



ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

August 9, 2017

MEMORANDUM

ASMFC 08-17

TO: Marine Fisheries Commission
FROM: Chris Batsavage and Michelle Duval
SUBJECT: Atlantic States Marine Fisheries Commission Meeting (Aug. 1-3, 2017)

The Atlantic States Marine Fisheries Commission (Commission) met Aug. 1-3, 2017 in Alexandria, Virginia. Attached is the meeting summary compiled by Commission staff which includes a summary of each of the species management board meetings and motions, as well as associated press releases.

Items that may be of particular interest include:

- **Cobia:** The South Atlantic State Federal Management Board approved the Draft Interstate Fishery Management Plan for Atlantic Cobia for public input. The draft plan is currently designed to complement the federal fishery management plan developed by the South Atlantic Fishery Management Council (Council). Public hearings are being scheduled for September. The draft plan contains both coastwide and state-specific recreational management options (state hard allocations vs. state-specific soft catch targets); several options for development of state-specific recreational soft harvest targets (or hard state-specific allocations) based on average catch rates over different timeframe; and commercial coastwide measures that mirror those in Framework Amendment 4 to Council plan (two fish per person/maximum six fish per vessel). The Commission is expected to give final approval to the plan at its Annual Meeting in October.
- **Spot and Atlantic Croaker:** The South Atlantic State Federal Management Board received the results of the Spot Benchmark Stock Assessment and Peer Review Report. The stock assessment did not pass peer review and although the results cannot be used for management, the peer reviewers agreed with the general results of the assessment that immediate management actions are not necessary. The main source of uncertainty was the different trends in the abundance estimates (increasing) and the harvest (decreasing). The peer reviewers recommended continued use of the annual traffic light analyses, established in 2014 to monitor fishery and resource trends, and implement management measures as needed, for Atlantic croaker and spot. As such, the traffic light analyses for both species were updated, and no management responses were necessary for either species.
- **Atlantic Menhaden:** The Atlantic Menhaden Management Board reviewed and approved Draft Amendment 3 for public hearings to be held in September and early October. The two most significant items for public input include the use of ecological reference points and changes to the current allocation method, although the document also includes options for quota transfers, quota rollovers, the episodic events set aside program and the Chesapeake Bay reduction cap. Additionally, the Board received the results of the 2017 Menhaden Stock Assessment Update, which indicated that the stock remains healthy and is not overfished and not undergoing overfishing. The Board elected to set the Total Allowable Catch for 2018 during its November meeting, where it will also take final action on Amendment 3.

- American Eel: The Board approved a revised N.C. Aquaculture plan on behalf of the American Eel Farm for a two-year period (2018 and 2019), with a request that an update on 2018 harvest activities be provided. Technical Committee review of the plan resulted in further revisions to address several concerns. The Board also an update on yellow eel harvest, and elected to form a workgroup to review the existing provisions for triggering of state-by-state allocations and the implications of a potential in-season implementation of state quotas.
- River Herring: The Shad and River Herring Management Board received the results of the 2017 River Herring Stock Assessment Update, which includes data through 2015. On a coastwide basis, the status of river herring remains “depleted” reflecting the multiple sources that contribute to the mortality of these species. One of the challenges noted by the stock assessment subcommittee for the update assessment was the discontinuation of data streams previously used in the benchmark assessment due to harvest moratoria in various river systems. Despite the depleted stock status, there were positive trends in abundance in several river systems in New England and the Mid-Atlantic regions. In North Carolina, the Chowan River blueback herring stock displayed stable trends in abundance over the past ten years, while alewife abundance over the same time frame was variable and without trend. The assessment update also notes that Chowan River blueback herring fishing mortality has been close to zero since the 2006 moratorium and female spawning biomass has been increasing since that time, peaking in 2015 although it remains well below the target. Additionally, the percentage of repeat spawners (blueback) in the system has been increasing and has exceeded the ten percent status indicator since 2011, peaking in 2015 at 16 percent. The Board did not take any management action at this time.
- Summer Flounder: The Board was presented a draft prospectus from the Summer Flounder Recreational Working Group on 2018 summer flounder recreational management. The Working Group recommended maintaining the state regional groupings from Addendum XXVIII and the methodology employed by the Technical Committee in recent years for developing subsequent year’s measures. The Board and Mid-Atlantic Fishery Management Council (Council) will meet jointly in December 2017 to determine 2018 recreational summer flounder management.
- New Jersey Non-Compliance: The Executive Committee and Policy Board discussed at length the Secretary of Commerce’s decision to not agree with the Commission’s finding of New Jersey’s noncompliance with summer flounder recreational measures. The committee and board members are concerned about the impact this decision has on summer flounder stocks and the Commission’s compliance process. Although NOAA Fisheries indicated future non-compliance findings will be evaluated on their own merits, the Commission is concerned that this decision will indeed set precedence for other non-compliance findings. Therefore, Commission leadership has requested a face-to-face meeting with the Secretary with a goal of “protecting the process.” At this meeting, Commission leadership will seek to further clarify the process by which the Secretary makes a decision regarding a Commission noncompliance finding through a Memorandum of Agreement, including the opportunity for the Commission have a meeting with the Secretary prior to a final compliance decision.