem component species in the Dolphin Wahoo Fishery Management Plan*

**Alternative 1 (No Action).** There are no ecosystem component species in the Dolphin Wahoo Fishery Management Plan.

**Alternative 2.** Add bullet mackerel and frigate mackerel to the Dolphin Wahoo Fishery Management Plan and designate the two mackerel species as ecosystem component species.

**MOTION #11:** REQUEST THAT NMFS PROVIDE INFORMATION ON FEASIBILITY OF THE ADDITIONAL BULLET AND FRIGATE ACTIONS IN AMENDMENT 12 (BEYOND DESIGNATION AS ECOSYSTEM COMPONENT SPECIES) AND PRESENT THIS TO THE COUNCIL AT THE MARCH 2020 COUNCIL MEETING. ALSO PROVIDE INFORMATION ON:

1. THE JURISDICTIONAL ISSUE – EXAMINE THE PRECEDENT OF EXTENDING CMP MANAGEMENT THROUGH THE MAFMC; IF INCLUDING AS AN ACTION IN AN AMENDMENT WILL NOT WORK, THEN HOW DOES THE SAFMC GAIN AUTHORITY FOR A SPECIES ALONG THE ENTIRE EAST COAST?

2. FROM AN ECOSYSTEM COMPONENT SPECIES PERSPECTIVE, WHAT ARE APPROPRIATE REGULATORY ACTIONS THAT COULD PREVENT DEVELOPMENT OF AN UNREGULATED FISHERY BEFORE THE COUNCIL CAN DEVELOP AN AMENDMENT TO DETERMINE WHETHER MANAGEMENT IS NEEDED? FOR EXAMPLE, COMMERCIAL TRIP LIMITS AND A TOTAL QUOTA.
3. ALLOWABLE GEARS FOR DOLPHIN INCLUDES AUTOMATIC REEL, BANDIT GEAR, HANDLINE, PELAGIC LONGLINE, ROD AND REEL, AND SPEAR (INCLUDING POWERHEADS). IF BULLET AND FRIGATE ARE ADDED TO THE DOLPHIN WAHOO FMP AS ECOSYSTEM COMPONENT SPECIES, WOULD THIS LIST OF ALLOWABLE GEARS APPLY? (NOTE: CURRENT COMMERCIAL FISHERY (NON-FMP) ALLOWABLE GEAR INCLUDES TRAWL, GILLNET, HOOK AND LINE, LONGLINE, HANDLINE, ROD AND REEL, BANDIT GEAR, CAST NET, LAMPARA NET, AND SPEAR.)

#### **Other Business**

##### **DIRECTION TO STAFF:**

Work with the Mid-Atlantic Council on funding for and identifying a new member for the Dolphin Wahoo Advisory Panel from the Mid-Atlantic Region.

**MOTION #12:** ADD ONE VOTING SEAT TO THE DOLPHIN WAHOO ADVISORY PANEL FOR A PANEL MEMBER FROM THE MID-ATLANTIC REGION.

##### **MOTION #13 (TIMING AND TASKS):**

###### **DIRECT STAFF TO:**

1. CONTINUE WORK ON AMENDMENT 10 FOR REVIEW AT THE DECEMBER 2019 MEETING.
2. CONTINUE WORK ON REVISING THE DOLPHIN WAHOO FMP GOALS AND OBJECTIVES FOR REVIEW AT THE DECEMBER 2019 MEETING.
3. CONTINUE WORK ON AMENDMENT 12 FOR REVIEW AT THE DECEMBER 2019 MEETING.

#### **HABITAT PROTECTION & ECOSYSTEM-BASED MANAGEMENT**

##### **MOTION #1. ADOPT THE FOLLOWING TIMING AND TASK(S):**

1. Staff coordinate with Habitat and Ecosystem Advisory Panel to help identify shelf and deepwater sentinel sites to monitor oceanographic change in the region.
2. Staff engage appropriate organizations and agencies (e.g., SECOORA etc.) to brief the Council in December or March on the potential impact of the Bahamian oil spill associated with Hurricane Dorian, on habitats and species under Council jurisdiction.
3. Staff facilitate Panel member review of state activities addressing climate change, and extreme weather events supporting development of an addendum to the existing Council Climate Policy statement highlighting complementary actions which enhance EFH conservation.

- Staff facilitate Laurent Cherubin, HBOI/FAU COIERT presentation at the December Committee meeting on “Applying Innovative Technologies to Characterize Fish Habitat and Spawning Events - Understanding Soundscapes.”

**JOINT HABITAT, SHRIMP, AND GOLDEN CRAB**

**MOTION #1:** REMOVE GOLDEN CRAB OPTIONS FROM THIS OPTIONS PAPER; SEPARATE SHRIMP TRANSIT INTO ITS OWN DOCUMENT; ROCK SHRIMP AND NEW CHAPCS IN ANOTHER DOCUMENT; BRING BACK TO COMMITTEE IN JUNE 2020 FOR ROCK SHRIMP AND CHAPCS; SHRIMP TRANSIT GOES OUT FOR SCOPING IN FALL 2019.

**MOTION #2.** ADOPT THE FOLLOWING TIMING AND TASKS:

- Conduct scoping for shrimp vessel transit provisions in fall 2019.
- Revise options paper for rock shrimp boundary and Coral Habitat Areas of Particular Concern and bring back to the Committee in June 2020.
- Contact golden crab fishermen who hold permits for the northern zone and discuss possibility of developing an exempted fishing permit.
- Hold Shrimp and Coral advisory panel webinar meetings to discuss Florida Keys National Marine Sanctuary modifications prior to the December 2019 Council meeting.

**EXECUTIVE FINANCE**

**MOTION #1:** CONSIDER A SPECIAL WEBINAR MEETING AFTER THE DECEMBER MEETING AND BEFORE THE MARCH MEETING TO DISCUSS THE SPANISH MACKEREL FRAMEWORK AMENDMENT.

**MOTION#2:** INCLUDE SG REG 34 FOR DISCUSSION IN THE SPECIAL WEBINAR MEETING AFTER THE DECEMBER MEETING BEFORE THE MARCH MEETING.

**MOTION #3:**

PRIORITIES APPROVED FOR DECEMBER 2019 MEETING:

SG AF3	Blueline Tilefish
SG RA33	Red Snapper Season Mods
CMP Framework 8	KM Trip Limits in Season 2
	Spanish Mackerel AMs
DW A10	Dolphin ACL sharing, OY, etc.
SG RA31	Recreational AMs
DW 12	Bullet & Frigate ecosystem
Shrimp 11	Shrimp Transit Provisions

PRIORITIES APPROVED FOR MARCH 2020:

DW A10	Dolphin ACL sharing, OY, etc.
SG RA31	Recreational AMs
DW 12	Bullet & Frigate ecosystem



Shrimp 11	Shrimp Transit Provisions Future Allocation Discussions Unassessed Species ABCs/Alloc Greater Amberjack Assess/Alloc
SG RA34	NC/SC SMZs

PRIORITIES APPROVED FOR JUNE 2020:

DW A10	Dolphin ACL sharing, OY, etc.
SG RA31	Recreational AMs
DW 12	Bullet & Frigate ecosystem Unassessed Species ABCs/Alloc Greater Amberjack Assess/Alloc Red Pogy Assess/Alloc Yellowtail Snapper Assess/Alloc King Mackerel Assess/Alloc
SG RA34	NC/SC SMZs
GC 10	Oculina Extension
SG A48	Wreckfish ITQ Modernization

**Note: The motion as approved showed the wreckfish amendment as #47 but it should be #48 and was changed for the listings shown here.**

PRIORITIES APPROVED FOR SEPTEMBER 2020:

DW A10	Dolphin ACL sharing, OY, etc.
SG RA31	Recreational AMs
DW 12	Bullet & Frigate ecosystem
GC 10	Oculina Extension
SG A48	Wreckfish ITQ Modernization Unassessed Species ABCs/Alloc Greater Amberjack Assess/Alloc Red Pogy Assess/Alloc Yellowtail Snapper Assess/Alloc King Mackerel Assess/Alloc

PRIORITIES APPROVED FOR DECEMBER 2020:

DW A10	Dolphin ACL sharing, OY, etc.
SG RA31	Recreational AMs
GC 10	Oculina Extension
SG A48	Wreckfish ITQ Modernization Unassessed Species ABCs/Alloc Greater Amberjack Assess/Alloc Red Pogy Assess/Alloc Yellowtail Snapper Assess/Alloc King Mackerel Assess/Alloc

**MOTION#4:** ADD 2 ADDITIONAL SEATS TO THE CMP ADVISORY PANEL

**MOTION #5.** ADOPT THE FOLLOWING TIMING AND TASK(S):

1. Send a letter to the Senate staff with the Council comments on their draft wording for MSA Reauthorization by the end of September.
2. Directed staff to work on the items identified in the motions above for the December 2019 Council meeting and for meetings in 2020.

**PERSONNEL REPORT**

The Council announced hiring John Carmichael as the next Executive Director effective December 13<sup>th</sup> at 5:01 p.m.

**COUNCIL SESSION**

**MOTION #1:** MOVE TO APPOINT JARED FLOWERS TO THE GA DNR SEAT ON THE SSC

**MOTION #2:** MOVE TO APPOINT DUSTIN ADDIS TO THE FL FWC SEAT ON THE SSC



ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

STEPHEN W. MURPHEY  
*Director*

Oct. 25, 2019

## MEMORANDUM

**TO:** N.C. Marine Fisheries Commission  
**FROM:** Randy Gregory, Marine Fisheries Biologist  
**SUBJECT:** Highly Migratory Species Update

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### Issue

Highly Migratory Species activity update.

### Action Needed

For informational purposes only, no action is needed at this time.

### Overview

The Highly Migratory Species Advisory Panel met September 4-5, 2019 in Silver Spring, Maryland. The Advisory Panel discussed scoping for Amendment 12 to comply with Magnuson-Stevens Act National Standard Guidelines and NOAA Fisheries policy directives, a proposed rule and Draft Environmental Impact Statement for pelagic longline bluefin tuna area-based management measures, scoping for Amendment 13 (bluefin tuna) and increasing shark depredation in commercial and recreational fisheries.

### Tunas

NOAA Fisheries announced the closure of the October-November General category for commercial bluefin tuna on October 15, 2019 and the General category December sub-quota will re-open on December 1, 2019. As of October 15, 2019, preliminary commercial landings for the 2019 fishing year are as follows: the General category has landed 177.2 metric tons of the 172.2 metric ton October adjusted sub-quota, 225.6 metric tons of the 207.3 metric ton September adjusted sub-quota, 277.1 metric tons of the 277.9 metric ton June-August adjusted sub-quota, and 108.9 metric tons of the 100 metric ton January-March adjusted sub-quota.

### Sharks

On August 28, 2019, the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora added shortfin mako sharks to Appendix II. Beginning November 26, 2019, fish dealers will need specific permits from the U.S. Fish and Wildlife Service to import, export, or re-export shortfin mako sharks. Additionally, commercial fishermen who catch shortfin mako sharks beyond the exclusive economic zone on the high seas will also need a permit if shortfin mako shark is going to be landed.

On October 9, 2019, NOAA Fisheries adjusted the commercial aggregated large coastal shark (LCS) and hammerhead shark management group retention limit for directed shark limited access permit holders in the Atlantic region from 45 sharks per vessel per trip to 55 LCS (other than sandbar sharks) per vessel per trip. The retention limit will remain at 55 LCS (other than sandbar sharks) per vessel per trip in the Atlantic region through the rest of the 2019 fishing season or until NOAA Fisheries announces another adjustment in the Federal Register or closes the fishery.

*INFORMATIONAL  
MATERIALS*

## Red Drum Landings 2018-2019

Landings are complete through July 31, 2019.

2018 landings are final. 2019 landings are preliminary.

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average
2018	9	Red Drum	11,149	28,991	35,003
2018	10	Red Drum	42,805	43,644	63,662
2018	11	Red Drum	10,076	14,318	27,643
2018	12	Red Drum	2,052	3,428	2,197
2019	1	Red Drum	2,101	5,885	1,699
2019	2	Red Drum	1,952	3,448	3,996
2019	3	Red Drum	1,563	5,699	3,971
2019	4	Red Drum	5,571	7,848	6,528
2019	5	Red Drum	11,315	13,730	9,664
2019	6	Red Drum	6,259	12,681	6,985
2019	7	Red Drum	5,705	13,777	15,618
2019	8	Red Drum	4,532	21,252	15,846 *

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**Fishing Year (Sept 1, 2018 - Aug 31, 2019) Landings** **105,078**

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average
2019	9	Red Drum	1,292	28,991	35,003 *
2019	10	Red Drum	320	43,644	63,662 *

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**Fishing Year (Sept 1, 2019 - Aug 31, 2020) Landings** **1,612**

\*partial trip ticket landings only

\*\*\*landings are confidential

Year	Month	Species	Pounds	Dealers	Trips	Average (2007-2009)
2016	1	SOUTHERN FLOUNDER	2,625	33	264	7,713
2016	2	SOUTHERN FLOUNDER	1,643	31	291	4,617
2016	3	SOUTHERN FLOUNDER	9,260	58	915	23,512
2016	4	SOUTHERN FLOUNDER	10,558	72	628	68,389
2016	5	SOUTHERN FLOUNDER	24,522	90	821	122,514
2016	6	SOUTHERN FLOUNDER	44,952	100	1,242	154,090
2016	7	SOUTHERN FLOUNDER	43,574	102	1,132	170,387
2016	8	SOUTHERN FLOUNDER	53,057	106	1,409	201,862
2016	9	SOUTHERN FLOUNDER	246,269	131	3,011	396,301
2016	10	SOUTHERN FLOUNDER	280,689	117	2,181	781,717
2016	11	SOUTHERN FLOUNDER	182,768	102	1,479	392,150
2016	12	SOUTHERN FLOUNDER	14	5	5	37,303
2017	1	SOUTHERN FLOUNDER	1,677	38	122	7,713
2017	2	SOUTHERN FLOUNDER	2,758	55	215	4,617
2017	3	SOUTHERN FLOUNDER	8,254	67	874	23,512
2017	4	SOUTHERN FLOUNDER	9,591	83	787	68,389
2017	5	SOUTHERN FLOUNDER	33,105	105	1,121	122,514
2017	6	SOUTHERN FLOUNDER	74,785	115	1,904	154,090
2017	7	SOUTHERN FLOUNDER	74,879	108	1,755	170,387
2017	8	SOUTHERN FLOUNDER	102,751	116	2,364	201,862
2017	9	SOUTHERN FLOUNDER	235,915	128	2,849	396,301
2017	10	SOUTHERN FLOUNDER	548,740	142	3,971	781,717
2017	11	SOUTHERN FLOUNDER	302,286	123	2,003	392,150
2017	12	SOUTHERN FLOUNDER	166	7	8	37,303
2018	1	SOUTHERN FLOUNDER	610	14	43	7,713
2018	2	SOUTHERN FLOUNDER	1,833	34	154	4,617
2018	3	SOUTHERN FLOUNDER	2,815	43	387	23,512
2018	4	SOUTHERN FLOUNDER	7,998	73	761	68,389
2018	5	SOUTHERN FLOUNDER	18,271	89	947	122,514
2018	6	SOUTHERN FLOUNDER	42,501	105	1,407	154,090
2018	7	SOUTHERN FLOUNDER	57,273	117	1,495	170,387
2018	8	SOUTHERN FLOUNDER	72,495	121	1,916	201,862
2018	9	SOUTHERN FLOUNDER	109,125	114	1,776	396,301
2018	10	SOUTHERN FLOUNDER	363,339	109	3,062	781,717
2018	11	SOUTHERN FLOUNDER	226,832	89	1,352	392,150
2018	12	SOUTHERN FLOUNDER	471	5	5	37,303
2019	1	SOUTHERN FLOUNDER	524	25	74	7,713
2019	2	SOUTHERN FLOUNDER	558	23	69	4,617
2019	3	SOUTHERN FLOUNDER	1,412	44	216	23,512
2019	4	SOUTHERN FLOUNDER	5,966	66	448	68,389
2019	5	SOUTHERN FLOUNDER	36,010	91	1,030	122,514
2019	6	SOUTHERN FLOUNDER	59,981	107	1,424	154,090
2019	7	SOUTHERN FLOUNDER	58,986	107	1,545	170,387
2019	8	SOUTHERN FLOUNDER	89,556	84	1,592	201,862 *
2019	9	SOUTHERN FLOUNDER	37,131	35	416	396,301 *
2019	10	SOUTHERN FLOUNDER	21,518	4	102	781,717 *

\*2019 data are preliminary. Data are complete through July 2019.

\*\*\*data are confidential



ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

STEPHEN W. MURPHEY  
*Director*

Oct. 25, 2019

## MEMORANDUM

**TO:** Marine Fisheries Commission  
**FROM:** Kat Rawls, Fisheries Management Section Chief  
**SUBJECT:** Protected Resources Program Update

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### Issue

Summary information is provided from the division's Protected Resources Program, specifically highlighting the Observer Program's coverage during the 2019 Commercial Flounder Seasons through October 25.

### Action Needed

For informational purposes only, no action is needed at this time.

### Findings

Following the approval of Southern Flounder Amendment 2 at the August MFC meeting, the Observer Program staff began preparing for the opening of the 2019 commercial flounder seasons. It was not possible to predict the changes in fishing effort that might occur due to the changes in the flounder season. To ensure the Incidental Take Permit (ITP) coverage goals were met, and therefore accurate sea turtle and sturgeon take estimates, a concerted effort was made to obtain on-board and alternative platform trips during the commercial season.

Preliminary data indicate a state-wide coverage rate of 10.1%, suggesting the the goal of increased coverage was met. This rate is based on the estimated trip data from 2014 – 2018, therefore this number could change significantly once the finalized trip ticket data are released next year. A more complete update will be available in the ITP Fall Seasonal Report which will be completed late 2019. In addition, the ITP Summer Seasonal Report has been completed and submitted to NOAA staff. The final document can be found at the following link:

ITP Summer Seasonal Report (Completed 10/31)



# Fish Dealer Report

License & Statistics Section, PO Box 769, Morehead City, NC 28557

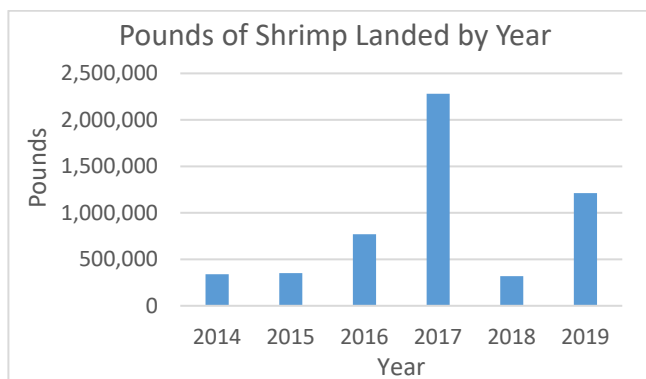
October 2019

## 2019 COMMERCIAL LANDINGS REVIEW

Fisherman landed 20.6 million pounds of seafood in North Carolina during the first six months of 2019, based on data collected by the North Carolina Division of Marine Fisheries. This represents a 24% decrease from the five-year average for January through June landings but a 15% increase over 2018 landings during the same time period.

The top five species collected were Hard Blue Crab (7.1 million pounds), Summer Flounder (1.3 million pounds), Atlantic Croaker (1.2 million pounds), Shrimp (1.2 million pounds), and Spiny Dogfish (1.0 million pounds).

Shrimp landings increased by 49% over the five-year average for January through June period. This is an increase of 286% over 2018 landings of shrimp for the same months. However, the 2019 landings are only 47% of the shrimp landings peak experienced in 2017 during the same time period.



\*Data presented is only from January through June of a given year

The total number of trips reported by North Carolina dealers was down by 3% from 2018 and down 20% from the five-year average number of trips.

## DEALER SURVEY

All dealers with a valid 2018 or 2019 license should have recently received a mailing from the division containing information on a socioeconomic survey being conducted. The mailing contains a paper copy of the survey that can be completed and returned with the pre-paid envelope or can be completed online by following the steps provided in the mailer. This survey is a follow-up from a study conducted 10 years ago, and is funded by the Atlantic Coastal Cooperative Statistics Program, a subsection of the Atlantic States Marine Fisheries Commission. These data will be used to better understand the socioeconomic conditions of the state's seafood dealers, and how those conditions may have changed in the past decade. The division encourages all dealers to complete the survey to generate the most accurate results possible. For any questions, please contact David Dietz, Fisheries Economics Program Manager, at 919-707-8573 or [David.Dietz@ncdenr.gov](mailto:David.Dietz@ncdenr.gov).

## STAFF CHANGES

Our previous Port Agent Supervisor, Scott Smith, has moved to the Protected Species Program within the Division of Marine Fisheries (DMF). Please welcome C.J. Schlick, the new Port Agent Supervisor. Contact C.J. with any questions you have at [CJ.Schlick@ncdenr.gov](mailto:CJ.Schlick@ncdenr.gov) or 252-808-8095. Another new face at the division is David Dietz, the Fisheries Economics Program manager. David is responsible for conducting the collection and analysis of socioeconomic data that get included in fishery management plans conducted by the state.



## **PROPOSED RULE CHANGES TO SCFLS AND RSCFLS**

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The Marine Fisheries Commission has proposed changes to one of its rules that pertains to transfers of Standard Commercial Fishing Licenses (SCFLs) and Retired SCFLs. Proposed changes to this rule clarify the circumstances under which transfers of SCFLs and Retired SCFLs are allowed, including the following:

1. Add grandparents, grandchildren, and legal guardians to the list of immediate family members eligible to receive a transferred license.
2. Codify the existing requirement of a certification statement from the transferee that affirms the information provided to the division is true and accurate.
3. Allow an individual license holder to transfer the license to a business in which the license holder is also an owner.
4. Allow a business that is dissolved to transfer a license to an individual owner of the business.
5. Allow a business that is sold to transfer a license to the successor business at the time of sale.
6. Allow a business to transfer a license back to an owner who is leaving the business, if the owner originally held the license as an individual.
7. Restrict business transfers to corporations and limited liability companies.
8. Define “owner” to include shareholder of a corporation and member of a limited liability company.

The proposed rule changes come at the request of the Marine Fisheries Commission, which

expressed concern about the types of license transfers allowed by statute and rule. The proposed effective date of the rule change is subject to legislative review.

For specific wording of the rule changes, go to the N.C. Marine Fisheries Commission’s [Proposed Rules page](#). The public may comment on the proposed rule changes in writing to the division’s Rules Coordinator, Catherine Blum, at P.O. Box 769, Morehead City, N.C. 28557 or via email at [Catherine.Blum@ncdenr.gov](mailto:Catherine.Blum@ncdenr.gov). The deadline for written comments is December 2, 2019.

## **HURRICANE FLORENCE AID PROGRAM**

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Hurricane Florence made landfall in North Carolina in September 2018 creating a large disruption in the state’s commercial fisheries. In the aftermath of the storm, the North Carolina General Assembly passed legislation that created an aid program to assist commercial fishermen who were impacted by the storm and directed the division to disperse the aid.

The amount of aid received by each commercial fisherman was based on their average landings from the previous three-year period during the months of September to November compared to their 2018 landings for the same time period. Over \$11.4 million dollars of aid was distributed to 1,176 commercial fishermen. Carteret County had the most commercial fishermen (246) who received aid while commercial fishermen in Dare County received the most aid at just over \$2.3 million.

The final report can be found on the division’s website (<http://portal.ncdenr.org/web/mf/marine-fisheries-catch-statistics>) under “Additional Statistics Resources.”

*The Division of Marine Fisheries is dedicated to ensuring sustainable marine and estuarine fisheries and habitats for the benefit and health of the people of North Carolina.*

## STRIPED BASS COMMERCIAL FISHERY CHARACTERIZATION REPORT

Over the summer, the Trip Ticket Program was fortunate enough to work with an intern through the NC Internship Program. Haley Gambill, a senior at North Carolina State University, analyzed historical commercial fisheries data and Trip Ticket Program data to characterize the commercial Striped Bass fishery. This comprehensive analysis documents trends in landings, ex-vessel value, and participation. The final report can also be found at the link highlighted in the previous section.

## TECHNICAL UPDATES

**FIN:** The Fisheries Information Network (FIN) is a database that is used for a large number of the division's programs including the Trip Ticket and License Programs. FIN was first developed and deployed into production in July 1999 and hasn't seen any significant upgrades since its release. A new upgrade to the system is scheduled to be released in November 2019.

Trip Ticket Program staff ask for your consideration over the next few months as we launch the new upgrade to FIN. The upgrade will convert FIN into a web-based platform which will facilitate the use of more modern technologies and should enhance the system for the division. Trip Ticket and License program staff are currently undergoing training with the new system. Although we hope to have minimal complications with the launch of the upgraded version of FIN, we thank you in advance for your patience as we complete this transition.

**VESL:** The Trip Ticket Program also continues to work with Bluefin Data, LLC and the North

Carolina Department of Information Technology to implement VESL. VESL is a web-based version of the Trip Ticket Software Program that will be able to be used on mobile devices and will allow for greater flexibility to account for changing reporting requirements.

## TRIP TICKET REMINDERS

Please ensure that license numbers and Commercial Fishing Vessel Registrations (P-numbers) are correct on your trip tickets. The most common errors encountered by the Trip Ticket Program and typically occur due to typos when entering and/or not checking for licenses that have expired. Please, routinely check your fishing licenses.

Additionally, when filling out paper tickets, please take steps to ensure that the data are transferred onto the additional carbon copies in the trip ticket booklets. Newer trip tickets require you to press harder than before when writing in the data. For electronic dealers, we ask that you verify all of the data match when completing updates in the system. Unless you are adding missed catch to a trip ticket or correcting a typo, the units entered should match between the original ticket and the updated ticket.

## PORT AGENT CONTACTS

For questions regarding rules, procedures, or requirements, please contact a port agent at your local Division of Marine Fisheries office.

Elizabeth City	Chris Kelly	252-264-3911
Manteo	Marty Brill	252-473-2158
Morehead City	Chuck Davis	252-808-8029
Washington	Jon Anglemeyer	252-948-3881
Wilmington	Pam Zuaboni	252-241-0118

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## COOPERATIVE POUND NET DATA CORRECTION PROJECT REPORT

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During the November 2015 Marine Fisheries Commission meeting, the MFC requested that Trip Ticket Program staff work with commercial fishermen who use pound net gear to review their data reported on trip tickets. Commercial fishermen were concerned that their landings were being recorded incorrectly. Trip Ticket Program staff worked with commercial fishermen to review their data and to correct any misreported data. After review of the data, pound net landings increased from 3,338,739 pounds to 3,486,884 pounds over the 2011 to 2015 period. The final report for this project can also be found at <http://portal.ncdenr.org/web/mf/marine-fisheries-catch-statistics>.

## TRIP TICKET CODE REMINDERS

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The Trip Ticket Program would like to remind dealers of some new codes that were created recently.

The first is a gear code for **Oyster Cage/Rack/Bag** (gear code 395) which should be used to record oysters farmed in cages.

For **Frigate Mackerel**, the following species codes were created: 7260 (mixed), 7261 (extra small), 7262 (small), 7263 (medium), and 7264 (large).

For **Bullet Mackerel**, the following species codes were created: 7280 (mixed), 7281 (extra small), 7282 (small), 7283 (medium), and 7284 (large).

For **Chub Mackerel**, the following species codes were created: 4110 (mixed), 4112 (small), 4113 (medium), 4114 (large), and 4115 (jumbo).

## TECH TIPS

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**How to print out a receipt:** On the main screen, select the Find Ticket tab and type in the ticket number or click List All Tickets in the top left of the screen. Find your ticket from the list and double click to open ticket. From the options at the top of the screen, select Print and Print 1 Ticket.

**How to password protect software:** On the main screen of the Trip Ticket software, click Edit at the top of the screen and then select Users. A User pop-up screen will appear, and you can select Add from the right side. Entry fields will appear at the bottom of the pop-up screen to type in a username, a password, and to confirm the password (the 2 password fields must be identical). You can restrict a user to only have access to data entry (no other functions within the Trip Ticket software), by checking the box for "Data Entry Only." If the user must have access to all of Trip Ticket software functions, make sure the "Data Entry Only" box is NOT checked. Click save. Click Ok and then Close. Once you are back to the main screen, click the Dealer Info tab. On the right side of the screen, check the box next to "Activate sign on screen" and click Update. A warning box will appear to remind you to be sure to create a user list before closing program, otherwise you will be locked out of the program and must contact Brandi Salmon in the Trip Ticket office to unlock it. These steps will prompt a sign-in screen the next time you open the software.

If you have any questions regarding use of the Trip Ticket software, please contact Brandi Salmon at [Brandi.Salmon@ncdenr.gov](mailto:Brandi.Salmon@ncdenr.gov) or call 1-800-682-2632.

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## REPORT CRAB KILLS

**Why?** Fishermen are often the first to see dead or dying crabs. Such events may occur due to weather or human-induced causes. Water quality conditions that can contribute to crab kills include low dissolved oxygen, rapid salinity change and elevated levels of pesticides in the water. Distress or mortality of peeler crabs in shedders can be an early sign of water quality problems. Rapid reporting of kills helps state agencies determine the cause and how to prevent them in the future.

**What to look for:** Blue crabs exposed to pesticides may exhibit unusual behavior, such as difficulty moving (flipping over, legs falling off) prior to dying. Crabs stressed by low oxygen or extreme changes in temperature or salinity are more likely to become inactive.



**What to do:** Immediately report crab or fish kills when observed at your shedder or on the water. Calls may be anonymous. When abnormal behavior is observed, freeze several crabs and collect water samples. Store the water sample in a clean jar or bag and keep cold.

**Who to contact:**

Weekdays: N.C. Department of Environmental Quality  
Washington Office: 252-946-6481; 800-338-7804  
Wilmington Office: 910-796-7215; 800-248-4536

Weekends/evening: **Environmental Emergency hotline: 800-858-0368**





# NORTH CAROLINA DIVISION OF MARINE FISHERIES



## Semiannual Fisheries Bulletin

### 2019 Commercial Statistics

License and Statistics Section, PO Box 769, Morehead City, NC 28557

October 2019

#### Preliminary North Carolina Commercial Landings January - June 2014-2019

FINFISH	January – June (Pounds – rounded)					
	2014	2015	2016	2017	2018	2019
Amberjacks <sup>1</sup>	80,304	77,615	74,828	58,919	63,247	76,163
Anglerfish (Monkfish and Monklivers)	62,244	99,957	48,963	51,739	40,205	38,294
Bluefish	1,514,841	472,082	803,087	1,119,042	470,193	526,414
Bonito	6,468	18,467	8,274	9,391	12,311	12,421
Butterfish	18,992	35,257	24,085	31,680	23,861	30,594
Carp	15,363	35,271	22,605	14,819	17,265	32,125
Catfishes	308,317	474,148	587,375	705,211	722,707	760,570
Cobia	20,686	18,697	18,578	17,633	17,695	19,901
Croaker, Atlantic	2,054,885	1,576,129	1,662,982	869,326	1,574,302	1,214,347
Cutlassfish, Atlantic	132,155	166,469	1,135	41,751	25,055	210,198
Dolphinfish	405,221	320,371	334,863	189,255	128,922	198,490
Drum, Black	6,289	24,596	14,818	43,362	41,121	19,848
Drum, Red	22	39,838	20,957	34,186	53,458	28,760
Eel, American	1,824	2,723	2,234	4,393	2,336	2,178
Flounder, Southern	123,370	130,299	93,560	130,169	74,026	104,450
Flounder, Summer	2,410,119	2,323,303	1,875,669	1,181,768	1,385,287	1,258,138
Flounders, Other	2,638	964	1,209	*	*	*
Garfish	4,378	35,679	12,586	19,641	12,623	24,608
Grouper, Gag	41,529	41,346	33,419	25,497	33,488	66,857
Grouper, Red	28,008	22,772	9,477	8,326	6,596	11,621
Grouper, Scamp	21,654	24,080	22,559	15,957	20,352	17,747
Grouper, Snowy	23,155	22,431	70,403	65,044	70,100	78,250
Groupers, Other	6,336	3,594	6,269	4,775	5,211	13,352
Grunts	14,411	13,870	16,574	16,863	14,032	23,663
Hakes	622	1,262	2,635	2,506	974	2,029
Harvestfish (Starbutters)	89,348	114,842	96,956	36,472	73,485	55,934
Herring, River (Alewife and Blueback)	1,139	NA	NA	NA	NA	NA
Hogfish (Hog Snapper)	4,971	3,866	3,206	5,069	3,161	7,500
Jacks (Crevalle, Rainbow Runner, Blue Runner)	1,136	448	2,040	833	316	1,894
Mackerel, Atlantic (Boston)	555	1,338	160	629	1,418	799
Mackerel, King	97,663	32,296	55,875	137,602	91,191	175,162
Mackerel, Spanish	137,529	187,252	223,015	248,664	253,065	357,196
Menhaden, Atlantic	598,911	563,103	271,290	532,323	420,335	404,918
Mullet, Sea (Kingfishes)	227,647	369,306	279,129	356,193	227,466	391,781
Mullet, Striped	206,085	235,458	203,490	189,321	238,572	263,604
Perch, White	149,389	121,004	201,119	159,796	118,547	72,721
Perch, Yellow	64,326	40,574	27,462	15,562	12,298	6,160
Pigfish	8,853	6,253	2,164	2,450	2,780	2,278
Pinfish	7	34	193	79	207	340
Pompano	1,128	1,266	4,408	1,166	1,890	6,138
Porgies	44,952	20,235	12,483	22,055	22,591	23,633
Pufferfish	189	807	1,453	1,955	261	2,221
Scup	145,917	210,156	99,632	165,567	64,138	171,505
Sea Basses	391,715	382,873	321,340	376,126	334,513	262,778
Seatrout, Spotted	67,989	87,530	54,006	97,732	15,389	64,845

	January – June (Pounds – rounded)					
	2014	2015	2016	2017	2018	2019
Shad, American	191,302	95,966	62,245	90,868	52,167	40,903
Shad, Gizzard	84,995	53,564	83,994	121,783	209,605	207,127
Shad, Hickory	110,280	149,336	96,121	73,627	75,402	111,714
Sharks	683,740	359,330	457,610	559,296	433,412	503,362
Sharks, Dogfish, Smooth	455,409	209,485	132,247	152,938	198,810	101,594
Sharks, Dogfish, Spiny	4,558,556	4,247,173	2,243,146	390,805	755,015	1,000,130
Sheepshead	15,152	20,398	19,344	14,455	11,146	21,194
Skates	16,925	43,216	23,650	39,454	32,527	63,659
Skippers	15,315	10,166	9,002	9,147	11,937	8,932
Snapper, Vermilion (Beeliner)	101,450	75,045	124,373	105,757	105,130	188,243
Snappers, Other	2,676	4,118	4,996	2,157	7,262	17,757
Spadefish	13,121	6,310	8,377	7,969	4,807	4,914
Spot	123,811	30,769	10,457	29,422	42,015	19,273
Striped Bass	72,118	110,408	124,712	84,076	94,841	130,343
Swordfish	555,153	436,592	346,005	291,170	332,961	250,986
Tilefish, Blueline	71,711	23,607	15,793	41,943	32,282	42,167
Tilefish, Other	13,261	7,320	16,973	29,661	11,387	12,094
Triggerfish	116,492	81,324	59,388	53,134	82,275	73,232
Tuna, Bigeye	80,283	93,504	57,080	41,052	62,330	56,644
Tuna, Bluefin	80,178	85,145	154,123	303,781	200,423	323,901
Tuna, Yellowfin	311,926	259,715	249,162	509,674	329,979	157,315
Tunas, Other	125,874	110,225	80,437	52,705	38,120	8,113
Tunny, Little (False Albacore)	92,881	31,646	53,461	88,374	56,799	171,401
Wahoo	7,312	8,429	9,527	14,546	9,642	18,098
Weakfish (Grey Trout)	37,761	24,646	34,139	34,507	13,602	85,097
Unclassified Fish for Food	64,958	86,975	60,241	54,620	58,819	57,361
Unclassified Fish for Industrial/Bait	21,753	31,873	16,238	72,085	50,740	45,085
<b>TOTAL FINFISH</b>	<b>17,567,667</b>	<b>15,056,144</b>	<b>12,181,404</b>	<b>10,279,854</b>	<b>10,010,422</b>	<b>10,763,059</b>
<b>SHELLFISH</b>						
Blue Crabs, Hard	6,962,629	7,631,624	8,341,899	8,084,106	5,952,576	7,113,714
Blue Crabs, Peeler	515,197	578,897	362,986	717,005	327,837	657,653
Blue Crabs, Soft	332,286	327,819	263,320	407,962	225,796	171,255
Clams, Hard (Meats)	224,555	214,360	191,534	152,208	130,891	70,842
Clams, Hard (Number)	11,691,611	10,896,705	9,868,865	7,971,372	6,902,125	3,625,175
Octopus	86	*	146	124	123	178
Oysters (Meats)	327,260	267,056	327,808	407,919	329,954	366,775
Oysters ( <i>Bushels</i> )	61,864	50,483	61,967	77,111	62,373	69,334
Scallop, Sea (Meats)	15,830	105,566	116,287	92,827	55,331	126,019
Shrimp (Heads On) <sup>2</sup>	338,650	351,542	770,523	2,281,795	318,264	1,211,908
Squid	9,283	15,462	31,945	18,406	25,173	16,726
Stone Crabs	2,759	2,911	4,289	3,658	2,918	2,990
Whelks/Conchs (Meats)	43,456	59,334	70,475	47,820	48,890	37,268
Unclassified Shellfish	71,681	79,299	92,489	81,175	35,255	44,309
<b>TOTAL SHELLFISH</b>	<b>8,843,671</b>	<b>9,633,868</b>	<b>10,573,700</b>	<b>12,295,004</b>	<b>7,453,007</b>	<b>9,819,637</b>
<b>GRAND TOTAL</b>	<b>26,411,338</b>	<b>24,690,011</b>	<b>22,755,105</b>	<b>22,574,858</b>	<b>17,463,429</b>	<b>20,582,695</b>

<sup>1</sup> Includes species from genus *Seriola* (Greater Amberjack, Lesser Amberjack, Almaco Jack, and Banded Rudderfish.)

<sup>2</sup> Includes brown, pink, and white shrimp.

\* Units not shown to avoid disclosure of private enterprise. Quantities were included in the Unclassified Fish for Food or Unclassified Shellfish Categories.

NA: River Herring fisheries under moratoria

NOTE: Landings collected by North Carolina Division of Marine Fisheries Trip Ticket Program (October 2019).