Director's Report

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

STEPHEN W. MURPHEY
Director

Nov. 1, 2018

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Stephanie McInerny, License and Statistics Section Chief

SUBJECT: Status of Rule Development to Clarify Standard Commercial Fishing License Transfers

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Issue
The Marine Fisheries Commission expressed an interest in clarifying the circumstances under which Standard or Retired Standard Commercial Fishing License transfers are allowed. Concern has been raised about third-party transfers (e.g., Craigslist) allowing individuals to get a license without going through the eligibility board.

Findings
- Eligibility requirements for transferring a Standard or Retired Standard Commercial Fishing License are defined in statute (G.S. 113-168.2).
- Specific procedures for processing transfers are outlined in commission rule (15A NCAC 03O .0108).
- Currently, the statute only recognizes five circumstances as a legal basis for completion of a transfer of these licenses. Additionally, the statute delegates to the commission the authority to establish in rule additional circumstances under which a transfer is allowed.
- After identifying the different types of transfers that have occurred since the Fisheries Reform Act was implemented, there are several circumstances that meet the spirit of the statutory requirements that are not overtly addressed in either statute or rule and would not be classified as a third-party transfer.

Action Needed
No action by the commission is needed at this time; however, staff welcomes feedback on the status of proposed amendments to the rule (see attached).

Overview
Rule changes include:
- Adding additional family members to the immediate family definition to allow grandparents, grandchildren, and legal guardians to be eligible for a Standard or Retired Standard Commercial Fishing License transfer since they are recognized in the Standard Commercial Fishing License eligibility criteria rule (15A NCAC 03O .0404).
- Adding business to business transfers between businesses owned by the same person.

- Adding owner to business and business to owner transfers.
- Adding transfer of a Standard or Retired Standard Commercial Fishing License from an entity without a vessel if retiring **only** and provides required documentation.
- Identifying certification statement from the transferee that affirms the information provided to the division is true and accurate which is already required for any transfer but not explicitly stated in rule.
- The rule was reorganized to move global statements that apply to all licenses eligible for transfer to the beginning of the rule (i.e.., Standard and Retire Standard Commercial Fishing License, Commercial Fishing Vessel Registration, License to Land Flounder in the Atlantic Ocean).
- Grammatical changes were made to adhere to standardized rule formats used by the Office of Administrative Hearings.

15A NCAC 03O .0108 is proposed for readoption with substantive changes as follows:

15A NCAC 03O .0108 LICENSE AND COMMERCIAL FISHING VESSEL REGISTRATION TRANSFERS

(a) Upon transfer of a license or Commercial Fishing Vessel Registration, the transferee becomes the licensee and assumes the privileges of holding the license or Commercial Fishing Vessel Registration.

(b) A transfer application including a certification statement form shall be provided by the Division of Marine Fisheries. A transfer application shall be completed for each transfer including, but not limited to:

(1) the information required as set forth in Paragraph (a) of Rule .0101 of this Section;

(2) a certified statement from the transferee listing any violations involving marine and estuarine resources in the State of North Carolina during the previous three years; and

(3) a certified statement from the transferee that the information and supporting documentation submitted with the transfer application is true and correct, and that the transferee acknowledges that it is unlawful for a person to accept transfer of a license for which they are ineligible.

(c) A properly completed transfer application shall be returned to an office of the Division by mail or in person, except as set forth in Paragraph (e) of this Rule.

(d) A transfer application submitted to the Division without complete and required information shall be deemed incomplete and shall not be considered further until resubmitted with all required information. Incomplete applications shall be returned to the applicant with deficiency in the application so noted.

~~(a)~~(e) ~~Licenses~~ A License to Land Flounder from the Atlantic Ocean ~~may~~ shall only be transferred:

(1) with the transfer of the ownership of a vessel that the licensee owns that individually met the eligibility requirements of ~~15A NCAC 3O .0101 (b) (1) (A) and (b) (1) (B)~~ Sub-Part (b)(1)(A) and (b)(1)(B) of Rule .0101 of this Section to the new owner of ~~that vessel. Transfer of the License to Land Flounder from the Atlantic Ocean transfers all flounder landings from the Atlantic Ocean associated with~~ that vessel; or

(2) by the owner of a vessel to another vessel under the same ownership.

Transfer of a License to Land Flounder from the Atlantic Ocean transfers with it all flounder landings from the Atlantic Ocean associated with that vessel. Any transfer of license under this Paragraph ~~may~~ shall only be processed through the Division of Marine Fisheries Morehead City Headquarters Office and no transfer is effective until approved and processed by the Division.

~~(b)~~(f) Commercial Fishing Vessel Registration ~~Transfer.~~ transfers: When transferring ownership of a vessel bearing a current ~~commercial fishing vessel registration,~~ Commercial Fishing Vessel Registration, the new ~~owner~~ owner;

(1) shall follow the requirements in ~~15A NCAC 03O .0101~~Rule .0101 of this Section and pay a replacement fee ~~of ten dollars ($10.00)~~ as set forth in Rule .0107 of this Section for a replacement ~~commercial fishing vessel registration.~~ Commercial Fishing Vessel Registration; and

(2) ~~The new owner must~~ shall submit a transfer ~~form~~ application ~~provided by the Division~~ with the signatures of the former ~~licensee~~ owner and ~~the signature of~~ the new ~~licensee~~ owner notarized.

~~(c)~~(g) Standard or Retired Standard Commercial Fishing License transfers:

(1) It is unlawful for a person to accept transfer of a Standard or Retired Standard Commercial Fishing License for which they are ineligible.

~~(1)~~(2) A Standard or Retired Standard Commercial Fishing License ~~may~~ shall only be transferred if both the transferor and the transferee have no current suspensions or revocations of any Marine Fisheries license ~~privileges.~~ privileges except, in the event of the death of the transferor.

~~(2)~~(3) At the time of the transfer of a Standard or Retired Standard Commercial Fishing License, the transferor ~~must~~ shall indicate the retainment or transfer of the landings history associated with that Standard or Retired Standard Commercial Fishing License. The transferor may retain a landings history only if the transferor holds an additional Standard or Retired Standard Commercial Fishing License. Transfer of a landings history is all or none.

~~(3)~~(4) To transfer a Standard or Retired Standard Commercial Fishing License, the following information is required:

(A) information on the transferee as set ~~out~~ forth in ~~15A NCAC 03O .0101;~~Rule .0101 of this Section;

(B) notarization of the ~~current license holder's~~ transferor's and the transferee's signatures on ~~a~~ the transfer ~~form provided by the Division;~~application; and

~~(C) when the transferee is a non-resident, a written certified statement from the applicant listing any violations involving marine and estuarine resources during the previous three years;~~

~~(D)~~(C) when the transferor is retiring from commercial fishing, ~~the transferor must submit~~ evidence showing that such retirement has in fact occurred, ~~for example,~~ which may include, but is not limited to, evidence of the transfer of all ~~licensee's~~ the transferor's Standard Commercial Fishing Licenses, sale of all the ~~licensee's~~ transferor's registered vessels, or discontinuation of any active involvement in commercial fishing.

~~Properly completed transfer forms must be returned to Division Offices by mail or in person.~~

(5) Licensees that do not own a vessel may transfer their Standard or Retired Standard Commercial Fishing License to a third-party buyer of the license if the licensee is retiring from commercial fishing and provides documentation as required in Sub-Part (4)(C) of this Paragraph.

(6) For the purpose of this Paragraph, a licensee includes incorporated and unincorporated business entities that may hold a Standard Commercial Fishing License. Such licensees are authorized to:

(A) transfer a Standard Commercial Fishing License to the principal officer or owner of that business entity, or vice versa from the individual principal or owner licensee to the business entity, as the case may be, upon conditions that may include, but are not limited to, dissolution of the business entity.

(B) transfer a Standard Commercial Fishing License between business entities owned by the same person.

~~(4)~~(7) The Standard or Retired Standard Commercial Fishing License ~~which~~ that is being transferred ~~must~~ shall be surrendered to the Division at the time of the transfer application.

~~(5)~~(8) Fees:

(A) ~~Transferee~~ The transferee ~~must~~ shall pay a replacement fee ~~of ten dollars ($10.00).~~as set forth in Rule .0107 of this Section.

(B) ~~Transferee~~ The transferee ~~must~~ shall pay the differences in fees as specified in G.S. ~~113-168.2 (e)~~ 113-168.2(e) or G.S. ~~113-168.3 (b)~~ 113-168.3(b) when the transferee who is a non-resident is being transferred a resident Standard or Retired Standard Commercial Fishing License.

(C) ~~Transferee~~ The transferee ~~must~~ shall pay the differences in fees as specified in G.S. ~~113-168.2 (e)~~ 113-168.2(e) when the license to be transferred is a Retired Standard Commercial Fishing License and the transferee is less than 65 years old.

~~(6)~~(9) Transfer of Standard or Retired Standard Commercial Fishing License for Deceased Licensees:

(A) When the deceased licensee's immediate surviving family member(s) is eligible to hold the ~~deceased=s~~ deceased's Standard Commercial Fishing ~~Licenses~~ License or Retired Standard Commercial Fishing License, the Administrator/Executor must give written notification within six months after the Administrator/Executor qualifies under ~~G. S.~~G.S. 28A to the ~~Morehead City Office of the~~ Division of Marine Fisheries of the request to transfer the ~~deceased=s~~ deceased's license to the estate Administrator/Executor.

(B) A transfer to the Administrator/Executor shall be made according to the provisions of ~~Subparagraphs (c)(2) - (c)(4)~~Sub-Paragraphs (g)(2) - (g)(4) of this Rule. The Administrator/Executor must provide a copy of the deceased licensee's death certificate, a copy of the certificate of ~~administration~~ administration, and a list of eligible immediate family members to the ~~Morehead City Office of the Division of Marine Fisheries.~~Division.

(C) The Administrator/Executor ~~may~~ shall only transfer a license in the Administrator/Executor name on behalf of the estate to ~~a~~ an eligible surviving family member. The surviving family member transferee ~~may~~ shall only transfer the license to a third party purchaser of the deceased licensee's fishing vessel. Transfers shall be made according to the provisions of ~~Subparagraphs (c)(2) - (c)(4)~~ Sub-Paragraphs (g)(2) - (g)(4) of this Rule.

(10) For purposes of effecting transfers under this Paragraph, "immediate family" shall include grandparents, grandchildren, and legal guardians of a person, in addition to those family members defined in 113-168(3a).

~~(d) Transfer forms submitted without complete and required information shall be deemed incomplete and will not be considered further until resubmitted with all required information.~~

~~(e) It is unlawful for a person to accept transfer of a Standard or Retired Standard Commercial Fishing License for which they are ineligible.~~

History Note: *Authority G.S. 113-134; 113-168.1; 113-168.2; 113-168.3; 113-168.6; 113-182; 143B-289.52;*
Eff. January 1, 1991;
Amended Eff. March 1, 1994;
Temporary Amendment Eff. August 1, 1999; July 1, 1999;
Amended Eff. April 1, 2020; August 1, 2000.

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
STEPHEN W. MURPHEY
Director

October 29, 2018

MEMORANDUM

TO: Marine Fisheries Commission

FROM: Chris Batsavage, Special Assistant for Councils

SUBJECT: Atlantic States Marine Fisheries Commission Meeting Summary-Oct. 22-25, 2018

Issue
This memo provides the Marine Fisheries Commission with an update of the issues discussed and actions taken by the Atlantic States Marine Fisheries Commission

Findings
- The memo highlights management actions of particular interest to the Marine Fisheries Commission.
- Additional information about the meeting can be found in the Atlantic States Marine Fisheries Commission meeting summary in the briefing book.

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

Overview
The Atlantic States Marine Fisheries Commission met on Oct. 22-25, 2018 in New York, NY. Highlights of the management actions taken by the commission are discussed below.

Striped Bass
The Striped Bass Management Board discussed NOAA Fisheries' Advanced Notice of Proposed Rulemaking that considers ending the prohibition of recreational striped bass fishing in the Exclusive Economic Zone (3-200 miles offshore) portion of Block Island Sound (offshore of Rhode Island and Long Island, NY). Anglers are currently allowed to possess striped bass in these waters if they are in transit and not actively fishing. This notice does not consider allowing commercial striped bass fishing because an existing federal executive order (E.O. 13449) prohibits the sale of striped bass from the Exclusive Economic Zone. The board was concerned that NOAA Fisheries was considering this before the benchmark stock assessment was complete, so the Atlantic States Marine Fisheries Commission will send a letter during the comment period that requests that NOAA Fisheries delays further action until the board has an opportunity to

review the striped bass benchmark stock assessment and formalize a recommendation. NOAA Fisheries also informed the board that they will consider reopening the entire Exclusive Economic Zone to recreational striped bass fishing after the stock assessment is complete; several Striped Bass Management Board members were very concerned about this.

Weakfish

The Weakfish Management Board reviewed a report by the Weakfish Technical Committee on trends in commercial landings and discards. The board requested this analysis earlier at their February meeting based on anecdotal information of increased weakfish catches in North Carolina's and Virginia's commercial gill net fisheries. No long term trends in landings or discards were observed, but there was an increase in the percentage of trips landing the 100-pound trip limit in Virginia in 2016 and in North Carolina in 2017. The discard rates also showed no trends. The board did not take any further action on this issue due to the lack of trends and because the weakfish stock assessment will be updated in 2019.

Cobia

The South Atlantic State/Federal Fisheries Management Board reviewed public comment on the Public Information Document for Draft Amendment I to the Cobia Fishery Management Plan and provided guidance to the Cobia Plan Development Team on drafting the amendment. Only 10 people attended the six public hearings and a total of 39 written comments were received. However, some of the public were representing organizations or multiple fishermen. Comments provided input on cobia management in federal waters (3-200 miles offshore) and options for setting commercial and recreational management measures. The board is expected to review the Draft Amendment for public comment in May 2019.

Upcoming Meeting

The next regularly scheduled meeting of the Atlantic States Marine Fisheries Commission will be Feb. 5-7, 2019 at the Westin in Arlington, VA.

Atlantic States Marine Fisheries Commission

77th Annual Meeting Summary

Vision: Sustainably Managing Atlantic Coastal Fisheries

77th Annual Meeting
New York, New York
October 22-25, 2018

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

TABLE OF CONTENTS:

AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 22, 2018)

Meeting Summary

The American Lobster Management Board met to discuss bait sources available to the lobster fishery, review a Northeast Fisheries Science Center (NEFSC) Technical Memo on challenges facing the recovery of right whales, and receive an update on the recent Atlantic Right Whale Take Reduction Team (ALWTRT) meeting.

The Board reviewed the Maine Dept. of Marine Resources' bait protocol. This protocol was established by Maine in order to reduce the risk of viral agents, parasites, and nuisance species being brought via bait into nearby waters. Given the quota of Atlantic herring, a preferred bait source in the lobster fishery, is expected to be reduced, the Board agreed to develop a resolution to address threats created by the use of lobster baits that are known to harbor viral, bacterial, parasitic, and invasive agents. This resolution will be developed by a working group which will assess both long-term and short-term needs.

The Board also reviewed the NEFSC Technical Memo on right whales as well as recent discussions of the ALWTRT. These discussions have been prompted by the decline of the Atlantic right whale population, an endangered marine mammal. Given the recommendations of the ALWTRT may have management implications for the lobster fishery, the Board decided to form a work group to evaluate the measures being considered by the ALWTRT and provide recommendations to the Board.

Staff also provided an update on the Electronic Tracking and Reporting Subcommittees. These groups were formed after approval of Addendum XXVI in order to carryout provisions of the document. The Electronic Tracking Subcommittee is focused on implementing a 1-year pilot program to test tracking devices in the fishery and has submitted a grant proposal to fund this project. The Electronic Reporting Subcommittee is focused on guiding the development of electronic reporting in the fishery. To date, this group has identified needed data elements on a form, reviewed available software, and discussed the merits of selecting a single, preferred software versus identifying specifications which allow multiple software companies to develop a reporting form.

The Board also reviewed and approved state compliance reports and FMP Reviews for American Lobster and Jonah Crab. The Board noted that New York and Delaware have not fully implemented provisions of the Jonah Crab FMP; these jurisdictions stated that regulations are going through respective legislative processes. As a result, the Board agreed to send letters to these states requesting them to come into compliance. Finally, the Board approved Marc Palombo to the Jonah Crab Advisory Panel.

For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Move that states within the jurisdiction of ASMFC's Lobster Management Plan shall initiate a resolution to address the threats to interstate commerce that is created by the use of lobster bait that is sourced from domestic and foreign locations that are known to harbor viral, bacterial, parasitic, and invasive agents that could pose a risk to lobster and other indigenous species. Such measures must ensure that the use of such baits will be prohibited by December 2020.

Motion made by Mr. Keliher and seconded by Mr. Fote. Motion carries (11 in favor).

Move to postpone until the February 2019 meeting to determine the compliance level for the states of DE and NY for the Jonah Crab FMP and send letters to the states to request they come back into compliance.
Motion made by Mr. McKiernan and seconded by Mr. White. Motion carries (10 in favor, 1 abstention.

Move to approve the 2018 Lobster and Jonah Crab FMP Reviews, state compliance reports, and *de minimis* status for DE, MD, and VA for both American lobster and Jonah crab.
Motion made by Mr. Fote and seconded by Mr. Hasbrouck. Motion carries (11 in favor).

Move to approve Marc Palombo (MA) to the Jonah Crab Advisory Panel.
Motion by made Mr. Borden and seconded by Mr. McKiernan. Motion approved by consensus.

ATLANTIC HERRING MANAGEMENT BOARD (OCTOBER 22, 2018)

Press Release

ASMFC Atlantic Herring Board Initiates Draft Addenda to Protect Spawning Herring in Areas 1A and 3

New York, NY – The Commission's Atlantic Herring Management Board initiated Draft Addenda II and III to Amendment 3 of the Interstate Fishery Management Plan for Atlantic Herring to consider strengthening spawning protections in Area 1A (inshore Gulf of Maine) and extending spawning protections to Area 3 (off of Cape Cod and Georges Bank). This action responds to the results of the 2018 Benchmark Stock Assessment which showed reduced levels of recruitment and spawning stock biomass over the past five years, with 2016 recruitment levels the lowest on record.

Currently, the Board uses a series of closures to protect spawning aggregations in the Gulf of Maine. These closures, which were implemented through Amendment 3, extend for four to six weeks; their timing is informed by samples which are used to project the start of spawning. Recent analysis by the Atlantic Herring Technical Committee found that while the current spawning closure system was significantly improved under Amendment 3, the protocol could continue to be strengthened by considering when, and for how long, a closure is initiated. Specifically, the analysis showed, under the current protocol, spawning closures are initiated when there are approximately 25% spawners in the fishery; greater protection could be provided by initiating a closure when a lower percentage of the population is spawning and extending the closure for a longer time. As a result, the Board initiated Draft Addendum II to consider these modifications to the Gulf of Maine spawning closure protocol.

In addition, the Board initiated Draft Addendum III to consider the establishment of a spawning protection program in Area 3. This management area encompasses Georges Bank and the back side of Cape Cod. While both are recognized as important spawning areas for herring, they do not currently have protections specific to spawning. By initiating this addendum, the Board seeks to protect spawning in this region in order to promote stock rebuilding.

Finally, to support future management of the stock, the Commission's Executive Committee allocated funds to carry out sampling of the Atlantic herring fishery. This sampling will focus on investigating spatial and temporal spawning patterns in Georges Bank and Nantucket Shoals. For more information,

please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Meeting Summary

In addition to initiating addenda to strengthen spawning protections in Area 1A and establish spawning protections in Area 3 (see press release), the Board also reviewed the 2018 Benchmark Stock Assessment Peer Review Report and set specifications for the 2019 Area 1A fishery.

The Board reviewed the Peer Review Report from the 2018 Atlantic Herring Benchmark Stock Assessment. While the Board had reviewed the content of the Stock Assessment at its August 2018 meeting, the Peer Review Report had not been available at the time. After receiving the Peer Review Report, the Board approved the 2018 Stock Assessment for management use.

The Board also set specifications (i.e. quota periods) for the Area 1A fishery. Given the sub-ACL is expected to be reduced in 2019, the Board decided to implement bi-monthly quota periods in the Area 1A fishery such that 16.4% is allocated to June, 40.1% is allocated to July/August, 34.0% is allocated to September/October, and 9.5% is allocated to November/December; the fishery will close when 92% of the period's quota has been harvested and underages from one period may be rolled into the following period. The Board also discussed initiating an addendum to provide the Board greater flexibility in setting Area 1A specifications as, at present, the Board is limited to options contained in Amendment 3. Ultimately, the Board postponed initiating an addendum in order to provide an opportunity for the Advisory Panel to provide input and feedback on the topic.

As outlined in the Atlantic herring press release, the Board discussed the addition of spawning protections in Area 3. Given the New England Fishery Management Council is a federal partner in the management of herring, the Board agreed to write a letter requesting the Council consider herring spawning protections in its 2019 priorities.

Finally, the Board approved Joseph Jurek to the Atlantic Herring Advisory Panel. For more information, please contact Megan Ware, Fishery Management Plan Coordinator, at mware@asmfc.org or 703.842.0740.

Motions

Move to approve the 2018 Atlantic Herring Benchmark Stock Assessment and Peer Review Report for management use.

Motion by Mr. Borden, second by Mr. Kane. Motion carries without objection.

Move to initiate an Addendum to consider strengthening the spawning protections provided to Atlantic herring in the Gulf of Maine. This addendum should consider measures including, but not limited to, the closure period length and the GSI_{30} trigger value.

Motion made by Mr. White and seconded by Dr. Pierce. Motion carries unanimously.

Main Motion

Move to request the ASMFC Executive Committee direct funds to initiate a research program for increased sampling to support herring spawning protections in the northwest corner of Georges Bank and Nantucket Shoals – protection through a 2020 ASMFC addendum to the ASMFC Sea Herring Management Plan. The Board recognizes the need for increased sampling in these regions in order to

inform management and protection. Recognizing the New England Fishery Management Council as a federal partner in the management of Atlantic herring, the Board requests the Council consider herring spawning protection in its 2019 priorities.
Motion made by Dr. Pierce and seconded by Sen. Watters. Motion substituted.

Motion to Substitute
Move to substitute to request the ASMFC Executive Committee direct funds for increased spawning sampling in Georges Bank and Nantucket Shoals. The Board initiates an addendum to develop a herring spawning protection program in Area 3. Recognizing the New England Fishery Management Council as a federal partner in the management of Atlantic herring, the Board requests the Council consider herring spawning protection in its 2019 priorities.
Motion made by Mr. Grout and seconded by Mr. Train. Motion carries with one abstention.

Main Motion as Substituted
Move to request the ASMFC Executive Committee direct funds for increased spawning sampling in Georges Bank and Nantucket Shoals. The Board initiates an addendum to develop a herring spawning protection program in Area 3. Recognizing the New England Fishery Management Council as a federal partner in the management of Atlantic herring, the Board requests the Council consider herring spawning protection in its 2019 priorities.
Motion carries with one abstention.

Move to allocate the 2019 Area 1A sub-ACL bimonthly in a manner consistent with the options in Table 5 in Section 4.2.3.2 of Amendment 3 that is labeled "No Landings Prior to June 1 (with June as a one-month period)" resulting in the following distribution:
- **Period 1 (June) - 16.4%**
- **Period 2 (July/August) - 40.1%**
- **Period 3 (Sept/Oct) - 34.0%**
- **Period 4 (Nov/Dec) - 9.5%**

The fishery will close when 92% of the seasonal period's quota has been harvested and any underages from one period may be rolled into the following period.
Motion made by Mr. Grout and seconded by Mr. Keliher. Motion carries (Roll Call: In favor - ME, NH, RI, CT, NY; Opposed - MA, NJ; Abstention - NEFMC, NMFS).

Move to approve Joseph Jurek (MA) to the Atlantic Herring Advisory Panel.
Motion made by Dr. Pierce and seconded by Mr. Ballou. Motion carries without objection.

Move to initiate an Addendum which considers providing the Atlantic Herring Board greater flexibility to set annual quota period specifications for the Area 1A fishery. This issue can be included in the addendum initiated regarding the Gulf of Maine herring spawning protections, or it can be a separate document.
Motion made by Mr. White and seconded by Mr. Train. Motion amended with final vote postponed.

Main Motion
Move to amend to include to task the PDT to expand the quota period options to increase flexibility when distributing Area 1A herring quota. During years in which sub-ACLs are lower, it may be prudent

to concentrate harvest during the months of July through September. However, in years of higher sub-ACLs, choose options that would allow for an expansion of harvest to meet the needs of the market.
Motion made by Mr. Keliher and seconded by Mr. White. Motion carries (4 in favor, 3 opposed, 2 abstentions).

Main Motion as Amended
Move to initiate an Addendum which considers providing the Atlantic Herring Board greater flexibility to set annual quota period specifications for the Area 1A fishery. This issue can be included in the addendum initiated regarding the Gulf of Maine herring spawning protections, or it can be a separate document. Task the PDT to expand the quota period options to increase flexibility when distributing Area 1A herring quota. During years in which sub-ACLs are lower, it may be prudent to concentrate harvest during the months of July through September. However, in years of higher sub-ACLs, choose options that would allow for an expansion of harvest to meet the needs of the market.
Motion postponed.

Move to postpone the motion until the AP can be convened to discuss options for greater flexibility for Area 1A allocations.
Motion made by Mr. Nowalsky and seconded by Mr. Hasbrouck. Motion carries (7 in favor, 2 opposed)

AMERICAN EEL MANAGEMENT BOARD (OCTOBER 22, 2018)

Meeting Summary
The American Eel Management Board met to receive an informational presentation on the Convention on the International Trade in Endangered Species (CITES). CITES is a global treaty that aims to ensure international trade of plants and animals do not threaten their survival in the wild. Species protected under CITES are listed in one of three appendices. European eel is listed under CITES Appendix II, which includes species that, although not currently threatened with extinction, may become so without trade controls. There had been notice given earlier in the year that a proposal to list American eel under Appendix II may be submitted ahead of the next CITES Conference of the Parties (CoP) meeting in 2019. During the Board Meeting, US Fish and Wildlife (USFWS) updated the Board that it is unlikely a proposal will be submitted prior to the 2019 CITES Meeting. The Board then discussed illegal harvest and exports, as well as efforts by the states and USFWS's Office of Law Enforcement (OLE) to address it. States are concerned about enforcement of legally caught and exported American eels during their shipment out of the country; specifically, whether illegal harvest is added to shipments of legal harvest. The Board recommended that a letter be sent to USFWS OLE requesting additional inspection of American eels at airports before exportation where possible.

It was noted that though a proposal to list American eel under Appendix II would likely not come this year, it could potentially be submitted in the future ahead of next CITES CoP meeting in 2022. In evaluating a proposal, committees under CITES would consider whether any additional information specific to trade enforcement or the status of the resource had changed in recent years. The Board discussed whether any consideration should be given to adjusting the stock assessment schedule to include an American eel assessment prior to the next the CITES CoP meeting in 2022. Concerns were raised whether a new eel assessment could provide any new information on the status of the resource relative to the 2012 benchmark assessment and 2017 assessment update that found the resource is depleted. The Board requested that in light of the current data and recent assessment update, the

Technical Committee (TC) and Stock Assessment Subcommittee (SAS) discuss and provide recommendations on what type of information could come from a new stock assessment and whether to add American eel to the stock assessment schedule. The TC and SAS will likely report back to the Board on these recommendations in spring 2019.

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

Motions
Move to Richard Stoughton (SC) and Lawrence Voss (DE) to the American Eel Advisory Panel.
Motion made by Mr. Boyles and seconded by Mr. Clark. Motion passes without objection.

BUSINESS SESSION (OCTOBER 23, 2018)

Meeting Summary
The Business Session reviewed and approved the 2019 Action Plan and discussed next steps in the development of the 2019 – 2023 Strategic Plan, a draft of which will be available at the Winter Meeting for its review. It also re-elected Jim Gilmore of New York State Department of Environmental Conservation and Pat Keliher of the Maine Department of Marine Resources, as its Chair and Vice-Chair, respectively. For more information, please contact Robert Beal, Executive Director, at rbeal@asmfc.org or 703.842.0740.

Motions
Move to adopt the 2019 Action Plan.
Motion made by Mr. Borden and seconded by Mr. Boyles. Motion carries by unanimous consent.

Move to close nominations and approve Jim Gilmore as ASMFC Chair.
Motion by Mr. Boyles and seconded by Mr. Lustig. Motion approved by unanimous consent.

Move to close nominations and approve Pat Keliher as ASMFC Vice-Chair.
Motion made by Mr. Boyles and seconded by Mr. Hasbrouck. Motion approved by unanimous consent.

COASTAL SHARKS MANAGEMENT BOARD (OCTOBER 23, 2018)

Press Release

ASMFC Coastal Sharks Board Approves Addendum V

New York, NY – The Commission's Coastal Sharks Management Board approved Addendum V to the Interstate Fishery Management Plan (FMP) for Atlantic Coastal Sharks. The Addendum allows the Board to respond to changes in the stock status of coastal shark populations and adjust regulations through Board action rather than an addendum, ensuring greater consistency between state and federal shark regulations.

Previously, the FMP only allowed for commercial quotas, possession limits, and season dates to be set annually through specifications. All other changes to commercial or recreational management

could only be accomplished through an addendum or emergency action. In instances when addenda were initiated, the timing of when the addenda were completed and state implementation resulted in inconsistencies between state and federal shark regulations, particularly when NOAA Fisheries adopted changes through interim emergency rules.

Moving forward, Addendum V will allow the Board to change a suite of commercial and recreational measures, such as recreational size and possession limits, season length, and area closures (recreational and commercial) in addition to the current specifications for just the commercial fishery, throughout the year when needed. Under this provision, if the Board chooses to adjust measures through Board action, the public will be able to provide comment prior to Board meetings, as well as at Board meetings at the discretion of the Board Chair. Additionally, the Board can still implement changes in shark regulations through an addendum.

In addition, the Board considered proposed federal 2019 Atlantic shark specifications. Similar to recent years, NOAA Fisheries is proposing 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 2019 coastal shark specifications via an email vote after the final rule is published later this fall.

Addendum V will be available on the Commission's website (www.asmfc.org) on the Coastal Sharks webpage by the end of October. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootesmurdy@asmfc.org or 703.842.0740.

PR18-33

Motions

Move to approve Addendum V for Coastal Sharks with Management Option 3 as the chosen management option.

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

Move to approve the 2019 coastal sharks specifications via an email vote after NOAA Fisheries publishes the final rule for the 2019 Atlantic Shark Commercial Fishing season.

Motion made by Mr. Batsavage and seconded by Mr. Clark. Motion approved unanimously.

LAW ENFORCEMENT COMMITTEE (OCTOBER 23 & 24, 2018)

Meeting Summary

The Law Enforcement Committee (LEC) met during the 77th Annual Meeting of the Atlantic States Marine Fisheries Commission (ASMFC) in New York, NY. The LEC welcomed alternate representatives Paul Chapelle from the USFWS and Jeff Ray from NOAA OLE.

Species Issues

Summer Flounder/Scup/Black Sea Bass — Caitlin Starks presented background on the proposed development of a transit zone through federal waters between Block Island and the mainland of Rhode Island. After reviewing maps and two options for such a transit zone, the LEC had no specific concerns with a narrowly defined zone. However, it was agreed that the enforceability of any transit zone is dependent on associated conditions or criteria for stowage of gear and direct transit. Standardizing these criteria among transit zones in general is important in both state and federal regulations. To the

extent that transit zones are considered for other species, having the same or similar area boundaries would be helpful.

Striped Bass — Max Appelman gave the LEC an update on possible allowance of recreational fishing for striped bass in the existing transit zone in federal waters of Block Island Sound. The LEC provided initial thoughts on the current transit zone boundaries and whether such an opening might be a precursor to opening broader areas of the EEZ to recreational fishing for striped bass. ASMFC staff will continue to update the LEC on possible changes to federal regulations associated with the transit zone.

American Lobster — The LEC reviewed ongoing efforts to improve enforcement capabilities for the offshore lobster fishery. Members of ASMFC reported on possible funding for a meeting of a subcommittee that would attempt to develop detailed strategies for improving offshore enforcement. Pending approval of such a subcommittee, the LEC agreed that member participation, including from state and federal agencies, would be valuable.

The LEC also reviewed current efforts to evaluate tracking systems that could be used to better monitor movement and fishing activities in the lobster fishery, especially offshore where traditional on-the-water enforcement is a challenge.

Other Issues

The LEC reviewed proposed changes to the ASMFC **2019 Action Plan** and confirmed that its work will continue to address the priorities outlined in Goal 3 of the plan once it is approved by the ASMFC.

Andy Loftus of MAFMC gave a brief presentation on a planned workshop to review **enforcement in the for-hire fisheries**. Input from the LEC will be provided by member participation at the workshop now scheduled for November 13-14. After discussing some of the questions to be addressed during the workshop, the LEC agreed to provide more detailed information from their respective jurisdictions that could be used by the workshop participants in considering responsibilities of for-hire captains for the actions of passengers. LEC Vice-Chair Doug Messeck will be participating in the workshop. Kurt Blanchard has participated in workshop planning.

The LEC reviewed some of the recent trends of states considering **landings flexibility** for commercial vessels landing catch from other state waters. While members concurred that such provisions present numerous enforcement challenges, it was recognized that states may continue to develop more flexibility provisions. The LEC exchanged information on specific permitting provisions that could be used to minimize abuse of such privileges. It was agreed that the ability to revoke a fisherman's permit subsequent to violations of landings regulations would go a long way to ensure better compliance. Nonetheless, members agreed that real-world examples of abuse are out there, and landings flexibility will need to be carefully implemented to minimize illegal activity.

Meeting participants from Maryland reviewed concerns with the inability to market legally-caught striped bass from Maryland in other states where those states' regulations would deem the fish undersized. LEC members concurred that this is not a significant enforcement issue if fish are properly tagged and documented through shipment records.

For more information, please contact Mark Robson, LEC Coordinator, at markrobson2015@outlook.com.

SPINY DOGFISH MANAGEMENT BOARD (OCTOBER 23, 2018)

Press Release

ASMFC Spiny Dogfish Board Sets Quotas for 2019-2021 Fishing Seasons

New York, NY – The Commission's Spiny Dogfish Management Board approved the following coastwide commercial quotas for the 2019-2021 fishing seasons (May 1-April 30): 20,522,832 pounds for 2019/2020; 23,194,835 pounds for 202/2021, and 27,421,096 pounds for 2021/2022 (state-specific allocations are provided in table below). The quotas are consistent with the measures recommended to NOAA Fisheries by the Mid-Atlantic Fishery Management Council. The Board also established a 6,000 pound commercial trip limit for the northern region states of Maine through Connecticut, while New York through North Carolina have the ability to set state-specific trip limits based on the needs of their fisheries. The Commission's actions are final and apply to state waters (0-3 miles from shore). The Mid-Atlantic and New England Fishery Management Councils will forward their recommendations for federal waters (3 –200 miles from shore) to NOAA Fisheries Greater Atlantic Regional Fisheries Administrator for final approval.

Spiny Dogfish State Allocations (in pounds) for the 2019-2021 Fishing Seasons

	Northern Region (ME-CT)	NY	NJ	DE	MD	VA	NC
Possession Limit	6,000	To be specified by the individual southern region states					
Allocation	**58%**	**2.707%**	**7.644%**	**0.896%**	**5.92%**	**10.795%**	**14.036%**
2019/20	11,903,243	555,716	1,568,900	183,893	1,214,957	2,215,484	2,880,640
2020/21	13,453,004	628,069	1,773,165	207,835	1,373,141	2,503,932	3,255,689
2021/22	15,904,236	742,507	2,096,248	245,704	1,623,336	2,960,166	3,848,898

* Any overages in the above quotas will be deducted from that region's or state's quota allocation in the subsequent year. Similarly, any eligible rollovers from one season can be applied to that region's or state's quota allocation the following year.

The quotas are based on the 2018 Stock Assessment Update, which indicates that while the population is not overfished and overfishing is not occurring, biomass has declined, requiring an approximate 46% reduction in the 2019-2020 quota to ensure that overfishing does not occur. The next benchmark stock assessment is currently scheduled for completion in 2021.

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

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PR18-34

Meeting Summary

The Spiny Dogfish Management Board met to consider the 2018 stock assessment update; specify the commercial quotas for 2019-2021 fishing seasons; discuss the federal trip limit; and consider nominations to the Advisory Panel.

The Board discussed recommending adjustments to the federal trip limit, including eliminating the measure. Concerns have been raised that the current federal trip limit is an additional constraint to the state and regional trip limits and are contributing to regulatory discards. The New England and Mid-Atlantic Fishery Management Councils both recently took action to consider evaluating potential changes to the federal trip limit in 2019. Taking the Board discussion and recent Council actions into account, the Board tasked the previously established working group to develop a report on the benefits and drawbacks of eliminating the federal trip limit prior to the ASMFC 2019 Winter Meeting. Additionally, the Commission will send a letter to the Mid-Atlantic Fishery Management Council requesting that consideration of eliminating the federal trip limit should be included in the Council's 2019 priorities.

The Board considered and approved nominations of Thomas Lyons (NH), Doug Freeney (MA), John Whiteside (MA), Scott MacDonald (VA) to the Spiny Dogfish Advisory Panel. Finally, the Board elected Chris Batsavage from North Carolina as Vice-Chair. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

Motions

Move that the spiny dogfish quota for 2019-2020 be set at 20,522,832 pounds; 2020-2021 be set at 23,194,835 pounds; 2021-2022 be set at 27,421,096 pounds.
Motion made by Ms. Davidson and seconded by Mr. Borden. Motion carries without objection; 1 null vote (NJ).

Move to establish a 6,000 lb trip limit for the 2019-2021 fishing seasons for the northern region (ME-CT).
Motion made by Mr. Borden and seconded by Dr. Pierce. Motion passes without opposition.

Move to approve the nomination of Thomas Lyons (NH), Doug Freeney (MA), John Whiteside (MA), Scott MacDonald (VA) to the Spiny Dogfish Advisory Panel.
Motion made by Mr. White and seconded by Mr. Kane. Motion passes unanimously.

Move to nominate Chris Batsavage as Vice-Chair to the Spiny Dogfish Board.
Motion made by Mr. Luisi and seconded by Mr. Kane. Motion passes unanimously.

Move that the Spiny Dogfish Board explore the pros and cons of removing the federal trip limit with the intent to report to the Board at Winter Meeting. The Board requests that a letter be sent to the MAMFC requesting that federal trip limits be a 2019 priority item.
Motion made by Mr. Borden and seconded by Mr. White. Motion carries unanimously.

ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 23, 2018)

Meeting Summary

The Atlantic Striped Bass Management Board met to discuss the Advanced Notice of Proposed Rulemaking (ANPR) recently released by NOAA Fisheries and develop a recommendation for submission to NOAA Fisheries. The ANPR provides background information and makes the public aware of a proposal to remove the current prohibition on recreational striped bass fishing in the Block Island Sound

Transit Zone. The ANPR is in response to the FY18 Omnibus Appropriations Act which included the provision directing "NOAA, in consultations with the ASMFC, to consider lifting the ban on striped bass fishing in the Federal Block Island Sound Transit Zone. The ANPR only considers the potential regulatory changes for recreational fishing due to an existing Executive Order (E.O. 13449) which prohibits the sale of striped bass caught in the EEZ.

After reviewing the ANPR, the Board felt strongly that the results of the 2018 Striped Bass Benchmark Stock Assessment are essential to the discussion and development of a formal recommendation regarding lifting the ban on recreational fishing in the Transit Zone. Accordingly, the Board decided to send a letter to NOAA Fisheries requesting a delay on further action on the Federal Block Island Transit Zone until the Board has an opportunity to review the benchmark assessment results and formalize a recommendation. The assessment is scheduled for peer-review November 27-30, 2018 at the 66th Northeast Regional Stock Assessment Workshop/Stock Assessment Review Committee and will be available for Board review at its February 2019 meeting.

The Board also received an update on the status of the North Carolina Cooperative Winter Tagging Cruise (NCCOOP). For a number of reasons including fiscal and staff limitations, the North Carolina Division of Marine Fisheries is reducing its participation in the NCCOOP including cessation of funding for the charter vessel contract. Accordingly, the Principal Partners of the NCCOOP requested the Commission's Executive Committee consider funding the 2019 tagging efforts. The Board supports the request for funds highlighting the utility of the tag-recapture data collected from the program to stock assessment, and the nearly 30-year time series (see the following Executive Committee Summary for an update on funding).

The Board received an update on the status of the benchmark stock assessment. The Technical Committee reviewed and approved the Draft Report for peer-review, which is scheduled for the end of November. The primary assessment model incorporates migration and stock structure information. The statistical-catch-at-age model currently used for management was also refined and updated as a supporting model.

Lastly, the Board approved Steven Smith, a recreational angler from Delaware, to the Atlantic Striped Bass Advisory Panel. For more information, please contact Max Appelman, Fishery Management Plan Coordinator, at mappelman@asmfc.org or 703-842-0740.

Motions

Move that the Board recommend to the Policy Board to submit a letter to NOAA requesting a delay on further action on the Block Island Transit Zone until such time as the Board has an opportunity to review the Striped Bass Benchmark Stock Assessment and formalize a recommendation.
Motion made by Mr. Borden and seconded by Mr. White. Motion passes by consensus with one abstention.

Move to approve the nomination of Steven Smith (DE) to the Atlantic Striped Bass Advisory Panel.
Motion made by Mr. Clark and seconded by Mr. Fote. Motion approved unanimously.

EXECUTIVE COMMITTEE (OCTOBER 24, 2018)

Meeting Summary

The Executive Committee met to discuss a number of issues, including the FY18 Audit; priorities for "plus-up" federal funds; changes to the Appeals Process; appointment of an Aquaculture Committee; the Commission's quarterly meeting schedule; and a report from the Awards Committee. The following action items resulted from the Committee's discussions:

- FY 18 Audit – The Audit was reviewed by the Administrative Oversight Committee (AOC) and forwarded to the Executive Committee with a recommendation for approval.

- "Plus-up Funds" – The Committee discussed the options presented by staff for utilizing the additional federal funds (roughly $400,000) received this year. After a robust discussion, the Committee made the decision to use a portion (roughly $200,000) on five short-term projects and decide at the February 2019 meeting how to proceed with the remaining ~$200,000. The five funded projects are: Atlantic Striped Bass Hook and Line Tagging Survey; travel funds to coordinate offshore lobster enforcement; American lobster maturity and growth study; Atlantic herring maturity sampling; and Atlantic menhaden aerial and hydroacoustic survey design.

- Changes to the Appeals Process – Dr. McNamee gave a presentation of the revision to the Appeals Process in the ISFMP Charter. After thorough discussion, the Committee agreed to forward the amended Appeals Process to the ISFMP Policy Board for action.

- Establishment of Aquaculture Committee – Executive Director Beal presented a list of people recommended by the states to serve on the Aquaculture Committee. Several states that had not provided a name said they had a person and would send that name to Mr. Beal.

- Quarterly Meeting Schedule - Staff was directed to explore options for arranging the quarterly meeting schedule so both the northern and southern states are satisfied.

- Mr. Woodward presented a SOPP for the Awards Committee. The Executive Committee will review it and provide any comments to Mr. Woodward by the Commission's February Meeting, at which action will be taken on the SOPPs.

For more information, please contact Laura Leach, Director of Finance and Administration, at lleach@asmfc.org or 703.842.0740.

Motions

On behalf of the AOC, move to accept the FY18 Audit of the Atlantic States Marine Fisheries Commission. Motion made by Mr. Keliher. The motion passed unanimously.

Move to move forward with the five short-term projects proposed using ~$200,000 and wait until the February meeting to decide on long-term projects; i.e. additional stock assessment staff; and allocate any long–term increase to the baseline for the states.
Motion made by Mr. Grout and seconded by Mr. Boyles. The motion passed unanimously.

Move to recommend the Policy Board approve the amended Appeals Process document developed by the Working Group.
Motion made by Mr. Grout and seconded by Dr. Pierce. Adopted by unanimous consent.

Move to approve the folks named in the memo from Executive Director Beal; and fill out the committee with additional names from the states not represented.
Motion made by Mr. Boyles and seconded by Mr. Keliher. The motion passed unanimously.

WEAKFISH MANAGEMENT BOARD (OCTOBER 24, 2018)

Meeting Summary
The Weakfish Management Board met to review a report by the Technical Committee (TC) on trends in commercial discards and annual state compliance with the FMP. The TC used state and federal trip-level harvest and observer data to determine whether weakfish discards have increased in recent years. The TC noted single-year increases in the percentage of commercial trips reporting 100 pounds or more of weakfish for Virginia in 2016 and North Carolina in 2017. However, no long-term trends were evident for these or other states.

The Board reviewed annual state compliance with the FMP. The Board found all states to be in compliance with the measures of the FMP and approved *de minimis* requests for Massachusetts, Connecticut, and Florida. The Board also updated Advisory Panel membership and elected John Clark (DE) as Vice Chair.

For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at mschmidtke@asmfc.org or 703.842.0740.

Motions
Move to accept the 2018 FMP Review and State Compliance Reports for weakfish and approve *de minimis* requests for Massachusetts, Connecticut, and Florida.
Motion made by Mr. Hasbrouck and seconded by Mr. Fote. Motion approved unanimously.

Move to approve the nomination for Jeffrey Buckel to the Weakfish Advisory Panel.
Motion made by Mr. Batsavage and seconded by Mr. Bowman. Motion approved unanimously.

Move to elect John Clark as Vice Chair.
Motion made by Ms. Fegley and seconded by Mr. Boyles. Motion carries unanimously.

HORSESHOE CRAB MANAGEMENT BOARD (OCTOBER 24, 2018

Press Release

ASMFC Horseshoe Crab Board Sets 2019 Specifications for Horseshoe Crabs of Delaware Bay Origin

New York, NY – 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 2019 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:

	Delaware Bay Origin Horseshoe Crab Quota (no. of crabs)	Total Quota**
State	**Male Only**	**Male Only**
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, has not been funded consistently in recent years. 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, funding for the survey was restored beginning in 2016. They have also requested that NOAA Fisheries incorporate the survey into the agency's annual budget.

Work is well underway for the 2019 Benchmark Stock Assessment and Peer Review, which will be presented to the Board in May 2019. For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at 703.842.0740 or mschmidtke@asmfc.org.

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PR18-37

Meeting Summary

In addition to setting 2019 specifications for bait harvest of horseshoe crabs of Delaware Bay origin, the Horseshoe Crab Management Board reviewed state compliance with the Fishery Management Plan. All

states were found to be in compliance and *de minimis* requests were granted to the Potomac River Fisheries Commission, South Carolina, Georgia, and Florida. The Board also updated Advisory Panel membership and elected Joe Cimino (NJ) as Vice Chair. For more information, please contact Dr. Michael Schmidtke, Fishery Management Plan Coordinator, at mschmidtke@asmfc.org or 703.842.0740.

Motions

Move to select Harvest Package 3 (500,000 male-only crabs) for 2019 horseshoe crab bait harvest in Delaware Bay.
Motion made by Mr. Borden and seconded by Mr. Miller. Motion approved unanimously.

Move to accept the Horseshoe Crab 2018 FMP Review and State Compliance Reports and approve *de minimis* requests for the Potomac River Fisheries Commission, South Carolina, Georgia and Florida.
Motion made by Mr. Boyles and seconded by Mr. Geer. Motion approved by unanimous consent.

Move to elect Joe Cimino as Vice Chair.
Motion made by Mr. Ballou and seconded by Mr. Clark. Motion approved unanimously.

Move to approve the nomination for Lawrence Voss to the Horseshoe Crab Advisory Panel.
Motion made by Mr. Clark and seconded by Mr. Boyles. Motion carries by unanimous consent.

CAPTAIN DAVID H. HART AWARD LUNCHEON (OCTOBER 24, 2018)

Press Release

ASMFC Presents Roy W. Miller Prestigious Captain David H. Hart Award

New York, NY – The Atlantic States Marine Fisheries Commission presented Roy W. Miller, Delaware's Governor Appointee to the Commission and former Director of Delaware's Division of Fish and Wildlife, the Captain David H. Hart Award, its highest annual award, at the Commission's 77th Annual Meeting in New York City. Mr. Miller has admirably served the State of Delaware and the Commission since 1978 when he first started with the Delaware Division of Fish and Wildlife as a Program Manager.

From left: ASMFC Executive Chair Bob Beal, Hart Award Recipient Roy Miller, and ASMFC Chair Jim Gilmore

Right from the start, Mr. Miller became a member of the Striped Bass Technical Committee, then known as the Striped Bass Science and Statistical Committee. The Committee had a lot on its plate given the precipitous decline of the striped bass population. As part of those discussions, Mr. Miller was instrumental in getting Delaware to join Maryland in a moratorium on the Delaware striped bass

fishery. To this day, he considers the recovery of the striped bass population and the return of the Delaware Bay as a productive and important spawning area as two of his proudest Commission moments. Mr. Miller served on the committee through passage of the Atlantic Striped Bass Conservation Act in 1984.

Beginning in 2003, as Section Administrator for the Division of Fish and Wildlife, Mr. Miller became the state's Administrative Commissioner Proxy. In that position, he served on and chaired numerous management boards, including Shad and River Herring, Weakfish, and, most memorably for Mr. Miller, the Horseshoe Crab Board. His chairmanship of the Horseshoe Crab Board was during the highly contentious development and implementation of the FMP, which sought to balance the needs of watermen, who wanted to continue to harvest crabs to use as bait, with the desires of environmentalists, who wanted to preserve the crabs so their eggs could feed migrating shorebirds. Mr. Miller skillfully guided the Board through some intense Board meetings, which included extensive and impassioned public comment on both sides of the issue. In addition to a management program that accommodated the needs of all the stakeholders and the resource, those meetings also resulted in revised comment protocols for public speaking at ASMFC meetings.

Immediately after his retirement in 2009, Mr. Miller was chosen by Governor Jack Markell (D-DE) to serve as his Appointee to the Commission. Notably, Mr. Miller didn't miss a meeting between his retirement and the Governor's appointment, continuing to serve to this day. As Governor Appointee, Mr. Miller continues to chair management boards and has been a regular visitor to Capitol Hill, keeping staffers apprised of important developments in Delaware and at the Commission. At one such meeting with former Congressman Carney's staff, Mr. Miller expressed his concern about funding shortfalls that resulted in the discontinuance of the Mid-Atlantic Horseshoe Crab Trawl Survey. That meeting and others that followed ultimately led to the restoration of the survey's funding in 2016. It is now supported by Senators and Representatives throughout the Mid-Atlantic, and the survey's third consecutive year was completed just this month.

Throughout his 40 years of service, Mr. Miller has distinguished himself by his dedication to the Commission's management process. He is always prepared for board meetings, asks insightful questions and is always a respectful debater. One of the most collegial Commissioners, Mr. Miller consistently reaches out to other Commissioners and seeks compromise instead of contention. These traits, combined with his long and meritorious record of accomplishments and dedication to sustainable fisheries management, make him a most worthy award recipient.

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.

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PR18-36

SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (OCTOBER 24, 2018)

Press Release

States Schedule Public Hearings on Draft Addenda XXXI and XXXII

Management Board Seeks Input on Options for Summer Flounder, Scup and Black Sea Bass Management

New York, NY – Atlantic states from Massachusetts through Virginia have scheduled hearings to gather public comment on Draft Addenda XXXI and XXXII to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan (FMP). The details of those hearings follow:

Massachusetts Division of Marine Fisheries
November 28, 2018 at 6 PM
Bourne Community Center, Room 2
239 Main Street
Buzzards Bay, Massachusetts
Contact: Nichola Meserve at 617.626.1531

Rhode Island Division of Fish & Wildlife
November 7, 2018 at 6 PM
University of Rhode Island
Narragansett Bay Campus Corless Auditorium
South Ferry Road
Narragansett, Rhode Island
Contact: Robert Ballou at 401.222.4700 ext. 4420

Connecticut Dept. of Energy and Environmental Protection
November 5, 2018 at 7 PM
DEEP Marine Headquarters
Boating Education Center, Building 3
333 Ferry Road
Old Lyme, Connecticut
Contact: Justin Davis at 860.447.4322

New York State Dept. of Environmental Conservation
November 27, 2018 at 6:30 PM
Division of Marine Resources
205 North Belle Mead Road, Suite 1
East Setauket, New York
Contact: Maureen Davidson at 631.444.0483

New Jersey Division of Fish and Wildlife
November 26, 2018 at 6 PM
Stafford Township Administrative Office
260 East Bay Avenue
Manahawkin, New Jersey
Contact: Joseph Cimino at 609.748.2020

Delaware Dept. of Natural Resources & Environmental Control
November 8, 2018 at 6 PM
DNREC Auditorium
89 Kings Highway
Dover, Delaware
Contact: John Clark at 302.739.9914

Maryland Department of Natural Resources
November 15, 2018 at 6 PM
Ocean City Municipal Airport
12724 Airport Road
Berlin, Maryland
Contact: Steve Doctor at 410.213.1531

Virginia Marine Resources Commission
November 14, 2018 at 6 PM
2600 Washington Avenue
4th Floor Conference Room
Newport News, Virginia
Contact: Rob O'Reilly at 757.247.2248

The Commission's Summer Flounder, Scup and Black Sea Bass Management Board approved Draft Addendum XXXI for public comment at the Joint Commission/Mid-Atlantic Fishery Management Council

meeting in Virginia Beach, VA in August 2018, and approved Draft Addendum XXXII yesterday at the Commission's Annual Meeting in New York City.

Draft Addendum XXXI

Draft Addendum XXXI and the Council's complementary framework consider adding the following management options to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan.

1. Conservation equivalency for the recreational black sea bass fishery
2. Conservation equivalency rollover for summer flounder
3. Transit provisions for Block Island Sound for recreational and/or commercial fisheries for all three species
4. Slot limits (not currently a management option in the Council's FMP)

The Draft Addendum aims to increase the suite of tools available for managing summer flounder, scup and black sea bass, as well as reduce inconsistencies between state and federal regulations. This action does not consider implementing black sea bass conservation equivalency or slot limits for any of the three species in 2019. Rather, the options would update the FMPs to allow these management tools to be used in future years.

Draft Addendum XXXII

Draft Addendum XXXII was initiated to establish new recreational management programs for summer flounder and black sea bass, as the current addenda under which the two fisheries are currently managed (Addenda XXVIII and XXX, respectively) expire at the end of 2018. The Draft Addendum proposes two options for each recreational fishery: (1) coastwide management (the default program for both species under the FMP), or conservation equivalency for summer flounder; and (2) setting measures through a specifications process.

The Draft Addendum seeks to address several challenges with the recreational management of summer flounder and black sea bass. Since the adoption of the FMP, shifts in abundance, distribution, and behavior of these two species have created challenges in constraining harvest to the coastwide recreational harvest limit (RHL) while providing fair and equitable access to fishermen throughout the species' ranges. In addition, the use of highly variable and inherently delayed annual harvest estimates to establish management measures for the subsequent year has led to regulatory instability, regulatory disparities, and frustration on the part of stakeholders.

Setting measures through specifications would be a procedural change, allowing regional management to reflect the current condition and distribution of the stocks and fisheries, and enabling measures to be established based on more complete harvest data rather than preliminary projections. This process would eliminate the need for measures to be established through addenda; instead, the Board would approve measures in the late winter or early spring each year, based on technical committee analysis of harvest estimates and other information on resource availability. Public input on specifications would be gathered by states through their individual public comment processes. For each species, the Draft Addendum also includes proposed standards and guiding principles to structure how measures are set in order to provide fair and equitable access to the resource, and increase regulatory stability.

Interested groups are encouraged to provide input on Draft Addenda XXXI and XXXII either by attending state public hearings or providing written comment. Draft Addenda are available at

http://www.asmfc.org/files/PublicInput/SF_Scup_BSB_DraftAddendumXXXI_PublicComment_Oct2018.pdf and http://www.asmfc.org/files/PublicInput/SF_BSB_DraftAddendumXXXII_PublicComment_Oct2018.pdf. They can also be accessed on the Commission website (www.asmfc.org) under Public Input. Public comment will be accepted until **5:00 PM on November 29, 2018** and should be forwarded to Caitlin Starks, Fishery Management Plan Coordinator, 1050 N. Highland St., Suite 200 A-N, Arlington, Virginia 22201; 703.842.0741 (fax) or at comments@asmfc.org (Subject line: Draft Addendum XXXI and XXXII Comment).

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PR18-35

Meeting Summary

In addition to approving Draft Addenda XXXI and XXXII for public comment, the Board also received an overview of all other ongoing activities and actions for summer flounder, scup and black sea bass. These include the summer flounder Commercial Issues Amendment; strategic planning for reforming recreational black sea bass management; commercial black sea bass working group activities; stock assessments; and technical committee analysis of harvest, discards and gears.

The Board also received a report from the Commercial Black Sea Bass Working Group, which met in September to identify management issues related to changes in stock distribution and abundance. The Working Group identified several issues with regard to commercial black sea bass management, including state quota allocations that have remained unchanged for 15 years, though there is scientific evidence to support shifts in distribution, abundance, behavior, and effort of the resource and the fishery. The Group also noted coastwide commercial quota management can limit harvest opportunities for some states when one state's overage results in a coastwide fishery closure. The Board offered feedback and additional representation from New Jersey and Connecticut to continue development of commercial management strategies.

For information of black sea bass, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org, and for information on summer flounder and scup, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, krootes-murdy@asmfc.org.

Motions

Move to approve Draft Addendum XXXII for public comment, as modified today.

Motion made by Mr. Luisi and seconded by Ms. Meserve. Motion approved by unanimous consent.

Move to approve Advisory Panel nominations for Rob Haas, Kurt Martin, Brent Fulcher, James Ruhle, and Jay Little.

Motion made by Mr. Blanton and seconded by Mr. Kane. Motion passes unanimously.

ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 24, 2018)

Meeting Summary

The ACCSP Coordinating Council met to receive Program and Committee Updates and to take final action on both the implementation of the Long-term Funding Strategy's Year 5 funding reductions and the allocation of funding for FY19. The Council approved the Operations and Advisory Committees' recommendation to apply the Year 5 funding cut to whichever sum is larger: the prior 2-year average

base funding as stipulated in the Long-term Funding Strategy, or the average funding received by a maintenance project during its allotted 4 years of full funding. The Council also opted to fund the FY19 proposals as presented by the Advisory and Operations Committees. If there is any 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. Finally, the Council directed staff to explore options for the establishment of a Data Coordination Committee.

For more information, please contact Mike Cahall, ACCSP Director, at mike.cahall@accsp.org.

TAUTOG MANAGEMENT BOARD (OCTOBER 25, 2018)

Meeting Summary

The Tautog Management Board received a Technical Committee (TC) report on biological sampling requirements. After performing analyses to determine whether changes should be made to current sampling requirement to support regional tautog stock assessments, the TC recommended maintaining the minimum sample requirement of 200 age and length samples per state. The TC also recommended exploring the use of pelvic spines as an additional age structure to supplement biological sampling. The Board supported the TC's recommendations.

The Board also reviewed draft implementation guidelines for the commercial harvest tagging program required by Amendment 1. The guidelines are intended to enhance the enforceability and compatibility of state regulations with regard to the tagging program. Staff will continue to work with the states to implement the tagging program, though due to difficulties procuring effective applicators, the Board agreed to reschedule the program implementation date for January 2020.

Finally, the Board reviewed and approved the 2018 Fishery Management Plan Review for the 2017 Fishing Year. For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at cstarks@asmfc.org or 703.842.0740.

Motions

Move to postpone implementation of the tagging program until January 2020.
Motion made by Mr. Clark and seconded by Dr. Davis. Motion carries unanimously.

Move to accept the FMP Review and compliance reports for tautog for the 2017 fishing year, and approve *de minimis* status for Delaware and Maryland.
Motion made by Mr. Borden and seconded by Mr. Kane. Motion approved unanimously.

INTERSTATE FISHERIES MANAGEMENT PROGRAM POLICY BOARD (OCTOBER 25, 2018)

Meeting Summary

The ISFMP Policy Board Chair, Jim Gilmore, presented the Executive Committee Report to the Board (see Executive Committee Summary for additional information). The Risk and Uncertainty Policy Work Group updated the Board on progress to establish a Commission Risk and Uncertainty Policy. The next step is to create guidelines for the implementation of the policy. Once the guidelines are drafted, the policy will be sent to a few Commission technical committees for review.

The Board reviewed committee reports from the Habitat Committee, Atlantic Coastal Fish Habitat Partnership (ACFHP), Law Enforcement Committee (see LEC Meeting Summary for additional information), and Assessment Science Committee.

The Board received an update on the Northeast Area Monitoring and Assessment Program (NEAMAP). The Board approved the revised NEAMAP mission, goals, and objectives, which were included in meeting materials. The Board also approved changes to NEAMAP's committee structure. The NEAMAP Operations Committee will take over as the programmatic lead for NEAMAP, while the NEAMAP Board will remain as a liaison to agency leadership. The Commission's Assessment Science Committee will serve as the NEAMAP Analytical Committee. The Trawl Technical Committee will be expanded to include additional gear types and be renamed as the "Survey Technical Committee." A NEAMAP Stakeholder Advisory Panel will be created.

Dr. Lisa Havel, ACFHP and Habitat Committee Coordinator, presented a summary of the Living Shorelines factsheet, which was approved by the Board. In 2010, ASMFC *published Living Shorelines: Impacts of Erosion Control Strategies on Coastal Habitats*. Since then, there has been a growing body of literature and lessons learned. To capture this new information, the Habitat Committee produced a two-page factsheet to supplement the 2010 publication. The factsheet is not exhaustive, but contains background information, links to websites for more information, and lessons learned. It also contains a link to more information that will be housed on the ASMFC website, including case studies and further reading. A member of the Board also recommended the Habitat Committee host a workshop for Commissioners on endocrine disruptors. In addition, a brief update was provided on FY2019 National Fish Habitat Action Plan – US Fish and Wildlife Funding. ACFHP received nine proposals from the North, Mid-, and South Atlantic. Seven proposals address fish passage, and two address habitat restoration. The proposals selected for recommendation for funding will be presented to the Policy Board at the 2019 Winter Meeting.

The Board reviewed the revised ASMFC Stock Assessment Schedule, which was included in meeting materials. The Board approved six changes to the stock assessment schedule. The horseshoe crab benchmark assessment moved from an October 2018 to a March 2019 peer review. The cobia stock assessment, which will be conducted through SEDAR, moved from an October 2018 to a March 2019 peer review. The Spanish mackerel stock assessment, also conducted through SEDAR, is scheduled for a 2020 peer review. Three Operational Assessments were added to the schedule to incorporate new MRIP estimates for black sea bass, scup, and bluefish; these operational assessments will be completed in spring 2019.

The Board agreed to send letters on a variety of issues including: state implementation of Jonah crab regulations; comments to NOAA Fisheries regarding the striped bass rulemaking on the Block Island Sound Transit Zone; a request to the Mid-Atlantic Fishery Management Council to make spiny dogfish trip limits a priority in 2019; a request to the USFWS regarding enforcement of American eel regulations, specifically the inspection of eel products at point of departure; and a request to the New England Fishery Management Council to consider Area 3 Atlantic herring spawning protections (see individual species meeting summaries for additional details on these issues). Lastly, the Board thanked the Commissioners of New York for hosting a magnificent 77th Annual Meeting.

For more information, please contact Toni Kerns, ISFMP Director, at tkerns@asmfc.org or 703.842.0740.

Motions

Move to approve the revised mission, goals, and objectives for the Northeast Area Monitoring and Assessment Program and approve changes to Northeast Area Monitoring and Assessment Program committee structure as presented.

Motion made by Dr. Davis and seconded by Mr. Fote. Motion approved unanimously.

Move to approve the Living Shorelines Factsheet.

Motion made by Mr. Fote and seconded by Dr. Davis. Motion approved unanimously.

Move to approve the Stock Assessment Schedule as modified today.

Motion made by Mr. Grout and seconded by Mr. Miller. Motion approved by unanimous consent.

On behalf of the American Lobster Management Board, I move that the Policy Board send letters to DE and NY to request they come back into compliance with the Jonah Crab FMP.

Motion made by Mr. McKiernan. Motion approved by unanimous consent.

On behalf of the Atlantic Striped Bass Management Board, I move that the Policy Board submit a letter to NOAA requesting a delay on further action on the Block Island Transit Zone until such time as the Board has an opportunity to review the Striped Bass Benchmark Stock Assessment and formalize a recommendation.

Motion made by Mr. Borden. Motion approved by unanimous consent with one abstention (NMFS).

On behalf of the Spiny Dogfish Management Board, I move that the Policy Board send a letter to the MAFMC requesting that federal trip limits be a 2019 priority item.

Motion made by Mr. O'Reilly. Motion approved by unanimous consent.

On behalf of the American Eel Management Board, I move that the Policy Board send a letter to US FWS to emphasize the importance of enforcement of eel regulations, including inspection of eel products.

Motion made by Mr. Gary. Motion approved by unanimous consent.

On behalf of the Atlantic Herring Management Board, I move that the Policy Board send a letter to the NEFMC requesting that they consider herring spawning protection in its 2019 priorities.

Motion made by Dr. Pierce. Motion approved by unanimous consent.

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (OCTOBER 25, 2018)

Meeting Summary

The South Atlantic State/Federal Fisheries Management Board met to review public comment on the Public Information Document for Draft Amendment 1 to the Atlantic Cobia Interstate Fishery Management Plan (FMP) and provide guidance to the Cobia Plan Development Team (PDT) as it develop the Draft Amendment.

Public comments were received from August 10 – October 10, 2018, via public hearings and email. Six public hearings were held for New Jersey, Potomac River Fisheries Commission jointly with Maryland, Virginia, North Carolina (2 hearings), and South Carolina jointly with Georgia. Hearings were attended by

a total of ten members of the public. Thirty-nine comments were submitted via email. Comments provided input on how federal waters should be managed upon final approval of Amendment 31 to the Coastal Migratory Pelagic Resources Fishery Management Plan (CMP FMP), which would remove Atlantic Migratory Group cobia from the CMP FMP and place it solely under Commission management. Input was also provided on the process for specifying harvest throughout the management area under future solely-Commission management.

Taking into account the submitted public comment, the Board provided direction to the Cobia PDT to construct Draft Amendment 1 with management options that can be reviewed by the Board then released for public comment. Three Board members will join the PDT to assist in developing the options. The Board is expected to review the Draft Amendment for public comment in May 2019.

The Board reviewed annual state compliance with the FMPs for black drum, spotted seatrout, and Spanish mackerel. The Board found all states to be in compliance with the measures of the FMPs and approved *de minimis* requests for New Jersey (spotted seatrout and Spanish mackerel), Delaware (spotted seatrout and Spanish mackerel), and Georgia (Spanish mackerel). The Board also updated Advisory Panel membership.

For more information, please contact Dr. Mike Schmidtke, Fishery Management Plan Coordinator, at mschmidtke@asmfc.org or 703.842.0740.

Motions

Move to accept the 2018 FMP Review and State Compliance Reports for black drum.
Motion made by Ms. Fegley and seconded by Mr. Clark. Motion approved by consent.

Move to accept the 2018 FMP Review and State Compliance Reports for spotted seatrout and approve *de minimis* requests for New Jersey and Delaware.
Motion made by Mr. Batsavage and seconded by Mr. Clark. Motion approved by unanimous consent.

Move to accept the 2018 FMP Review and State Compliance Reports for Spanish mackerel and approve *de minimis* requests for New Jersey, Delaware, and Georgia.
Motion made by Mr. Woodward and seconded by Mr. Fote. Motion approved by unanimous consent.

Move to approve the nomination of Glenn Skinner (NC) to the South Atlantic Advisory Panel.
Motion made by Mr. Batsavage and seconded by Mr. Estes. Motion approved by unanimous consent.

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ASMFC

FISHERIES focus

Vision: Sustainably Managing Atlantic Coastal Fisheries

INSIDE THIS ISSUE

77th Annual Meeting

October 21-25

The Roosevelt Hotel
New York City, NY

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.

SUNDAY, OCTOBER 21

6 – 8 p.m. **Hosts' Reception**

MONDAY, OCTOBER 22

8:30 a.m. – 12:30 p.m. **American Lobster Management Board**

- Review of the NOAA Fisheries Technical Memo on Right Whale Status and Recovery
- Report on the October 2018 Atlantic Large Whale Take Reduction Team Meeting
- Review American Lobster Addendum XXVII Timeline
- Discuss Protocols to Evaluate Bait Sources
- Progress Update from the American Lobster Electronic Tracking and Reporting Subcommittees
- Consider Approval of 2018 Fishery Management Plan Reviews and State Compliance Reports for American Lobster and Jonah Crab

continued, see ANNUAL MEETING PRELIMINARY AGENDA on page 6

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.

October 1 (9:30 - 11:30 a.m.)
American Lobster Technical Committee Webinar; go to http://www.asmfc.org/calendar for more details

October 2 - 4
Mid-Atlantic Fishery Management Council, Congress Hall, 200 Congress Place, Cape May, NJ

October 4 (9 a.m. - Noon)
Northern Shrimp Section, Maine Historical Society (2nd Floor Reading Room), 489 Congress Street, Portland, ME

October 9 & 10
Atlantic Menhaden Modeling Workshop, ASMFC, 1050 N. Highland Street, Suite 200A-N, Arlington, VA

October 11 & 12
Ecological Reference Points Workshop, ASMFC, 1050 N. Highland Street, Suite 200A-N, Arlington, VA

October 16 (1 - 3:30 p.m.)
Summer Flounder Scup and Black Sea Bass Recreational Working Group; go to http://www.asmfc.org/calendar for more details

October 21 - 25
ASMFC 77th Annual Meeting, The Roosevelt Hotel, 45 East 45th Street and Madison Avenue, New York City, NY

November 27 - 30
Atlantic Striped Bass Benchmark Stock Assessment Peer Review, Northeast Fisheries Science Center's 66th Stock Assessment Workshop (SAW/SARC), Woods Hole, MA

December 3 - 7
South Atlantic Fishery Management Council, Hilton Garden Inn/Outer Banks, 5353 N. Virginia Dare Trail, Kitty Hawk, NC

December 4 - 6
New England Fishery Management Council, Hotel Viking, Newport, RI

December 11 - 13
Mid-Atlantic Fishery Management Council, Westin Annapolis, 100 Westgate Circle, Annapolis, MD

January 29 - 31
New England Fishery Management Council, Portsmouth Harbor Events Center, Portsmouth, NH

February 5 - 7
ASMFC Winter Meeting, Westin, 1800 South Eads Street, Arlington, VA

February 12 - 14
Mid-Atlantic Fishery Management Council, Hilton Virginia Beach Oceanfront, 3001 Atlantic Avenue, Virginia Beach, VA

March 4 - 8
South Atlantic Fishery Management Council, Westin Jekyll Island, 110 Ocean Way, Jekyll Island, GA

MRIP's Upgraded Fishing Effort Survey: *A Significant Step Forward in Fisheries Science and Recreational Management*

Recreational anglers often wonder: "why don't fishing regulations match what I'm seeing out on the water?" Recreational management has long challenged managers and anglers alike, but recent changes in recreational data collection will improve catch estimates and better inform management decisions.

The first national program for estimating marine recreational harvest was the Marine Recreational Fishery Statistics Survey (MRFSS), established in 1979. In 2008, MRFSS was replaced with NOAA's current recreational data collection system, the Marine Recreational Information Program (MRIP). MRIP is the result of a considerable, long-term effort on the part of NOAA Fisheries, working with the recreational fishing community and the states, to significantly improve recreational catch and effort data for use in stock assessments and management. Recently, the two surveys that inform MRIP have undergone major upgrades.

MRIP is the result of a considerable, long-term effort on the part of NOAA Fisheries, working with the recreational fishing community and the states, to significantly improve recreational catch and effort data for use in stock assessments and management.

As you may know, recreational harvest estimates are based on two specially designed angler surveys – one targeted to collect catch information and the other to collect effort data. The data from these surveys are then combined to estimate total recreational harvest.

In 2017, the Atlantic states, from Maine to Georgia, assumed conduct of the Access Point Angler Intercept Survey (APAIS). State conduct of APAIS has resulted in a 23% increase in the number of intercepts from 2016 to 2018 (for waves 1-3).

In July 2018, NOAA Fisheries released calibrated recreational catch estimates using an updated effort survey for the first time. Previously, effort estimates were obtained by surveying random landline telephones in coastal states. Technology advances such as caller ID and a shift to mobile phones rendered the telephone survey less valuable with each passing year.

Now, NOAA Fisheries estimates recreational effort through a mail-based survey, known as the Fishing Effort Survey (FES). Instead of random phone calls to landlines, the FES utilizes state recreational saltwater fishing license databases to reach licensed anglers and the U.S. Postal Service address database to distribute surveys to unlicensed anglers. The FES response rate is three times better than the landline survey and contains more complete information, resulting in improved recreational data.

The new FES and state conduct of APAIS represent a major step forward for recreational fisheries data collection. As with most scientific advances, progress is accompanied by new and unexpected challenges. In this case, increased accuracy and response rates have, for some species, produced harvest estimates that are many times higher than previously estimated. These discrepancies are more pronounced in recent years (2015-2017) and in fisheries with a large shore-based component. On the Atlantic coast, new FES estimates for private boats are about two times higher overall, and shore fishing estimates are 4.5 times higher overall. Red drum, striped bass, tautog and bluefish are among the ASMFC-managed species with the most notable impacts.

The full impact of increased FES estimates will not be completely understood for several years until benchmark stock assessments are conducted for each species. Atlantic striped bass and summer flounder, both of which have upcoming benchmark stock assessments, will be among the first two species for which population estimates and management decisions will be made using the calibrated MRIP data. Release of these assessments early next year will set the stage for discussions on the species' future management, including possible changes in biological reference points for striped bass and possible allocation adjustments for summer flounder.

While the new recreational catch and effort estimates may lead to difficult discussions ahead regarding changes in stock status and catch histories, the improved accuracy of the information can only contribute to better informed management decisions.

Bait, Birds and Biomedical: A Glimpse into the World of Horseshoe Crabs

Introduction

Horseshoe crabs provide the backdrop for one of the most interesting marine resource management issues along the Atlantic coast. An ecologically important species, horseshoe crab eggs are a primary food source for red knots, a shorebird that is near threatened under the Endangered Species Act (ESA), as they pass through the Delaware Bay on their long migration from South America to the Arctic. Also economically important, horseshoe crabs provide bait for commercial American eel and conch fisheries along the coast. Their bright blue blood is also used by the biomedical industry to produce Limulus Amoebocyte Lysate (LAL), an important tool for detecting contaminants in medical devices and drugs. The challenge for fisheries managers is to ensure that horseshoe crabs are managed to meet all these diverse needs, while conserving the resource for future generations.

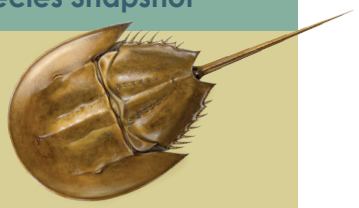
Life History

Horseshoe crabs are a marine arthropod found along the Atlantic coast from northern Maine to the Yucatan Peninsula and the Gulf of Mexico. Adults either remain in estuaries or migrate to the continental shelf during the winter months. Migrations resume in the spring when the horseshoe crabs move to beach areas to spawn. Juveniles hatch from the beach environment and spend their first two years in nearshore areas before moving further offshore.

Spawning usually coincides with the high tide during the full and new moon. Breeding activity is consistently higher during a full moon and is also greater during the night. Adults prefer sandy beach areas within bays and coves that are protected from surf. Eggs are laid in clusters or nest sites of about 4,000 eggs each along the beach with females laying approximately 90,000 eggs per year in different egg clusters (although only about ten eggs per breeding female will reach adulthood).

The eggs play an important ecological role in the food web for migrating shorebirds. The Delaware Bay Estuary is the largest staging area for shorebirds in the Atlantic Flyway. Up to one million migratory shorebirds converge on the Delaware Bay each year to feed and rebuild energy reserves prior to completing their northward migration, including approximately 90% of the ESA-listed red knot population (about 24,000 birds). It is estimated that red knots need to double their mass (by consuming a diet of mostly horseshoe crab eggs) before they have sufficient fuel to complete the journey north to the Arctic.

Species Snapshot



Horseshoe Crab
Limulus polyphemus

Taxonomy:

- Horseshoe crabs are in the taxonomic class Merostomata, which means "legs attached to mouth"
- Their scientific name "polyphemus" alludes to a one-eyed giant in Greek mythology, due to the fact that people thought they only had one eye (they actually have ten).

Interesting Facts

- Horseshoe crabs have existed for nearly 450 million years, predating flying insects, dinosaurs and humans.
- There are 4 living species of horseshoe crabs: one inhabits the Eastern and Gulf coasts of North America, while the other three are found in Southeast Asia.
- Horseshoe crabs are more closely related to spiders, ticks and scorpions than they are to true crabs. Like other arthropods, they have a hard shell, or exoskeleton, a segmented body and jointed legs.
- Horseshoe crabs use their tails primarily to flip themselves upright if they are overturned.
- They feed by crushing up food, such as mollusks and worms, between their legs before passing the food to their mouths.

Stock Status:
Unknown

Commercial Fisheries & Biomedical Harvest

From the 1850s to the 1920s, between 1.5 and two million horseshoe crabs were harvested annually for fertilizer and livestock feed. Harvest dropped throughout the 1950s and ceased in the 1960s. Between 1970 and 1990, reported commercial harvest ranged from less than 20,000 pounds to greater than two million pounds annually. Since the mid- to late 1990s, commercial harvest has been sold primarily as bait for the American eel and whelk pot fisheries. Increased need for bait in the whelk fishery likely caused an increase in horseshoe crab harvest in the 1990s, with a peak of nearly six million pounds in 1997. Reported coastwide bait landings in 2016 remained well below the coastwide quota at 787,223 crabs.

Commercial fishermen have adopted new gear such as bait bags and cups allowing them to effectively catch eel and conch while using as little as a tenth of the previous portion of bait per pot. The majority of horseshoe crab harvest comes from the Delaware Bay Region, followed by the New York, New England, and the Southeast regions. Trawls, hand harvests and dredges make up the bulk of commercial horseshoe crab bait landings. Discard mortality occurs in various dredge fisheries and may vary seasonally with temperature, impacting both mature and immature horseshoe crabs; however, the actual rate of discard mortality is unknown.

Horseshoe crabs are also collected by the biomedical industry to support the production of LAL, a clotting agent that aids in the

detection of human pathogens in patients, drugs, and intravenous devices. Blood is obtained by collecting adult horseshoe crabs and extracting a portion of their blood. Most crabs collected and bled by the biomedical industry are, as required by the FMP, released alive to the water from which they were collected; however, a portion of these crabs die from the procedure. Crabs harvested for bait are sometimes bled prior to being processed and sold by the bait industry; these crabs are counted against the bait quota. Biomedical use has increased since 2004, when reporting began, but has been fairly stable in recent years with an estimated 426,195 crabs brought to biomedical facilities in 2016. The Horseshoe Crab Management Board continues to collaborate with the biomedical industry to find ways to incorporate biomedical data into a regional stock assessment.

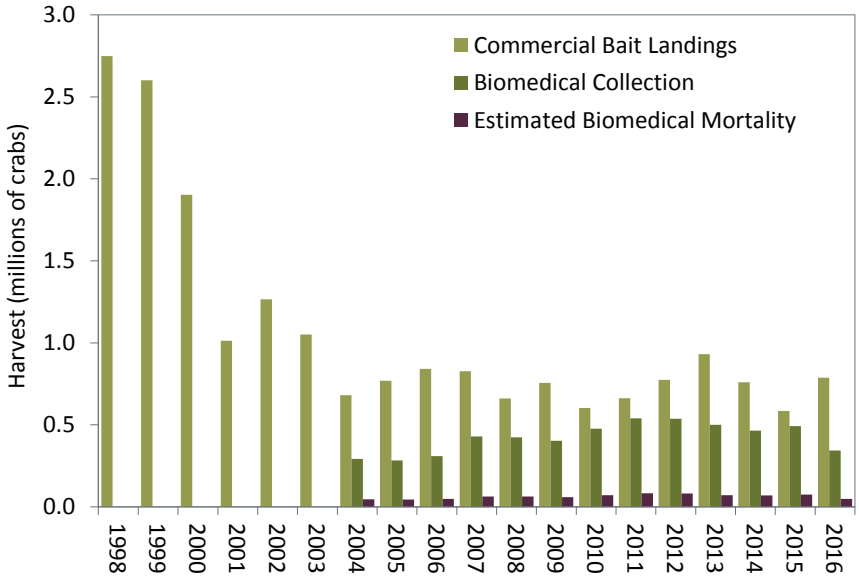
Stock Status

The status of the stock is unknown largely due to the lack of long-term data sets for commercial landings and stock abundance. However, the 2013 stock assessment update indicates horseshoe crab abundance has increased in the Southeast (North Carolina through Florida) and remains stable in the Delaware Bay region (New Jersey through coastal Virginia). The New York and New England regions continue to see a decrease in abundance.

continued, see SPECIES PROFILE on page 14

Horseshoe Crab Bait Landings and Biomedical Collection

Source: ASMFC State Compliance Reports, 2017



Please note the following details regarding biomedical collection numbers:
* Biomedical collection numbers, which are annually reported to the Commission, include all horseshoe crabs brought to bleeding facilities except those that were harvested as bait and counted against state quotas.
* Most of the biomedical crabs collected are returned to the water after bleeding; a 15% mortality rate is estimated for all bled crabs.

Timeline of Management Actions: FMP ('98); Addendum I ('00); Addendum II ('01); Addendum III ('04); Addendum IV ('06); Addendum V ('08); Addendum VI ('10); Addendum VII ('12)

Essential Horseshoe Crab Trawl Survey Receives Needed Boost from Mid-Atlantic Congressmen & NOAA Fisheries

The Mid-Atlantic Horseshoe Crab Trawl Survey, administered by Virginia Tech since 2002, is the only survey designed to sample the horseshoe crab population in coastal waters. Its geographic scope is broad, covering the Atlantic coast from Atlantic City, New Jersey to Wachapreague, Virginia and also the lower Delaware Bay. It provides the data that allow fishery managers and scientists to optimize Delaware Bay harvest levels for the economic, ecological, and biomedical uses of horseshoe crabs.

The survey is the single most important data source to sustainable horseshoe crab management along the Atlantic coast because of its critical role in the horseshoe crab stock assessment and the Adaptive Resource Management (ARM) framework applied in the Delaware Bay region (New Jersey-Virginia). The ARM framework includes modeling that links management of horseshoe crab harvest to multispecies objectives, particularly to demographic recovery of near threatened red knots. The ARM was developed jointly by the Commission, U.S. Fish and Wildlife Service, and U.S. Geological Survey in recognition of the importance of horseshoe crab eggs to migratory shorebirds stopping over in the Delaware Bay region.

Unfortunately, the Trawl Survey was a casualty of federal cost cutting measures in the early 2010s. From 2011 to 2013, the biomedical and commercial fishing industries provided limited funding for increasingly smaller scale surveys and the survey did not occur at all in 2014 and 2015. The quality of fisheries assessments are highly dependent upon a consistent time-series in order to track abundance over time. As such, the 2011 to 2015 data gap is a major setback for horseshoe crab management and those who depend upon it.

continued, see TRAWL SURVEY on page 7

Public Comment Guidelines

With the intent of developing policies in the Commission's procedures for public participation that result in a fair opportunity for public input, the ISFMP Policy Board has approved the following guidelines for use at management board meetings:

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 5:00 PM on Tuesday, October 16, 2018 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 Tuesday, October 16, 2018 5:00 PM 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.

ANNUAL MEETING PRELIMINARY AGENDA continued from page 1

1:30 – 3:30 p.m. Atlantic Herring Section
- Review 2018 Atlantic Herring Benchmark Assessment Peer Review Report
  - Review and Consider Approval of Benchmark Stock Assessment and Peer Review Report for Management Use
- Review and Discuss White Paper on Atlantic Herring Spawning Protections
- Update on 2019-2021 Fishery Specifications Process
- Set 2019 Specifications for Area 1A
- Review and Populate Atlantic Herring Advisory Panel

3:45 – 4:45 p.m. American Eel Management Board
- Presentation on Convention on International Trade in Endangered Species Workshop and Discuss Next Steps
- Consider Approval of 2018 Fishery Management Plan Review and State Compliance Reports

6:30 – 8 p.m. Welcome Reception

TUESDAY, OCTOBER 23

8 – 10:15 a.m. Strategic Planning Workshop

10:15 – 11:15 a.m. Business Session
- Review and Consider Approval of the 2019 Action Plan
- Elect Chair and Vice-Chair

11:30 a.m. – 12:30 p.m. Coastal Sharks Management Board
- Review and Consider Addendum V for Final Approval
- Review Proposed 2019 Coastal Sharks Fishery Specifications
- Consider Approval of 2018 Fishery Management Plan Review and State Compliance Reports

12:30 – 5 p.m. Law Enforcement Committee
- Review 2018 Action Plan and New Tasks for 2019
- Progress Report on Enforcement of the Offshore American Lobster Fishery
- Update on American Eel Addendum V and State Aquaculture Proposals
- Review Federal Transit Zone Proposal for Striped Bass in Block Island Sound
- Review Transit Zone Proposal for Summer Flounder, Scup, and Black Sea Bass
- Review Tautog Commercial Tagging Program
- Review ASMFC Managed Species
- Review Ongoing Enforcement Issues (Closed Session)
- Federal and State Agency Reports

1:30 – 2:30 p.m. Spiny Dogfish Management Board
- Review 2018 Stock Assessment Update
- Set Spiny Dogfish 2019-2021 Fishery Specifications
- Discuss Adjustments to Federal Commercial Trip Limit
- Consider Approval of 2018 Fishery Management Plan Review and State Compliance Reports

2:45 – 4 p.m. Atlantic Striped Bass Management Board
- Review Advanced Notice of Proposed Rulemaking Regarding Lifting the Ban on Atlantic Striped Bass Fishing in the Federal Block Island Sound Transit Zone

- Update on North Carolina Cooperative Winter Tagging Program
- Progress Update on the Benchmark Stock Assessment

6:15 – 9 p.m. **Annual Dinner**

WEDNESDAY, OCTOBER 24

8 – 10 a.m. **Executive Committee**
- Consider Approval of FY18 Audit
- Discuss Priorities for Use of Plus-up Funding
- Consider Changes to the Appeals Process
- Appointment of Aquaculture Committee
- Report from the Awards Committee

8:30 a.m. – Noon **Law Enforcement Committee (continued)**

10:15 – 11 a.m. **Weakfish Management Board**
- Review Technical Committee Report on Commercial Discards
- Consider Approval of 2018 Fishery Management Plan Review and State Compliance Reports
- Elect Vice-Chair

11:15 a.m. – 12:15 p.m. **Horseshoe Crab Management Board**
- Set 2019 Delaware Bay Horseshoe Crab Fishery Specifications
- Progress Update on the Horseshoe Crab Benchmark Stock Assessment
- Consider Approval of 2018 Fishery Management Plan Review and State Compliance Reports
- Elect Vice-Chair

12:15 – 1:30 p.m. **Captain David H. Hart Award Luncheon**

1:30 – 3:30 p.m. **Summer Flounder, Scup, and Black Sea Bass Management Board**
- Consider Approval of Draft Addendum XXXII (2019 Black Sea Bass and Summer Flounder Recreational Management) for Public Comment
- Progress Update on Black Sea Bass Commercial Working Group

3:45 – 4:45 p.m. **Atlantic Coastal Cooperative Statistics Program Coordinating Council**
- Program/Committee Updates
- Progress Report on SAFIS Redesign
- Consider Recommendations of FY2019 Submitted Proposals
- Clarify Funding Decision Process
- Discuss Formation of Data Reporting Committee on Data Accountability

THURSDAY, OCTOBER 25

8 – 9 a.m. **Tautog Management Board**
- Progress Update on Development of the Commercial Harvest Tagging Program
- Technical Committee Report on Biological Sampling Requirements
- Consider Approval of 2018 Fishery Management Plan Review and State Compliance Reports

continued, see ANNUAL MEETING PRELIMINARY AGENDA on page 13

TRAWL SURVEY continued from page 5

By 2015, concern on Capitol Hill spurred action within the Mid-Atlantic delegation and appropriators subsequently restored the funding for the survey to resume in the fall of 2016. In every fiscal year since then, both the U.S. House of Representatives and Senate have used the annual appropriations bill funding NOAA Fisheries to encourage the agency to fund the survey. In turn, NOAA Fisheries has been enthusiastic in providing the needed resources to conduct the survey annually.

The efforts by Congress, NOAA Fisheries, and the states are paying dividends already. The new data collected in 2016, 2017, and 2018 have been essential to the benchmark assessment that is currently underway, allowing the use of more sophisticated models for the Delaware Bay population than any previous horseshoe crab assessment. However, the data shortfalls from 2011 through 2015 continue to challenge the Horseshoe Crab Stock Assessment Subcommittee, in large part because the most recent continuous time series of data (2016-2018) is less than the 10 years needed for horseshoe crabs to mature and reproduce. Continuation of the survey is expected to be the top recommendation of the Horseshoe Crab Technical Committee when the benchmark assessment approved.

Earlier this year, three Senators and six Representatives requested that NOAA Fisheries incorporate the survey into the agency's annual budget. This long-term funding solution would ensure the resources are in place for the survey for years to come. We are deeply grateful for the support of 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) for their help in restoring the Trawl Survey and their dedication to the sustainable management of this important resource.

Molting juvenile. Photo (c) Derek Perry, MA DMF

American Eel

In August, the American Eel Management Board approved Addendum V to the Interstate Fishery Management Plan for American Eel. The Addendum increases the yellow eel coastwide cap starting in 2019 to 916,473 pounds. This modest increase in the cap (less than 1%) reflects a correction in the historical harvest. Further, the Addendum adjusts the method (management trigger) to reduce total landings to the coastwide cap when the cap has been exceeded and removes the implementation of state-by-state allocations if the management trigger is met. Lastly, the Addendum maintains Maine's glass eel quota of 9,688 pounds.

The Addendum responds to concerns about the previous Addendum's (IV) yellow eel management triggers given the timing and precision of landings data and the challenges of state-by-state quota management. Under Addendum IV, management action would have be triggered when (1) the coastwide cap is exceeded by more than 10% in a given year; or (2) the coastwide cap is exceeded in two consecutive years, regardless of the percent overage. If either of these triggers had been met, state-by-state quotas would have been required to be implemented.

Under Addendum V, management action will now be initiated if the yellow eel coastwide 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 will be responsible for adjusting their measures. A workgroup will be formed to define the process to equitably reduce landings among the affected states when the management trigger has been met.

The Board slightly modified the glass eel aquaculture provisions, maintaining the 200 pound limit for glass eel harvest but modifying the criteria for evaluating the proposed harvest area's contribution to the overall population consistent with the recommendations of the Technical Committee. Under the revised provisions, the Board approved Maine's glass eel aquaculture proposal for the 2019 fishing season, allowing for an additional 200 pounds of glass eels to be harvested for development in domestic aquaculture facilities. This amount is in addition to Maine's glass eel quota.

The implementation date for Addendum V is January 1, 2019. For more information, please contact Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at krootes-murdy@asmfc.org or 703.842.0740.

Summer Flounder, Scup, Black Sea Bass and Bluefish

At their joint meeting in August, the Commission and the Mid-Atlantic Fishery Management Council (Council) reviewed previously approved specifications for scup and established new specifications for black sea bass, bluefish, and summer flounder fisheries. The Commission also approved Draft Addendum XXXI for public comment and agreed to provide the states the opportunity to open their black sea bass recreational fisheries in February 2019.

Catch and landings limits for the summer flounder, scup, black sea bass, and bluefish fisheries were established for 2019 only. The Commission's actions are final and apply to state waters (0 – 3 miles from shore). The Council will forward its recommendations for federal waters (3 – 200 miles from shore) to NOAA Fisheries' Greater Atlantic Regional Fisheries Administrator for final approval. The table below summarizes commercial quotas and recreational harvest limits (RHL) for summer flounder, scup, black sea bass, and bluefish (2018 values are provided for comparison purposes).

Summer Flounder

For summer flounder, the Commission and Council received a data update, including catch, landings, and survey indices through 2017, and stock projections for 2019. Taking into consideration the data update and model-projected increases in spawning stock biomass, the Commission and Council approved, on an interim basis, a commercial quota of 7.72 million pounds (16% increase from 2018) and RHL of 5.15 million pounds for 2019 (16% increase from 2018). Both the commercial quota and RHL may be changed in early 2019 pending the results of the upcoming benchmark stock assessment.

Scup

For scup, the Commission and Council received a data update, including catch, landings, and survey indices through 2017. The update indicates biomass continues to be high, and the 2015 year class appears to be above average. In response, the Commission and Council maintained the previously implemented multi-year specifications set in August 2017. For 2018 and 2019, the commercial quota is 23.98 million pounds and the RHL is 7.37 million pounds. The Commission and Council also adjusted the incidental possession limit for the commercial fishery to 2,000 pounds during April 15 – June 15 (see table on next page).

The adjustment was considered based on a proposal submitted by Massachusetts and Rhode Island to address discards of scup in the inshore spring longfin squid

Species	Year	Commercial Quota (millions of pounds)	Commercial Minimum Fish Size (TL)	Commercial Diamond Mesh Size	Recreational Harvest Limit (millions of pounds)
Summer Flounder	2018	6.63	14"	5.5"	4.42
	2019	7.72	14"	5.5"	5.15
Scup	2018	23.98	9"	5"	7.37
	2019	23.98	9"	5"	7.37
Black Sea Bass	2018	3.52	11"	4.5"	3.66
	2019	3.14	11"	4.5"	3.27
Bluefish	2018	7.24	N/A; contact state for regulations		11.58
	2019	7.71	N/A; contact state for regulations		11.62

fishery. The incidental possession limit applies to vessels with commercial scup permits fishing with nets with diamond mesh smaller than 5 inches in diameter (there is no separate incidental permit for scup). Note that during the summer quota period (May 1 - September 30), a state possession limit for directed trips may supersede the incidental possession limit.

2018 and 2019 Scup Incidental Possession Limits for Permitted Vessels Fishing with Diamond Mesh Nets <5"

	Winter I				Summer					Winter II		
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
2018	1,000 pounds				200 pounds					1,000 pounds		
2019	1,000 pounds				2,000 pounds	200 pounds				1,000 pounds		

Black Sea Bass

For black sea bass, the Commission and Council received a data update, including catch, landings, and survey indices through 2017. The update indicates biomass continues to be high, and the 2015 year class appears to be above average. The Commission and Council established, on an interim basis, a 3.14 million pound commercial quota and a 3.27 million pound RHL for 2019. Both values are a slight increase from those recommended by the Monitoring Committee due to a change in the calculation of discards. Both the commercial quota and RHL may be changed in early 2019 pending the results of the upcoming operational stock assessment update.

Black Sea Bass Wave 1 Fishery and LOA Program

The Commission and Council considered opening a 2019 black sea bass recreational fishery in wave 1 (January-February). In 2017, the Commission and Council agreed to open a recreational fishery in February 2018, and to continue development of a letter of authorization (LOA) program for possible implementation in 2019. For 2019, the Commission and Council approved a February fishery with a management program similar to that used in 2018. The 2019 wave 1 fishery will be open from February 1-28 with a 15 fish possession limit and a 12.5 inch minimum size limit for states that choose to participate in the fishery. All participating states are required to adjust their 2019 recreational management measures to account for their wave 1 harvest. The Commission and Council suspended further development of a LOA program.

Bluefish

For bluefish, the Commission and Council received a data update, including catch, landings, and survey indices through 2017. The update indicates all survey indices except one showed a decrease from 2016 values. The Commission and Council approved a 7.71 million pound commercial quota and an 11.62 million pound RHL. The final 2019 harvest limits include a transfer of up to 4 million pounds from the recreational to the commercial sector, which generally reflects the distribution of recreational and commercial landings in 2017. The 2019 commercial quota and RHL are preliminary and will likely change following the release of 2018 final Marine Recreational Information Program harvest estimates. These estimates can impact how much is transferred from the recreational sector to the commercial sector. An operational assessment is scheduled for 2019.

For more information about summer flounder or scup, please contact Kirby Rootes-Murdy, Senior FMP Coordinator, at krootes-murdy@asmfc.org. For more information about black sea bass or bluefish, please contact Caitlin Starks, FMP Coordinator, at cstarks@asmfc.org.

Effects of Biomedical Bleeding on the Behavior and Physiology of Horseshoe Crab

Each year, approximately 550,000 horseshoe crabs (*Limulus polyphemus*) are captured and a portion of their blood withdrawn to make *Limulus* Amebocyte Lysate (LAL). LAL is a substance essential to ensuring the sterility of many medical products implanted or injected into humans each year. During the bleeding process, horseshoe crabs are transported to bleeding facilities, up to 30% of their blood is extracted, and then they are returned to the ocean.

Several published studies, along with other graduate theses and technical reports, have estimated how much mortality occurs during the collection and bleeding process. Methods vary among these studies, as well as among biomedical bleeding facilities; thus, values estimated in the studies are not necessarily reflective of the mortality rate for a given bleeding facility. The Commission's annual review of the fishery currently assumes a 15% mortality rate for all bled crabs, derived as an approximate midpoint of estimates from mortality studies. This rate is being further evaluated through a new benchmark stock assessment, scheduled for completion in 2019. A set of best management practices was developed in 2011 by members of the biomedical industry and has been used since then as a standard to minimize biomedical mortality (http://www.asmfc.org/uploads/file/biomedAdHocWGReport_Oct2011.pdf).

A more recent study funded by New Hampshire Sea Grant and conducted by researchers at the University of New Hampshire (UNH) and Plymouth State University has shown that bled animals also exhibit significant behavioral and physiological changes that may affect their survival and ability to spawn. While specific details of horseshoe crab handling and bleeding procedures are limited and vary among facilities, the animals appear to be exposed in some capacity to three primary stressors that may be responsible for the negative impacts of the bleeding process: warm temperatures and air exposure that occur primarily during transportation to and from the bleeding facilities, and the blood loss itself.

One of the goals of the UNH/Plymouth State research has been to determine the relative impacts of each of the stressors on the physiology and behavior of horseshoe crabs. The researchers collected crabs in the Great Bay Estuary, New Hampshire, exposed them to different combinations of air exposure, heat, and bleeding, and then measured changes in both their activity and blood hemocyanin levels. Hemocyanin is an important respiratory pigment, similar to our hemoglobin, with additional immunological and other functions. The study revealed:

X-ray image of two horseshoe crabs showing the difference in the distribution of blood between a bled crab (left) and an unbled crab (right). Image (c) Seth Doane, Southern Maine Community College

1. The full bleeding process has larger negative impacts than blood loss alone.
2. After bleeding, many animals are less active, their hemocyanin levels drop, and such effects last for weeks.
3. Mortality tends to occur in animals that have the lowest hemocyanin levels before they are bled.
4. There are large seasonal changes in hemocyanin levels, with low values in the spring and early summer, and higher values in the late summer and fall.

Thus, the study demonstrated additional sublethal impacts of the bleeding procedure which warranted further investigation of the overall effects on animals in the field.

To examine effects in the field, the research team fitted horseshoe crabs with acoustic tags that transmitted depth and acceleration data and released them back into their natural habitat. Animals that had been exposed to the full bleeding procedure, as well as a control group of crabs not bled, were tagged and released. Importantly, during the first few weeks of the mating season it appeared as if bled animals approached beaches to mate less often than controls, especially females. However, after that time, both groups of horseshoe crabs appeared to display similar daily and tidal rhythms of activity and seasonal migrations.

Study findings support continued implementation of several of the best practices established in 2011. These include practices that keep crabs from overheating and allow them to breathe, such as collecting at night, controlling temperature during transport, minimizing transport time, keeping crabs wet and covered throughout their time out of the ocean, and minimizing overall time out of the ocean. This work also supports the best practice that unhealthy individuals should be returned to the water immediately upon collection and not transported to the facility, as these crabs are more likely to die during the

continued, see SCIENCE HIGHLIGHT on page 15

ACCSP Well Represented at AFS Annual Meeting

ACCSP sent its largest ever contingent to the American Fisheries Society (AFS) Annual Meeting held in Atlantic City, NJ this past August, indicative both of the growing interest in fisheries data technology and ACCSP's strong reputation for innovation in the field. At talks held throughout the week, four ACCSP staff members discussed novel approaches used by ACCSP to improve fisheries data collection and management.

ACCSP Data Team Lead Julie Defilippi Simpson kicked off the fisheries data discussion with her symposium entitled *Data Management for Dissemination and Data Visualization*. The symposium brought together speakers from all over North America to discuss data management best practices and visualization techniques that can help fisheries data managers communicate complex data in engaging and accessible ways.

This symposium included three presentations from ACCSP staff. Recreational Data Coordinator Alex DiJohnson discussed the development and implementation of ACCSP's Assignment Tracking Application, a centralized and highly dynamic events calendar created to display and disseminate project information for the Access Point Angler Intercept Survey (APAIS). The application's real time scheduling updates, visual cues, tiered user privileges, and the consolidation of complex survey components have helped improve communication and coordination among survey field staff, supervisors, and ACCSP data coordinators. This improvement is reflected in state partner feedback.

Ms. Simpson's presentation centered on optimizing database structures to enhance database performance. She provided examples of how ACCSP uses views, indexes, and partitions to organize the approximately 72 million rows of landings data contained within its Data Warehouse. These structures enable faster queries of large datasets, maximizing utility and performance for the user. Senior Data Coordinator Joe Myers then explained how ACCSP uses Oracle Application Express to manage data accessibility in the Data Warehouse. The free tools provided by Oracle APEX allow ACCSP to streamline and simplify processes for user authentication, security, report generation, and data visualization. Mr. Myers demonstrated how ACCSP uses these tools in its Data Warehouse to provide different user groups with access to comprehensive commercial and recreational fisheries data on the Atlantic coast.

ACCSP staff also participated in the planning and execution of the Electronic Reporting to Improve Catch Monitoring in Recreational Fisheries symposium, a three-part symposium chaired by NOAA Fisheries' Brett Alger designed to explore new technologies for recreational catch reporting and the challenges to their implementation.

ACCSP Recreational Program Manager Geoff White gave two talks pertaining to for-hire logbooks. His first presentation, Atlantic For-Hire eLogbooks: Many Agencies, One Report, discussed collaborative efforts to adopt electronic reporting for federal for-hire fisheries in the Atlantic and Gulf of Mexico. Agencies are working together to develop an approach that will minimize redundant for-hire trip reporting by sharing data among authorized partners. ACCSP's SAFIS database provides the central component for supporting this multi-agency reporting infrastructure.

In Use of APAIS Intercepts to Validate For-Hire Logbooks: Opportunities to Estimate Both Effort and Catch, Mr. White discussed how for-hire logbooks—which may be prone to under-reporting and misreporting—could be validated by matching them to dockside intercepts. ACCSP worked with NOAA MRIP and the South Carolina Department of Natural Resources on a project to develop and evaluate methods for validating South Carolina for-hire logbook reports by matching them to dockside intercepts. Using a capture-recapture approach, the project demonstrated that APAIS intercepts are a viable option for validating charter logbooks, which would allow the data to be used in estimating both effort and catch.

In addition to participation in AFS symposia, ACCSP staff hosted a booth at the AFS tradeshow to exhibit several of its data technologies. Attendees were particularly interested in the Data Warehouse and ACCSP's partnership approach to data collection.

ACCSP would like to thank the American Fisheries Society and the Planning Committee for all of their hard work in putting together this year's meeting.

ACCSP
Good Data, Good Decisions

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.

Summer Flounder, Scup and Black Sea Bass

The Commission and Mid-Atlantic Fishery Management Council (Council) jointly approved for public comment alternatives included in the Council's Framework and Commission's Draft Addendum XXXI. Both documents propose options for conservation equivalency for black sea bass and summer flounder, and transit provisions for summer flounder, scup, and black sea bass for Block Island Sound. The Council's Framework also addresses the use of slot limits for all three species in federal waters. The transit provision options include two alternative transit areas that could apply to recreational fisheries only, or both commercial and recreational fisheries for all three species, depending on the alternatives selected. The transit areas could also apply to differences in state and federal seasons, minimum fish sizes, and/or possession limits, depending on the alternatives selected. The Commission will issue a press release on Draft Addendum XXXI's availability for public comment and scheduled public hearings once the hearings have been finalized.

Summer Flounder

The Commission and Council are soliciting public input on a draft amendment to address several potential changes to the management of the commercial summer flounder fishery, as well as modifications to the fishery management plan (FMP) goals and objectives for summer flounder. Ten public hearings were held between September 10 and September 27. Written comments will be accepted through October 12, 2018.

The specific issues under consideration in this amendment include:

1. Re-qualifying criteria for federal commercial moratorium permits to address latent effort in the fishery: The amendment includes options to reduce the number of eligible commercial federal moratorium permits by implementing re-qualifying criteria for existing permits.
2. Modifying commercial quota allocation: The amendment proposes several options for revising the current commercial allocation to the states, which has been in place since 1993 and is based on average landings from 1980-1989.
3. Adding commercial landings flexibility as a framework issue in the Council's FMP: This action does not consider implementing landings flexibility policies at this time but considers allowing the Council to implement landings flexibility through a future framework action instead of an amendment. The Commission's adaptive management process already allows for landings flexibility.
4. Revising the FMP objectives for summer flounder: This amendment proposes revisions to the current FMP objectives for summer flounder management to provide more meaningful and up-to-date guidance to managers.

Additional information about the amendment and the management alternatives being considered can be found on the Council's website at www.mafmc.org/actions/summer-flounder-amendment and on the Commission's website at http://www.asmfc.org/about-us/public-input.

Given the joint nature of this management effort and to streamline the public comment process, comments should be directed to Council contact information below. You may submit written comments by 11:59 PM, Eastern Time, on Friday, October 12, 2018. Written comments may be sent by any of the following methods:

1. ONLINE: www.mafmc.org/comments/summer-flounder-amendment
2. EMAIL: nmfs.flukeamendment@noaa.gov
3. MAIL OR FAX to:
   Chris Moore, Ph.D., Executive Director
   Mid-Atlantic Fishery Management Council
   North State Street, Suite 201
   Dover, DE 19901
   FAX: 302.674.5399

Please include "Summer Flounder Commercial Issues Amendment Comments" in the subject line if using email or on the outside of the envelope if submitting written comments by mail. All comments, regardless of submission method, will be compiled into a single document for review and consideration by both the Council and Commission. Please do not send separate comments to the Council and Commission.

Coastal Sharks

The Commission's Coastal Sharks Management Board is seeking public comment on Draft Addendum V to the Interstate Fishery Management Plan (FMP) for Atlantic Coastal Sharks for public comment. The Draft Addendum proposes options to allow the Board to streamline the process of state implementation of shark regulations so that complementary measures are seamlessly and concurrently implemented at the state and federal level whenever possible.

The FMP currently allows for commercial quotas, possession limits, and season dates to be set annually through Board approved specifications. All other changes to commercial or recreational management can only be accomplished through an addendum or emergency action. While addenda can be completed in a relatively short period of time, the timing of addenda and state implementation can result in inconsistencies between state and federal shark regulations, particularly when NOAA Fisheries adopts changes through interim emergency rules. The only option for the Board to respond quicker than an addendum is through an emergency action, which has a set of criteria that are rigorous and often not met, making it rarely used to enact regulatory changes. The Draft Addendum seeks to provide the Board more flexibility in responding to changes in the fishery for shark species managed under the FMP.

Fishermen and other interested groups are encouraged to provide input on Draft Addendum V. The Draft Addendum is available at http://www.asmfc.org/files/PublicInput/CoastalSharksDraftAddendumV_PublicComment_Aug2018.pdf and can also be

continued, see PROPOSED MANAGEMENT ACTIONS on page 16

ANNUAL MEETING PRELIMINARY AGENDA continued from page 7

9:15 – 11:00 a.m. **Interstate Fisheries Management Program Policy Board**

- Update from the Executive Committee
- Progress Update on Risk and Uncertainty Workgroup
- Review Recommendations of the October 2019 Atlantic Large Whale Take Reduction Team Meeting and Possible Impact to Commission Species
- Review and Consider Approval of the Stock Assessment Schedule
- Update on the Northeast Area Monitoring and Assessment Program
- Standing Committee Reports
  - Atlantic Coastal Fish Habitat Partnership
  - Law Enforcement Committee
- Consider Noncompliance Recommendations (If Necessary)

11:00 – 11:15 a.m. **Business Session**

- Review Noncompliance Findings (If Necessary)

11:30 a.m. – 1:00 p.m. **South Atlantic State/Federal Fisheries Management Board**

- Review Public Comment Summary for Cobia Draft Amendment 1 Public Information Document
- Provide Guidance to the Cobia Plan Development Team on Options for Inclusion in Draft Amendment 1
- Consider Approval of 2018 Fishery Management Plan Reviews and State Compliance Reports for Black Drum, Spotted Seatrout, and Spanish Mackerel

In Memoriam

Dr. Lance Lee Stewart, 75, esteemed marine biologist and professor at the University of Connecticut (UConn) whose extensive scientific research into the ecology of the New England lobster population from the mid 1960s to present day, died on Wednesday, August 29, 2018, at Yale-New Haven Hospital.

Dr. Stewart was born March 25, 1943 to Alanson E. Stewart Jr. and Alice D. Stewart of Coventry. He grew up in the countryside of Coventry and was an avid hunter and fisherman. Dr. Stewart attended Manchester High School where he excelled in the swimming and wrestling programs. In 1965, he graduated from Tufts University where he received his bachelor's degree in biochemistry. In 1966, Dr. Stewart started the Marine Science Program for UConn in Noank with a focus on lobster studies, earning his master's degree and Ph.D. in marine zoology. He has been an integral part of marine sciences for more than 50 years.

Dr. Stewart was appointed to the Commission as Connecticut's Governor Appointee in 1995. He was one of the founding members of the Habitat Committee and served on several northern species boards, as well as ACCSP's Biological Review Panel Committee. He established the Sea Grant Marine Advisory Service at UConn in 1974 and served as its director from 1979 to 1985. In 1985, he was instrumental in establishing NOAA's National Undersea Research Center at UConn, Avery Point, and served as science director for the program until 1994.

His teaching expertise included marine ecology, aquaculture, environmental pollutant impacts, fisheries management, and underwater diving technology and photography. Dr. Stewart was a member of the World Aquaculture Society, the Marine Technology Society, Southern New England Fishermen's Association, Connecticut Commercial Fishermen's Association, Connecticut Aquacultural Trade Association, and was a founding member of the Connecticut Seafood Council. Dr. Stewart served as an associate extension professor for the UConn, College of Agriculture and Natural Resources, Avery Point Campus prior to retiring from that position.

Dr. Stewart is survived by his sons, Brent Alcott Stewart and Lance Scott Stewart; and grandsons, Lance and Shad Stewart; his sister, Joan Leydon and husband, Tom, and their son and daughters. He was respected in his field and adored by those that knew him. Family, friends and colleagues enjoyed the benefit of sharing his experiences and adventures. He will be missed by many.

SPECIES PROFILE continued from page 5

Photo (c) Dr. Rob Robinson, British Trust for Ornithology

Horseshoe crabs are currently undergoing a benchmark stock assessment. The report and peer review are expected to be available in spring 2019.

Atlantic Coastal Management

Horseshoe crabs are managed under the Interstate Fishery Management Plan for Horseshoe Crab (1998) and its subsequent addenda (Addenda I-VII). Under Addendum I (2000), the Commission established state-by-state quotas in all Atlantic states for horseshoe crabs harvested for bait. Addendum II (2001) allows voluntary transfers of harvest quotas between states to alleviate concerns over potential bait shortages on a biologically responsible basis, with Commission approval. Addendum III (2004) reduced harvest quotas, implemented seasonal bait harvest closures, and revised monitoring components. In response to decreasing migratory shorebird populations, Addendum IV (2006) reduced quotas in New Jersey and Delaware and added additional protection in Maryland and Virginia to increase horseshoe crab and egg abundance in and around Delaware Bay. Addenda V and VI extended Addendum IV's measures through 2012.

2013 marked the first year the Horseshoe Crab Management Board used the Adaptive Resource Management (ARM) framework to set horseshoe crab harvest levels for the Delaware Bay area. The ARM Framework, established through Addendum VII (2012), incorporates both shorebird and horseshoe crab abundance levels to set optimized harvest levels for horseshoe crabs of Delaware Bay origin.

For the 2016, 2017, and 2018 fishing seasons, harvest in the Delaware Bay area has been limited to 500,000 male horseshoe crabs and zero female horseshoe crabs. This total harvest is allocated among the four states that harvest horseshoe crabs from the Delaware Bay crab population (New Jersey, Delaware, Maryland, and Virginia). The allocation is based upon multiple decision options, including the proportion of horseshoe crabs harvested that originate from Delaware Bay and the allowance for additional male harvest by Virginia and Maryland to compensate for protecting females when the ARM harvest output includes a moratorium on female crabs. Since 2008, New Jersey has had a moratorium on horseshoe crab harvest despite its allocation of the Delaware Bay origin horseshoe crab quota.

In October 2017, the Board approved terms of reference, including tasks specific to the horseshoe crab stock assessment, such as assessments of regional populations of horseshoe crabs, incorporation and evaluation of estimated mortality attributed to biomedical use of horseshoe crabs for LAL production, and comparisons of assessment results with results from the ARM Framework. This assessment is expected to be presented to the Board in spring 2019. For more information, please contact Mike Schmidtke, Fishery Management Plan Coordinator, at mschmidtke@asmfc.org.

Comings & Goings

COMMISSION STAFF

CHRIS JACOBS

In August, Chris Jacobs joined the Commission staff as Facilities and Technology Administrator. In that capacity, Chris is responsible for assisting Ed Martino, our IT Manager and Programmer, in the monitoring and maintenance of IT infrastructure, from computers and printers, to meeting equipment and servers. Chris also assists Laura Leach, Director of Finance and Administration, in the upkeep of the Commission's office space. Chris comes to us with 14 years of experience in retail management and an educational background in network administration. An avid gardener, aquascaper and craftsman, Chris is happiest working outdoors and with his hands. Welcome aboard, Chris!

Employee of the Quarter: Jayran Farzanegan

Each quarter, the Commission honors an individual who has made notable contributions to the Commission's mission, vision, programs and activities. For this quarter (July - September) Jayran Farzanegan, the Commission's Accounting Manager, was named the Employee of the Quarter for her enthusiastic and untiring pursuit of the values recognized by this award (teamwork, initiative, responsibility, quality of work, positive attitude and results).

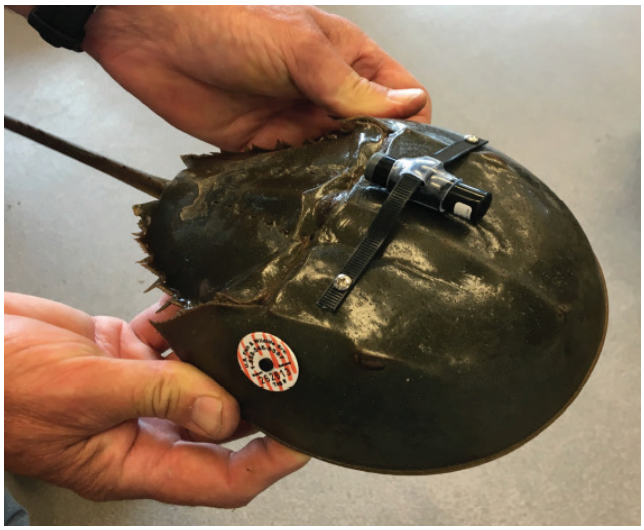
Since joining the Commission staff in November 2014, Jayran has made tremendous strides in transitioning from the profit to non-profit world. The learning curve was steep, but Jayran's perseverance and tenacity have made her a valued and trusted staff member. As Accounting Manager, Jayran is responsible for the general ledger, payroll and annual audit preparation, and assists in grants management. In everything she does, Jayran is conscientious, hardworking, detail-oriented, and strives for excellence. She shows great initiative, often anticipating needs and acting without direction. She is also a great team player, working closely with coworkers in areas where responsibilities overlap and is always willing to pitch in for any task, big or small.

As Employee of the Quarter, Jayran received a cash award and a letter of appreciation to be placed in her personal record. In addition, her name is on the Employee of the Quarter plaque displayed in the Commission's lobby. Congratulations, Jayran!

SCIENCE HIGHLIGHT continued from page 10

bleeding process. Implementation of these and other best practices is maintained through periodic audits of all stages of the biomedical process.

The researchers also believe that two additional best practices could be considered to further reduce mortality in the collection and bleeding process. First, refrain from collecting animals when they are most compromised in terms of health: before and during their spawning season. Second, provide crabs with a food supplement after being bled, prior to releasing them back into their natural habitat, as other UNH/Plymouth State lab findings indicate a faster recovery to normal levels of hemocyanin, and perhaps amebocytes as well. The recommendations, if adopted, should lead to reduced mortality of bled horseshoe crabs. This, in turn, will support the long-term health and sustainability of the horseshoe crab resource for all who depend on it – from migratory shorebirds and commercial fishermen, to patients who benefit from LAL-based medical products.



Horseshoe crab fitted with an acoustic transmitter that transmits acceleration and depth data ~ every 3-5 minutes. These transmissions are detected and logged with VR2 receivers that are moored throughout the Great Bay Estuary. As a result, it is possible to keep track of each animals position, activity and depth for almost a year. Photo (c) Seth Doane, Southern Maine Community College; Steve Jury, Saint Joseph's College; and Meghan Owings, UNH

The Commission would like to thank the following individuals for their contributions to this article. Readers should contact them for more information on the new horseshoe crab study.

Win Watson, Professor, University of New Hampshire, win@unh.edu
Chris Chabot, Professor, Plymouth State University, chrisc@plymouth.edu
Meghan Owings, MS, University of New Hampshire, mwowings1@gmail.com

PROPOSED MANAGEMENT MEASURES continued from page 12

accessed on the Commission website (www.asmfc.org) under Public Input. Public comment will be accepted until 5:00 PM (EST) on October 1, 2018 and should be forwarded to Kirby Rootes-Murdy, Senior Fishery Management Plan Coordinator, at 1050 N. Highland Street, Suite 200A-N, Arlington, VA, 22201; 703.842.0741 (fax); or comments@asmfc.org (Subject line: Draft Addendum V).

Cobia

Draft Amendment 1 was initiated in anticipation of removal of Atlantic cobia from the South Atlantic and Gulf of Mexico Fishery Management Councils' Fishery Management Plan for Coastal Migratory Pelagic Resources (CMP FMP). Both Councils approved removal of Atlantic cobia from the CMP FMP earlier this year, and this action is now pending review by the Secretary of Commerce. If approved by the Secretary of Commerce, there would no longer be a federal management plan for Atlantic cobia, and the Commission would become the sole management body for this stock. This would necessitate amending several portions of the current interstate FMP that are dependent on the CMP FMP and also provide the opportunity for the Board to construct a long-term strategy for managing in the absence of a federal FMP.

The PID is the first step of the Commission's amendment process, and the intent of the PID is to elicit input from stakeholders and those interested in Atlantic cobia about changes observed in the fishery/resource and potential management measures that should be considered for inclusion in Draft Amendment 1. Additionally, the PID seeks input on three main issues: recommended management for federal waters, a harvest specification process, and biological monitoring requirements.

The PID is available at http://www.asmfc.org/files/PublicInput/CobiaDraftAmd1PID_PublicComment.pdf or via the Commission's website, www.asmfc.org, under Public Input. Fishermen and other interested groups are encouraged to provide input on the PID either by attending state public hearings or providing written comment. Public comment will be accepted until 5 PM (EST) on October 4, 2018 and should be forwarded to Dr. Michael Schmidtke, Fishery Management Plan Coordinator, 1050 N. Highland St, Suite A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at comments@asmfc.org (Subject line: Cobia PID).

Photo (c) Aaron Game

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
STEPHEN W. MURPHEY
Director

Nov. 1, 2018

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Holly White, Division of Marine Fisheries and Wildlife Resources Commission American Shad Working Group Lead

SUBJECT: American Shad Sustainable Fishery Plan Update

Issue
This memo provides the annual update to the American Shad Sustainable Fishery Plan submitted to the Atlantic States Marine Fisheries Commission and sets out the 2019 management measures.

Findings

- None of the sustainability parameters exceeded any of their thresholds, except for the Tar-Pamlico female American shad catch-per-unit-effort for 2018.
- No management changes are required under the plan unless the trigger has been exceeded for three consecutive years.
- The American Shad Working Group agreed to maintain the 2018 American Shad measures for the 2019 season in all systems listed below:

Albemarle Sound/Roanoke • Recreational: 10 fish shad aggregate, 1 A. shad limit • Commercial: March 3 – March 24	**Tar-Pamlico** • Recreational: 10 fish shad aggregate • Commercial: February 15 – April 14
Neuse • Rec: 10 fish shad aggregate, 1 A. shad limit • Commercial: February 15 – April 14	**Cape Fear** • Recreational: 10 fish shad aggregate, 5 A. shad limit • Commercial: February 20 – April 11

Action Needed
For informational purposes only, **no action is required**.

Overview
In October 2017 the Atlantic States Marine Fisheries Commission (ASMFC) approved the North Carolina American Shad Sustainable Fishery Management Plan (SFP) for 2018-2022, which 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** will now be 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 next five-year management period.

The plan is evaluated by the ASMFC every five years. The sustainability parameters are updated each fall with the most recent data and the upcoming year's management measures for each system are determined. The N.C. American Shad Work Group, which consists of biologists from the Division of Marine Fisheries and Wildlife Resources Commission, conducts the annual updates, determines the seasons for each system and conducts the five-year evaluations of the plan.

The work group met on Sept. 27, 2018 to conduct the annual evaluation of the sustainability parameters for all systems and set the 2019 management measures for each system.

- For the Albemarle Sound/Roanoke River, none of the sustainability parameters exceeded the threshold in 2018 (Figures 1-3). It is critical to note that although the commercial seasons for American shad in 2014, 2015, 2016, 2017 and 2018 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 28,793 pounds in 2018 (Figure 4).

- For the Tar-Pamlico River, one of the sustainability parameters did exceed the threshold, female American shad catch-per-unit-effort index, but did not trigger management (Figures 5-6). Management is only triggered if the sustainability parameter exceeds the threshold for three consecutive years. Commercial landings for Tar-Pamlico River have declined since the plan's implementation in 2013 (Figure 7). For the Neuse River, none of the sustainability parameters exceeded the threshold in 2018 (Figures 8-9), and commercial landings have declined since 2013 (Figure 10).

- For the Cape Fear River, none of the sustainability parameters exceeded the threshold in 2018 (Figures 11-12), and commercial landings have remained stable, close to 15,000 pounds, since 2016 (Figure 13).

Even though the working group recommended continuing with the same commercial seasons, forecasting 2019 landings are uncertain due to several factors. Annual American shad harvest is highly variable due to environmental conditions during the spring, amount of harvest effort such as gill net trips, gear restrictions, area closures, and the 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 Tar-Pamlico female American shad catch-per-unit-effort (which did not trigger further management), the work group agreed to maintain the 2018 American shad measures for the 2019 season in all systems.

***Definitions**

Fishery Independent – Data derived from activities such as research and surveys conducted by Division/WRC staff that does not involve the commercial or recreational harvest of fish.

Relative *F* – Relative fishing mortality, ratio of commercial catch divided by a fishery independent survey index.

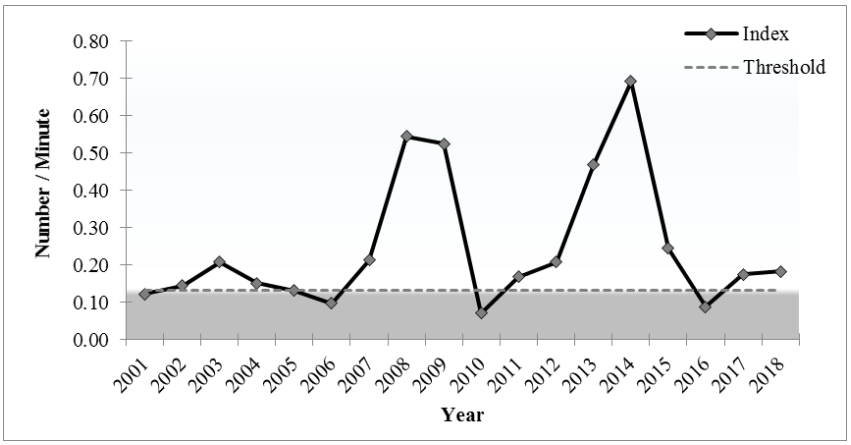


Figure 1. Female American Shad catch-per-unit-effort index of abundance from the electrofishing survey, 2000-2018, **Roanoke River, NC**. The threshold represents the 25th percentile (where 75 percent of all values are higher). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2018 index value did not exceed the threshold.*

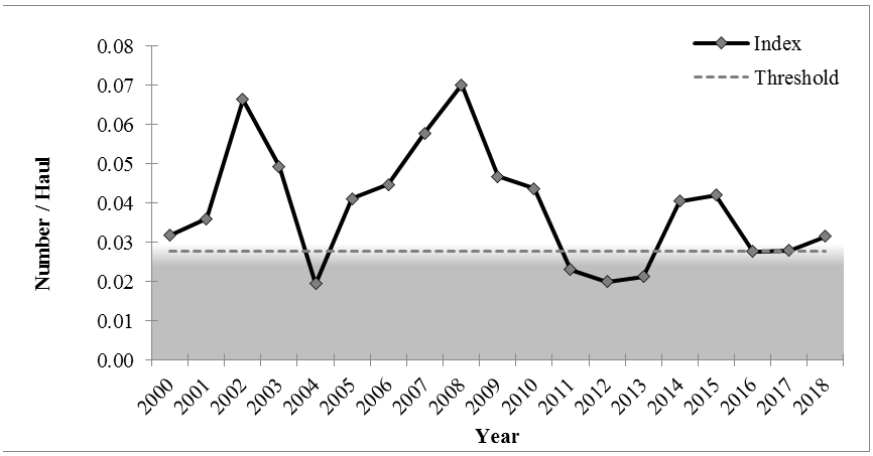


Figure 2. Female American shad catch-per-unit-effort index of abundance from the independent gill net survey for 2000–2018, **Albemarle Sound, NC** (January-May). The threshold represents the 25th percentile (where 75 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2018 index value is nearly equal to the 2017 threshold.*

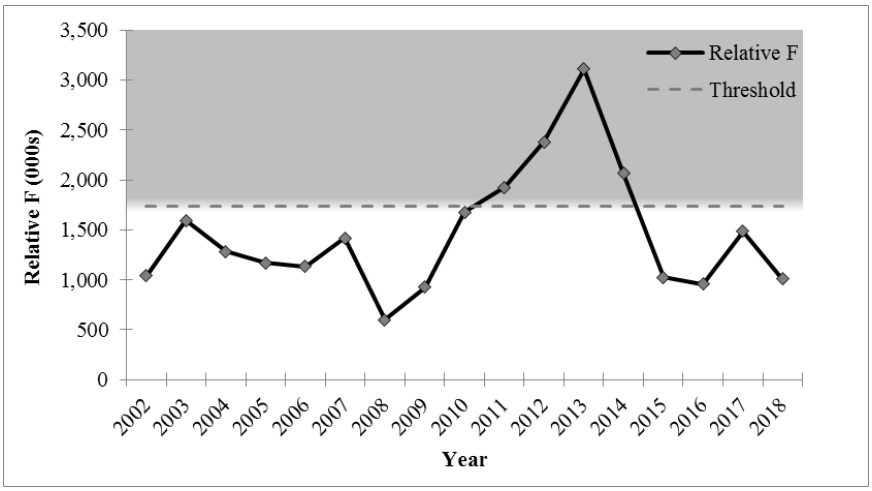


Figure 3. Estimates of American shad female relative *F* based on female CPUE from the independent gill net survey for 2002-2018, **Albemarle Sound, NC**. The threshold represents the 75th percentile (where 25 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2018 index value did not exceed the threshold.*

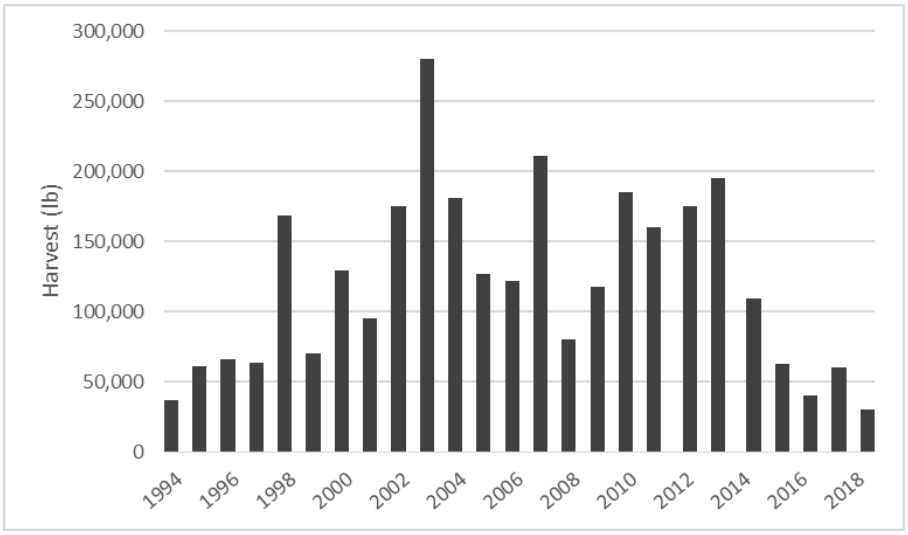


Figure 4. American shad commercial landings for 1994-2018, **Albemarle Sound, NC**.

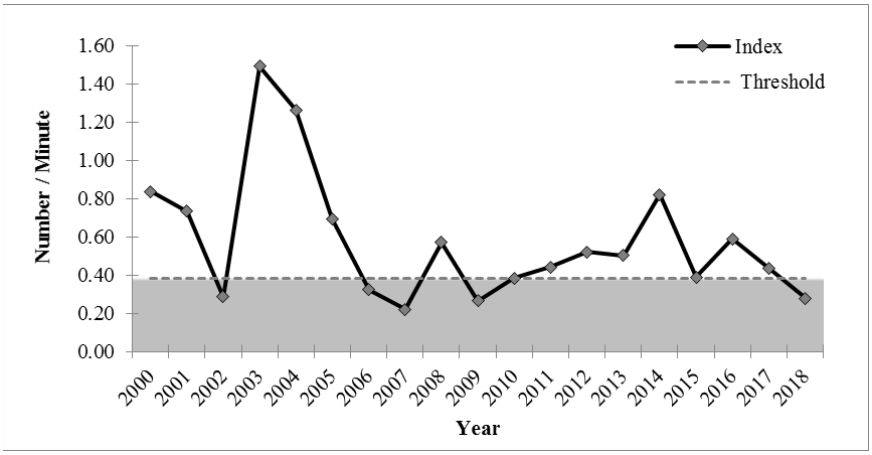


Figure 5. Female American Shad catch-per-unit-effort index of abundance from the electrofishing survey, 2000-2018, **Tar-Pamlico River, NC**. The threshold represents the 25th percentile (where 75 percent of all values are higher). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2018 index value did exceed the threshold.*

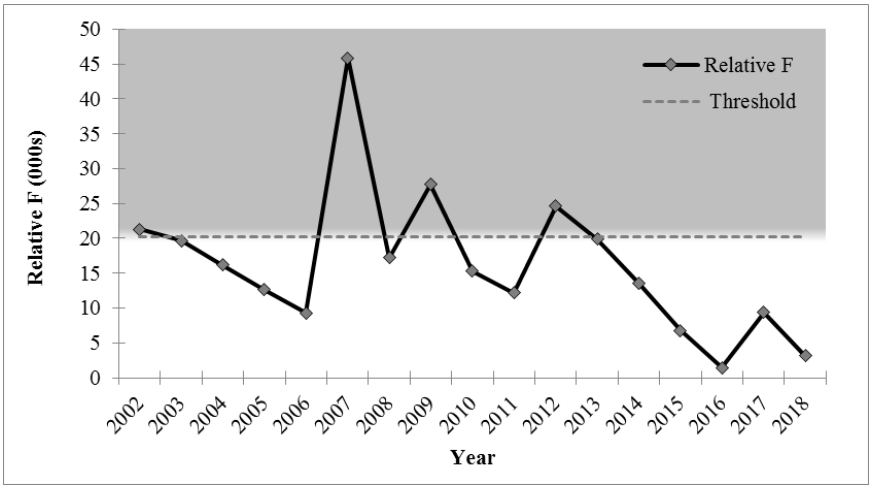


Figure 6. Estimates of American shad female relative *F* based on female CPUE from the independent gill net survey for 2002-2018, **Tar-Pamlico River, NC**. The threshold represents the 75th percentile (where 25 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2018 index value did not exceed the threshold.*

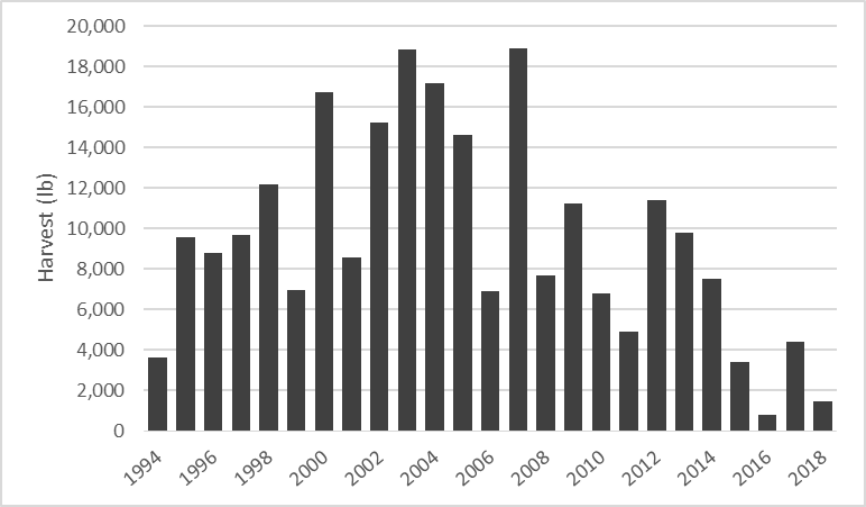


Figure 7. American shad commercial landings for 1994-2018, **Tar-Pamlico River, NC**.

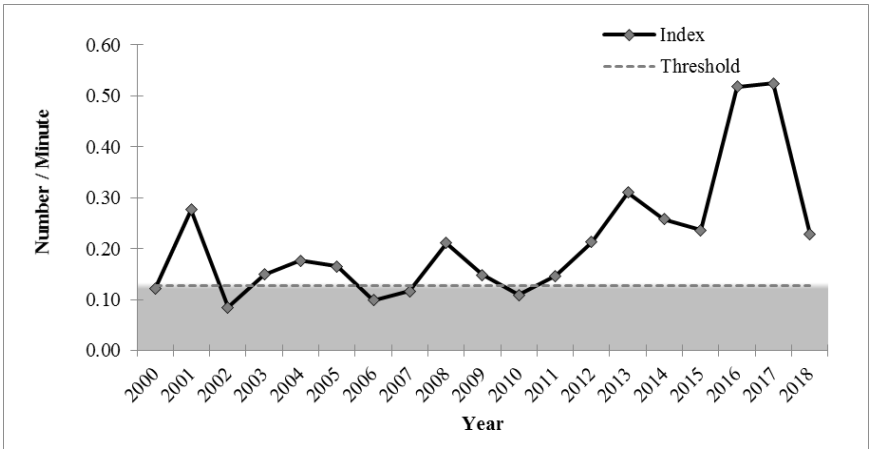


Figure 8. Female American Shad catch-per-unit-effort index of abundance from the electrofishing survey, 2000-2018, **Neuse River, NC**. The threshold represents the 25th percentile (where 75 percent of all values are higher). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2018 index value did not exceed the threshold.*

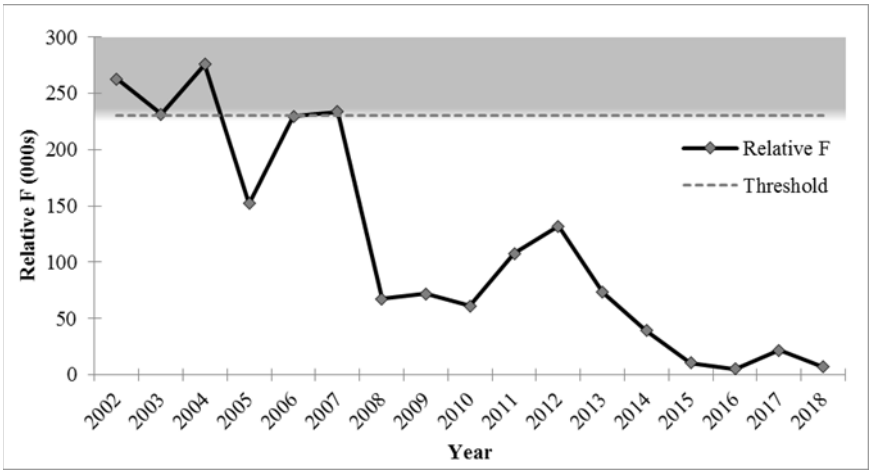


Figure 9. Estimates of American shad female relative *F* based on female CPUE from the independent gill net survey for 2002-2018, **Neuse River, NC**. The threshold represents the 75th percentile (where 25 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2018 index value did not exceed the threshold.*

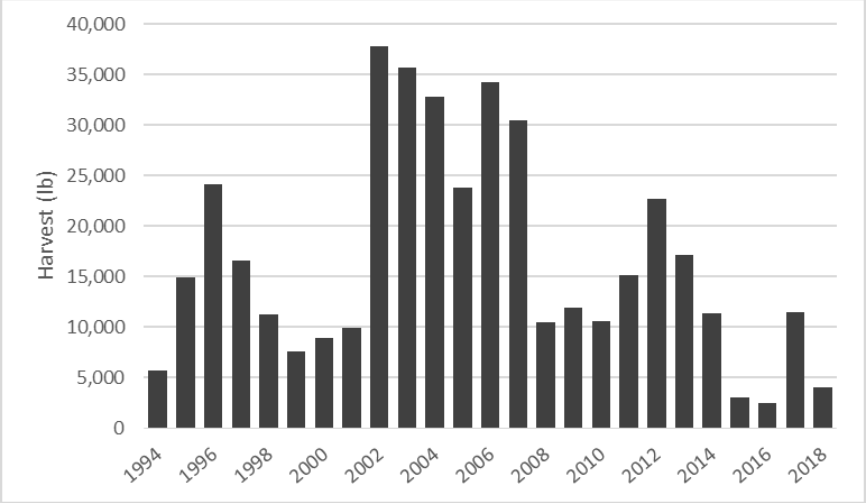


Figure 10. American shad commercial landings for 1994-2018, **Neuse River, NC**.

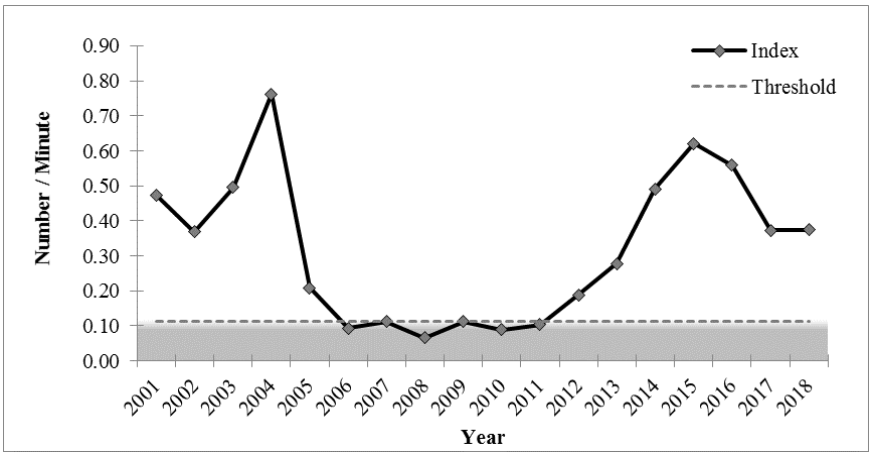


Figure 11. Female American Shad catch-per-unit-effort index of abundance from the electrofishing survey, 2001-2018, **Cape Fear River, NC**. The threshold represents the 25th percentile (where 75 percent of all values are higher). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2018 index value did not exceed the threshold.*

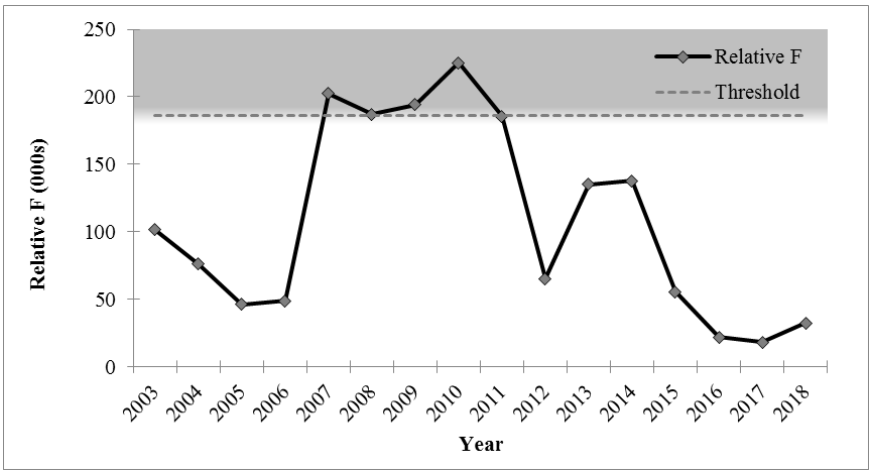


Figure 12. Estimates of American shad female relative *F* based on female CPUE from the independent gill net survey for 2003-2018, **Cape Fear River, NC**. The threshold represents the 75th percentile (where 25 percent of all values are greater). The grey portion of the graph indicates the area where the threshold has been exceeded. *The 2018 index value did not exceed the threshold.*

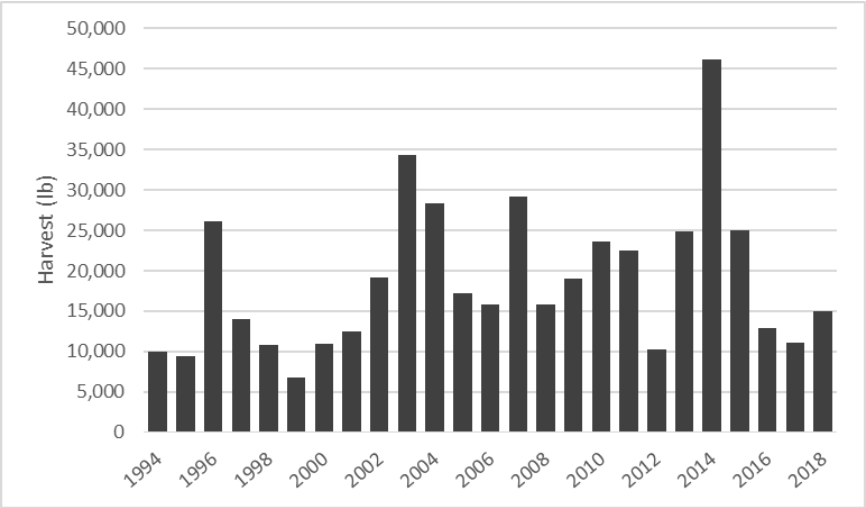


Figure 13. American shad commercial landings for 1994-2018, **Cape Fear River, NC**.

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
STEPHEN W. MURPHEY
Director

Nov. 1, 2018

MEMORANDUM

TO: Marine Fisheries Commission

FROM: Chris Batsavage, Special Assistant for Councils

SUBJECT: Mid-Atlantic Fishery Management Council Meeting Summary-Aug 13-16, 2018

Issue
This memo is to inform the Marine Fisheries Commission of the issues discussed and actions taken by the Mid-Atlantic Fishery Management Council at its August 2018 meeting.

Findings
- The memo highlights management actions of particular interest to the Marine Fisheries Commission.
- Additional information about the meeting can be found in the Mid-Atlantic Fishery Management Council meeting report in the briefing book.

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

Overview
The Mid-Atlantic Fishery Management Council met on Aug. 13-16, 2018 in Virginia Beach, VA. The council met jointly with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass and Bluefish Management Boards to discuss several topics related to management of summer flounder, scup, black sea bass, and bluefish. Highlights of the management actions taken by the council are discussed below.

Summer Flounder, Scup, Black Sea Bass, and Bluefish Specifications
The council and the commission's Summer Flounder, Scup, and Black Sea Bass Board and the commission's Bluefish Board reviewed previously implemented 2019 specifications (quotas and regulations) for scup, and considered setting 2019 specifications for summer flounder, black sea bass, and bluefish.

Summer Flounder: The council and boards recommended, on an interim basis, a 2019 commercial summer flounder quota of 7.72 million pounds and a recreational harvest limit of 5.15 million pounds—both increases from 2018. North Carolina's 2019 commercial quota will be approximately 2.12 million pounds. However, both the commercial quota and recreational

State of North Carolina | Division of Marine Fisheries
3441 Arendell Street | P.O. Box 769 | Morehead City, North Carolina 28557
252-726-7021

harvest limit may be changed in early 2019 pending the results of the upcoming benchmark stock assessment.

Black Sea Bass: The council and boards established, on an interim basis, a 3.14 million-pound commercial quota and a 3.27 million-pound recreational harvest limit for black sea bass north of Cape Hatteras in 2019. Both values are a slight increase from those recommended by the Monitoring Committee due to a change in the calculation of discards. North Carolina's 2019 commercial quota will be approximately 345,000 pounds. However, both the commercial quota and recreational harvest limit may be changed in 2019 pending the results of the upcoming operational stock assessment update.

Bluefish: The council and boards approved a 7.71 million-pound commercial quota and an 11.62 million-pound recreational harvest limit for bluefish in 2019. The final 2019 harvest limits include a transfer of up to 4 million pounds from the recreational to the commercial sector. The fishery management plan allows for unused recreational bluefish harvest limit to be transferred to the commercial fishery. The full amount of quota that could be transferred to the commercial fishery would have far exceeded the recent commercial landings and would have resulted in a larger commercial allocation than the recreational allocation. The fishery management plan allocates 83 percent of the quota to the recreational fishery and 17 percent to the commercial fishery. The 2019 commercial quota and recreational harvest limit are preliminary and will likely change following release of 2018 final recreational harvest estimates. These estimates can impact how much is transferred from the recreational sector to the commercial sector. An operational stock assessment is scheduled for 2019.

Scup: The council and boards recommended no changes to the 2019 scup specifications. The commercial quota for scup in 2019 will be 23.98 million pounds and the recreational harvest limit will be 7.37 million pounds. However, the council and commission adjusted the incidental possession limit for the commercial fishery to 2,000 pounds from April 15 to June 15 to address discards of scup in the inshore spring longfin squid fishery. This applies to vessels with commercial scup permits that are using trawl gear with a tail bag mesh size less than 5 inches stretched mesh.

Bluefish Allocation Amendment

The council and boards reviewed public scoping comments on the Bluefish Allocation Amendment, discussed next steps, and agreed on a number of issues that should be considered in the amendment. There was some concern that the recent release of revised recreational catch and effort estimates from the Marine Recreational Information Program could have significant implications for the status and management of the bluefish fishery—commercial and recreational allocations, in particular. The council and commission debated whether to stop the development of the amendment until the new recreational harvest estimates and stock assessment are available but ultimately agreed to continue developing the amendment. However, the public hearing document would not be finalized and public hearings would not occur until the operational stock assessment is available.

River Herring and Shad Catch Cap

The council set new river herring and shad caps for the Atlantic mackerel fishery that increase commensurate to the increase in Atlantic mackerel quotas for 2019, 2020 and 2021. The river

herring and shad caps will increase from 82 metric tons to 129 metric tons in 2019, 152 metric tons in 2020 and 159 metric tons in 2021. To ensure fishermen avoid river herring and shad while fishing for Atlantic mackerel, the cap is initially set at 89 metric tons while Atlantic mackerel landings are below 10,000 metric tons. The cap will only increase if the fishery lands greater than 10,000 metric tons of Atlantic mackerel before the 89-metric ton cap is reached.

Upcoming Meeting

The next regularly scheduled meeting of the Mid-Atlantic Fishery Management Council will be Oct. 1-4, 2018 at Congress Hall in Cape May, NJ.

August 2018 Council Meeting Summary

August 13-16, 2018

Virginia Beach, VA

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's August 2018 meeting in Virginia Beach, VA. Presentations, briefing materials, and webinar recordings are available on the Council website at www.mafmc.org/briefing/august-2018.

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

The Atlantic States Marine Fisheries Commission (Commission) and the Mid-Atlantic Fishery Management Council (Council) reviewed previously approved specifications for scup and established specifications for black sea bass, bluefish, and summer flounder fisheries. Catch and landings limits for the summer flounder, scup, black sea bass, and bluefish fisheries were established for 2019 only. The Commission's actions are final and apply to state waters (0-3 miles from shore). 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. The table below summarizes commercial quotas and recreational harvest limits (RHL) for summer flounder, scup, black sea bass, and bluefish (2018 values are provided for comparison purposes).

Species	Year	Commercial Quota (millions of pounds)	Commercial Minimum Fish Size (TL)	Commercial Diamond Mesh Size	Recreational Harvest Limit (millions of pounds)
Summer Flounder	2018	6.63	14"	5.5"	4.42
	2019	7.72	14"	5.5"	5.15
Scup	2018	23.98	9"	5"	7.37
	2019	23.98	9"	5"	7.37
Black Sea Bass	2018	3.52	11"	4.5"	3.66
	2019	3.14	11"	4.5"	3.27
Bluefish	2018	7.24	Varies by state		11.58
	2019	7.71	Varies by state		11.62

Black Sea Bass 2019 Specifications

For black sea bass, the Council and Commission received a data update, including catch, landings, and survey indices through 2017. The update indicates biomass continues to be high, and the 2015 year class appears to be above average. The Council and Commission established, on an interim basis, a 3.14 million pound commercial quota and a 3.27 million pound RHL for 2019. Both values are a slight increase from those recommended by the Monitoring Committee due to a change in the calculation of discards. Both the commercial quota and RHL may be changed in early 2019 pending the results of the upcoming operational stock assessment update.

Summer Flounder 2019 Specifications

For summer flounder, the Council and Commission received a data update, including catch, landings, and survey indices through 2017, and stock projections for 2019. Taking into consideration the data update and model-projected increases in spawning stock biomass, the Council and Commission approved, on an interim basis, a commercial quota of 7.72 million pounds (16% increase from 2018) and RHL of 5.15 million pounds for 2019

(16% increase from 2018). Both the commercial quota and RHL may be changed in early 2019 pending the results of the upcoming benchmark stock assessment.

Scup 2019 Specifications

For scup, the Council and Commission received a data update, including catch, landings, and survey indices through 2017. The update indicates biomass continues to be high, and the 2015 year class appears to be above average. In response, the Council and Commission maintained the previously implemented multi-year specifications set in August 2017. For 2018 and 2019, the commercial quota is 23.98 million pounds and the RHL is 7.37 million pounds. The Council and Commission also adjusted the incidental possession limit for the commercial fishery to 2,000 pounds during April 15 – June 15 (see table below). The adjustment was considered based on a proposal submitted by Massachusetts and Rhode Island to address discards of scup in the inshore spring longfin squid fishery. The incidental possession limit applies to vessels with commercial scup permits fishing with nets with diamond mesh smaller than 5 inches in diameter (there is no separate incidental permit for scup).

2018 and 2019 Scup Incidental Possession Limits for Permitted Vessels Fishing with Diamond Mesh Nets <5"

<table>
<tr><td></td><td colspan="4">Winter I</td><td colspan="5">Summer</td><td colspan="3">Winter II</td></tr>
<tr><td></td><td>Jan</td><td>Feb</td><td>Mar</td><td>Apr</td><td>May</td><td>June</td><td>July</td><td>Aug</td><td>Sept</td><td>Oct</td><td>Nov</td><td>Dec</td></tr>
<tr><td>2018</td><td colspan="4">1,000 pounds</td><td colspan="5">200 pounds</td><td colspan="3">1,000 pounds</td></tr>
<tr><td>2019</td><td colspan="4">1,000 pounds</td><td colspan="2">2,000 pounds</td><td colspan="3">200 pounds</td><td colspan="3">1,000 pounds</td></tr>
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Bluefish 2019 Specifications

For bluefish, the Council and Commission received a data update, including catch, landings, and survey indices through 2017. The update indicates all survey indices except one showed a decrease from 2016 values. The Council and Commission approved a 7.71 million pound commercial quota and an 11.62 million pound RHL. The final 2019 harvest limits include a transfer of up to 4 million pounds from the recreational to the commercial sector, which generally reflects the distribution of recreational and commercial landings in 2017. The 2019 commercial quota and RHL are preliminary and will likely change following release of 2018 final Marine Recreational Information Program harvest estimates. These estimates can impact how much is transferred from the recreational sector to the commercial sector. An operational assessment is scheduled for 2019.

Summer Flounder, Scup, and Black Sea Bass Framework and Addendum on Conservation Equivalency, Block Island Sound Transit, and Slot Limits

The Council and Commission discussed a joint framework action and addendum (Draft Addendum XXXI), which includes alternatives for conservation equivalency for black sea bass and summer flounder, Block Island Sound transit provisions, and slot limits for all three species. Both groups reviewed and approved a range of alternatives, and the Commission approved Draft Addendum XXXI for public comment. Additional information is available at http://www.mafmc.org/actions/sfsbsb-recreational-management-fw.

Black Sea Bass Wave 1 Fishery and Letter of Authorization (LOA)

The Council and Commission voted to open the 2019 wave 1 recreational black sea bass fishery to all anglers through the regular specification process with the following management measures: a season of February 1 – 28, a 15 fish possession limit, a 12.5 inch minimum size, and a 100,000-pound allocation divided to the states based on historical wave 1 catch. These management measures are the same as were implemented for the 2018

wave 1 fishery. The Council and Commission also discussed developing a Letter of Authorization (LOA) program to open the wave 1 fishery in future years but ultimately decided not to move forward with this option.

Bluefish Allocation Amendment

The Council and Commission reviewed public scoping comments on the Bluefish Allocation Amendment, discussed next steps, and agreed on a number of issues that should be considered in the amendment. Some members of the Council and Commission expressed concern that the recent release of revised recreational catch and effort estimates from the Marine Recreational Information Program (MRIP) could have significant implications for the status and management of the bluefish fishery. The Council and Commission considered a proposal to halt amendment development until the completion of an assessment which incorporates these updated MRIP numbers (expected in the spring of 2019). Although Council and Commission members were generally in agreement that the amendment should incorporate the results of the operational assessment, some felt that postponing amendment development was unnecessary. After some debate, the Council and Commission decided to continue to work on the amendment but agreed they will not finalize the public hearing document or hold public hearings until after the results of the bluefish operational assessment are available in the spring of 2019. For additional information and updates on this amendment, please visit http://www.mafmc.org/actions/bluefish-allocation-amendment.

Atlantic Mackerel Framework and Specifications

The Council approved a Framework Adjustment to the Atlantic Mackerel, Squid, and Butterfish Fishery Management Plan projected to rebuild mackerel in five years (by 2023). The framework also includes Atlantic mackerel specifications for 2019-2021. After proactively reducing mackerel catch limits by 91% from 2010 to 2016, the Acceptable Biological Catches (ABCs) for the first three years of the rebuilding period would be 29,184 MT, 32,480 MT, and 33,747 MT, translating into an increase in the commercial quota from 9,177 MT in 2018 to 17,371 MT in 2019, with slightly higher quotas in 2020 and 2021. The Council anticipates that an updated stock assessment will be available in 2020 to evaluate early rebuilding progress.

The Council also approved a modified closure process that is expected to slow the mackerel fishery effectively as the quota is approached and minimize regulatory discards. In addition, the Council set new river herring and shad (RH/S) caps on the mackerel fishery that would reduce the acceptable RH/S encounter rate by 17%, from approximately 0.64% of all catch to 0.53% of all catch. Since the mackerel quotas are set to increase, the absolute value of the RH/S caps increase from 82 MT currently to 129 MT in 2019, 152 MT in 2020, and 159 MT in 2021. Given the mackerel fishery closed early at the current RH/S encounter rate in 2018, lowering the acceptable RH/S encounter rate even more will strongly incentivize RH/S avoidance. To ensure active avoidance when mackerel landings are low, the Council added a provision where the cap starts at 89 MT and only increases beyond 89 MT if the fishery can first land 10,000 MT of mackerel without hitting the initial 89 MT RH/S cap.

Illex Squid Control Date and 2018-2019 Quotas

Taking into consideration the high volume and fast pace of 2017 and 2018 *Illex* squid landings, as well as relatively high recent trawl survey indices, the Council requested NMFS consider an in-season adjustment in 2018 of up to 2,000 MT of additional *Illex* catch. Based on the same information, the Council has also asked its Scientific and Statistical Committee (SSC) to consider an increase to the *Illex* ABC for 2019 and 2020. In addition, the Council voted to reaffirm an *Illex* control date of August 2, 2013 and requested that staff begin development of an action to reconsider the permitting system for the *Illex* fishery.

Other Business

MRIP Presentation on New Estimates

Dave Van Voorhees and Kelly Denit (NMFS) gave a presentation on the new Marine Recreational Information Program (MRIP) Fishing Effort Survey (FES). The Council had an opportunity to review historical estimates from

the old survey method (the Coastal Household Telephone Survey) compared with estimates from the new Fishing Effort Survey. There was some discussion about the management implications of the new estimates. Additional information about the transition to the FES is available at: https://www.fisheries.noaa.gov/recreational-fishing-data/effort-survey-improvements.

Draft Amendment 11 to the 2006 Consolidated Atlantic HMS FMP for Management of Shortfin Mako Sharks

The Council received a presentation on Draft Amendment 11 to the 2006 Consolidated Atlantic Highly Migratory Species (HMS) FMP, which includes management measures to address overfishing of North Atlantic shortfin mako sharks. The most recent stock assessment for shortfin mako sharks found the stock to be overfished with overfishing occurring. NOAA Fisheries has already implemented management measures to address overfishing through an emergency rule effective March 2, 2018. Amendment 11 includes a range of management measures intended to address overfishing when the interim rule has expired. Following the presentation, the Council directed the HMS committee to draft a letter regarding the amendment's monitoring and rebuilding measures.

Responsible Offshore Development Alliance

The Council received a presentation from Annie Hawkins about the Responsible Offshore Development Alliance (RODA), a coalition of fishing industry associations and fishing companies with an interest in improving the compatibility of new offshore development with their businesses. RODA is working with NMFS and other partners to coordinate science and policy approaches to managing development of the Outer Continental Shelf (OCS) in a way that minimizes conflicts with existing traditional and historical fishing.

Swearing in of Reappointed Council Members

The Council swore in four reappointed members: Adam Nowalsky of New Jersey, Peter deFur of Virginia, Tony DiLernia of New York, and Sara Winslow of North Carolina. The Council also welcomed Joe Cimino, who will be serving as the designated state official from New Jersey.

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.

Next Council Meeting

Tuesday, October 2, 2018 – Thursday, October 4, 2018
Congress Hall
200 Congress Place
Cape May, NJ 08204 609-884-8421

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
STEPHEN W. MURPHEY
Director

Nov. 1, 2018

MEMORANDUM

TO: Marine Fisheries Commission

FROM: Chris Batsavage, Special Assistant for Councils

SUBJECT: Mid-Atlantic Fishery Management Council Meeting Summary-Oct. 1-4, 2018

Issue
This memo is to inform the Marine Fisheries Commission of the issues discussed and actions taken by the Mid-Atlantic Fishery Management Council at its October 2018 meeting.

Findings
- The memo highlights management actions of particular interest to the Marine Fisheries Commission.
- Additional information about the meeting can be found in the Mid-Atlantic Fishery Management Council meeting report in the briefing book.

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

Overview
The Mid-Atlantic Fishery Management Council met on Oct. 1-4, 2018 in Cape May, NJ. Highlights of the management actions taken by the council are discussed below.

Spiny Dogfish Specifications
The council reviewed results of the updated spiny dogfish stock assessment and input from the Scientific and Statistical Committee, the Spiny Dogfish Advisory Panel, the Spiny Dogfish Committee, and the Monitoring Committee regarding specifications (quotas and regulations) for the 2019-2021 fishing seasons. Based on the stock assessment results and the committees' input, the council approved commercial quotas of 20.5 million pounds in 2019, 23.2 million pounds in 2020, and 27.4 million pounds in 2021. The 2019 quota is 46 percent less than the current quota of 38.2 million pounds. Commercial landings during the 2017 fishing year were less than 20 million pounds, so the lower quotas are not expected to have much of an impact on the fishery. Landings have remained below the recent higher quotas due to limited market demand. Most of the spiny dogfish are exported to Europe and there are only a few facilities in New England that are capable of processing and exporting them. Efforts to develop domestic markets are currently underway.

The council recommended no change to the 6,000-pound trip limit in federal waters (3-200 miles offshore). However, the council's Spiny Dogfish Committee recommended that the council consider a future action that examines the federal waters trip limit, including no trip limit in federal waters. The Atlantic States Marine Fisheries Commission manages spiny dogfish in state waters (0-3 miles), and the states establish trip limits in their waters. No trip limit in federal waters would mean that fishermen would be limited to the trip limit in the state where they land their fish. The council will finalize their 2019 priorities at its December meeting.

Chub Mackerel Amendment

The council reviewed and approved the public hearing document to the Chub Mackerel Amendment for public review. This action considers adding chub mackerel as a stock in the fishery for the council's Atlantic Mackerel, Squids, and Butterfish Fishery Management Plan. Public hearings will likely occur in the late fall or early winter in the mid-Atlantic and southern New England.

Upcoming Meeting

The next regularly scheduled meeting of the Mid-Atlantic Fishery Management Council will be Dec. 10-13, 2018 at the Westin Annapolis in Annapolis, MD.

October 2018 Council Meeting Summary

October 1-4, 2018

Cape May, New Jersey

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's October 2018 meeting in Cape May, NJ. Presentations, briefing materials, and webinar recordings are available on the Council website at www.mafmc.org/briefing/october-2018.

Spiny Dogfish Specifications

The Council adopted the following specifications for the spiny dogfish fishery in 2019, 2020, and 2021:

	2019	2020	2021
	Million pounds		
Acceptable Biological Catch	28.5	31.1	35.4
Commercial Quota	20.5	23.2	27.4

These specifications are consistent with the advice from the Council's Scientific and Statistical Committee (SSC). Because the spiny dogfish fishery is managed jointly, the New England Fishery Management Council must also make recommendations for spiny dogfish specifications at its upcoming meeting in December. If approved by the National Marine Fisheries Service (NMFS), the new measures will go into effect around May 1, 2019.

The Council also considered a proposal to remove the federal trip limit for spiny dogfish. The Council agreed to include this in the list of "Possible Additions" in the 2019 Implementation Plan. However, no changes to the federal trip limit were recommended as part of 2019-2021 specifications.

Squids and Butterfish Specifications

The Council reviewed squid and butterfish specifications for 2019-2020 (previously established as part of multi-year specifications). For longfin squid and butterfish, the Council did not recommend any changes. For *Illex* squid, the Council voted to increase the Acceptable Biological Catch (ABC) to 26,000 metric tons (mt) for 2019 and 2020 after reviewing recommendations from its SSC. This is an increase of approximately 8% above the ABC originally approved by the Council. If approved by the NMFS, this revised ABC will result in a domestic annual harvest (DAH) of 24,824.8 mt after accounting for discards.

Illex Permit and MSB Goals and Objectives Amendment

The Council reviewed and approved a scoping document for the *Illex* Permit and Mackerel, Squid, Butterfish (MSB) Goals and Objectives Amendment. This amendment will consider modifications to the *Illex* permitting system to ensure optimal management and fishery operation, as well as revisions to the goals and objectives for the MSB Fishery Management Plan. A final scoping document and additional details about scoping hearings will be posted on the Council's website as they become available.

Industry-Funded Monitoring Amendment

NMFS provided the Council with the results of an electronic monitoring project and potential options for next steps related to industry funded monitoring (IFM). The Council had originally considered IFM due to observer coverage concerns in the mackerel fishery, but most mackerel catches will be subject to additional monitoring through a recent New-England Council IFM action for the Atlantic herring fishery. The Council thus decided to

monitor observer coverage of the mackerel fishery and may re-initiate an action to consider additional IFM observer coverage in the mackerel fishery at a later date.

Chub Mackerel

The Council reviewed a draft public hearing document for the Chub Mackerel Amendment, as well as advisory panel, staff, and FMAT recommendations for the document. The Council approved the public hearing document with a few revisions, most notably the removal of all alternatives related to framework actions. Removal of this section of alternatives means that no chub mackerel management measures could be implemented or modified through framework adjustments. Public hearings for this action will take place over the next few months. The public hearing schedule will be posted to the Council's website once it is available. The Council also discussed the SSC's ABC recommendation for chub mackerel and will adopt an ABC when they take final action on the amendment.

Ecosystem Approach to Fisheries Management Risk Assessment

The Council reviewed recommendations from the Ecosystem and Ocean Planning (EOP) Committee regarding the next steps to incorporate ecosystem considerations in the Council's management and science programs as established in the Council's Ecosystem Approach to Fisheries Management (EAFM) guidance document. In 2017, the Council completed the first step in this process and conducted a risk assessment to help identify and prioritize ecosystem interactions and risks. This risk assessment is intended to help the Council decide where to focus limited resources to address priority ecosystem considerations. The next steps will be to (1) define specific management questions to address the highest priority ecosystem factors and (2) build conceptual models to help ensure that key relationships throughout the system are accounted for. The Council supported the EOP Committee's recommendation to begin piloting the development of a summer flounder conceptual model that will consider key risk factors affecting summer flounder and its fisheries. This process will take place over the course of the next year and will involve several Council committees, advisory panels, scientists, and stakeholders. The Council also agreed to annually update the EAFM risk assessment document to include new information and data, new or improved analyses, and new or modified risk elements. Lastly, the Council reviewed comments submitted by the EOP Committee to NOAA Fisheries regarding the draft Northeast Regional Ecosystem-Based Fishery Management (EBFM) Implementation Plan.

Risk Policy Framework Update

Council staff and Dr. Doug Lipton (NOAA Fisheries) provided an update on current analyses and initiatives related to the Council's review of its risk policy and ABC control rules. In 2017, the Council initiated an Omnibus Risk Policy Framework to review and potentially revise the Council's risk policy and ABC control rule. In December 2017, the Council postponed further action on the framework until after the completion of additional analyses on the social and economic impacts of the different risk policy and control rule alternatives. Dr Lipton provided an overview of his current risk policy management strategy evaluation (MSE) research that will incorporate social and economic factors in the summer flounder fishery. The final results of Dr. Lipton's social and economic MSE will be presented to the Council in December 2018. In addition, as part of this review, an update was provided on the development of a decision document for the Council's SSC to use when defining the appropriate level of uncertainty to be applied to the Overfishing Limit (OFL). It is anticipated that the SSC will finalize the discussion document in early 2019 and present its recommendations to the Council in the spring of 2019.

Fisheries Dependent Data Initiative

Barry Clifford (NOAA Fisheries Greater Atlantic Regional Office) provided an annual update on the Fisheries Dependent Data Initiative (FDDI). The FDDI is intended to modernize fishery dependent data collection programs that will result in: (1) The development of a modernized data system capable of supporting current and future data collection needs; (2) automated integration of multiple fisheries dependent data sets that will result in a single comprehensive fisheries dependent data set; and (3) consolidation of industry reporting requirements

that will minimize the number of systems needed to fulfil reporting requirements while also eliminating redundancy wherever possible. Mr. Clifford provided an overview of work completed to date as well as future project plans, as well as information about changes to reporting requirements that are necessary to achieve the intended objectives.

David Gouveia (NOAA Fisheries Greater Atlantic Regional Office) gave a presentation regarding the possible expansion of the electronic vessel trip reporting (eVTR) requirements to all MAFMC-managed commercial fisheries. All commercial and for-hire vessels possessing GARFO issued permits are currently required to submit vessel trip reports (VTRs), with the exception of those vessels possessing lobster-only permits. Since March 2018, all vessels that hold Federal party or charter permits for species managed by the Mid-Atlantic Council have been required to submit these VTRs electronically for all trips carrying passengers for hire. The Council has expressed interest in expanding this requirement to commercial fisheries. The presentation included an overview of options for expanding mandatory eVTR use in commercial fisheries managed by the Council as well as some of the potential challenges and limitations.

South East Regional Office (SERO) Party/Charter Reporting Requirement

The South Atlantic Fishery Management Council (SAFMC) has approved a For-Hire Reporting Amendment which will require vessels with a Southeast federal charter vessel/headboat permit for Atlantic Coastal Migratory Pelagics, Atlantic dolphin and wahoo, or South Atlantic snapper-grouper species to report using electronic reporting (beginning in early 2019). Karla Gore (NMFS Southeast Regional Office) gave a presentation on the status of this action and how it could affect Mid-Atlantic for-hire fishermen. The current Mid-Atlantic eVTR applications should be able to be used to meet this new requirement without duplicate reporting, but there will be additional economic questions added to address the new Southeast permit requirements. eVTR applications will have to be configured based on your permit status. Additional information is available in the SAFMC's October 2018 meeting materials http://safmc.net/satl-federal-for-hire-electronic-reporting-outreach/.

HMS Permits and Law Enforcement Issues

Greg DiDomenico (Garden State Seafood Association) gave a presentation about law enforcement issues related to the harvest and sale of highly migratory species (HMS) by for-hire vessels. The Council has scheduled a workshop to further explore these issues and identify potential solutions. Additional information about this workshop is available at http://www.mafmc.org/workshop/law-enforcement-for-hire-workshop.

2020-2024 Strategic Plan

Dr. Michelle Duval presented a proposed approach and timeline for the development of the Council's next strategic plan. Members of the public will have opportunities to provide input for the next strategic plan through a survey available in late 2019. Updates on this process will be posted at www.mafmc.org/strategic-plan.

Next Council Meeting

Monday, December 10, 2018 – Thursday, December 13, 2018

Westin Annapolis

100 Westgate Circle, Annapolis, MD 21401

(410) 972-4300

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
STEPHEN W. MURPHEY
Director

Nov. 1, 2018

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Chris Batsavage, Special Assistant for Councils

SUBJECT: Input on Joint Mid-Atlantic Fishery Management Council and Atlantic States Marine Fisheries Commission Summer Flounder Commercial Issues Amendment

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Issue
The Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission will take final action on the Summer Flounder Commercial Issues Amendment in December 2018. Although the public comment period is over, the Marine Fisheries Commission expressed interest in providing the division input on preferred management measures at its November business meeting.

Findings
The fishery management plan amendment considers revisions to the goals and objectives and addresses the following issues:

- Federal permit requalification criteria
- Commercial allocations
- Landings flexibility framework provisions

More information can be found in the Summer Flounder Commercial Issues Amendment Public Hearing Document, included in the briefing book.

Action Needed
If the commission chooses, it can vote to provide input on these issues and communicate that input via a letter to the Mid-Atlantic Fishery Management Council and the Atlantic States Marine Fisheries Commission.

SUMMER FLOUNDER COMMERCIAL ISSUES AMENDMENT

PUBLIC HEARING DOCUMENT

AUGUST 2018

Prepared by the
Mid-Atlantic Fishery Management Council (MAFMC or Council)
and the
Atlantic States Marine Fisheries Commission (ASMFC or Commission)

1.0 CONTENTS

2.0 INSTRUCTIONS FOR PROVIDING PUBLIC COMMENTS

The Mid-Atlantic Fishery Management Council (MAFMC or Council) and the Atlantic States Marine Fisheries Commission (ASMFC or Commission) will collect public comments on the Summer Flounder Commercial Issues Amendment during 10 public hearings to be held in September 2018, and during a written public comment period extending until October 12, 2018. Written comments may be sent by any of the following methods:

1. **Online** at www.mafmc.org/comments/summer-flounder-amendment
2. **Email** to the following address: nmfs.flukeamendment@noaa.gov
3. **Mail or Fax** to:

   Chris Moore, Ph.D., Executive Director
   Mid-Atlantic Fishery Management Council
   North State Street, Suite 201
   Dover, DE 19901
   FAX: 302.674.5399

If sending comments through the mail, please write "Summer Flounder Amendment Comments" on the outside of the envelope. If sending comments through email or fax, please write "Summer Flounder Amendment Comments" in the subject line.

All comments, regardless of submission method, will be compiled for review and consideration by both the Council and Commission. **Please do not send separate comments to the Council and Commission or submit the same comments through multiple channels.**

Interested members of the public are encouraged to attend any of the following 10 public hearings and to provide oral or written comments at these hearings:

Date and Time	Location
Monday, September 10 7:00 PM	**Connecticut Department of Energy and Environmental Protection Marine Headquarters Boating Education Center** (Rear Building) 333 Ferry Road Old Lyme, CT 06371
Wednesday, September 12 6:00 PM	**North Carolina Division of Marine Fisheries, Washington Regional Office** 943 Washington Square Mall, US Highway 17 Washington, North Carolina 27889
Thursday, September 13 6:00 PM	**Delaware Dept. of Natural Resources & Environmental Control** DNREC Auditorium, Richards & Robbins Building 89 Kings Highway Dover, Delaware 19901

Date and Time	Location
Thursday, September 13 6:00 PM	**Virginia Marine Resources Commission** 2600 Washington Avenue, 4th Floor Newport News, Virginia 23607
Wednesday, September 19 5:30 PM	**Bourne Community Center, Room #2** 239 Main Street Buzzards Bay, Massachusetts 02532
Wednesday, September 19 6:00 PM	**University of Rhode Island Bay Campus, Corless Auditorium** South Ferry Road Narragansett, Rhode Island 02882
Monday, September 24 6:00 PM	**Ocean County Administrative Building** 101 Hooper Avenue Toms River, NJ 08753
Tuesday, September 25 6:00 PM	**Ocean Pines Library** 11107 Cathell Road, Berlin, MD 21811
Thursday, September 27 6:30 PM	**New York State Dept. of Environmental Conservation** School of Marine and Atmospheric Sciences (SOMAS), Room 120 Endeavor, Stony Brook University Stony Brook, NY 11794
Thursday, September 27 6:30 PM	**Internet Webinar** Registration URL: https://attendee.gotowebinar.com/register/5467929991483514883 Webinar ID: 658-611-667 Phone: 1-888-585-9008 Room Number: 853-657-937

For additional information and updates, please visit: http://www.mafmc.org/actions/summer-flounder-amendment. If you have any questions, please contact either:

Kirby Rootes-Murdy, Senior FMP Coordinator
Atlantic States Marine Fisheries Commission
krootes-murdy@asmfc.org
(703) 842-0740

Kiley Dancy, Fishery Management Specialist
Mid-Atlantic Fishery Management Council
kdancy@mafmc.org
(302) 526-5257

3.0 INTRODUCTION AND AMENDMENT PURPOSE

3.1 Amendment Purpose

Summer flounder is managed along with scup and black sea bass under joint Fishery Management Plans (FMPs) developed by the Council and Commission. This public hearing document describes potential modifications to the FMP that would impact the **commercial summer flounder fishery as well as the existing FMP objectives for summer flounder**.

This public hearing document is a condensed summary of the proposed actions and their expected impacts. A full description of the actions under consideration, the current status of the resources and communities that may be impacted, and the expected impacts of the proposed actions are described in a Draft Environmental Impact Statement (DEIS) and Commission Draft Amendment. The DEIS can be viewed at: http://mafmc.org/s/summer-flounder-commercial-DEIS.pdf, and the Commission Draft Amendment at: http://www.asmfc.org/about-us/public-input.

The purposes of this amendment are:

1. **Consider implementing requalifying criteria for federal commercial moratorium permits:** Federal permit qualification criteria have not changed since establishment in 1993. Some stakeholders believe lenient original qualifications criteria resulted in more permits than the fishery could profitably support in the long term. There is concern that the current number of federal permits is too high relative to recent stock size estimates and resulting quotas. Given restrictions and stock trends in other fisheries, there is concern that inactive permits may re-enter the summer flounder fishery, putting further economic strain on participating vessels. The purpose of the options in section 5.0 is to consider whether a reduction in the number of commercial moratorium permits for summer flounder is appropriate to more closely reflect current stock and fishery conditions, and if so, how qualifying criteria should be revised.

2. **Consider modifications to commercial quota allocation:** The current commercial allocation was last modified in 1993 and is perceived by many as outdated given its basis in 1980-1989 landings data. Summer flounder distribution, biomass, and fishing effort have changed since then, and some believe the initial allocations may not have been equitable or were based on flawed data; therefore, stakeholders requested evaluation of alternative allocation systems. The purpose of the options in section 6.0 is to consider whether modifications to the commercial quota allocation are appropriate, and if so, how the quota should be re-allocated.

3. **Consider adding commercial landings flexibility as a framework issue in the Council's FMP:** Landings flexibility policies would give commercial vessels greater freedom to land or possess summer flounder in the state(s) of their choice. Although such policies may be more effectively developed by state level agreements, the Council and Board are interested in having the option to pursue broader landings flexibility policies via framework action/addenda in the future if necessary. This action **does not** consider implementing landings flexibility policies at this time but **does** consider allowing a future landings flexibility action to be completed through a framework action to the Council's FMP instead of a full amendment. The Board can already implement these policies via an addendum to the Commission's FMP, and thus this alternative set is applicable only to the Council's FMP. The purpose of the options in section 7.0 is to consider adding landings flexibility policies to the list of management measures in the Council's FMP that could be implemented via framework action.

4. **<u>Revise the FMP objectives for summer flounder</u>**: Many managers and stakeholders believe that the current objectives have become outdated and could provide more meaningful guidance if updated. Although the revisions to FMP objectives are not proposed as an explicit alternative set in this amendment, they are provided in this document for public comment. These proposed revisions are described in section 4.0, and **would not become final until approved by the Council and Board** following the public comment period.

<u>Please note</u>: the Council and Board have not yet identified preferred alternatives for any of the issues in this amendment.

3.2 What Happens Next?

This document supports a series of public hearings and a public comment period scheduled to take place during August-October 2018. Following public hearings, written and oral comments will be compiled and provided to the Council and Board for review. These comments will be considered prior to taking final action on the amendment, which is tentatively scheduled for December 2018. The Council's recommendations are not final until they are approved or partially approved by the Secretary of Commerce through the National Marine Fisheries Service, so the timing of full implementation of this action will depend on the federal rulemaking timeline. This rulemaking process is expected to occur in 2019, with revised measures possibly effective at the start of the 2020 fishing year.

4.0 PROPOSED REVISIONS TO FMP OBJECTIVES

4.1 Current FMP Objectives

The current FMP objectives for summer flounder, adopted via Amendment 2 (1993), are:

1. Reduce fishing mortality in the summer flounder, scup and black sea bass fishery to assure that overfishing does not occur.
2. Reduce fishing mortality on immature summer flounder, scup and black sea bass to increase spawning stock biomass.
3. Improve the yield from these fisheries.
4. Promote compatible management regulations between state and federal jurisdictions.
5. Promote uniform and effective enforcement of regulations.
6. Minimize regulations to achieve the management objectives stated above.

4.2 Proposed Revisions to FMP Objectives

The Council and Board are considering revisions to the existing FMP objectives for summer flounder through this amendment. These changes would **not** apply to the objectives for scup and black sea bass. While the current FMP contains only management *objectives*, the proposed revisions contain both broader *goals* as well as objectives. *Goals* are broad, big picture, and aspirational, communicating high-level values and priorities for summer flounder management. *Objectives* are more specific and actionable, describing important steps toward accomplishing goals.

The proposed revisions are based on feedback from the Council and Board, as well as both bodies' Advisory Panels. Feedback on goals and objectives was also taken from the scoping process for this amendment and the Council's 2012 Visioning and Strategic Planning Project Stakeholder

Input Report. More information on how these revisions were developed can be found in section 4.2.2 of the DEIS.

Please note: While these revisions are not included as an explicit alternative within this amendment, the proposed revisions are not final until approved by the Council and Board. **The Council and Board are seeking feedback from the public on the proposed revisions during the public hearing process.**

The proposed revised goals and objectives are as follows:

Goal 1: Ensure the biological sustainability of the summer flounder resource in order to maintain a sustainable summer flounder fishery.

Objective 1.1: Prevent overfishing, and achieve and maintain sustainable spawning stock biomass levels that promote optimum yield in the fishery.

Goal 2: Support and enhance the development and implementation of effective management measures.

Objective 2.1: Maintain and enhance effective partnership and coordination among the Council, Commission, Federal partners, and member states.

Objective 2.2: Promote understanding, compliance, and the effective enforcement of regulations.

Objective 2.3: Promote monitoring, data collection, and the development of ecosystem-based science that support and enhance effective management of the summer flounder resource.

Goal 3: Optimize economic and social benefits from the utilization of the summer flounder resource, balancing the needs and priorities of different user groups to achieve the greatest overall benefit to the nation.

Objective 3.1: Provide reasonable access to the fishery throughout the management unit. Fishery allocations and other management measures should balance responsiveness to changing social, economic, and ecological conditions with historic and current importance to various user groups and communities.

5.0 FEDERAL MORATORIUM PERMIT REQUALIFICATION

5.1 Federal Moratorium Permit Requalification Alternatives

This action may revise the requalification criteria for federal summer flounder commercial moratorium permits. The permit requalification alternatives (sub-alternatives under alternative 1B) consider various combinations of landings thresholds and time periods over which those landings thresholds must have been achieved. Only current moratorium rights holders could requalify, and this action **would not allow new entrants to obtain a permit** based on the qualifying criteria. **This action does not consider permit qualification at the state level.**

5.1.1 Alternative 1A: No Action/*Status Quo*

Alternative 1A would make no changes to the current eligibility criteria for commercial moratorium permits for summer flounder. A moratorium permit is required to fish commercially for summer flounder in federal waters, and to sell any amount of summer flounder to a federally

permitted dealer. To be eligible, a vessel must have been issued a moratorium permit in the previous year or be replacing a vessel that was issued a moratorium permit after the owner retires the vessel from the fishery. Permit holders must renew their permit each year by the end of the fishing year for which the permit is required, unless a Confirmation of Permit History (CPH) has been issued.[1]

Summer flounder moratorium permits were established via Amendment 2 to the FMP (1993) and issued to the owner or operator of a vessel that landed and sold summer flounder in the management unit between January 26, 1985 and January 26, 1990, OR the vessel was under construction for, or was being re-rigged for, use in the directed fishery for summer flounder on January 26, 1990.

5.1.2 Alternative 1B: Requalifying Criteria for Federal Commercial Moratorium Permits

Alternative 1B would impose requalification criteria on current federal summer flounder moratorium permits. Permits not meeting the requalification criteria would be cancelled and could not be renewed. Permits in CPH could requalify if they meet the requalifying criteria. This alternative would **not** allow new entrants to qualify for a moratorium permit and has no impact on state level permits.

Alternative 1B has seven sub-alternatives with various combinations of qualification time periods and landings thresholds. Each of the sub-alternatives uses the revised control date for the commercial summer flounder fishery of August 1, 2014, which was published on that date by NMFS at the request of the Council (79 FR 44737). The establishment of the control date notified the public that the Council was considering future limitations on federal permits and was intended to help the Council and Board to identify latent effort in the fishery. All seven sub-alternatives below use requalifying time periods for summer flounder landings *prior to* August 1, 2014.

Eligibility for moratorium permits is tracked by NMFS using a unique moratorium right ID (MRI) number associated with a specific fishing right. This allows permit history tracking where permit history has been transferred in a vessel replacement and over time. Permit history can transfer between vessels through a vessel replacement, and the MRIs associated with those permits transfer as well, even though the vessel permit numbers remain the same for each vessel. For this reason, a single vessel permit number may be associated with multiple MRIs for summer flounder over time. **In this action, any requalification would be done on the basis of landings associated with the MRI, and not the vessel permit number**, since a single MRI could be associated with multiple vessels over time.

If the Council and Board select alternative 1B, **one of the sub-alternatives below in Table 1 would need to be selected**. These options are shown along with the number of MRIs that would be eliminated and retained under each option. The time periods listed below are inclusive of the start and end dates (e.g., option 1B-1 would include qualifying landings dated August 1, 2009 through July 31, 2014). The data used for re-qualification would consist of commercial summer flounder landings associated with each MRI as verified by NMFS through dealer records.

[1] A CPH may be issued when a vessel that has been issued a limited access permit has sunk, been destroyed, or has been sold to another person without its permit history. Possession of a CPH will allow the permit holder to maintain landings history of the permit without owning a vessel.

Table 1: Sub-alternatives under Alternative 1B, with comparison to Alternative 1A (*status quo*) and associated number of moratorium rights retained and eliminated. Landings thresholds refer to commercial landings of summer flounder associated with each MRI.

Comparison to *Status Quo*	**Time Period**	**Landings Threshold**	**# Current MRIs**	**% MRIs Requalifying**	**# MRIs Eliminated**	**% MRIs Eliminated**
Alternative 1A (No Action)	*January 26, 1985 - January 26, 1990 (5 yrs)*	*At least 1 pound in any year over this time period*	*941*	*100%*	*N/A*	*N/A*
Sub-alternative under 1B	**Time Period**	**Landings Threshold**	**# MRIs Requalifying**	**% MRIs Requalifying**	**# MRIs Eliminated**	**% MRIs Eliminated**
Alternative 1B-1	August 1, 2009-July 31, 2014 (5 yrs)	≥1,000 pounds cumulative over this time period	425	45%	516	55%
Alternative 1B-2	August 1, 2009-July 31, 2014 (5 yrs)	At least 1 pound in any year over this time period	493	52%	448	48%
Alternative 1B-3	August 1, 2004-July 31, 2014 (10 yrs)	≥1,000 pounds cumulative over this time period	552	59%	389	41%
Alternative 1B-4	August 1, 2004-July 31, 2014 (10 yrs)	At least 1 pound in any year over this time period	635	67%	306	33%
Alternative 1B-5	August 1, 1999-July 31, 2014 (15 yrs)	≥1,000 pounds cumulative over this time period	646	69%	295	31%
Alternative 1B-6	August 1, 1994-July 31, 2014 (20 yrs)	At least 1 pound in 20% of years in time period (i.e., in at least 4 years over this 20-year period)	670	71%	271	29%
Alternative 1B-7	August 1, 1994-July 31, 2014 (20 yrs)	≥1,000 pounds cumulative over this time period	708	75%	233	25%

5.2 Impacts of Federal Moratorium Permit Requalification Alternatives

This alternative set considers options to reduce the number of federal commercial permits available to be issued for summer flounder. Under all alternatives, overall annual landings will still be constrained by the annual commercial quotas, which should remain the primary driving factor for overall fishery effort in a given year. However, as described below, requalification of moratorium permits may result in a redistribution of effort among a different pool of vessels. Most eliminated MRIs under each sub-alternative under 1B are associated with little to no activity for summer flounder in recent years; therefore, the near-term impacts of reducing permit capacity under alternative 1B may be minimal, as described below.

Because this alternative set considers how fishery effort will be distributed among participants, the impacts of this alternative set are primarily socioeconomic, both on individual permit holders and more broadly on fishing communities, as described below. The sections below describe the general expected impacts of each proposed alternative for federal permit requalification. **Note that more in-depth analysis is provided in the DEIS in section 7.1.**

5.2.1 Impacts of Alternative 1A: No Action/*Status Quo*

The no action/*status quo* alternative 1A would have no near-term impacts in the sense that no changes would be made to the current pool of eligible vessels or permitting requirements. This alternative is associated with the highest number of summer flounder permits remaining eligible (940 MRIs currently exist for summer flounder, meaning 940 summer flounder moratorium permits are currently eligible to be issued). If conditions remain relatively similar to the past few years in terms of fishery participation and coastwide quota levels, the distribution of effort among vessels and along the coast is likely to remain similar to the current distribution.

If conditions change and inactive or low activity permits increase their landings of summer flounder (as the result of constraints in other fisheries, quota reallocation through this action, market factors, etc.), some permit holders, associated employees, and fishing communities may experience negative socioeconomic impacts as the result of limited quotas being further spread among many participants. This is especially true under relatively low quotas, as have been implemented for summer flounder in the past few years due to declining stock biomass. Depending on the degree of re-entry to the fishery, more restrictive management measures may be necessary for all vessels to ensure that quotas are not exceeded.

The degree to which inactive or low activity vessels may increase landings of summer flounder in the future is difficult to predict. Thus, the impacts of this alternative are highly uncertain and depend on a variety of broader management and economic factors.

Quota reallocation, described in section 6.0 of this document, may influence the degree of re-entry to the fishery and associated distributional impacts. Under a revised state-by-state allocation system, whether latent permitholders re-enter the fishery may be driven by how their state allocation and resulting measures change. Participants in some states that have been inactive in recent years may be incentivized to target summer flounder if their state's quota is increased. Under a scup model system (see section 6.1.4), the winter quota periods would have no state-level measures or quotas. Under this scenario, latent permits (especially those associated with vessels capable of fishing offshore in the winter) may re-enter the fishery if coastwide winter period measures are appealing enough compared to their particular state measures in recent years.

Slight positive economic impacts are possible for low activity or latent permitholders under alternative 1A, as they would retain the flexibility to target summer flounder in the future. The magnitude of these positive impacts would depend on the degree to which this flexibility was used, as well as the overall degree of re-entry to the fishery, as some benefits may be offset by the need for more restrictive management measures.

Overall, the impacts of alternative 1A are highly uncertain and depend on the likelihood of latent effort re-entering the fishery. This alternative could result in no changes to current conditions, or could result in overall negative socioeconomic impacts due to effort being spread among more participants.

5.2.2 Impacts of Alternative 1B: Requalifying Criteria for Federal Moratorium Permits

Alternative 1B would reduce the number of eligible federal summer flounder moratorium permits, to varying degrees depending on the sub-alternative selected. Under each sub-alternative for permit requalification, impacts will depend primarily on how many permits are eliminated and how active these permits have been in recent years.

The fishery will still be constrained by annual catch and landings limits, therefore, overall fishery effort in a given year will remain driven by these limits. Summer flounder is a high demand species and it is likely that utilization rates will remain high and annual quotas will continue to be reached every year. Therefore, a reduction in permit capacity is not likely to impact overall effort each year but will impact the pool of vessels participating in the fishery, and may impact the distribution of effort depending on how active eliminated permits have been or would be in the future.

Because overall fishery effort is not expected to be influenced by these alternatives, each should have negligible to minor impacts on the summer flounder stock, non-target species, habitat, or protected resources compared to their current condition. Summer flounder removals will continue to be limited by annual catch limits, which will have positive impacts on the stock as the annual catch limits are based on the best available science and are intended to prevent overfishing. A slight increase in summer flounder discards from non-requalifying vessels is possible if they are no longer permitted to land this species. However, the total catch will still be accounted for and constrained by the annual catch limit. In addition, most eliminated vessels do not currently appear to be landing much summer flounder, so effects on summer flounder discards would likely be minimal.

Impacts of sub-alternatives under 1B will be primarily socioeconomic impacts to individual permit holders and fishing communities. Impacts could include direct near-term economic impacts through elimination of current effort and opportunity, as well as indirect longer-term economic impacts resulting from reduced potential for latent effort to re-enter the fishery.

Direct near-term, and possibly long-term, negative economic impacts may occur to non-requalifying permit holders that have landed some summer flounder in recent years, and their associated communities. Near-term negative economic impacts would not be expected for permits that are completely inactive, as these businesses are not currently generating any revenue from summer flounder. For permit holders that requalify, near-term and long-term positive economic impacts are possible since overall effort may be spread among a smaller pool of vessels, possibly leading to higher revenues for some vessels.

The magnitude of both positive and negative economic impacts would depend on a) how many permits are eliminated and b) how active those eliminated permits have been in recent years (i.e., how much landings and revenue they have generated). The more summer flounder landings and revenues that are associated with each group of eliminated permits under each sub-alternative, the larger the distributional impacts will be. Impacts will also depend on what other species eliminated vessels are able to fish for and how dependent are they on summer flounder, with vessels that are more dependent on summer flounder experiencing more negative impacts.

Table 2 describes the number of eliminated MRIs under each sub-alternative along with their associated landings and revenues over the 5-year time period of August 1, 2009 through July 31, 2014.[2] Over this time period, all eliminated MRIs under these alternatives are associated with very little or no summer flounder landings in recent years (ranging from 0 to 131,302 total pounds for all eliminated permitholders over this time period, or 0% to 0.32% of coastwide landings).

Table 3 shows the same analysis over the fishing years 2013-2017. Over these years, eliminated MRIs under these alternatives are associated with slightly higher summer flounder landings and revenues, though they are still a relatively small portion of coastwide landings and revenues (ranging from 0.14% to 3.04% of landings and from 0.18% to 3.19% of revenues). This appears to indicate that there was a small influx of effort for summer flounder after the publication of the control date on August 1, 2014.

According to this analysis, even though a substantial portion of summer flounder permits may be eliminated under some alternatives (ranging from 25% to 55% of current MRIs), the overall portion of summer flounder landings and revenues that would be eliminated under any 1B sub-alternative is relatively low and is spread among a few hundred vessels. This indicates that the magnitude of overall impacts is likely to be low, although impacts may vary at the vessel level based on each vessel's recent activity. Near-term positive (for remaining permit holders) or negative economic impacts (for eliminated permit holders) are in general likely to be small or negligible, though some vessels eliminated from the fishery may experience moderate negative impacts if they have recently invested in this fishery or increased effort for summer flounder. Most vessels with eliminated permits would not see a substantial reduction in revenues given that most vessels are landing very small amounts of summer flounder on average and are very unlikely to be highly dependent on the summer flounder fishery. Remaining vessels are unlikely to see a substantial near-term economic benefit from reduced permit capacity in the fishery.

In addition to the near-term impacts of a reduced pool of participants, sub-alternatives under alternative 1B would also lead to reduced potential for future expansion of latent effort. As described above under alternative 1A, broader management or economic conditions could drive latent permit holders to re-enter the fishery for summer flounder (e.g., restrictions in other fisheries, quota reallocation, market conditions, etc.) if they are still permitted. The sub-alternatives under alternative 1B would prevent re-entry to a degree, and/or would reverse some of the re-entry that appears to have occurred since publication of the control date. The reduced potential for latent effort would have positive economic impacts on remaining vessels, and possibly on their communities depending on the community's characteristics, by reducing the likelihood of needing to spread quota between a larger number of vessels, and reducing uncertainty

[2] Although this period is the requalification time frame for only alternatives 1B-1 and 1B-2, it was used in evaluating all sub-alternatives in order to allow comparison between each option.

about whether measures would need to be restricted due to an influx of latent effort. Permit holders with eliminated summer flounder permits could experience negative economic impacts due to not having the opportunity to target summer flounder in the future. Some fishing communities may experience mixed impacts from these alternatives, depending on their associated permit holders and how many requalify.

It is worth noting that this alternative has no impact on state level permits. Re-entry of latent effort would still possible in state waters under this alternative (in some states, depending on current and future state-level restrictions), confounding the impacts of reductions in federal permit capacity.

Among the sub-alternatives considered, the magnitude of expected impacts at the vessel level is likely to vary slightly between each sub-alternative in the short-term based on the analysis of 2013-2017 landings and revenues shown in Table 3. As a percentage of overall coastwide landings and revenues, the highest magnitude of negative impacts (to eliminated permit holders) and positive impacts (to remaining permit holders) are likely to occur from alternative 1B-1 due to having the highest associated landings and revenues for summer flounder, followed in order by alternative 1B-2, 1B-3, 1B-4, 1B-6, 1B-5, and 1B-7 (Table 3). Again, these impacts are likely to be overall small, but would be expected to vary more at the individual vessel level.

Table 2: Comparison of impacts of sub-alternatives under Alternative 1B, in terms of associated number of moratorium rights eliminated, with associated landings and revenues between August 1, 2009 and July 31, 2014. Landings thresholds under each sub-alternative refer to commercial landings of summer flounder associated with each MRI.

Sub-alternative under 1B	Time Period	Landings Threshold	# MRIs Eliminated (%)	Combined landings (lb) from eliminated MRIs, 8/1/09-7/31/14	% of coastwide summer flounder landings, 8/1/09-7/31/14	Combined ex-vessel revenue 8/1/09-7/31/14	% of coastwide summer flounder revenue, 8/1/09-7/31/14
1B-1	8/1/09-7/31/14 (5 yrs)	≥1,000 pounds cumulative	516 (55%)	24,529	0.04%	$54,395	0.05%
1B-2	8/1/09-7/31/14 (5 yrs)	At least 1 pound in any year	448 (48%)	0	0.00%	$0	0.00%
1B-3	8/1/04-7/31/14 (10 yrs)	≥1,000 pounds cumulative	389 (41%)	5,713	0.01%	$10,980	0.01%
1B-4	8/1/04-7/31/14 (10 yrs)	At least 1 pound in any year	306 (33%)	0	0.00%	$0	0%
1B-5	8/1/99-7/31/14 (15 yrs)	≥1,000 pounds cumulative	295 (31%)	2,896	0.01%	$7,016	0.01%
1B-6	8/1/94-7/31/14 (20 yrs)	At least 1 pound in 20% of years (i.e., in at least 4 years over this 20-year period)	271 (29%)	181,302	0.32%	$326,034	0.28%
1B-7	8/1/94-7/31/14 (20 yrs)	≥1,000 pounds cumulative	233 (25%)	2,414	0.00%	$5,619	0.00%

Table 3: Comparison of impacts of sub-alternatives under Alternative 1B, in terms of associated number of moratorium rights eliminated, with associated landings and revenues between January 1, 2013 through December 31, 2017. Landings thresholds under each sub-alternative refer to commercial landings of summer flounder associated with each MRI.

Sub-alternative under 1B	Time Period	Landings Threshold	# MRIs Eliminated (%)	Combined landings (lb) from eliminated MRIs, 1/1/13-12/31/17	% of coastwide summer flounder landings, 1/1/13-12/31/17	Combined ex-vessel revenue 1/1/13-12/31/17	% of coastwide summer flounder revenue, 1/1/13-12/31/17
1B-1	8/1/09-7/31/14 (5 yrs)	≥1,000 pounds cumulative	516 (55%)	1,083,694	3.04%	$3,540,052	3.19%
1B-2	8/1/09-7/31/14 (5 yrs)	At least 1 pound in any year	448 (48%)	663,985	1.86%	$2,326,859	2.1%
1B-3	8/1/04-7/31/14 (10 yrs)	≥1,000 pounds cumulative	389 (41%)	503,356	1.41%	$1,613,440	1.46%
1B-4	8/1/04-7/31/14 (10 yrs)	At least 1 pound in any year	306 (33%)	334,151	0.94%	$1,117,053	1.01%
1B-5	8/1/99-7/31/14 (15 yrs)	≥1,000 pounds cumulative	295 (31%)	109,573	0.31%	$393,944	0.36%
1B-6	8/1/94-7/31/14 (20 yrs)	At least 1 pound in 20% of years (i.e., in at least 4 years over this 20-year period)	271 (29%)	290,894	0.81%	$946,917	0.85%
1B-7	8/1/94-7/31/14 (20 yrs)	≥1,000 pounds cumulative	233 (25%)	48,464	0.14%	$204,436	0.18%

Analysis of the number of MRIs eliminated (including permits in CPH) by state was also conducted for each sub-alternative (Table 4). The "home port" of a vessel as indicated by the owner on the official U.S. Coast Guard documentation was used to associate an approximate number of MRIs with each state, to describe general possible impacts by state. However, home port does not necessarily reveal where these vessels typically land, and some vessels are permitted to land in multiple states. A small number of permits that would be eliminated under alternative 1B identify their home port in states that are outside the management unit (i.e., Texas and Florida).

Among the states with effected permits, some states have more eliminated permits than others. Of particular note is that home ports in Massachusetts are associated with the largest number and proportion of eliminated permits (as well as the largest number of total moratorium permits). For Massachusetts, the percentage of their MRIs eliminated under each sub-alternative ranges from 38% to 77%. This indicates that there appear to be a lot of inactive federal permits that list their home port as in Massachusetts. In contrast, North Carolina, for example, retains most of their MRIs under each sub-alternative, with the percentage eliminated ranging from 6% to 20% (Table 4). Although some states appear to have a high proportion of permits eliminated under some sub-alternatives, it is important to remember that the previously described analysis of recent effort is still applicable, i.e., eliminated permits are associated with little or no summer flounder landings in recent years. Thus, despite having a high number or proportion of eliminated permits on paper for some states, the actual socioeconomic impact on those states is not expected to be substantial.

Table 4: Number of MRIs requalifying (REQ.) and eliminated (ELIM.) under each 1B sub-alternative by state of home port. C= Confidential.

	1B-1		1B-2		1B-3		1B-4		1B-5		1B-6		1B-7	
Home port state	**REQ.**	**ELIM.**	**REQ.**	**ELIM.**	**REQ.**	**ELIM.**	**REQ.**	**ELIM.**	**REQ.**	**ELIM.**	**REQ.**	**ELIM.**	**REQ.**	**ELIM.**
ME	3	39	3	39	9	33	14	28	19	23	22	20	23	19
NH	C	14	C	13	C	13	6	C	4	11	6	C	5	10
MA	83	276	106	253	142	217	180	179	187	172	203	156	223	136
RI	76	12	76	12	81	C	83	5	83	C	81	7	83	C
CT	15	C	17	7	16	8	18	6	17	C	14	10	19	C
NY	55	35	62	28	62	28	66	24	67	23	69	21	68	22
NJ	94	74	117	51	122	46	142	26	139	29	141	27	146	22
PA	C	C	3	C	C	C	C	C	C	C	C	C	C	C
DE	0	C	0	C	0	C	0	C	0	C	0	C	0	C
MD	C	C	C	C	4	C	5	0	4	C	4	C	4	C
VA	23	32	30	25	33	22	38	C	41	14	45	10	48	C
NC	69	17	72	14	78	8	79	7	81	5	80	6	84	C
FL	0	C	0	C	0	C	0	C	0	C	C	C	C	C
TX	C	0	C	0	C	0	C	0	C	0	C	0	C	0

6.0 COMMERCIAL QUOTA ALLOCATION

6.1 Commercial Quota Allocation Alternatives

This section describes options for modifying the current state-by-state allocation of the summer flounder commercial quota. Allocation changes through any of the alternatives in this action would be considered a one-time indefinite change. However, **the Council and Board intend to review any selected allocation in not more than 10 years from implementation of this action, to determine whether additional modifications may be warranted**. Following this planned review, the Council and Board may or may not initiate a future action to further revise commercial allocations in this fishery.

6.1.1 Alternative 2A: No Action/*Status Quo*

Alternative 2A would make no changes to the current state allocation percentages, which are based on commercial landings by state from 1980-1989 (Table 5). Each state sets measures to achieve, but not exceed, their annual state-specific quotas. These allocations are included in both the Council and the Commission FMPs. When a state's quota has been landed in a given year, commercially targeting and/or landing summer flounder is prohibited in that state's waters. Any quota overages by a state during the year are subtracted (in pounds) from that state's quota the following year. Example quota distributions are described in section 6.2.1.

State-by-state allocations were first implemented via Amendment 2 (1993)[3], and slightly modified through Amendment 4 (1993).[4] Amendment 5 (1993) allowed two or more states, with the consent of NMFS, to transfer or combine their summer flounder commercial quota in a given year if desired.

Table 5: Alternative 2A: No Action/*Status Quo;* current allocations based on 1980-1989 landings. Quota percentages are taken out to five decimal places in the FMPs and federal regulations.

State	Allocation (%)
ME	0.04756
NH	0.00046
MA	6.82046
RI	15.68298
CT	2.25708
NY	7.64699
NJ	16.72499
DE	0.01779
MD	2.03910
VA	21.31676
NC	27.44584
Total	100

[3] Estimated landings by state and year for 1980-1989 in Amendment 2 can be found in Table 2 (pounds) and Table 72 (percentage) of the Amendment 2 document, available at: http://www.mafmc.org/s/SFSCBSB_Amend_2.pdf.
[4] Revised 1980-1989 landings by state and year, and the resulting quota shares from Amendment 4 can be found in Table 1 of that document, at: http://www.mafmc.org/s/SFSCBSB_Amend_4.pdf.

6.1.2 Alternative 2B: Adjust State Quotas Based on Recent Biomass Distribution

Alternative 2B would adjust the current state-by-state quota allocations based on a regional shift in exploitable biomass derived from Northeast Fisheries Science Center (NEFSC) trawl survey data. This would create a basis for state allocations that combines both *status quo* allocations (based solely on landings history) and distribution of biomass (which was not used in development of the current allocations).

A 2017 NEFSC analysis calculated an approximate shift in the percentage of exploitable biomass in a Northern vs. Southern region within the management unit, compared across the two ten-year time periods of **1980-1989 and 2007-2016**.[5] Similar to the approach taken in the black sea bass benchmark stock assessment, survey strata were grouped into two regions divided approximately at Hudson Canyon: a Northern region with waters approximately off the states of New York and north, and a Southern region with waters approximately off the states of New Jersey and south. Calculations were based on NEFSC spring and fall trawl survey catches. There are near-coastal and state waters surveys that also characterize the distribution and biomass of summer flounder. However, the NEFSC surveys are the only datasets with enough coverage in space and time to describe changes in geographic distribution of the stock over time. Survey catch for summer flounder below 14 inches was removed to derive an index of commercial exploitable biomass (i.e., to identify biomass retainable by the commercial fishery). A more detailed description of the analysis methods, including details of the survey strata divisions, can be found in the DEIS (section 5.2.2 and Appendix B).

Northern and Southern indices were weighted by the area surveyed to provide seasonal total indices to express the regional percentage of the total exploitable biomass for each season and period. The seasonal (spring and fall) exploitable biomass was then summed for each region to calculate total relative biomass for each region and period. For relative exploitable biomass averaged over each period, **the Northern region percentage increased from 67% on average during 1980-1989 to 80% on average during 2007-2016 (Figure 1).**[6]

[5] These time periods were chosen to reflect the period used as the basis for current allocations (1980-1989) and the most recent complete ten-year period at the time of the analysis.

[6] This analysis was also conducted using numbers per tow from the surveys instead of weight per tow. In terms of relative exploitable numbers of fish, the relative abundance in the North increased from 60% of the total on average from 1980-1989 to 75% of the total from 2007-2016. This analysis was not used as the basis for the allocation change, as using changes in weight is more appropriate for an allocation based in pounds.

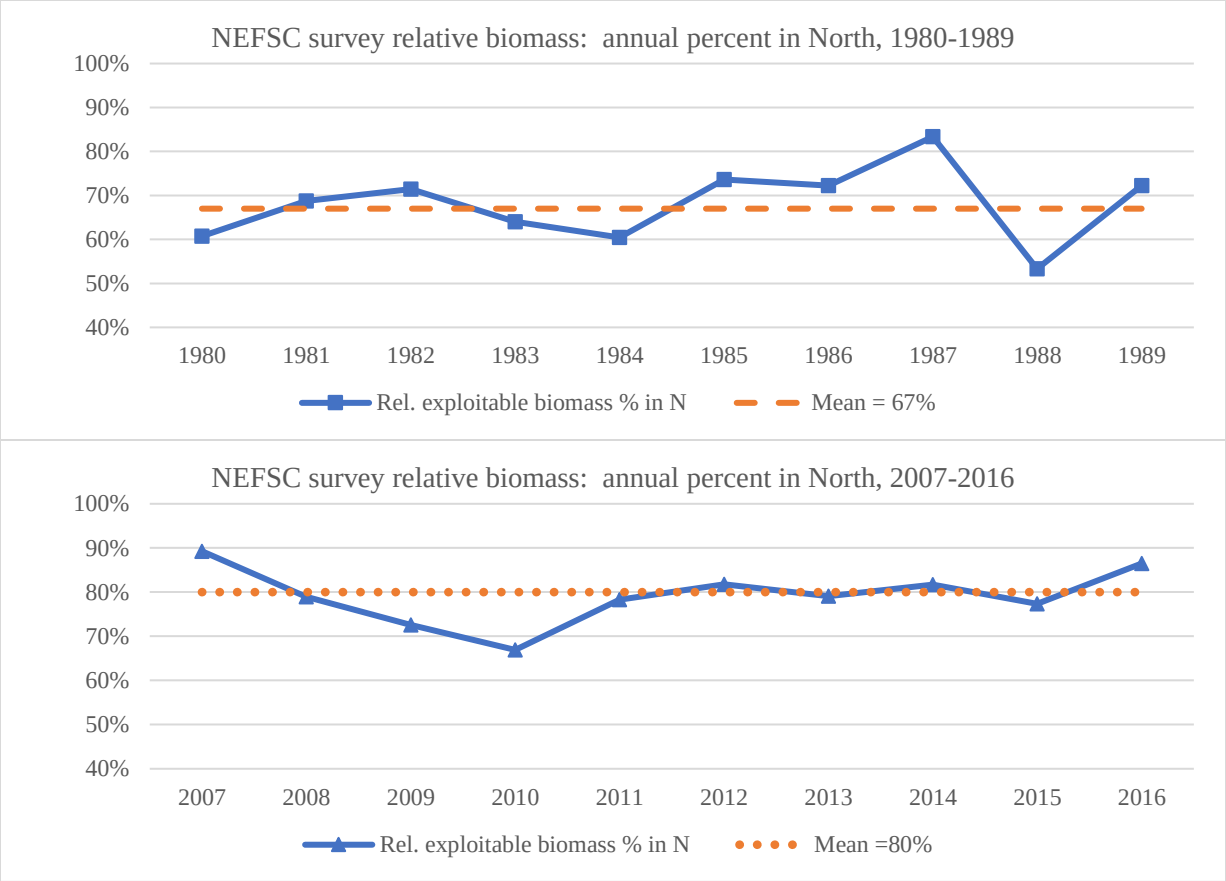

Figure 1: NEFSC survey relative exploitable biomass annual percent in Northern region, 1980-1989 and 2007-2016. The remaining relative biomass is attributable to the Southern region.

Under alternative 2B, the change in Northern region relative exploitable biomass would serve as the basis for adjustments to the current state-by-state allocation percentages. Two mathematical methods are proposed as **two sub-alternatives under alternative 2B**, to translate the change in regional exploitable biomass into changes in allocation. These two different approaches, sub-alternatives 2B-1 and 2B-2 described below, are both mathematically justified but have a slightly different emphasis on how much of the revised allocation should be based on recent (2007-2016) exploitable biomass distribution.

The key difference in the sub-alternatives below is whether changes in biomass and allocation are calculated as an absolute shift relative to the coast, or as a percent change relative to the Northern region. For reference, absolute change or shift describes the simple difference between the proportions attributable to the Northern and Southern regions in each time period. (e.g., 67% relative exploitable biomass in the North on average from 1980-1989 grew to 80% relative exploitable biomass on average from 2007-2016, an absolute increase in the North of 13%). This describes how the proportions change in the North and South **relative to the coastwide total**.

Percent change expresses the change (percent increase or decrease) **relative to the original regional value**.[7] Because this is an expression of the change between two values relative to the regional starting value, this needs to be calculated using either the Northern or Southern region as the "starting value," with a subsequent adjustment to the other region to make the total allocations equal to 100%.

6.1.2.1 Sub-Alternative 2B-1: Adjustment based on Northern Region Percent Change in Exploitable Biomass

The method under alternative 2B-1 translates the change in regional exploitable biomass into a relative change in allocation by taking the percentage change in biomass in the Northern region over the two time periods and applying this as a percentage change to the current Northern regional allocation.

Between 1980-1989 and 2007-2016, as a percent change, the Northern region relative exploitable biomass increased by 19% relative to the 1980-1989 average value ((80-67)/67)*100=+19%). This percentage is then applied to the current Northern regional allocation (combination of state allocations ME-NY) as a percent increase: (32.46%*1.19 = 38.62% revised allocation to the Northern region).

The Southern region's allocation is then calculated as the remainder of the coastwide allocation, (i.e., 100%-38.62%=61.38%). Each regional allocation is divided into state shares based on each state's current proportion of the regional allocation (e.g., Rhode Island currently has 48.32% of the Northern region allocation; this percentage is applied to the revised regional quota allocation of 38.62%).

Alternative 2B-1 is designed to shift current regional allocations in proportion to the Northern regional change in relative exploitable biomass, and maintains more of a connection to the *status quo* allocation compared to alternative 2B-2, while still accounting for how the regional exploitable biomass has shifted over time.

The results of this approach produce a modest shift in allocation, shifting 6% of the coastwide allocation from the South to the North. This constitutes a 19% increase in the Northern region's allocation (relative to their starting allocation of ~32.46%), and a 9% decrease in the Southern region allocation (relative to their starting allocation of ~67.54%; these percent changes are not equivalent in magnitude because the starting allocation in each region is different).

A summary of the resulting regional and state allocations and the changes they represent are shown in Table 6. Revised allocations are taken to five decimal places to be consistent with the current state level allocations. Example allocations under hypothetical quota scenarios are described in section 6.2.2.

[7] Percent change is calculated by taking the increase or decrease between the two values, divided by the starting value, using the formula: Percent change = (New value-Old value)/Old Value x 100. Positive values indicate a percentage increase; negative values indicate a percentage decrease.

Table 6: Alternative 2B-1: adjustment based on Northern region percent change in exploitable biomass. The shift in relative exploitable biomass in the North is expressed as a percent change (+19%) and applied as a percent change to the Northern allocation. Southern allocations are then calculated such that total allocations add to 100%.

State	A) Status quo state allocation (%)	B) Status quo % of regional alloc.	C) Status quo state % of regional total	D) Revised regional allocation based on 19% increase rel. to N region	E) Revised state allocation under Alt 2B-1 (%)[a]	F) Percent change relative to existing state allocation	G) Change in share of total coastwide quota
ME	0.04756	32.46	0.14654	38.62	**0.05660**	+19.0%	+0.00904
NH	0.00046		0.00142		**0.00055**	+19.0%	+0.00009
MA	6.82046		21.01479		**8.11635**	+19.0%	+1.29589
RI	15.68298		48.32144		**18.66275**	+19.0%	+2.97977
CT	2.25708		6.95438		**2.68593**	+19.0%	+0.42885
NY	7.64699		23.56144		**9.09992**	+19.0%	+1.45293
NJ	16.72499	67.54	24.76145	61.38	**15.19806**	-9.1%	-1.52693
DE	0.01779		0.02634		**0.01617**	-9.1%	-0.00162
MD	2.0391		3.01890		**1.85294**	-9.1%	-0.18616
VA	21.31676		31.55959		**19.37062**	-9.1%	-1.94614
NC	27.44584		40.63373		**24.94014**	-9.1%	-2.50570
Total	100	100	--	100	**100**	--	0

[a] Column E calculated by applying the *status quo* state percentage of regional allocation (column C) to the revised regional allocation with a 19% increase to the Northern region, as a percent change relative to the existing Northern region allocation (column D).

6.1.2.2 Sub-Alternative 2B-2: Adjustment based on Absolute Change in Regional Proportions

The method under alternative 2B-2 would calculate the change in proportion of relative exploitable biomass relative to the coast (+13% to the Northern region and -13% to the Southern region) and apply this change as an absolute shift in regional allocation. In other words, 13% of the coastwide quota (derived from the absolute shift in exploitable biomass) would be subtracted from the Southern region's quota and added to the Northern region's quota:

- (Existing Northern region allocation) + 13% = (New Northern region allocation), i.e.: (32.46% + 13%) = 45.46%
- (Existing Southern region allocation) - 13% = (New Southern region allocation), i.e.: (67.54% - 13%) = 54.54%

As with sub-alternative 2B-1 above, each regional allocation is then divided into state shares based on each state's current proportion of the regional allocation (e.g., Rhode Island currently has 48.32% of the Northern region allocation; this percentage is applied to the revised regional quota allocation of 45.45%).

Alternative 2B-2 creates a basis for allocation that is more based on recent relative exploitable biomass than alternative 2B-1, by more heavily factoring in recent biomass by region into the allocation. This option simply takes the change in regional exploitable biomass relative to the coast

over the two time periods (13% shift) and applies this as additional quota in the Northern region. This creates an allocation with more of a basis in recent distribution by region, and less of a basis in *status quo* allocations/historical landings.

The results of this approach produce a more substantial shift in allocation than alternative 2B-1, shifting 13% of the coastwide allocation from the Southern region to the Northern region. Relative to the existing regional allocations as a percent change, this constitutes a 40% increase in the Northern region's allocation (relative to their starting allocation of ~32.46%), and a 19% decrease in the Southern region allocation (relative to their starting allocation of ~67.54%; again, these percent changes are not equivalent in magnitude because the starting allocation in each region is different).

A summary of the resulting regional and state allocations and the changes they represent are shown in Table 7. Example allocations under hypothetical quota scenarios are described in section 6.2.2.

Table 7: Alternative 2B -2: adjustment based on absolute change in regional proportions. This option uses the 13% absolute shift in relative exploitable biomass and applies this change additively to the existing regional allocations.

State	A) Status quo state allocation (%)	B) Status quo % of regional alloc.	C) Status quo state % of regional total	D) Revised regional allocation based on 19% increase rel. to N region	E) Revised state allocation under Alt 2B-2 (%)[a]	F) Percent change relative to existing state allocation	G) Change in share of total coastwide quota
ME	0.04756	32.46	0.14654	45.46	**0.06661**	+40.1%	+0.01905
NH	0.00046		0.00142		**0.00064**	+40.1%	+0.00018
MA	6.82046		21.01479		**9.55238**	+40.1%	+2.73192
RI	15.68298		48.32144		**21.96477**	+40.1%	+6.28179
CT	2.25708		6.95438		**3.16115**	+40.1%	+0.90407
NY	7.64699		23.56144		**10.70998**	+40.1%	+3.06299
NJ	16.72499	67.54	24.76145	54.54	**13.50600**	-19.2%	-3.21899
DE	0.01779		0.02634		**0.01437**	-19.2%	-0.00342
MD	2.0391		3.01890		**1.64664**	-19.2%	-0.39246
VA	21.31676		31.55959		**17.21401**	-19.2%	-4.10275
NC	27.44584		40.63373		**22.16345**	-19.2%	-5.28239
Total	100	100	--	100	100	--	0

[a] Column E calculated by applying the *status quo* state percentage of regional allocation (column C) to the revised regional allocation with a 13% shift from the Southern to the Northern states (column D).

6.1.3 Alternative 2C: Revise State Allocations Above a Commercial Quota Trigger Point

This alternative would create state allocations that vary with overall stock abundance and resulting commercial quotas. For all years when the annual commercial quota is at or below a specified annual commercial quota trigger level, the state allocations would remain *status quo*. In years when the annual coastwide quota exceeded the specified trigger, the trigger amount would be distributed according to *status quo* allocations, and the additional quota beyond that trigger would be distributed differently, as described below. There are two sub-alternatives for commercial quota triggers under this alternative:

- **Alternative 2C-1**: 8.40-million-pound trigger based on the recent five-year average of commercial quotas (2014-2018) and;
- **Alternative 2C-2**: 10.71-million-pound trigger based on the recent ten-year average of commercial quotas (2009-2018).

The distribution of additional quota is the same under each sub-alternative; only the specified commercial coastwide quota trigger that determines the additional quota differs. The two sub-alternatives above were chosen to strike a balance between the trigger being unrealistically high relative to expected quota levels (and thus having no practical impact in the near future under the current quota regime), and being so low that the allocations would be modified substantially in most future years.

For both sub-alternatives, the additional quota above the trigger amount would be distributed as follows: states that currently have less than 1% of the current commercial quota allocation (Delaware, New Hampshire, and Maine) would evenly split 1% of the total additional quota (resulting in 0.333% each of the additional quota). The remaining states (Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Maryland, Virginia, and North Carolina) would evenly split the remaining additional quota (resulting in each of these states getting 12.375% each of the additional quota beyond the trigger amount, on top of their current quota share of the base trigger amount). It is important to note that when the quota trigger is exceeded, it is only the additional quota that gets distributed differently, not the entire quota.

The "new" total allocation percentages by state under both sub-alternatives could not be calculated until the annual commercial quota is known (typically considered in August of any given year), since the state percentages of the coastwide allocation would vary depending on how much "additional" quota is available to be distributed (see section 6.2.3).

6.1.3.1 Sub-Alternative 2C-1: 5-year average commercial quota trigger (8.40 million pounds)

Under alternative 2C-1, quota up to and including **8.40 million pounds** would be distributed according to the current (*status quo*) allocation, and the **additional** quota above 8.40 million pounds would be distributed differently. This trigger is based on the 5-year average commercial quota over the years 2014-2018.[8]

Configuration of alternative 2C-1 is summarized in Table 8; example allocations under hypothetical quota scenarios are described in section 6.2.3.

[8] After Research Set-Aside in years when it was deducted from the commercial quota.

Table 8: Alternative 2C-1: modified distribution of additional commercial quota beyond 8.40 million pounds (5-yr commercial quota trigger).

State	Allocation of baseline quota ≤ 8.40 mil lb	Allocation of <u>additional</u> quota beyond 8.40 mil lb	Revised state quota
ME	0.04756%	0.333%	Dependent on total annual coastwide quota; % share varies with amount of "additional" quota (see section 6.2.3)
NH	0.00046%	0.333%	
MA	6.82046%	12.375%	
RI	15.68298%	12.375%	
CT	2.25708%	12.375%	
NY	7.64699%	12.375%	
NJ	16.72499%	12.375%	
DE	0.01779%	0.333%	
MD	2.03910%	12.375%	
VA	21.31676%	12.375%	
NC	27.44584%	12.375%	
Total	100	100%	100%

6.1.3.2 Sub-Alternative 2C-2: 10-year average commercial quota trigger (10.71 million lb)

Under alternative 2C-2, quota up to and including **10.71 million pou**nds would be distributed according to the current (*status quo*) allocation, and the **additional** quota above 10.71 million pounds would be distributed differently. This trigger is based on the 10-year average commercial quota over the years 2009-2018.[9]

Configuration of alternative 2C-2 is summarized in Table 9; example allocations under hypothetical quota scenarios are described in section 6.2.3.

Table 9: Alternative 2C-2: modified distribution of additional commercial quota beyond 10.71 million pounds (10-yr commercial quota trigger). Hypothetical quota examples represent initial quotas prior to any transfers or deductions for overages.

State	Allocation of baseline quota ≤ 10.71 mil lb	Allocation of <u>additional</u> quota beyond 10.71 mil lb	Revised state quota
ME	0.04756%	0.333%	Dependent on total annual coastwide quota; % share varies with amount of "additional" quota (see section 6.2.3)
NH	0.00046%	0.333%	
MA	6.82046%	12.375%	
RI	15.68298%	12.375%	
CT	2.25708%	12.375%	
NY	7.64699%	12.375%	
NJ	16.72499%	12.375%	
DE	0.01779%	0.333%	
MD	2.03910%	12.375%	
VA	21.31676%	12.375%	
NC	27.44584%	12.375%	
Total	100	100%	100%

[9] After Research Set-Aside in years when it was deducted from the commercial quota.

6.1.4 Alternative 2D: Implement "Scup Model" Quota System for Summer Flounder

This alternative would allocate the annual summer flounder commercial quota into three unequal seasonal periods, similar to the way the commercial scup fishery is currently managed. The proposed quota periods include two winter periods, January-April ("Winter I") and November-December ("Winter II"), during which a coastwide quota system would be implemented in conjunction with a system of coastwide landings limits and other measures. In a "Summer" period, May-October, a state-by-state quota system would be implemented by the Commission, and state-specific measures would be set to constrain landings to the summer state quotas. The Council and Board are seeking public feedback on the quota period dates in particular, in addition to general comments on this alternative, as described below.

During the winter periods, measures would apply throughout the management unit (i.e., no state-specific measures would be implemented), and vessels could land in any port along the coast provided they have the appropriate state specific permits. All commercial landings would count toward the appropriate winter quota, and the fishery would be closed once this quota is exceeded. Winter period overages would be subtracted from the following year's quota for the same period.

In the Summer period, May-October, new state-by-state quota shares would be established and managed by individual states with state level possession limits and other measures. Any overall summer period quota overages would be subtracted from the next year's overall summer period quota, and the Commission would work out the appropriate reductions in state quotas according to which states contributed to the overage. States would be allowed to transfer or combine summer quotas through the Commission's process.

For this alternative, there are **two sub-alternatives for consideration that relate to how the state of Maryland would be dealt with in this system**. The state of Maryland has indicated that coastwide management during the winter periods would conflict with their current system of managing commercial summer flounder quota under an Individual Fishing Quota (IFQ) program. **Sub-alternative 2D-1**, described below, would exempt the state of Maryland from this management system and allow them to retain their current state allocation. **Sub-alternative 2D-2** would implement this quota system without an exemption for Maryland. These sub-alternatives are described in detail below.

6.1.4.1 Sub-Alternative 2D-1: Exemption/Status Quo Management for Maryland

This sub-alternative would implement the “scup model” system for commercial summer flounder with an exemption for the state of Maryland, which manages their commercial summer flounder fishery under an IFQ program. This strategy allows the small number of participants in Maryland's fishery (currently seven IFQ holders) to manage their own allocation as they wish throughout the year. This type of management would not integrate well with coastwide management periods. If Maryland had no state-specific quota during the winter periods, IFQ holders could not be allowed an individual allocation to manage during this time.

Sub-alternative 2D-1 proposes that Maryland's existing state commercial quota percentage for summer flounder (2.03910%) be maintained as a separate state-specific allocation outside of the seasonal period allocation system. Maryland could continue to manage their fishery under an IFQ year-round, and landings from Maryland IFQ vessels during the winter periods would count only toward the annual MD-specific quota rather than the coastwide winter quota. Vessels not licensed to participate in the Maryland fishery would remain unable to land summer flounder commercially

in Maryland, except in circumstances related to safe harbor or other inter-state agreements involving the state of Maryland. Similarly, Maryland vessels would be required to land their summer flounder in the state of Maryland rather than anywhere along the coast.

The proposed configuration of sub-alternative 2D-1 is summarized in Table 10, and described below. Example allocations under hypothetical quota scenarios are described in section 6.2.4.

- **Quota period dates** are proposed to be Winter I: January 1-April 30; Summer: May 1-October 31, and Winter II: November 1-December 31. These are the same dates as previously used for scup, prior to the recent modification of quota period dates (83 FR 17314; April 19, 2018) that moved October from Summer to Winter II for scup. For summer flounder, October is proposed to be in the Summer period based on feedback from advisors as well as initial analysis indicating that the characteristics of the October summer flounder fishery generally align more with the summer fishery in terms of area fished (state vs. federal waters), vessel tonnage, and gear types used. Additional information on this conclusion is provided in the DEIS (in Appendix B). **The Council and Board have requested specific comments from the public on the proposed quota period dates, especially the month of October.**
- **Allocation between quota periods** under alternative 2D-1 is based on summer flounder landings by period over the past 20 years (1997-2016), for all states in the management unit except Maryland.[10] 55.26% of the annual quota would be allocated to Winter I, 27.65% to Summer, and 17.10% to Winter II (Table 10).
- **Quota rollover provisions** would be similar to those in place for the scup fishery. If the full Winter I quota is not harvested, unused quota would be added to the quota for the Winter II period in the same fishing year. Quota is unable to be rolled over from one fishing year to the next under the current FMP.[11]
- **Coastwide possession limits** would be needed during the two winter periods. Specific possession limits are not proposed through this action but would need to be developed and reviewed annually by the Summer Flounder, Scup, and Black Sea Bass Monitoring Committee (MC), accounting for changes in the fishery and the annual quota. These recommendations would then be adopted by the Council and Board during the annual specifications process
- **Summer period state allocations** under 2D-1 are based on the percentage contribution of each state's summer period (May-October) landings from 1997-2016 (Table 10).

[10] Past state-level seasonal regulations (e.g., closures, possession limits) are not explicitly accounted for in this analysis.

[11] For additional discussion of this issue, see page 19 of http://www.mafmc.org/s/Commercial-Range-of-Alts-Discussion-Doc-4-May-2017.pdf

Table 10: Alternative 2D-1: Scup model with Maryland exemption.

Quota Period	Allocation % (of remaining coastwide commercial quota after 2.03910% allocated to MD)		Measures
Winter I (Jan 1-Apr 30)	**55.26%**		Coastwide (except MD)
Summer (May 1- Oct 31)	**27.65%**		State-specific
State-specific summer allocations	**ME**	**0.015%**	
	NH	0.000%	
	MA	19.332%	
	RI	22.476%	
	CT	3.566%	
	NY	18.553%	
	NJ	29.667%	
	DE	0.045%	
	MD	--[a]	
	VA	5.648%	
	NC	0.699%	
Winter II (Nov 1 - Dec 31)	**17.10%**		Coastwide (except MD)
Total	**100%**		--

[a] Under Alternative 2D-1, Maryland would have an annual allocation of 2.03910% of the coastwide quota (and thus no specific seasonal allocation for the summer period quota).

6.1.4.2 Sub-Alternative 2D-2: No Exemption for Maryland

Sub-alternative 2D-2 is similar to alternative 2D-1 except that it would not provide an exemption for Maryland. Maryland IFQ holders would not be able to preserve their current year-round management of their own allocation; instead they would be subject to coastwide measures and closures during the winter periods and state measures during the summer period.

The proposed configuration of sub-alternative 2D-2 is summarized in Table 11, and described below. Example allocations under hypothetical quota scenarios are described in section 6.2.4.

- **Allocation between quota periods** for alternative 2D-2 is based on average summer flounder landings in each proposed period from 1997-2016, in all states Maine through North Carolina. 58.68% would be allocated to the Winter I period, 28.28% to Summer, and 17.04% to Winter II (Table 11).
- **Quota rollover provisions and coastwide possession limit processes** are the same as those described above for alternative 2D-1.
- **Summer period state allocations** under 2D-2 are based on the percentage contribution of each state's summer period (May-October) landings over the period 1997-2016 (Table 11).

Table 11: Alternative 2D-2: scup model without Maryland exemption.

Quota Period	Allocation % (of annual coastwide commercial quota)		Measures
Winter I (Jan 1-Apr 30)	**54.68%**		Coastwide
Summer (May 1- Oct 31)	**28.28%**		State-specific
State-specific summer allocations	**ME**	**0.015%**	
	NH	0.000%	
	MA	18.525%	
	RI	21.538%	
	CT	3.417%	
	NY	17.779%	
	NJ	28.429%	
	DE	0.043%	
	MD	4.171%	
	VA	5.412%	
	NC	0.670%	
Winter II (Nov 1 - Dec 31)	**17.04%**		Coastwide
Total	**100%**		--

6.2 Impacts of Commercial Quota Allocation Alternatives

This alternative set considers options to modify the allocation of commercial quota for summer flounder. Under all alternatives, overall annual landings will still be constrained by the annual commercial quotas, meaning that catch and landings limits should remain the primary driving factor for overall fishery effort in a given year. However, as described below, reallocation would result in a redistribution of effort and revenues among states, and as a result, among fishery participants and shoreside businesses.

Because overall effort is still likely to be driven by annual catch limits and quotas (the impacts of which are analyzed during the specifications process), quota reallocation is unlikely to have substantial impacts on summer flounder or non-target species, habitat, or protected resources. Impacts to these resources may be possible if allocation changes cause substantial changes to the location or timing of fishing effort; however, in general these impacts are expected to be small.

The impacts of this alternative set are primarily socioeconomic impacts on states and their fishing communities, including revenues and jobs for vessel owners and crew, shoreside operations, and other associated businesses. Alternatives 2A, 2B, and 2C can be generally described in terms of impacts to states, since they either maintain the *status quo* (2A) or propose modified state-by-state quotas (2B and 2C). Alternative 2D (the "scup model" allocation) is the most extreme departure from current management given that it opens the winter fishery to any permitted vessel and allows those vessels to land in any port provided they are licensed to land in that state. The impacts of this alternative are the most uncertain, as described below.

The sections below describe the general expected impacts of each proposed alternative for commercial allocation. **Note that more in-depth analysis is provided in the DEIS in section 7.2.**

6.2.1 Impacts of Alternative 2A: No Action/*Status Quo*

Under alternative 2A, no changes to the commercial allocation would be made, meaning this alternative would result in impacts to summer flounder, non-target species, habitat, protected resources, and human communities that are generally similar to conditions in recent years.

Summer flounder catch and effort would continue to be constrained by annual catch limits and associated management measures. States would continue to be constrained to their existing state allocation, and the distribution of landings by state would remain similar to the generally stable levels observed since allocations were implemented in 1993 (Figure 2). Typically, landings by state as a percentage of the coastwide landings do not fluctuate much from year to year, since allocations are constant and most states land or come close to landing their quota. Exceptions can occur under special circumstances, such as 2012-2013 when a high amount of North Carolina landings were landed in Virginia by mutual agreement due to shoaling at Oregon Inlet, NC.

Table 12 shows the percentages of summer flounder landings by state over a 5-year time period (2012-2016) and a 10-year time period (2007-2016). Note that the percentages are of the total harvest, not the total quota, so a percentage that is over or under a state's current allocation does not necessarily mean that state was over or under their allocation on average.

Commercial landings from Maine, New Hampshire, and Delaware are minimal if they occur at all, since directed fisheries for summer flounder do not exist in these states. No commercial summer flounder landings have been reported in Maine since 2010. New Hampshire has indicated that they do not allow commercial harvest of summer flounder and that their reported landings (less than 100 pounds in total) were probably misidentified. Delaware landings have consistently been 0.1% or less of coastwide landings each year since 1993 and have averaged less than 0.01% in recent years (Table 12).

The socioeconomic impacts of the existing allocations have varied depending on the state, although as the allocations have been in place for 25 years, conditions in each state resulting from state allocations have been relatively stable. Some states report negative economic impacts from current allocations due to a mismatch between their current allocation and their fishery capacity and/or summer flounder availability in their waters. Other states have experienced long-term positive socioeconomic impacts from the existing quota allocations. Each state manages their fishery differently in terms of total number of participants, possession limits, seasons, and other measures; these measures are a large driver of the social and economic impacts of the current quotas.

Table 13 gives examples of *status quo* allocations in pounds under hypothetical 8.12 million pound and 14.00 million pound coastwide quotas.

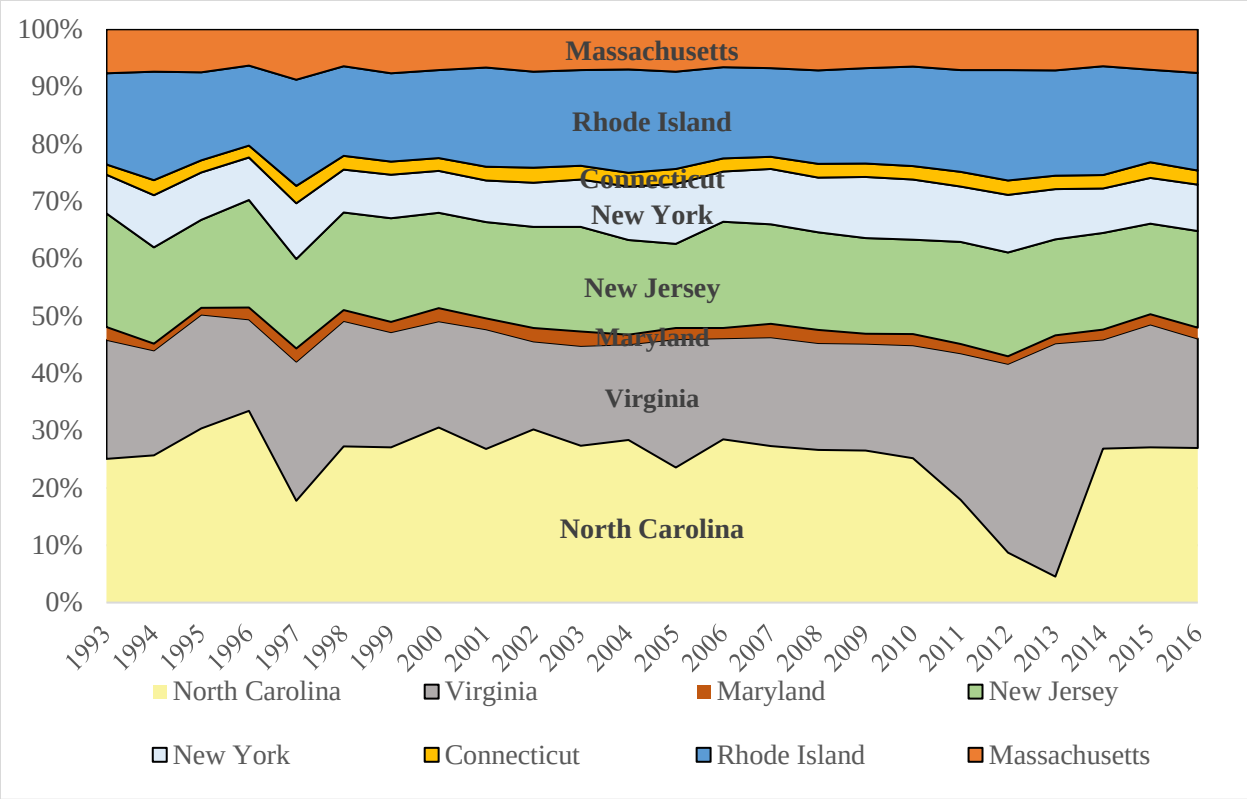

Figure 2: Percentage of coastwide landings by state 1993-2016, Massachusetts through North Carolina (excluding Delaware). Maine, New Hampshire, and Delaware each account for less than 0.1% of landings each year. Maryland and Virginia landings both include some Potomac River Fisheries Commission (PRFC) landings.

Table 12: Percentage of landings within the management unit from each state Maine-North Carolina, 2012-2016 and 2007-2016, and current state-by-state allocations. Source: ACCSP database.

State	% of landings by state, 5-YR (2012-2016)	% of landings by state, 10-YR (2007-2016)	Current Allocation (1980-1989)
ME	0.00000%	0.00405%	0.04756%
NH	0.00000%	0.00001%	0.00046%
MA	7.05052%	6.95463%	6.82046%
RI	18.04914%	17.44612%	15.68298%
CT	2.48158%	2.42149%	2.25708%
NY	8.45865%	9.23102%	7.64699%
NJ	16.90554%	17.02198%	16.72499%
DE	0.01332%	0.01765%	0.01779%
MD	1.75850%	1.88532%	2.0391%
VA	27.59778%	24.01402%	21.31676%
NC	17.68497%	21.00370%	27.44584%
Total	**100.00%**	**100.00%**	**100.00%**

Table 13: Alternative 2A: No Action/*Status Quo;* current allocations based on 1980-1989 landings. Example state quotas are provided under 8.12 million lb and 14.00 million lb coastwide quotas, prior to any transfers or deductions for overages.

State	Allocation (%)	Example allocation (lb) under 8.12 million lb quota	Example allocation (lb) under 14.00 million lb quota
ME	0.04756	3,862	6,658
NH	0.00046	37	64
MA	6.82046	553,821	954,864
RI	15.68298	1,273,458	2,195,617
CT	2.25708	183,275	315,991
NY	7.64699	620,936	1,070,579
NJ	16.72499	1,358,069	2,341,499
DE	0.01779	1,445	2,491
MD	2.03910	165,575	285,474
VA	21.31676	1,730,921	2,984,346
NC	27.44584	2,228,602	3,842,418
Total	100	8,120,001	14,000,001

6.2.2 Impacts of Alternative 2B: Adjust State Quotas Based on Recent Biomass Distribution

Both sub-alternatives under alternative 2B would adjust state quotas to account for recent biomass distribution. Under both sub-alternatives 2B-1 and 2B-2, the states from New Jersey south would see reduced state allocations while the states from New York north would see increased allocation. This would change the distribution of landings by port and state, with increased landings expected in these northern states. By extension, these alternatives may modify the level of activity for individual fishery participants, if those in northern states are able to take more or longer trips, and if those in southern states have to reduce their effort.

Under alternative 2B, some location and/or timing of commercial summer flounder effort could change, which could affect each VEC, although the magnitude and direction of impacts are difficult to predict, as effort is influenced by many factors. Offshore winter fishing effort locations are not expected to change substantially, as the larger vessels that typically participate in this season have historically been more mobile vessels that target prime summer flounder fishing locations offshore even when long steam times are required to do so. However, the balance of offshore vs. inshore effort could potentially shift, due to changes in the allocation for states that are dominant in the winter fishery. In addition, nearshore effort may see a small to moderate shift in location under this alternative, however, the extent to which this may occur is difficult to predict and would depend on other factors such as management response to increased or decreased quotas.

Summer flounder populations should not experience significant impacts, since overall removals will still be constrained by catch and landings limits and other management measures. Changes in the timing or location of fishing effort could in theory impact localized effort and mortality for summer flounder, but it is uncertain to what extent this would occur, and as described above, would likely to be more pronounced in inshore areas. Given the changes considered here, any effects of this nature are likely be minor, as most fishing effort is likely to remain focused in the most traditionally productive locations.

The primary impacts of alternatives 2B-1 or 2B-2 are social and economic impacts to states and fishing communities. Under both sub-alternatives, landings in the northern states (New York

north) would likely increase, resulting in positive economic impacts to fishing operations and shoreside businesses in those states. Landings in southern states would likely decrease, resulting in negative socioeconomic impacts to fishing operations and shoreside businesses in those states.

At the vessel and individual participant level, both sub-alternatives may result in increased participation in states New York and north and decreased participation in southern states. However, the distribution of positive or negative economic impacts among individual participants and businesses will be highly variable by state depending on restrictions on the overall number of participants and other measures used to manage the fishery. For example, a modest increase in quota to a state with many participants and restrictive management measures may result in less positive economic benefits at the level of individual businesses than a similar increase in quota to a state that has a more limited pool of participants under similar management measures. Distribution of economic benefits or costs is also likely to depend on price variations by state and port, given that ex-vessel price in a given port often varies in inverse relationship to the amount of landings of a given species. If increased landings in northern ports cause prices to decrease, this may offset some of the positive economic benefits in these areas.

The magnitude of these impacts is somewhat uncertain and would vary depending on which sub-alternative is selected. Generally, the magnitude of impacts will vary with the change in allocation relative to a state's existing quota.

For **alternative 2B-1**, the states of New York through Maine would receive an increase in allocation of 19% relative to their current state allocations (with state share of coastwide quota allocation increased by between 0.00009% and 2.98% depending on the state). A corresponding increase in landings in these states is possible relative to average landings in recent years, however, total landings will depend on the annual coastwide commercial quota. States New Jersey through North Carolina would see a 9% decrease in their quota allocation relative to their current state allocations (with state share of coastwide quota allocation decreasing by between 0.0016% and 2.5%, depending on the state). While revenues generally correlate with landings, revenues are also influenced by price, vessel and shoreside costs, and other market factors and are difficult to predict. Example quotas under alternative 2B-1 and hypothetical 8.12 million lb and 14.00 million lb coastwide quotas are shown in Table 14.

Alternative 2B-2 is a larger shift of allocation to the northern states and will result in more substantial socioeconomic impacts (positive or negative depending on the state as described above). New York through Maine would receive an increase in allocation of 40% relative to their current state allocations (with state share of coastwide quota allocation increased by between 0.00018% and 6.28% depending on the state). States New Jersey through North Carolina would see a 19% decrease in their quota allocation relative to their current state allocations (with state share of coastwide quota allocation decreasing by between 0.003% and 5.3%, depending on the state). Example quotas under alternative 2B-2 and hypothetical 8.12 million lb and 14.00 million lb coastwide quotas are shown in Table 15.

As described in section 6.1, the Council and Board intend to revisit any selected allocation within 10 years of implementation. It is important to note that when allocations are based in part on biomass distribution (as opposed to the distribution of landings) such as under alternative 2B-1 or 2B-2, it becomes more important to revisit these allocations regularly, because exploitable biomass can and will shift over time.

Table 14: Alternative 2B-1 resulting state allocations and relative changes. Example quota allocations based on hypothetical 8.12 million lb and 14.00 million lb coastwide quotas are also provided with comparison to status quo distribution.

State	Revised state allocation under Alt 2B-1 (%)[a]	Percent change relative to existing state allocation	Change in share of total coastwide quota	2B-1 example allocation (lbs) under 8.12 million lb quota	*Status Quo* allocation (lbs) under 8.12 million lb quota	2B-1 example allocation (lbs) under 14.00 million lb quota	*Status Quo* allocation (lbs) under 14.00 million lb quota
ME	**0.05660**	+19.0%	+0.00904	4,596	3,862	7,923	6,658
NH	**0.00055**	+19.0%	+0.00009	44	37	77	64
MA	**8.11635**	+19.0%	+1.29589	659,047	553,821	1,136,289	954,864
RI	**18.66275**	+19.0%	+2.97977	1,515,415	1,273,458	2,612,784	2,195,617
CT	**2.68593**	+19.0%	+0.42885	218,097	183,275	376,030	315,991
NY	**9.09992**	+19.0%	+1.45293	738,913	620,936	1,273,989	1,070,579
NJ	**15.19806**	-9.1%	-1.52693	1,234,083	1,358,069	2,127,728	2,341,499
DE	**0.01617**	-9.1%	-0.00162	1,313	1,445	2,263	2,491
MD	**1.85294**	-9.1%	-0.18616	150,459	165,575	259,411	285,474
VA	**19.37062**	-9.1%	-1.94614	1,572,894	1,730,921	2,711,887	2,984,346
NC	**24.94014**	-9.1%	-2.50570	2,025,139	2,228,602	3,491,619	3,842,418
Total	**100**	--	0	8,120,000	8,120,001	14,000,000	14,000,001

Table 15: Alternative 2B-2 resulting state allocations and relative changes. Example quota allocations based on hypothetical 8.12 million lb and 14.00 million lb coastwide quotas are also provided with comparison to status quo distribution.

State	Revised state allocation under Alt 2B-2 (%)[a]	Percent change relative to existing state allocation	Change in share of total coastwide quota	2B-2 example allocation (lbs) under 8.12 million lb quota	*Status Quo* allocation (lbs) under 8.12 million lb quota	2B-2 example allocation (lbs) under 14.00 million lb quota	*Status Quo* allocation (lbs) under 14.00 million lb quota
ME	**0.06661**	+40.1%	+0.01905	5,409	3,862	9,325	6,658
NH	**0.00064**	+40.1%	+0.00018	52	37	90	64
MA	**9.55238**	+40.1%	+2.73192	775,653	553,821	1,337,333	954,864
RI	**21.96477**	+40.1%	+6.28179	1,783,539	1,273,458	3,075,067	2,195,617
CT	**3.16115**	+40.1%	+0.90407	256,685	183,275	442,561	315,991
NY	**10.70998**	+40.1%	+3.06299	869,650	620,936	1,499,397	1,070,579
NJ	**13.50600**	-19.2%	-3.21899	1,096,687	1,358,069	1,890,840	2,341,499
DE	**0.01437**	-19.2%	-0.00342	1,167	1,445	2,011	2,491
MD	**1.64664**	-19.2%	-0.39246	133,707	165,575	230,530	285,474
VA	**17.21401**	-19.2%	-4.10275	1,397,778	1,730,921	2,409,961	2,984,346
NC	**22.16345**	-19.2%	-5.28239	1,799,672	2,228,602	3,102,883	3,842,418
Total	100	--	0	8,120,000	8,120,001	14,000,000	14,000,001

6.2.3 Impacts of Alternative 2C: Revise State Allocations Above a Commercial Quota Trigger

Alternative 2C maintains *status quo* quota allocations until the annual commercial quota exceeds a certain trigger point (8.40 million pounds for alternative 2C-1, and 10.71 million pounds for alternative 2C-2). This alternative is intended to spread the benefits of increased stock size more equally among states (with a smaller distribution to states without a directed fishery).

As with alternative 2B, this alternative is expected to have negligible to minor impacts on the summer flounder resource, non-target species, habitat, and protected resources. The impacts of allocation under alternative 2C will be primarily socioeconomic impacts to states and associated permit holders and fishing communities.

Under alternative 2C, final state percentage allocations would vary in each year depending on the overall coastwide quota, because the overall allocation percentages vary depending on how much additional quota there is to be distributed. Figure 3 (alternative 2C-1) and Figure 4 (alternative 2C-2) show that for quotas up to the trigger point, allocations remain *status quo*. As the annual commercial quota level grows beyond the quota trigger, the state quota allocation percentages get closer together, i.e., with increasing quotas above the trigger, quota is distributed more evenly among the states. Additional breakdowns of how the revised quotas would be calculated are described in the DEIS in section 5.2.3.

Under both options, states with current allocations above 12.375% of the coastwide quota (NC, VA, RI, and NJ) will lose allocation percentage as the quota grows beyond the trigger point. However, the potential negative economic impacts associated with losing share of the overall quota would be somewhat mitigated by the fact that this loss would only happen in relatively higher quota years, meaning revenues for these states may be more stable than what would be expected under a permanent reallocation. States that currently have less than 12.375% of the coastwide quota will see their percent shares increase with growth of the annual quota beyond the trigger point.

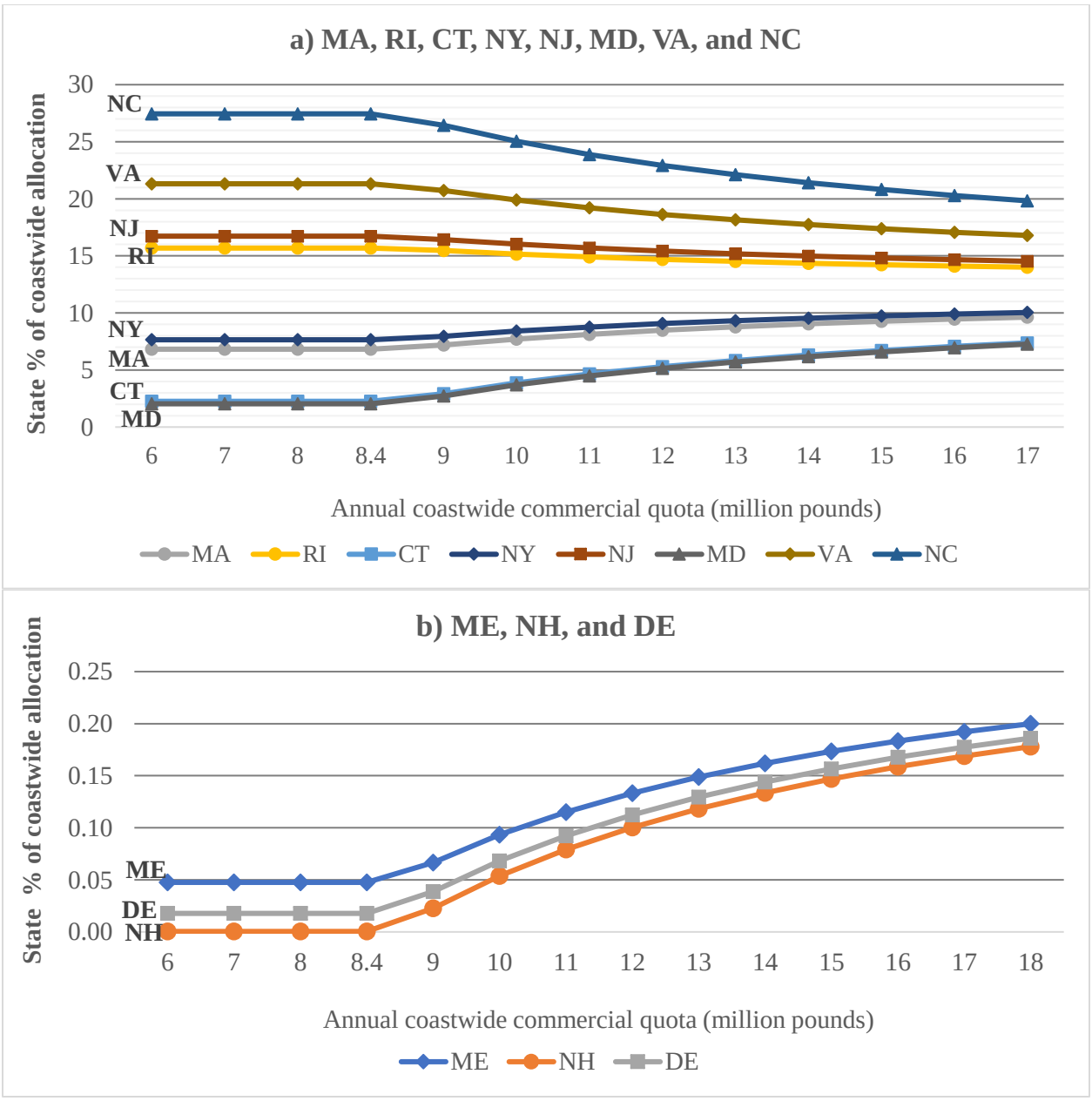

Figure 3: State quota allocation percentage with varying annual coastwide quotas under alternative 2C-1 (8.40 million pound trigger) for a) States with over 1% of the current allocation, and b) Maine, Delaware, and New Hampshire.

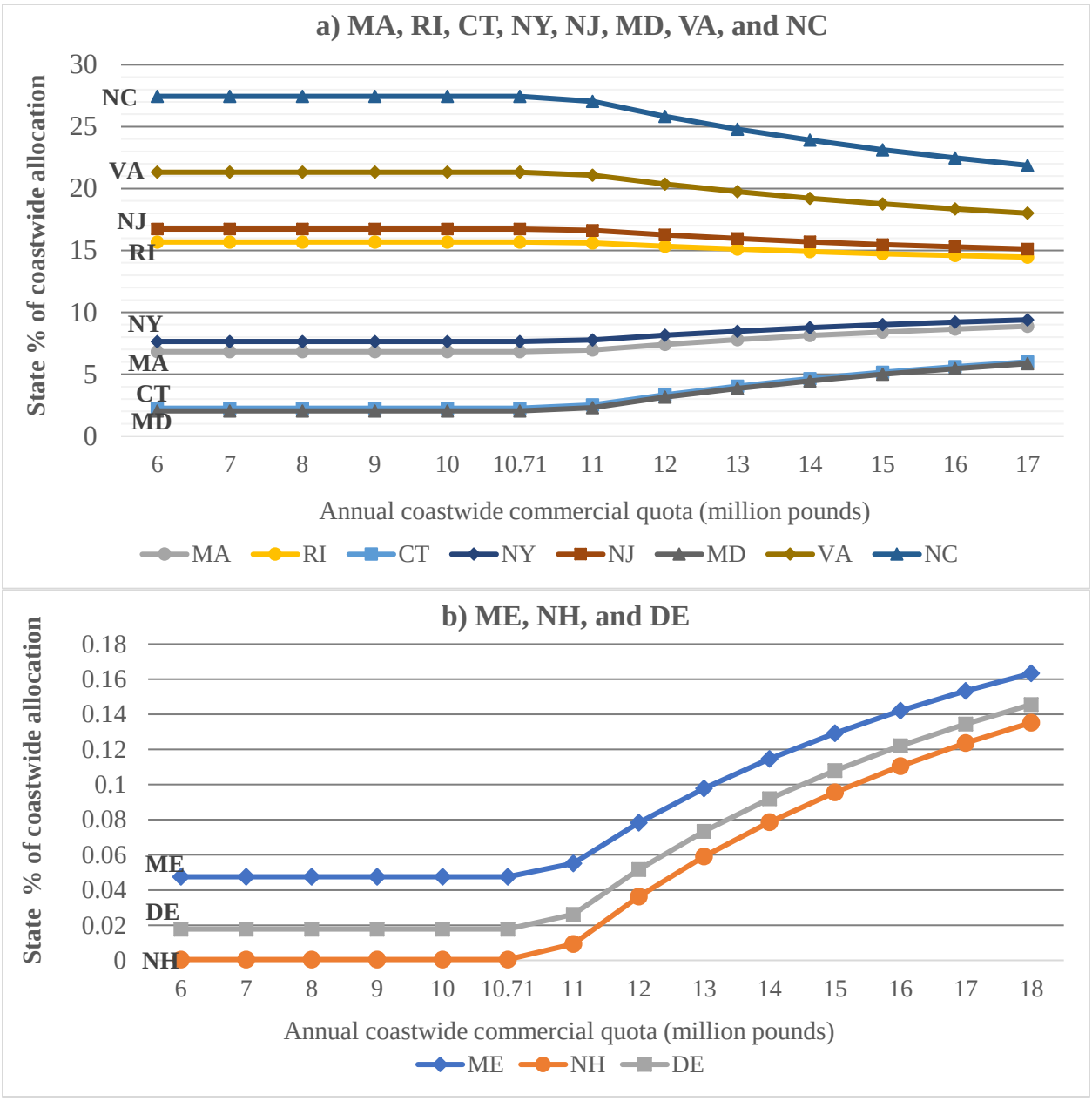

Figure 4: State quota allocation percentage with varying annual coastwide quotas under alternative 2C-2 (10.71 million pound trigger) for a) States with over 1% of the current allocation, and b) Maine, Delaware, and New Hampshire.

The **main difference between sub-alternatives 2C-1 and 2C-2** is how often the quota is expected to exceed each trigger, and the amount of "additional quota" that would be available under likely future coastwide quota scenarios. Figure 5 shows the time series of commercial quotas since 1993, compared to the quota triggers under 2C-1 (8.40 million pounds) and 2C-2 (10.71 million pounds).

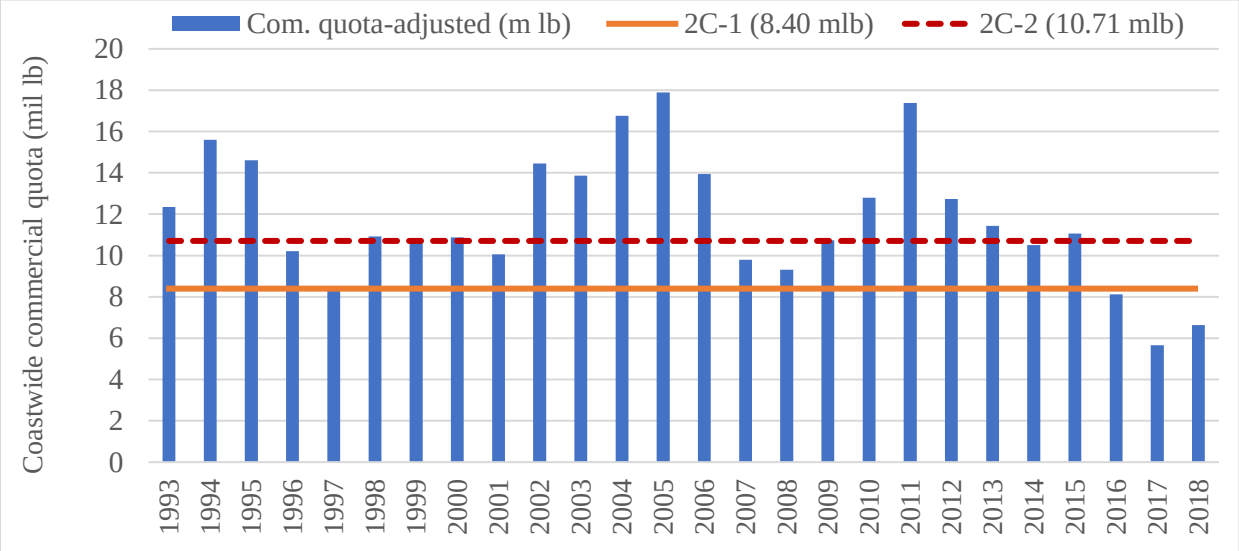

Figure 5: Time series of annual commercial quotas for summer flounder 1993-2018, and proposed commercial quota triggers under alternatives 2C-1 and 2C-2.

Table 16 below shows how often each of these triggers would have been exceeded if applied to historical quotas (1993-2018), and the resulting percent allocation for each state under the time series low coastwide quota (5.66 million pounds; 2017) and time series high quota (17.90 million pounds; 2005). This provides a range of reasonably expected allocation percentages for each state, assuming future quotas do not change substantially from what has been implemented in the past. For NC, VA, RI, and NJ, the highest allocation received within this range would be that under *status quo* conditions (i.e., when the trigger is not exceeded). For all other states, the highest allocation percentage corresponds with the highest annual coastwide quota within the range considered (Table 16).

The commercial fishery for summer flounder in the states of Maine, New Hampshire, and Delaware is considered largely incidental; there is little to no directed fishing effort. Given the current low landings and relatively small increase in quota under this alternative, it is not anticipated that this alternative would lead to meaningful amounts of directed fishing in these states, and thus the potential socioeconomic impacts to fishing communities in these states is expected to be minimal.

Table 16: Summary of expected range of allocation outcomes of alternatives 2C-1 and 2C-2 given historical quotas.

	Alternative 2C-1		Alternative 2C-2	
Annual commercial quota trigger	8.40 million lb		10.71 million lb	
Frequency of historical quotas at or below trigger (1993-2018)	4 of 26		9 of 26	
Frequency of historical quotas exceeding trigger (1993-2018)	22 of 26		17 of 26	
State allocation under high and low quotas	**Alloc. % under low quota (5.66 m. lb) = *Status quo allocation***	**Alloc. % under high quota (17.9 m. lb) = revised allocation**	**Alloc. % under low quota (5.66 m. lb) = *Status quo allocation***	**Alloc. % under high quota (17.9 m. lb) = revised allocation**
ME	0.04756	0.19923	0.04756	0.16235
NH	0.00046	0.17712	0.00046	0.13417
MA	6.82046	9.76840	6.82046	9.05159
RI	15.68298	13.92735	15.68298	14.35424
CT	2.25708	7.62693	2.25708	6.32121
NY	7.64699	10.15627	7.64699	9.54612
NJ	16.72499	14.41634	16.72499	14.97770
DE	0.01779	0.18526	0.01779	0.14453
MD	2.0391	7.52463	2.0391	6.19078
VA	21.31676	16.57113	21.31676	17.72507
NC	27.44584	19.44735	27.44584	21.39225

6.2.4 Impacts of Alternative 2D: "Scup Model" for Commercial Summer Flounder

The scup model quota system under alternative 2D, with two coastwide winter periods and a state-by-state summer period, is proposed in part as a way to distribute quota between smaller vessels, which tend to operate closer to shore in the summer months, and larger vessels, which typically operate offshore in the winter months.

Because this quota system eliminates the historical year-round state-by-state quota system, the expected impacts of this alternative are highly uncertain, more so than the impacts of the other allocation options. The effects of moving toward seasonal coastwide management will depend on how many vessels are able to participate in this fishery and what specific management measures would be implemented under coastwide quota periods.

Coastwide winter periods would be open to any vessel permitted to land summer flounder (federal permits would still be required to fish in federal waters or to sell to a federal dealer, but otherwise state and federally permitted vessels could land summer flounder anywhere in the management unit provided they have the appropriate state permits). This will require the use of uniform management measures (possession limits, open and closed seasons within the quota period, etc.) to be applied in both state and federal waters throughout the management unit during the winter periods.

It would likely be difficult to develop coastwide possession limits that are acceptable to a wide variety of participants that still constrain landings to the period quota. The challenge inherent in this option is to develop a coastwide system that provides an equitable distribution of the quota to northern and southern participants as well as between smaller boats and larger offshore vessels. A system to revise possession limits mid-season will also need to consider the administrative costs of notifying permit holders, especially if limits change multiple times per season.

Council/Board members and other stakeholders have raised concerns about the potential for "derby fishing" during the coastwide winter periods under this option and are specifically seeking public comment on this issue. The concern is that coastwide quotas would create an incentive for high fishing effort toward the beginning of each winter quota period in order to participate while the quota period is still open. There would still be measures such as daily trip limits to try to spread harvest throughout each winter quota period, so the fishery would not be completely unconstrained. However, with vessels from all states able to participate in the fishery during this time, the winter period quotas could still be landed relatively quickly especially if the overall annual quota is relatively low. This could result in negative economic impacts to participating vessels as the result of increased competition during these time periods, with the potential for market flooding to occur. In addition, derby fishing could create incentives to fish in non-optimal conditions which could present a safety issue. States have historically had varying levels of participation in the winter fishery, so this could impact states differently.

A scup model may work somewhat better during higher quota years where derby fishing may be less of a problem. Under lower quotas, there will be more pressure to land fish early in the quota period, especially if many vessels are participating in the winter fishery. However, summer flounder is a high demand species, and it is likely that there will be some difficulty controlling coastwide harvest in this scenario regardless of overall annual quota; thus, limits may need to be set at low levels to ensure reasonable access to the resource for all vessels, and so that landings can be spread throughout the quota period.

Shoreside businesses would also be impacted under this quota allocation configuration, potentially more so than under other allocation options since the location of landings during the winter season would be more difficult to predict. Socioeconomic impacts to these businesses would be driven by where vessels chose to land in the winter, and their state's allocation during the summer period. Ports that are relatively easier to access, closer to prime harvest locations, or with generally favorable market conditions are more likely to benefit. Businesses and communities in these ports could see increases in revenues and jobs. Likewise, ports and businesses that do not have these advantages may see a decrease in landings, revenues, and jobs.

Overall, social and economic impacts are expected to vary by state but are difficult to predict given the uncertainty in coastwide winter fishery participation. Each state's relative economic benefits or costs would depend on how many vessels they have that are able to participate in the winter fishery, how many trips could be taken by those vessels in a given year, market conditions in the areas where those vessels chose to land, among other factors.

The **differences between sub-alternatives 2D-1 and 2D-2** primarily impact the state of Maryland. Under alternative 2D-2, without an exemption for Maryland IFQ holders, these fishery participants and their communities are likely to experience negative socioeconomic impacts. An exemption for Maryland under alternative 2D-1 may cause enforcement and logistical concerns upon implementation, although NMFS has indicated that is likely to be possible for Maryland vessels to

continue operating separately from an otherwise coastwide fishery. Increased administrative and enforcement effort may be needed under this exemption.

Table 17 provides an example of quota allocation breakdown under hypothetical quota scenarios under alternative 2D-1 (includes Maryland exemption), while Table 18 provides the same examples under alternative 2D-2 (no Maryland exemption). Table 19 compares the differences in allocations between alternatives 2D-1 and 2D-2.

Table 17: Alternative 2D-1: Scup model with Maryland exemption. Example allocations shown using hypothetical coastwide quotas at 8.12 million lb and 14.00 million lb.

Quota Period	Allocation % (of remaining coastwide commercial quota after 2.03910% allocated to MD)		Measures	Example allocation (lb) under 8.12 million lb quota		Example allocation (lb) under 14.00 million lb quota	
Winter I (Jan 1-Apr 30)	**55.26%**		Coastwide (except MD)	4,486,850		7,735,948	
Summer (May 1-Oct 31)	**27.65%**		State-specific	2,244,955		3,870,612	
State-specific summer allocations	**ME**	0.015%		**ME**	347	**ME**	598
	NH	0.000%		**NH**	0	**NH**	2
	MA	19.332%		**MA**	433,988	**MA**	748,255
	RI	22.476%		**RI**	504,568	**RI**	869,945
	CT	3.566%		**CT**	80,052	**CT**	138,021
	NY	18.553%		**NY**	416,495	**NY**	718,095
	NJ	29.667%		**NJ**	666,004	**NJ**	1,148,283
	DE	0.045%		**DE**	1,013	**DE**	1,746
	MD	--[a]		**MD**	--[a]	**MD**	--[a]
	VA	5.648%		**VA**	126,785	**VA**	218,594
	NC	0.699%		**NC**	15,702	**NC**	27,072
Winter II (November 1 - Dec 31)	**17.10%**		Coastwide (except MD)	1,388,195		2,393,440	
Total	**100%**		--	8,120,000		14,000,000	

[a] Under Alternative 2D-1, Maryland would have an annual allocation of 2.03910% of the coastwide quota (and thus no specific seasonal allocation for the summer period quota).

Table 18: Summary of proposed allocation configuration of Alternative 2D-2 (includes Maryland), with examples using hypothetical coastwide quotas at 8.12 million lb and 14.00 million lb.

Quota Period	Allocation % (of annual coastwide commercial quota)	Measures	Example allocation (lbs) under 8.12 million lb quota	Example allocation (lbs) under 14.00 million lb quota
Winter I (Jan 1-Apr 30)	**54.68%**	Coastwide	4,440,145	7,655,422
Summer (May 1-Oct 31)	**28.28%**	State-specific	2,296,255	3,959,060
State-specific summer allocations	**ME** 0.015% **NH** 0.000% **MA** 18.525% **RI** 21.538% **CT** 3.417% **NY** 17.779% **NJ** 28.429% **DE** 0.043% **MD** 4.171% **VA** 5.412% **NC** 0.670%		**ME** 340 **NH** 0 **MA** 425,389 **RI** 494,571 **CT** 78,466 **NY** 408,243 **NJ** 652,808 **DE** 993 **MD** 95,782 **VA** 124,272 **NC** 15,391	**ME** 586 **NH** 2 **MA** 733,429 **RI** 852,708 **CT** 135,287 **NY** 703,867 **NJ** 1,125,531 **DE** 1,711 **MD** 165,141 **VA** 214,263 **NC** 26,536
Winter II (Nov 1 - Dec 31)	**17.04%**	Coastwide	1,383,599	2,385,516
Total	**100%**	--	8,120,000	14,000,000

Table 19: Comparison of allocation differences between sub-alternatives 2D-1 and 2D-2.

	Alt. 2D-1: based on 1997-2016 landings without Maryland	Alt. 2D-2: based on 1997-2016 landings with Maryland	Absolute Difference
Quota Period Allocations			
Winter I	55.26%	54.68%	0.58%
Summer	27.65%	28.28%	0.63%
Winter II	17.10%	17.04%	0.06%
State Summer Period Allocations			
ME	0.02%	0.01%	0.01%
NH	0.00%	0.00%	0.00%
MA	19.33%	18.53%	0.80%
RI	22.48%	21.54%	0.94%
CT	3.57%	3.42%	0.15%
NY	18.55%	17.78%	0.77%
NJ	29.67%	28.43%	1.24%
DE	0.05%	0.04%	0.01%
MD	--[a]	4.17%	--
VA	5.65%	5.41%	0.24%
NC	0.70%	0.67%	0.03%

[a] Maryland would have an annual allocation of 2.03910% of the coastwide quota under 2D-1 (and thus no specific seasonal allocation for the summer period quota).

7.0 LANDINGS FLEXIBILITY FRAMEWORK PROVISIONS

7.1 Landings Flexibility Framework Provision Alternatives

This alternative set considers whether to add "landings flexibility" policies to the list of issues in the Council's FMP that can be modified through a framework action. Framework actions are modifications to the Council's FMP that are typically (though not always) more efficient than a full amendment. While amendments may take several years to complete and address a variety of issues, frameworks can often be completed in 5-8 months and address one or a few issues in a fishery. Framework actions can only modify existing measures and/or those that have been previously considered in an FMP amendment. Because the Commission does not do framework actions and instead can address issues of this scope through FMP addenda, this alternative set does not apply to the Commission's FMP.

Landings flexibility, as described below, may allow for commercial vessels to land or possess summer flounder in states where they are not permitted at the state level. Landings flexibility differs from “safe harbor” agreements between some states, which are based on state level agreements and allow a state to accept landings from a vessel on a temporary basis under certain emergency situations (e.g., weather, mechanical breakdown, injured crew member). Landings flexibility, on the other hand, would be a broader policy that would require a state to accept vessels that do not necessarily meet state level permitting or landing license criteria, as described under alternative 3B below.

This action would not implement any landings flexibility policies at this time, but instead would simply allow these policies to be implemented via a future framework action (for the Council; with corresponding addendum from the Commission) rather than through an amendment

process. **The impacts of any future framework action related to landings flexibility would be analyzed through a separate action**, which would include public comment opportunities and documentation of compliance with all applicable laws. Depending on the proposed configuration of landings flexibility in a future action, **the level of analysis required may vary and an EIS may be required if impacts are expected to be significant.**

7.3.1 Alternative 3A: No Action/*Status Quo*

Under this alternative, no changes would be made to the framework provisions of the FMP. Broad coastwide landings flexibility would remain inconsistent with the current FMP, and any future programs of this type would likely have to be implemented through an amendment to the FMP. While the Commission may be able to implement coastwide landings flexibility through an addendum, doing so could create inconsistencies between the two FMPs. States would remain free to develop landings flexibility agreements through state-level agreements, provided that such agreements are consistent with other Council and Commission FMP requirements and would not require modification to the federal management measures.

7.3.2 Alternative 3B: Add Landings Flexibility as a Frameworkable Issue in the Council's FMP

Under alternative 3B, “landings flexibility” policies for the commercial summer flounder fishery would be added to the list of frameworkable items in the Council's FMP. This alternative is primarily administrative in that it does not implement any landings flexibility policies, but simply modifies the way that landings flexibility policies may be implemented in the future.

"Landings flexibility" means the ability to land or possess summer flounder in any state (or, in some configurations, any participating state) without requiring that vessel to be permitted in that state. The Council and Board's intent is to allow for consideration of multiple possible configurations of landings flexibility through future framework actions, including allowing vessels to land in any port/state, developing multi-state landings agreements, and/or allowing vessels to possess multiple state possession limits at one time for separate offloading. The specific details of how landings flexibility would work in practice would be determined at the time of a future framework action.

Landings flexibility is typically proposed to work within a state-by-state quota system, and would not be necessary under the "scup model" configuration of alternative 2D. NMFS has indicated that quota transfers would likely be required for each "out of state" landing event to properly attribute landings to the permit state rather than the state of landing. It would not be possible to track landings at the individual permit/vessel level with timeliness and accuracy required of in-season commercial management. If a vessel is permitted in multiple states, there would need to be a clear process to specify against which state's quota the landings should be counted and which state needs to participate in a quota transfer. Under the commonly discussed broad coastwide configuration of landings flexibility, each state would be required to accept any commercial vessels landing summer flounder and participate in the associated quota transfer.

Any future framework action would need to determine how state level trip limits and other state-specific measures would be enforced if any vessel could land in any state. Specifically, the Council and Board would need to specify if a vessel would be subject to the possession/trip limits and seasons of the state in which they land, or to those of the state in which they are permitted.

7.3 Impacts of Landings Flexibility Framework Provision Alternatives

In general, the framework alternatives proposed in this action are primarily administrative and intended to simplify and improve the efficiency of future landings flexibility actions to the extent possible. The purpose of modifying the list of "frameworkable items" in the FMP is to demonstrate that the concepts included on the list have previously been considered in an amendment (i.e., they are not novel). The impacts of alternatives 3A and 3B are briefly described below.

The sections below describe the general expected impacts of each proposed alternative for landings flexibility framework provisions.

7.3.1 Impacts of Alternative 3A: No Action/*Status Quo*

Alternative 3A would make no changes to the current list of framework provisions in the Council's FMP. Any future proposed landings flexibility policy that required coastwide participation or modification to the federal measures would likely require a full FMP amendment. The timeline and complexity of such an amendment would heavily depend on the nature of options considered and to what extent landings flexibility could work within the existing management program.

As stated above, states would remain free to develop landings flexibility agreements by state-level agreements, provided that such agreements are consistent with other Council and Commission FMP requirements and would not require modification to the federal management measures.

7.3.2 Impacts of Alternative 3B: Add Landings Flexibility as a Frameworkable Issue in the FMP

Allowing landings flexibility policies to be implemented through a framework action would not have any direct impacts on the environment or human communities, as this alternative is primarily administrative. Under this alternative, any future landings flexibility framework action (likely developed in conjunction with a Commission addendum) would be analyzed through a separate process with associated public comment opportunities and a full description of expected impacts.

It is not possible to predict the magnitude and direction of impacts of any future landings flexibility framework actions; however, such actions would need to specify and analyze several aspects of how landings flexibility would work in practice. Landings flexibility policies have been suggested as a means of addressing rising fishing costs, fuel use, increasing adaptability to market conditions, addressing safety concerns, adapting to a changing distribution of fish, and improving efficiency. However, landings flexibility also raises questions and concerns relative to enforcement (e.g., which state's measures are enforced), administrative burdens associated with associated quota transfers and monitoring, and possibly substantial impacts to shoreside operations. Additional concerns have been raised about the potential for flooding markets and rapid swings in market prices if many vessels ultimately chased ports with higher prices at a given time.

Given these issues, depending on how landings flexibility is configured, the social and economic impacts associated with a future framework action may be significant and require substantial analysis. Although the timeline for Magnuson Stevens Act requirements could be shortened by completing a framework instead of an amendment, **an EIS may still be required** for NEPA analysis depending on the expected impacts of future management options, **extending the timeline of a typical framework and possibly eliminating time savings entirely.**

ROY COOPER
Governor
MICHAEL S. REGAN
Secretary
STEPHEN W. MURPHEY
Director

Nov. 1, 2018

MEMORANDUM

TO: N.C. Marine Fisheries Commission

FROM: Steve Poland, Executive Assistant for Councils

SUBJECT: South Atlantic Fisheries Management Council Meeting Summary Sept. 30 – Oct. 4, 2018

Issue
This memo is to update the Marine Fisheries Commission on issues discussed and actions taken by the South Atlantic Fisheries Management Council with attentions to items of relevance to the state of North Carolina.

Findings
- The council approved Regulatory Amendment 27 (Commercial Visioning Amendment) which adjusted season and trip limits for numerous species in the Snapper/Grouper complex.
- Adjustments to the total Annual Catch Limits (ACL) for vermillion snapper (increase) and black seabass (decrease) were approved.
- The council voted to stop work on Amendment 47 (For-hire Permit Moratorium).
- Further information about these findings and other issues that the council discussed can be found in the council meeting report in the briefing book.

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

Overview
The South Atlantic Fisheries Management Council met on Oct. 1-4, 2018 in Charleston, SC. Prior to the meeting, the American Sportfish Society (ASA), in partnership with the Coastal Conservation Association (CCA) and Yamaha Marine Group, hosted a workshop to discuss innovative approaches for management of the private, recreational sector of the Snapper/Grouper fishery on Sept. 30 – Oct. 1, 2018. Highlights of the discussions and management actions taken by the council are detailed below.

Recreational Workshop
The ASA, in conjunction with the CCA and Yamaha Marine Group, facilitated a discussion with council members and staff, representative of the host organizations, and members of the Snapper/Grouper Advisory Panel and Scientific and Statistical Committee about management of

the recreational fishery in the South Atlantic. Topics discussed included harvest rate management, use of harvest tags, latitudinal management, and electronic reporting. Workshop organizers plan on holding regional meetings with recreational anglers in each state from North Carolina through Florida in the coming months and will present recommendations to the council at its March 2019 meeting.

Visioning Amendments
These amendments address input received during the development of the Snapper Grouper Vision Blueprint, a long-term strategic vision document for the management of the snapper grouper resource in the South Atlantic. The council discussed and took final action to approve Regulatory Amendment 27 (Commercial Visioning Amendment) which adjusts the season, retention and/or trip limits for blueline tilefish, snowy grouper, greater amberjack, red porgy and vermilion snapper in an effort to account for issues of varying geographic and seasonal access throughout the region and to reduce discards in the fishery. Actions contained in this amendment will provide more access to snowy grouper and blueline tilefish for fisherman in the northern Outer Banks when the fish are available.

Regulatory Amendment 26 (Recreational Visioning Amendment) contains actions that reorganize the existing aggregate bag limits to better reflect the species composition of a recreational trip. The council reviewed the draft amendment and modified and selected preferred alternatives which include the establishment of a deep water species aggregate (snowy, misty, and yellowedge grouper, golden and blueline tilefish, and wreckfish) modified the current 20-fish aggregate species without a bag limit to include no more than 10 of any species. The council will take final action on this amendment at its December 2018 meeting in Kitty Hawk.

For-Hire Moratorium Amendment
Following the review of public comments received during scoping webinars, the council voted 7 – 5 to stop work on the for-hire permit moratorium amendment (Amendment 47) indefinitely. Actions included in this amendment would have created a moratorium on issuing for-hire permits in the Snapper Grouper fishery.

For-Hire Electronic Reporting
The council was updated on the timing and implementation of the for-hire electronic reporting program. All captains who have a federal for-hire permit will be required to submit weekly landings reports. NOAA Fisheries expects regulations to become effective Jan. 1, 2019, but the final rule has not yet been published. In-person trainings are being scheduled in North Carolina during the December council meeting.

Vermillion snapper and black seabass ACL adjustments
The council approved Abbreviated Framework Amendment 2 which adjust the Annual Catch Limits (ACL) for both vermillion snapper and black seabass following the results of updated stock assessments. Neither fish was overfished* nor undergoing overfishing*. The ACL for vermillion snapper will increase to 1.579 million pounds for the 2019 fishing year and then step down each year until 2023 to 1.336 million pounds. The sector allocations will remain unchanged at 68 percent commercial and 32 percent recreational. The total ACL for black seabass, even though not overfished, will drop from 1.756 million pounds to 760,000 pounds for 2019 and then step down each year until 2021 to 643,000 pounds. The lower ACLs should

constrain future harvest and prevent overfishing if harvest increases. Additionally, given recent commercial and recreational landings, the ACL reduction will cause little actual reduction in landings. The sector allocations will remain unchanged at 43 percent commercial and 57 percent recreational.

Upcoming meeting
The next meeting of the South Atlantic Fisheries Management Council will be Dec. 3 – 7, 2018 at the Hilton Garden Inn in Kitty Hawk, NC.

***Definitions**
Overfishing – Occurs when the rate that fish that are harvested or killed exceeds a specific threshold.
Overfished – Occurs when the spawning stock size of a population is below a specified threshold. This condition significantly reduces the stock's reproductive capacity to replace fish removed by harvest.

South Atlantic Fishery Management Council
Meeting Summary
October 1-5, 2018
Charleston, SC

The South Atlantic Fishery Management Council held their regularly scheduled September meeting October 1-5, 2018 in Charleston, SC. The meeting was postponed due to Hurricane Florence. Below are highlights from the Council's weeklong meeting. Additional information from the meeting is available from the Council's website at: http://safmc.net/september-2018-council-meeting-details/, including a Meeting Report, Story Map, final committee reports, public comments, and briefing book materials.

Amendments Approved for Secretarial Review

The Council approved four amendments to fishery management plans for formal Secretarial review. NOAA Fisheries will solicit additional public input on the amendments as part of the review process. Regulatory actions in the amendments will be implemented following the review process, if approved by the Secretary of Commerce.

Spiny Lobster Amendment 13

The amendment includes actions to update federal regulations to align with the State of Florida and update the enhanced cooperative management procedure between the Florida Fish and Wildlife Commission and NOAA Fisheries. The new regulations would apply to commercial harvesters using bully net gear and include permit requirements, vessel markings, and prohibitions on the use of trap pullers or underwater breathing apparatus (excluding dive masks or snorkels) when commercial bully net fishing. The amendment would also establish a daily vessel limit of 250 lobsters per day/vessel for the commercial bully net fishery and for the commercial dive fishery, in specified areas.

Snapper Grouper Regulatory Amendment 27 (Commercial Visioning)

In response to input received as part of the Council's Vision Blueprint for the Snapper Grouper Fishery addressing long-term management, the actions in this amendment are designed to address concerns over equitable access for commercial fishermen, minimize discards, and improve marketability. The amendment would: establish a commercial split season and modify trip limits for blueline tilefish, greater amberjack, and red porgy; establish a split season for snowy grouper, modify the trip limit for vermilion snapper; specify a minimum size limit for almaco jack and a trip limit for the Other Jacks Complex; remove the minimum size limit for queen snapper, silk snapper and blackfin snapper; and reduce the commercial minimum size limit for gray triggerfish in federal waters off east Florida.

(Continued)

Snapper Grouper Abbreviated Framework Amendment 2 (Vermilion Snapper and Black Sea Bass)

Based on results of the latest stock assessments, the framework amendment would adjust fishing levels for both vermilion snapper and black sea bass. Actions in the amendment would increase the overall annual catch limit (ACL) for vermilion snapper and decrease the annual catch limit for black sea bass. The ACL for vermilion snapper would increase from 1,269,000 pounds whole weight (ww) to 1,579,000 pounds (ww) beginning in 2019. For black sea bass, the ACL would be reduced from 1,756,450 pounds (ww) to 760,000 pounds beginning in 2019 with the recreational ACL effective at the start of the 2019/2020 fishing year (starting April 2019). The Council is considering the amendment an "interim adjustment" until new recreational estimates from the Marine Recreational Information Program (MRIP) are incorporated into the assessment. The Council's Scientific and Statistical Committee will review the MRIP recalibrations and updated assessments using the new MRIP numbers for both species during its October 15-17, 2018 meeting and provide a report to the Council during its December 2018 meeting.

Coastal Migratory Pelagics Framework Amendment 6 (Commercial trip limits for king mackerel)

The amendment modifies commercial trip limits for Atlantic king mackerel in the Atlantic Southern Zone (NC/SC line to the Miami-Dade/Monroe County Line, Florida). The amendment addresses concerns voiced by mackerel fishermen that lower trip limits are making it difficult to make enough money to make trips profitable. The amendment would increase the trip limit in specified areas from 50-fish to 75-fish for the month of March, and from 75-fish to 3,500 pounds for the remainder of Season 1 (April 1 – September 30), providing profitability for vessels that make multi-day trips while constraining harvest to the annual catch limit and providing year-round access.

Other Items

Snapper Grouper Amendment 47 (Modifications for For-Hire Permits)

After reviewing public scoping comments from webinars held in August and much discussion, the Council voted in a split vote (7 to 5) to not move forward with the amendment which contained options for limiting entry within the for-hire snapper grouper fishery and changes to the for-hire permit. Council members against the amendment noted the majority of public comments received opposed limited entry for the for-hire sector, with most comments coming from private recreational anglers, and generally felt there wasn't strong enough rationale for implementing such a program. Those supporting moving forward with developing the amendment noted the need to continue public scoping to receive public input and consider if the options would address issues with illegal fishing operations and help to professionalize the for-hire fleet.

(Continued)

NOTE: In-person public scoping meetings for Snapper Grouper Amendment 47 scheduled to begin this week have been cancelled.

New Council Chair and Vice-Chair Elected
The Council elected Jessica McCawley, Council representative for the Florida Fish and Wildlife Conservation Commission, as the new Council Chair and Mel Bell, representative for the South Carolina Department of Natural Resources' Marine Resources Division as its new Council Vice-Chair.

Law Enforcement Office of the Year Award
Officer Randy Hering with the South Carolina Department of Natural Resources' Law Enforcement Division was presented with the Council's 2017 Law Enforcement Officer of the Year Award for his distinctive service.

On the Table for December

- **Snapper Grouper Regulatory Amendment 32 (Yellowtail Snapper)**
  The amendment would revise in-season accountability measures for yellowtail snapper with the intent to alleviate socio-economic impacts due to in-season closures. Final approval is scheduled for December.
- **Snapper Grouper Regulatory Amendment 30 (Red Grouper)**
  According to the most recent stock assessment, the red grouper stock is undergoing overfishing and efforts to rebuild the stock are not making adequate progress. The amendment would update the rebuilding schedule, modify the spawning season closure off the Carolinas, and establish a commercial trip limit for red grouper in the entire South Atlantic Region. Final approval is scheduled for December.
- **Vision Blueprint Regulatory Amendment 26 (Recreational)**
  The amendment includes several measures for the recreational snapper grouper fishery to address issues identified in the Council's Vision Blueprint. These include a recreational season for deepwater species, revising aggregate bag limits for deepwater species and the 20-fish aggregate, reducing the minimum size limit for gray triggerfish in federal waters off of east Florida to match state regulations, and other measures. Final approval is scheduled for December.
- **Recreational Accountability Amendment**
  The amendment would remove the in-season closure for the recreational sector. The Council will review actions/alternatives and provide guidance.

The Council will discuss the items above as well as additional issues affecting federal fisheries management during its next meeting, scheduled for December 3-7, 2018 in Kitty Hawk, NC. Briefing book materials will be available from the Council's website two weeks prior to the meeting at: http://safmc.net/safmc-meetings/council-meetings/.

The South Atlantic Fishery Management Council's

South Atlantic Update

Published for fishermen and others interested in federal marine resource conservation issues **Summer 2018**

Red Snapper Mini-Season Offers Opportunity for Data Collection

States and feds collaborate to collect biological samples, landings and effort estimates

The weather cooperated for most fishermen during the two 3-day weekend recreational mini-season opening for red snapper in August. "I fished 5 out of 6 days this season and the weather was great both weekends - a welcome relief from the weather last go-round on red snapper season," explained Steve Swann, a recreational fisherman from Atlantic Beach, FL fishing out of the Jacksonville area. "We got a bag limit every day except one," said Swann, who explained that several smaller fish were released and then the bite was over on that day. "Participation was off the charts based on the lack of parking at the boat ramps here in Jax and in St. Augustine as well. We fished about 25 miles offshore. The nearshore reefs looked like parking lots and I think anyone that had a seaworthy boat was on the ocean given the pent up demand and long time since we've had a snapper season with good weather."

Credit: Steve Swann

Steve Swann (middle) and friends show off their red snapper catches, including the photographer's bag limit. The four fished out of Mayport, FL and reported good catches with crowded conditions. An experienced recreational fisherman, Steve serves as vice-chair of the Council's Mackerel Cobia Advisory Panel.

Fishermen headed offshore to keep the daily bag limit of 1-fish per person per day. The 6-day season, August 10-12 and 17-19, was set by NOAA Fisheries and the recreational annual catch limit of 29,656 fish. The opening came following the Council's approval of Amendment 43 to the Snapper Grouper Fishery Management Plan in September 2017, with the intent to allow a seasonal opening in July. Timing for final approval of the amendment by the Secreatary of Commerce delayed the opening until August.

Credit: FWRI

Researchers in Florida were stationed at boat ramps and marinas along the east coast to monitor recreational fishing activity during the red snapper recreational opening and spoke directly with anglers about their trips. A survey, developed by Florida Fish and Wildlife Commission's Fish and Wildlife Research Institute during the first red snapper mini-season in 2012, helps provide managers with more precise estimates for the number of red snapper harvested. Size and age data were also collected from harvested fish and will be provided for the next red snapper stock assessment. Other states also collected data using carcass collection sites as well as dockside intercepts.

Collecting Red Snapper Data

The red snapper mini-season also provided the opportunity for biologists from state and federal marine resource agencies to collect valuable information from fishermen as they returned to the docks and boats ramps. In addition to answering questions, biological samples were taken from red snapper that were

(Continued page 5)

September 16-20, 2018
Council Meeting
Charleston, SC
See page 7 for details

Recreational Workshop
September 16 - 17

Formal Public Comment
Wednesday, September 19
at 4:00 PM

Inside This Issue:

The South Atlantic Fishery Management Council, 4055 Faber Place Drive, Suite 201, N. Charleston, SC 29405;
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Editor's Note

The *South Atlantic Update* is published by the South Atlantic Fishery Management Council. Its purpose is to report developments in fisheries management that would be of interest to its readers. Please credit the Council when reprinting articles used in this newsletter. Submissions may be mailed to Kim Iverson, Editor, *South Atlantic Update*, 4055 Faber Place Dr., Suite 201, N. Charleston, SC 29405, or may be sent via the internet; Email address: kim.iverson@safmc.net.

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Council Members Appointed by the Secretary of Commerce

In June, the Secretary of Commerce announced appointments to the eight regional fishery management councils. The Secretary selects members from nominations submitted by the governors of fishing states, territories and tribal governments. Council members are appointed to both obligatory (state-specific) and at-large (regional) seats. Council members serve a three-year term and may be reappointed to serve three consecutive terms.

Three new members were appointed to the South Atlantic Fishery Management Council.

Dr. Kyle Christiansen

Dr. Kyle Christiansen has been appointed to fill an obligatory state seat. A practicing veterinarian and co-owner of Cedar Animal Hospital in Richmond Hill, GA, recently partnered to open 17 South Rod & Gun Club, a full service shooting facility in Liberty County, GA.

Kyle served as a member of the Council's Dolphin Wahoo Advisory Panel and is an alumni of the Marine Resources Education Program - Southeast. An avid recreational fisherman, Kyle explained, "Growing up in South Georgia has afforded me the opportunity to spend most of my free time either on the water or in it, from fresh water ponds and rivers to coastal fishing, out to the gulfstream. It is our responsibility to protect these resources for future generations to enjoy both as recreational fishermen or commercial enterprise."

Art Sapp

Appointed to an obligatory Florida seat, **Art Sapp,** of Lighthouse Point, FL brings his experience as a charter captain, commercial fisherman, and tournament fisherman to the table. He is a seventh generation Floridian, growing up fishing for dolphin and snapper in the summer, grouper and cobia in the winter, and spending a lot of time at the neighborhood tackle shop and seafood market. Following his passion, fishing has been his sole career for the last 8 years. "I look forward to speaking with as many people in the fishing industry as possible," said Sapp. "Especially when issues come before the Council that directly affect a person's livelihood."

Spud Woodward, an At-large appointee from Pooler, GA is no stranger to fishery management. Prior to his retirement in early 2018, Woodward spent 34 years with the Georgia Department of Natural Resources serving as Chief of Marine Fisheries Management from 2002 to 2008 and Director of the Coastal Resources

Spud Woodward

(Continued page 6)

In the News:

Economic Impact Evaluations of Hurricanes Irma and Maria to Fishing Communities Now Available

2017 will be remembered as a record year for hurricanes for those living in Florida, Puerto Rico, and the U.S. Virgin Islands. NOAA Fisheries recently released its 60-day regional evaluations of economic impacts from Hurricanes Irma and Maria to fishing communities in those areas. The reports provide information specific to the fishing industry to assist the Governors in assessing the damage caused by these storms and supplement ongoing work the states and territories are doing to assess similar damages.

Congress appropriated $200M in the 2018 Bipartisan Act for fisheries disasters determined by the Secreatary of Commerce in 2017. Read the individual reports at: https://www.fisheries.noaa.gov.

Commercial Spiny Lobster Fishermen Feel Pinch of Tariffs

New tariffs may affect trade with China, driving sales and profits down

Commercial fishermen still recovering from the damage caused by Hurricane Irma last year are finding a new obstable as the season begins to ramp up for 2018. In June, the U.S. put a 25 percent border tax on Chinese imports. In response, China placed a 25 percent tariff on its own imports from the U.S. Then, China more than doubled tariffs on U.S. live lobster, to 40 percent., according to a recent story by National Public Radio. The tariffs are having negative impacts on seafood producers across the country including American lobster harvested in New England and spiny lobster in Florida.

China has become the primary customer of live spiny lobster from Florida over the past decade, keeping prices relatively high and maintaining a steady demand. But with tariffs increasing prices, fishermen are concerned that China, who purchased up to 75% of spiny lobster in recent years, may turn to other countries such as Brazil or Australia for product.

"The Chinese very skillfully played their cards, choosing products that hurt our industry a lot," said Bill Kelly, president of the Florida Keys Commercial Fishermen's Association in a recent interview with the Miami Herald. "These tariffs are a great deal of concern to us."

Ninety percent of Florida's live lobsters come from the Keys and account for about $50 million in sales each year. In 2016, fishermen hauled in $54 million in lobster — more than shrimp, red grouper or stone crabs.

MyFishCount Recreational Reporting Project Counts More than Just Fish

Use of new mobile app helps provide the big picture during red snapper opening - and into the future

Fishermen love to share stories about their fishing trips. Whether its on the VHF, fishing forums, Instagram, Facebook, or uncle Harry's birthday party. We often receive calls here at the Council office from fishermen talking about the impacts of weather, regulations, gear requirements, number of released fish (and the sharks that feed on them), etc.

Now there is an opportunity to share that information in real time to help fishery managers better understand what is happening on the water while giving private recreational anglers a personal log-book to help improve their next fishing trip.

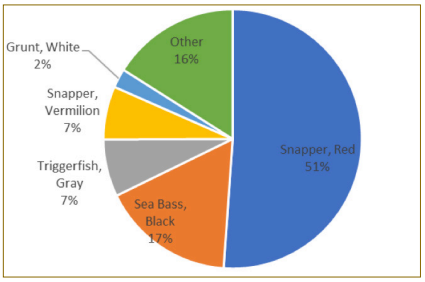
"We believe all anglers have a responsibility to live up to Florida's "Fishing Capital of the World" designation, and there is no better way than through the MyFishCount app."
Gary Jennings, American Sportfishing Association

The MyFishCount electronic reporting pilot project allows anglers to report details of their trips - numbers of fish kept, released, condition of fish released, gear used, depths fished, area fished, weather, and much more. Information is reported through the MyFishCount website or mobile app. All data are confidential and used only in cummulative format. As anglers log into their accounts and report, they also create trip-level logbooks that can be referenced later to help improve their fishing trips.

Reports from Red Snapper Season

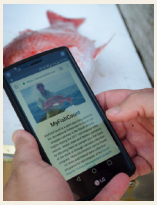
With over 700 users of the mobile app to date, MyFishCount participants received a summary report from the red snapper season three days after the recreational season ended. The report included catch highlights, weather impacts on fishing trips, catch and release information, length distributions for fish captured this year compared to the last stock assessment, and more. Anglers are encouraged to participate in the pilot project and help paint the big picture to improve fisheries management.

Species reported landed during red snapper season



MyFishCount Reported Mini-Season Highlights

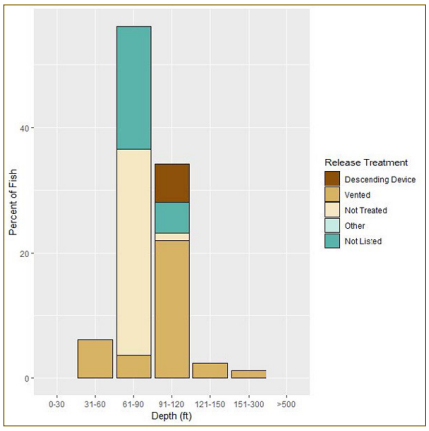
- Heaviest red snapper - 25 pounds
- Longest red snapper - 39 inches
- Most common fish reported with red snapper - black sea bass.



- 10% of trips abandoned first weekend due to weather or other factors/ 38% second weekend.

Sign Up Now
myfishcount.com
and download the mobile app - available at Google Play or Apple Store

Reported release treatment based on depth



Reports from MyFishCount users were used to compile data following the red snapper mini-season. As reports continue throughout the year, such information will be helpful to managers.

Ask a Manager

Gregg Waugh Discusses the New Changes in Recreational Fishing Effort Estimates - *and possible impacts for fisheries managed by the Council*

In the last issue of the *South Atlantic Update* newsletter Dr. Ned Cyr addressed changes in the survey methods used to collect recreational fishing data through the Marine Recreational Information Program administered by NOAA Fisheries. A transition from telephone surveys to mail surveys has recently resulted in improved reporting and changes to estimates for fishing effort and catches by recreational fishermen. Gregg Waugh, Executive Director for the South Atlantic Fishery Management Council answers questions on how these numbers may change fisheries management at a regional level.

When will the new Marine Recreational Information Program estimates be available?

The new MRIP numbers are available now from the NOAA Fisheries website: https://www.fisheries.noaa.gov/topic/recreational-fishing-data . However, for the Council to have numbers to use in assessments and management, they need to be converted from the National MRIP numbers to match our management areas, seasons, and fishing years. For example, MRIP provides estimates for the Florida East Coast and West Coast with Monroe County (Florida Keys) included as part of the West Coast. The South Atlantic Council manages most stocks through the Atlantic side of the Florida Keys, so the National MRIP numbers have to be converted to match the management areas. There are other boundary issues, for example, Cape Hatteras, North Carolina, where some fisheries are managed northward by the Mid-Atlantic Council.

The National MRIP estimates also include charter catches and those numbers need to be converted to include current Southeast Region Headboat Survey catch data before they can be used regionally. Finally, there are weight conversions to be addressed: the National MRIP estimates use an average weight from the samples collected while conducting the MRIP dockside interviews. The Southeast Fisheries Science Center (SEFSC) uses a larger sample size to get a more accurate estimate of average weight. The differences in the way these averages are calculated must be addressed.

What's the plan for updating stock assessments?

The Council is working through the SEDAR stock assessment process to have all assessments updated with the new MRIP numbers. Problem is, how fast can this be done and are there some species that should be assessed sooner. Given the heavy workload to prepare the new MRIP numbers for inclusion in assessments, the Council has prioritized four species to be assessed prior to the end of the year through MRIP Update Assessments.

Which species will be included in the first set of MRIP Update Assessments??

The Council requested that the first assessments using the new MRIP numbers focus on species with a large recreational component and that have been assessed recently. The four species being included in the MRIP Update Assessments are black sea bass, blueline tilefish, red grouper, and vermilion snapper. The updates are being conducted in September and October of this year.

What effect will the new MRIP numbers have on stock status?

Great question and one for which we don't have an answer, yet. The expectation is that since the new MRIP estimates, for the most part, show larger recreational catches than previously estimated, the overall size of the pie (Annual Catch Limit or ACL) should be larger. Could be. On the other hand, higher recreational catches could indicate a higher mortality from the recreational component and the stock status could be worse. We will know the answer for four species when we get the new MRIP Update Assessments. The results will be presented to the Council's Scientific and Statistical Committee during its October 15-17, 2018 meeting and to the Council when it meets December 3-7, 2018 in Kitty, Hawk, NC.

How will the Council deal with allocations between commercial and recreational sectors based on the new MRIP numbers?

That's the tough question, and we will take a few minutes to explain. The Council will begin their discussions about revisions to existing allocations using the MRIP Update Assessments for black sea bass, blueline tilefish, red grouper, and vermilion snapper. The hope is that the new assessments will lead to a bigger pie (increased total ACL) so that neither sector (commercial or recreational) will be hurt by a reduction in the pounds allocated. I emphasize pounds here because the economic impact on the commercial sector will be measured based on pounds allocated, not the percentage allocated. For example, assume the current commercial allocation for stock "X" is 10% and the pounds allocated were 100,000 pounds. If the percentage allocation was to decrease to 8% but the pounds allocated remained 100,000 pounds because the pie is bigger (increase in total ACL), there would not be any negative short-term impacts to the commercial sector.

For each of the four species, the Council will review a table in December showing the adjusted catch history using the new MRIP estimates (numbers of fish and pounds of fish), as well as the recreational and commercial ACLs using current allocation formulas established in the Council's Comprehensive ACL Amendment approved in October 2011 and implemented April 16, 2012.

The Council will determine whether to limit options for allocations between recreational and commercial sectors to those from the Comprehensive ACL Amendment, modify

(Continued page 7)

Credit: Damon Barnes

Fishermen traveled from Orlando, Atlanta, and Jacksonville to take advantage of the red snapper opening. Damon Barnes (yellow shirt), a policeman from Orlando, explained that this group of friends fish whenever possible. They caught their bag limit of red snapper and took home the captain and crew limit as well. "We had a great Sunday!"

landed, including lengths, otoliths (ear bones) used for aging fish, reproductive organs, and other samples to be analyzed.

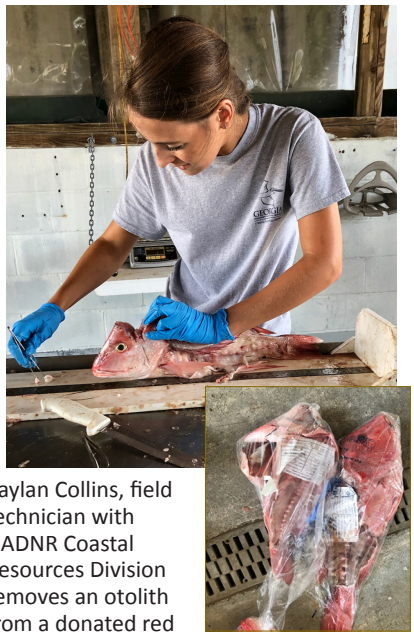
"We monitored boat activity every day at 9 ocean inlets from Cumberland Sound (GA border) to Port St. Lucie," said Beverly Sauls, researcher with the Florida Fish and Wildlife Commission's Fish and Wildlife Research Institute. "We also conducted angler interviews during 35 assignments at 27 sites along the same area," explained Sauls. She noted that biological samples were collected from red snapper as well as amberjack, gag, cobia, black sea bass, vermilion snapper, king mackerel and other species as part of an ongoing project. "The weather was great and we saw high effort both weekends, particularly in Jacksonville, St. Augustine, Ponce Inlet, and Port Canaveral," said Sauls. "Some anglers complained that they had trouble finding red snapper, or that fish weren't biting because of the thermocline, but we still saw good numbers of fish and nice-sized fish, with over 100 fish sampled per day at the larger boat ramps."

Dockside intercepts were also conducted off the coast of Georgia where fishing reports were generally positive. Carcass collection stations were established by state marine resources agencies in GA, NC and SC. Fishermen were encouraged to drop off their red snapper carcasses and complete a catch card providing valuable information about their fishing trips.

"Reports from anglers in NC were mixed. Fish were landed the first weekend but some boats reported they were hard to come by or did not land any at all in areas that typically hold red snapper while others caught their limit, no problem," explained Steve Poland, Council represenative with the NC Division of Marine Fisheries in Morehead City, NC. He noted that poor weather conditions the second weekend kept most fishermen off the water.

Council member Mel Bell with the SCDNR Marine Resources Division in Charleston, SC reported that field staff collected record numbers of red snapper the first weekend for biological processing, but the second weekend choppy seas and strong currents resulted in reduced effort.

Staff with GADNR's Coastal Resources Division set up dockside biological sampling sites as well as carcass collection freezers during the two weekend season. Nearly 180 carcasses were donated and 217 biological samples collected dockside. "I am absolutely blown away at the efforts of our team and the response by anglers and charter captains with carcass donations this year," said marine biologist Dawn Franco. "This was our best year yet in terms of the number of samples."



Credit: GADNR CRD

Kaylan Collins, field technician with GADNR Coastal Resources Division removes an otolith from a donated red snapper carcass. The bony structure will be processed and the age of the fish determined. Data collected during the opening will be available for the next red snapper stock assessment, scheduled to begin in 2020.

Credit: GADNR CRD

Red snapper are weighed, measured and biological samples taken dockside as fishermen return from offshore.

Recreational data collected by NOAA Fisheries through its Marine Recreational Information Program (MRIP) also continued in collaboration with the states during the red snapper season. All of the data collected during the short season will play a role in the future of red snapper management.

NOAA Fisheries will determine the length of the 2019 red snapper season based on catch estimates for 2018. The Council has established that if a season is allowed, the opening for the recreational sector would be weekends only (Friday, Saturday, Sunday) starting the second Friday in July each year. The commercial sector would open the second Monday in July each year and close once the commercial annual catch limit is met. NOAA Fisheries will announce any opening in advance.

New Council Members **(Continued from page 2)**

Division from 2009 through 2017. Woodward is currently owner of a fish and wildlife management consulting and communications business and serves as Georgia's governor's appointee commissioner to the Atlantic States Marine Fisheries Commission.

"As Council members, we must constantly strive to earn the trust and confidence of those we serve," explained Woodward. " We must make decisions that maximize fishing opportunities while ensuring we have diverse and healthy marine fish populations."

Anna Barrios-Beckwith was reappointed to her At-large seat as a NC recreational representative. She is owner of Down East Guide Service in Morehead City, NC, a recreational fishing guide service and is managing partner of Dragin Fly Sportfishing based in Costa Rica. She has served on the NC Marine

Anna Barrios-Beckwith

Fisheries Commission and represented the Council at the International Commission for the Conservation of Atlantic Tunas and chairs the Council's Highly Migratory Species Committee.

Steve Poland joins the Council as the newest state marine resource agency representative. Appointed by the NC Division of Marine Fisheries in June as the Council designee, Steve works for the Division as the Executive Assistant for Councils and replaces Dr. Michelle Duval. He has been with the agency since 2014 as a biologist with experience working on numerous age and life history studies and also serves on technical committees for the Atlantic States Marine Fisheries Commission.

Steve Poland

The Council acknowledged the contributions of outgoing Council members Zack Bowen, Dr. Michelle Duval, Ben Hartig and Charlie Phillips during its June meeting in Ft. Lauderdale and recently accepted the resignation of At-large member Captain Mark Brown. A new appointee for the seat will be designated by the Secretary of Commerce.

From The Executive Director's Desk

Magnuson Reauthorization and Recreational Fishing - Just how much flexibility will there be?

Gregg Waugh

The U.S. House of Representatives recently passed H.R. 200 "Strengthening Fishing Communities and Increasing Flexibility in Fisheries Management Act", a bill that provides more flexibility for managing recreational fisheries with reauthorization of the Magnuson-Stevens Act. Great news for the recreational sector and some concern from the commercial and environmental NGO sectors. The Senate is still working on a bill. Stay tuned to find out what ultimately happens with reauthorization - - will it occur this session or will it have to wait for the next Congress?

What's really going on here with these mixed messages?

Flexibility – definitely more flexibility to avoid in-season recreational closures but not so much flexibility as to cause damage to stocks because Annual Catch Limits (ACLs) will still be in place. There may be some averaging of catches across years for comparison to ACLs or some other adjustment, but no matter what metric is used (e.g., monitoring landings, fishing mortality rates, etc.), ultimately an estimate of recreational catches will continue to be necessary.

Recreational Catches – in the South Atlantic, the only certified method for estimating recreational landings is the Marine Recreational Information Program (MRIP) except that NOAA Fisheries uses alternative estimates for red snapper. MRIP numbers are being revised, based on the new survey methodology, and for the most part the revised estimates will be higher. The South Atlantic Council also has a pilot program (MyFishCount.com) to allow recreational fishermen to report their catches via an app or computer. MyFishCount has the potential to provide data not currently collected and to improve estimates of fish caught (and released), especially important for offshore species that MRIP does not cover well.

Fixed Seasons – yes, these will be possible so that the length of the recreational season is set ahead of time. The length of the season will be determined by the recreational ACL and the bag limit. A lower bag limit will result in a longer season. Recreational ACL overages could shorten a future season.

The Council is participating in a recreational workshop just prior to the September meeting exploring approaches for innovative management of the private recreational sector of the South Atlantic Snapper Grouper fishery. Stay tuned as the Council reviews the new MRIP numbers and considers how they affect stock status, management, and allocations.

Get Involved! Let your voice be heard!

Gregg

Next SAFMC Meeting
September 16-20, 2018

Town and Country Inn
2008 Savannah Highway
Charleston, SC
Phone: 843/571-1000

Note!
Follow the Council meeting live online
Webinar registration information, plus meeting agendas, briefing book materials, public comment form, and other information is available:
www.safmc.net/safmc-meetings/

YouTube Channel SAFMC
www.facebook.com/SouthAtlanticCouncil
@SAFMC

Q&A for Recreational Estimates **(Continued from page 4)**

the formulas from the amendment, or develop completely new formulas for allocation. The Magnuson-Stevens Act specifies that "If it becomes necessary to allocate or assign fishing privileges among various United States fishermen, such allocation shall be (A) fair and equitable to all such fishermen; (B) reasonably calculated to promote conservation; and (C) carried out in such manner that no particular individual, corporation, or other entity acquires an excessive share of such privileges."

How fast can the allocations be changed?

If the Council concludes they can identify the range of alternatives to be analyzed at the December 2018 meeting, and they make such an amendment one of their high priorities, you could be looking at public hearings in the summer of 2019 and final Council action at either the September or December 2019 meeting. The amendment would then need to go through the Secretarial Review process, with any changes likely implemented in 2020. This is a rough estimate and the Council could decide to move faster or slower depending on their decision about which alternative(s) to use for allocations.

What can I do to be involved?

The Council broadcasts meetings via the internet (webinar) so register and listen in during the October 15-17, 2018 SSC meeting in Charleston, SC; attend if you can. Same goes for the Council's December 3-7, 2018 meeting in Kitty Hawk, NC. There will be an opportunity to provide written comments prior to and at the December 2018 meeting. Check the Council's website (http://safmc.net/safmc-meetings/) for details as these meetings get closer.

SAFMC Meeting Dates and Locations
2018 Schedule

March 5-9, 2018
Westin Jekyll Island
110 Ocean Way
Jekyll Island, GA
Phone: 912/635-4545

June 11-15, 2018
Bahia Mar DoubleTree
801 Seabreeze Blvd.
Ft. Lauderdale, FL
Phone: 954/764-2233

September 17-21, 2018
Town & Country Inn
2008 Savannah Hwy.
Charleston, SC
Phone: 843/571-1000

December 3-7, 2018
Hilton Garden Inn
5353 N. Virginia Dare Trail
Kitty Hawk, NC
Phone: 252/261-1290

Recreational Workshop
Sunday, September 16, 2018
1:00 p.m. - 5:00 p.m.
Monday, September 17, 2018
8:30 a.m. - 12:00 p.m.
Town & Country Inn, Charleston, SC

The Council is cooperating with the American Sportfishing Association (ASA), Coastal Conservation Association (CCA) and Yamaha Marine Group to conduct a Recreational Workshop prior to the September Council meeting. The workshop is being held to explore innovative management approaches for the recreational fishing sector of the Snapper Grouper fishery.

This workshop is the first part of a 3-phase project that will include a series of regional meetings in NC, SC, GA and FL later in 2018, and the development of a white paper(s) to be presented to the Council during their March 4-8, 2019 meeting in Jekyll Island, GA.

Participants at the workshop include Council members, two Snapper Grouper Advisory Panel members, and other invited representatives identified by ASA from the recreational fishing community that are familiar with the Council process and recreational issues. The public is welcome to sit in and listen to the workshop and subsequent regional meetings.

Comments may be submitted during the Council meeting public comment session scheduled for 4:00 p.m. on Wednesday, September 19th or online using the meeting public comment form. For additional information contact: Dr. Kari MacLauchlin Buck at kari.maclauchlin@gmail.com.

(Continued)

Assuming the Council decides to prepare an amendment to adjust allocations, there will many opportunities for public input including scoping meetings, public hearings, and at Council meetings scheduled for 2019. Bottom line is there will be lots of opportunities to voice your opinion.

2018

Mark your calendar...

September 16-17 ***Recreational Workshop***
Charleston, SC (see page 7 for details)

October 2 - 4 ***Mid-Atlantic Fishery Management Council Meeting***
Cape May, NJ www.mafmc.org

October 15-17 ***SAFMC Scientific and Statistical Committee Meeting***
Charleston, SC www.safmc.net

October 17-19 ***SAFMC Snapper Grouper Advisory Panel Meeting***
Charleston, SC www.safmc.net

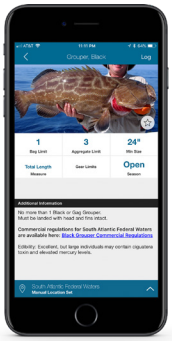
October 21-25 ***Atlantic States Marine Fisheries Commission Meeting***
New York, NY www.asmfc.org

October 22-25 ***Gulf of Mexico Fishery Management Council Meeting***
Mobile, AL www.gulfcouncil.org

November 6-8 ***SAFMC Habitat Advisory Panel Meeting***
Charleston, SC www.safmc.net

November 14-16 ***Marine Resource Education Program Mgmt. Workshop***
Tampa, FL www.gmri.org

South Atlantic Fishery Management Council Meeting
September 16-20, 2018
Charleston, SC



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November 1, 2018

MEMORANDUM

TO: Marine Fisheries Commission

FROM: Randy Gregory, Staff Lead for Highly Migratory Species
Fisheries Management Section

SUBJECT: Highly Migratory Species Update

Issue
This memo is to inform the Marine Fisheries Commission on issues and activities related to Highly Migratory Species.

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

Overview
The Highly Migratory Species Advisory Panel met Sept. 5-6, 2018 in Silver Spring, Maryland. The Advisory Panel discussed:

- Ecosystem-Based Fisheries Management Road Map Draft Implementation Plan for Highly Migratory Species,
- Charter-headboat electronic logbooks,
- Apex Predators Program Large Coastal Shark Survey,
- Trends in indices used in dusky and sandbar shark stock assessments,
- Draft Amendment 11 shortfin mako shark management measures,
- Atlantic bluefin tuna management – Amendment 7 three-year review, and
- Pelagic longline area-based and weak hook management, and future Amendment 13.

The panel received updates on the Marine Recreational Information Program fishing effort survey transition plan and from the State Department regarding Bahamian boundary discussions.

Tuna
On Oct. 10, 2018, National Oceanic and Atmospheric Administration (NOAA) Fisheries modified the baseline annual United States quota and sub-quotas for Atlantic bluefin tuna. The final rule increases the baseline annual bluefin tuna quota from 1,058.79 to 1,247.86 metric tons, the level recommended for 2018 through 2020 by the International Commission for the Conservation of Atlantic Tunas at its 2017 annual meeting. NOAA Fisheries also made a change to the Atlantic tunas size limit regulations to address retention, possession, and landing of bigeye and yellowfin tunas damaged through predation by sharks and other marine species. This change allows retention,

possession, and landing of yellowfin and bigeye tuna for which a measurement to the fork of the tail may not be possible because the tail has been partially or entirely bitten off, provided the remainder of the fish meets the current 27-inch curved fork length minimum size for yellowfin and bigeye tuna. To preserve evidence for enforcement purposes, if the carcass was damaged through predation by sharks or other marine species, the regulatory text specifies that, aboard a vessel, no tissue may be cut away from or other alterations made to the predator-damaged area of the fish.

Due to extremely high landings of Atlantic bluefin tuna in New England, on Oct. 4, 2018, NOAA Fisheries transferred 55 metric tons to the General category and closed the General category fishery effective Oct. 5, based on projections that landings would meet or exceed the adjusted October through November sub-quota of 127.2 metric tons by that date. As of Oct. 11, reported data show the General category landed 81.8 metric tons before closing. This represents 64 percent of the adjusted October through November sub-quota. NOAA Fisheries has determined that reopening the General category fishery for two days was appropriate given the amount (45 metric tons) of unused October through November sub-quota remaining. The General category fishery reopened Oct. 15 and 16, 2018. The General category will reopen automatically on Dec. 1, 2018, at the default one-fish level.

Sharks

In March, NOAA Fisheries announced an emergency rule to implement management measures to address overfishing of North Atlantic shortfin mako sharks. The measures are based on the International Commission for the Conservation of Atlantic Tuna's Standing Committee for Research and Statistics 2017 benchmark stock assessment for North Atlantic shortfin mako sharks, which found the stock* to be overfished* with overfishing* occurring. As a result, NOAA Fisheries began the process to draft Amendment 11 to implement conservation and management measures to rebuild the North Atlantic shortfin mako shark stock. Preferred alternatives include requiring the live release of shortfin mako sharks in the commercial pelagic longline fishery (retention is only allowed if a shortfin mako shark is dead at haul back) and no landings of shortfin mako sharks by commercial fishermen using other commercial gear types. Recreational measures require a minimum size limit of 83 inches fork length for shortfin mako sharks.

Two public hearings were held in North Carolina on Aug. 28, 2018 in Manteo with nine members of the public attending and Aug. 29, 2018 in Morehead City with no members of the public attending. Comments from the public and Division of Marine Fisheries staff included a modification to the preferred alternative to allow the retention of dead shortfin mako bycatch in gill net and bottom longline fisheries by vessels with Directed or Incidental shark permits. During the September advisory panel meeting, Highly Migratory Species staff suggested that minimum size limit for recreationally-caught male mako sharks could be reduced to 71 inches fork length. Comments suggested if NOAA Fisheries were to have different male and female size limits, information on determining shark sex at boat-side needed to be included in the educational material for the shark endorsement on Highly Migratory Species permits.

***Definitions**

Stock – A group of fish of the same species in a given area. Unlike a fish population, a stock is defined as much by management concerns (jurisdictional boundaries or harvesting locations) as by biology.
Overfished – Occurs when spawning stock biomass[4] of the stock is below a specific threshold.
Overfishing – Occurs when the rate that fish that are harvested or killed exceeds a specific threshold.

Red Drum Landings 2017-2018

Landings are complete through July 31, 2018
2017 landings are final. 2018 landings are preliminary.

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average	
2017	9	Red Drum	28,280	28,991	35,003	
2017	10	Red Drum	58,824	43,644	63,662	
2017	11	Red Drum	27,705	14,318	27,643	
2017	12	Red Drum	4,714	3,428	2,197	
2018	1	Red Drum	2,056	5,885	1,699	
2018	2	Red Drum	2,176	3,448	3,996	
2018	3	Red Drum	4,797	5,699	3,971	
2018	4	Red Drum	17,096	7,848	6,528	
2018	5	Red Drum	15,544	13,730	9,664	
2018	6	Red Drum	11,671	12,681	6,985	
2018	7	Red Drum	9,090	13,777	15,618	
2018	8	Red Drum	11,252	21,252	15,846	*
Fishing Year (Sept 1, 2017 - Aug 31, 2018) Landings			**193,203**			

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average	
2018	9	Red Drum	7,380			*
Fishing Year (Sept 1, 2018 - Aug 31, 2019) Landings			**7,380**			

*partial trip ticket landings only
***landings are confidential

Year	Month	Species	Pounds	Dealers	Trips	Average (2007-2009)	
2015	1	SOUTHERN FLOUNDER	1,984	30	237	7,713	
2015	2	SOUTHERN FLOUNDER	495	21	93	4,617	
2015	3	SOUTHERN FLOUNDER	10,750	62	768	23,512	
2015	4	SOUTHERN FLOUNDER	20,812	88	1,072	68,389	
2015	5	SOUTHERN FLOUNDER	42,424	117	1,279	122,514	
2015	6	SOUTHERN FLOUNDER	53,835	116	1,481	154,090	
2015	7	SOUTHERN FLOUNDER	42,806	106	1,144	170,387	
2015	8	SOUTHERN FLOUNDER	43,900	111	1,152	201,862	
2015	9	SOUTHERN FLOUNDER	255,067	122	2,335	396,301	
2015	10	SOUTHERN FLOUNDER	429,234	127	2,554	781,717	
2015	11	SOUTHERN FLOUNDER	301,489	90	1,755	392,150	
2015	12	SOUTHERN FLOUNDER	89	7	10	37,303	
2016	1	SOUTHERN FLOUNDER	2,625	33	264	7,713	
2016	2	SOUTHERN FLOUNDER	1,643	31	291	4,617	
2016	3	SOUTHERN FLOUNDER	9,183	58	914	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	245,870	131	3,004	396,301	
2016	10	SOUTHERN FLOUNDER	279,618	117	2,161	781,717	
2016	11	SOUTHERN FLOUNDER	182,148	102	1,465	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	301,670	123	1,993	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	3,873	43	385	23,512	
2018	4	SOUTHERN FLOUNDER	7,886	71	758	68,389	
2018	5	SOUTHERN FLOUNDER	18,022	86	937	122,514	
2018	6	SOUTHERN FLOUNDER	42,198	101	1,379	154,090	
2018	7	SOUTHERN FLOUNDER	53,054	109	1,418	170,387	
2018	8	SOUTHERN FLOUNDER	53,022	59	1,411	201,862	*
2018	9	SOUTHERN FLOUNDER	79,754	46	1,243	396,301	*

*2018 data are preliminary and only complete through July.

***data are confidential

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

STEPHEN W. MURPHEY
Director

November 1, 2018

MEMORANDUM

TO: Marine Fisheries Commission

FROM: Kathy Rawls, Fisheries Management Section Chief

SUBJECT: Protected Resources Update

Issue
Summary information is provided from the division's Observer Program from January - August 2018.

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

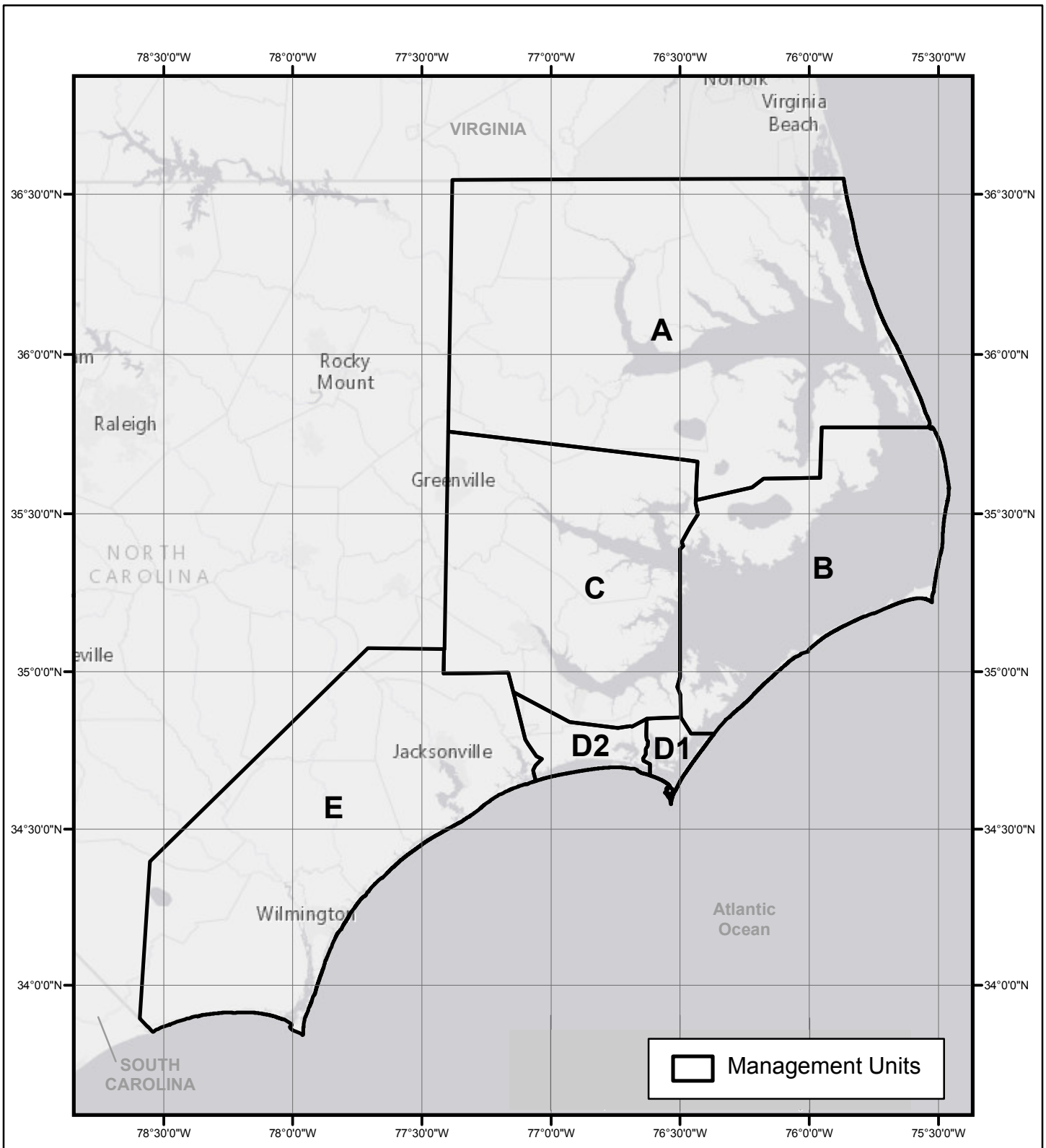
Overview
Observer Program
Tables summarizing division Observer Program coverage and protected species interactions* from January - August 2018 are included. These tables provide the number of trips, observed trips, observer coverage, and protected species interactions for anchored large and small mesh gill nets by month and management unit. Please note that observer coverage is based on the average number of trips from previous years' finalized data because 2018 trip data are preliminary.

A total of eight sea turtle interactions were observed in large mesh gill nets and zero sea turtle interactions were observed in small mesh gill nets from January - August 2018. No sea turtle interactions were self-reported during this timeframe.

A total of 15 (14 alive and one dead) Atlantic sturgeon interactions were observed in large mesh gill nets and zero in small mesh gill nets from January - August 2018, with most of the interactions occurring in March. One Atlantic sturgeon interaction was self-reported by a gill net fisherman during this timeframe.

Management Unit Gill Net Regulation Changes
Gill net regulation changes and openings and closings by management unit for January - September 2018 are included in Table 5.

***Definition**
Incidental Take Permit Interaction - when a protected species is caught or otherwise comes in contact with a gill net.



NCDMF ESTUARINE GILLNET PERMIT MAP

April 2015

0 12.5 25 50 Miles

Table 1. Preliminary data collected for large mesh gill nets by month and management unit through the NCDMF Observer Program through August 2018.

		Trips		Observer Large Mesh				Observed Takes By Species								
								Kemp's		Green		Loggerhead		Unknown	A.Sturgeon	
Month	Unit	Estimated [1]	Actual [2]	AP Attempts [3]	Trips	Yards	Coverage [4]	Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead
January	A	248	192	8	15	10,260	6.1									
	B	28	2	14	0	0	0.0									
	C	7	0	5	1	50	13.9									
	D1	0	0	0	0	0	0.0									
	D2	0	0	1	0	0	0.0									
	E	6	5	35	0	0	0.0									
February	A	433	254	29	25	12,490	5.8								**1**	
	B	44	7	21	0	0	0.0									
	C	77	38	21	16	12,180	20.8								**1**	
	D1	0	0	0	0	0	0.0									
	D2	2	2	6	1	100	50.0									
	E	18	15	41	0	0	0.0									
March	A	1,001	467	24	90	41,640	9.0								**9**	**1**
	B	48	46	17	1	600	2.1									
	C	680	428	11	29	18,610	4.3									
	D1	0	0	4	0	0	0.0									
	D2	6	5	2	3	1,100	50.0									
	E	52	25	52	2	180	3.8									
April	A	774	651	38	57	24,655	7.4								**2**	
	B	104	143	16	4	1,700	3.9									
	C	190	351	9	13	5,950	6.8									
	D1	1	0	1	0	0	0.0									
	D2	22	5	7	4	2,700	18.3									
	E	77	83	39	14	6,330	18.1									
May	A	250	84	56	7	1,405	2.8								**1**	
	B	193	135	24	6	3,975	3.1	**2**	**1**	**1**						
	C	107	107	27	17	11,165	15.9									
	D1	5	0	2	0	0	0.0									
	D2	43	28	11	1	500	2.3									
	E	122	203	50	28	11,020	23.0			**2**						
June	A	375	168	45	11	6,530	2.9									
	B	224	20	23	0	0	0.0									
	C	193	206	24	20	10,270	10.4									

	D1	0	1	3	0	0	0.0									
	D2	38	64	12	6	1,800	15.8									
	E	170	268	35	25	6,900	14.7									
July	A	297	147	48	10	5,090	3.4									
	B	257	9	21	1	100	0.4									
	C	203	242	22	19	14,570	9.4									
	D1	0	0	3	0	0	0.0									
	D2	29	104	7	3	1,600	10.3									
	E	135	222	36	31	11,700	23.0	**2**								
August	A	497	275	43	34	18,700	6.8									
	B	196	25	36	0	0	0.0									
	C	202	186	16	34	27,790	16.8									
	D1	0	0	6	0	0	0.0									
	D2	72	163	3	8	3,100	11.1									
	E	166	197	46	59	19,170	35.5									
Total		7,592	5,573	1,000	595	293,930	7.8	4	1	3	0	0	0	0	14	1

[1] Finalized trip ticket data averaged from 2013-2017

[2] Preliminary trip ticket data for 2018

[3] Alternative Platform trips where no fishing activity was found

[4] Based on estimated trips and observer large mesh trips

Table 2. Preliminary data collected for large mesh gill nets by month through the NCDMF Observer Program through August 2018.

	Trips		Observer Large Mesh				Observed Takes By Species								
							Kemp's		Green		Loggerhead		Unknown	A. Sturgeon	
Month	Estimated [1]	Actual [2]	AP Attempts [3]	Trips	Yards	Coverage [4]	Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead
January	289	199	63	16	10,310	5.5	0	0	0	0	0	0	0	0	0
February	574	316	118	42	24,770	7.3	0	0	0	0	0	0	0	**2**	0
March	1,787	971	110	125	62,130	7.0	0	0	0	0	0	0	0	**9**	**1**
April	1,168	1,233	110	92	41,335	7.9	0	0	0	0	0	0	0	**2**	0
May	720	557	170	59	28,065	8.2	**2**	**1**	**3**	0	0	0	0	**1**	0
June	1,000	727	142	62	25,500	6.2	0	0	0	0	0	0	0	0	0
July	921	724	137	64	33,060	6.9	**2**	0	0	0	0	0	0	0	0
August	1,133	846	150	135	68,760	11.9	0	0	0	0	0	0	0	0	0
Total	7,592	5,573	1,000	595	293,930	7.8	4	1	3	0	0	0	0	14	1

[1] Finalized trip ticket data averaged from 2013-2017

[2] Preliminary trip ticket data for 2018

[3] Alternative Platform trips where no fishing activity was found

[4] Based on estimated trips and observer large mesh trips

Table 3. Preliminary data collected for small mesh gill nets by month and management unit through the NCDMF Observer Program through August 2018.

		Trips		Observer Small Mesh			Observed Takes By Species									
							Kemp's		Green		Loggerhead		Unknown	A. Sturgeon		
Month	Unit	Estimated [1]	Actual [2]	Trips	Yards	Coverage [3]	Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead	
January	A	385	153	1	150	0.3										
	B	178	58	1	300	0.6										
	C	63	21	4	1,000	6.3										
	D1	1	0	0	0	0.0										
	D2	20	1	5	900	24.8										
	E	26	4	1	800	3.9										
February	A	479	260	12	3,700	2.5										
	B	153	234	1	700	0.7										
	C	83	152	8	3,130	9.6										
	D1	1	1	0	0	0.0										
	D2	11	2	3	400	27.8										
	E	16	4	1	300	6.4										
March	A	521	223	3	750	0.6										
	B	316	156	6	2,080	1.9										
	C	111	136	3	1,000	2.7										
	D1	7	1	0	0	0.0										
	D2	4	2	0	0	0.0										
	E	23	7	1	600	4.4										
April	A	343	299	6	2,000	1.7										
	B	700	660	18	8,610	2.6										
	C	61	62	1	220	1.6										
	D1	24	35	3	1,200	12.6										
	D2	15	4	0	0	0.0										
	E	61	37	1	255	1.6										
May	A	172	132	2	500	1.2										
	B	360	379	5	1,050	1.4										
	C	70	11	1	800	1.4										
	D1	6	10	2	825	32.3										
	D2	20	15	0	0	0.0										
	E	92	47	0	0	0.0										
June	A	105	111	0	0	0.0										

	B	303	237	0	0	0.0										
	C	103	15	0	0	0.0										
	D1	2	2	0	0	0.0										
	D2	12	11	0	0	0.0										
	E	78	84	0	0	0.0										
July	A	73	88	1	50	1.4										
	B	309	184	0	0	0.0										
	C	83	21	0	0	0.0										
	D1	4	1	0	0	0.0										
	D2	10	20	0	0	0.0										
	E	78	70	1	250	1.3										
August	A	74	157	1	700	1.4										
	B	361	231	2	300	0.6										
	C	90	5	0	0	0.0										
	D1	4	1	0	0	0.0										
	D2	30	9	1	200	3.4										
	E	87	85	0	0	0.0										
Total		6,127	4,438	95	32,770	1.6	0	0	0	0	0	0	0	0	0	

[1] Finalized trip ticket data averaged from 2013-2017

[2] Preliminary trip ticket data for 2018

[3] Based on estimated trips and observer small mesh trips

Table 4. Preliminary data collected for small mesh gill nets by month through the NCDMF Observer Program through August 2018.

	Trips		Observer Small Mesh			Observed Takes By Species								
						Kemp's		Green		Loggerhead		Unknown	A. Sturgeon	
Month	Estimated [1]	Actual [2]	Trips	Yards	Coverage [3]	Live	Dead	Live	Dead	Live	Dead	Live	Live	Dead
January	673	238	12	3,150	1.8	0	0	0	0	0	0	0	0	0
February	743	654	25	8,230	3.4	0	0	0	0	0	0	0	0	0
March	982	525	13	4,430	1.3	0	0	0	0	0	0	0	0	0
April	1,205	1,097	29	12,285	2.4	0	0	0	0	0	0	0	0	0
May	719	594	10	3,175	1.4	0	0	0	0	0	0	0	0	0
June	603	460	0	0	0.0	0	0	0	0	0	0	0	0	0
July	557	383	2	300	0.4	0	0	0	0	0	0	0	0	0
August	646	487	4	1,200	0.6	0	0	0	0	0	0	0	0	0
Total	6,128	4,438	95	32,770	1.6	0	0	0	0	0	0	0	0	0

[1] Finalized trip ticket data averaged from 2013-2017

[2] Preliminary trip ticket data for 2018

[3] Based on estimated trips and observer small mesh trips

Table 5. Gill net regulation changes for ITP compliance by management unit.

Year	Month/Day	Gill Net Regulation Changes
2018	January 1	In Management Unit A, it makes it unlawful to use gill nets with a stretched mesh length *other than 3 ¼ inches, or from 5 ½ inches through 6 ½ inches* , EXCEPT IN THE AREAS DESCRIBED IN SECTION IV. It also maintains large mesh gill net closures and vertical height restrictions for all anchored gill net sets. This action was taken to minimize interactions in accordance with the Atlantic Sturgeon Incidental Take Permit. (M-24-2017)
2018	February 15	This proclamation implements gear exemptions for portions of the Internal Coastal Waters south of Management Unit A to allow fishermen to set gill nets for the shad fishery (See Section III.). It also opens the remaining portions of Management Unit B to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches (except as described in Section III.) in accordance with the Sea Turtle Incidental Take Permit. (M-1-2018)
2018	March 3	Opens all of Management Unit A to the use of gill nets and allows gill net configurations for harvesting American shad by removing vertical height restrictions for up to 1,000 yards of gill net with stretched mesh lengths of 5 ¼ through 6 ½ inches. This proclamation also implements additional gill net restrictions for Management Subunit A-South of US-64-BYP/US-64, in accordance with the Sea Turtle and Atlantic Sturgeon ITPs. (M-2-2018)
2018	March 25	Removes the use of gill nets configured for harvesting American shad by implementing vertical height restrictions for all gill nets. This proclamation also closes a portion of the western Albemarle Sound to all gill nets with stretched mesh lengths of 5 ½ through 6 ½ inches, and maintains additional gill net restrictions in accordance with the Sea Turtle and Atlantic Sturgeon ITPs. (M-3-2018)
2018	May 3	Implements small mesh gill net attendance requirements in Management Unit A and implements additional gill net restrictions in accordance with the Sea Turtle ITP. This proclamation also maintains a closure in a portion of the western Albemarle Sound to all gill nets with stretched mesh lengths of 5 ½ through 6 ½ inches. (M-5-2018)
2018	May 18	This proclamation closes Management Unit B to gill nets with a stretched mesh length of 4 inches through 6 ½ inches in accordance with the Sea Turtle ITP and reduces the maximum stretched mesh length for run-around, strike, drift, drop and trammel gill nets to 5 inches. (M-7-2018)
2018	September 1	This proclamation opens a previously closed area in the western part of Management Unit A to gill nets with stretched mesh lengths of 5 ½ inches through 6 ½ inches in accordance with the Sea Turtle ITP. It maintains small mesh gill net attendance requirements in Management Unit A. (M-8-2018)
2018	September 3	This proclamation opens Management Unit B Subunit MGNRA to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches for the new ITP year (September 1, 2018 through August 31, 2019) in accordance with the Sea Turtle ITP. This proclamation maintains attendance requirements for gill nets with a stretched mesh length less than 4 inches in Management Subunit B. 1. It maintains openings for Management Units C, D2 and portions of Management Unit E (except those described in Section II.) to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches. This proclamation also maintains the closure of Management Unit D1 to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches. (M-9-2018)
2018	October 1	This proclamation opens Management Unit B Subunits SGNRA 1-4, and CGNRA to the use of gill nets with a stretched mesh length of 4 inches through 6 ½ inches for the new ITP year (September 1, 2018 through August 31, 2019) in accordance with the Sea Turtle ITP. (M-10-2018)

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

STEPHEN W. MURPHEY
Director

MEMORANDUM

TO: N.C. Commercial Fishing Resource Funding Committee

FROM: Beth Govoni, Administrative Services Office Section Chief
Division of Marine Fisheries, NCDEQ

DATE: Oct. 18, 2018

SUBJECT: Commercial Fishing Resource Funding Committee Meeting

The Commercial Fishing Resource Funding Committee met at 10 a.m. on Thursday, Oct. 18, 2018 at the N.C. Department of Environmental Quality Washington Regional Office. The following attended:

Funding Committee: Glenn Skinner, Steve Weeks, Ernie Doshier, Gilbert Baccus, Andrew Berry (intermittently via cell phone)

Absent: Doug Todd

Commissioners: None

DMF Staff: Dee Lupton, Beth Govoni, William Brantley, Kevin Brown

Public: None

APPROVAL OF AGENDA AND MINUTES

Chairman Ernie Doshier called the meeting to order, gave a reminder of the duty to avoid conflicts of interest, and inquired of any known conflicts of interest (N.C.G.S. 138A-15e).

Glenn Skinner made a motion to approve the meeting agenda. Steve Weeks seconded the motion. The motion carried unanimously.

Steve Weeks made a motion to approve the July 19, 2018 meeting minutes. Glenn Skinner seconded the motion. The motion carried unanimously.

PUBLIC COMMENT

None offered

Beth Govoni read for the record public comment received by Mr. Chris McCaffity via email.

> *October 18, 2018 Commercial Fishing Resource Funding Committee Meeting Public Comment*
>
> *Please look at better options for observing turtle interactions.*
>
> *Please consider using extra funds to help stock Striped Bass and other native seafood.*
>
> *Please also consider options for buying catch shares that are being sold by NC shareholders to prevent foreign ownership of them and return those public resources to the public.*
>
> *I am always happy to answer any questions and/or go into greater detail.*
>
> *Sincerely,*
>
> *Chris McCaffity*

FUNDING OPTIONS FOR THE COMMERCIAL FISHING RESOURCE FUND

Chairman Doshier opened discussion regarding five funding options from the North Carolina Commercial Fishing Resource Fund.

Beth Govoni discussed prepared drafts that the Division of Marine Fisheries (DMF) had developed for the Commercial Fishing Resource Funding Committee, in response to a motion on approved scopes of work from the July 19, 2018 meeting. These draft documents included two Request for Proposals (RFPs) and three proposals for funding. DMF Deputy Director Lupton reiterated that whatever actions taken by the committee would also have to be brought before the Marine Fisheries Commission's Commercial Resource Fund Committee (CRF) for a vote.

Glenn Skinner requested clarification on the commission's role in appointing its CRF Committee, with respect to the current commercial seat vacancies within the commission. Deputy Director Lupton advised that based on the Memorandum of Understanding (MOU), the commission chair could appoint any member of the commission to sit on the CRF Committee, in the event that a member holding a "commercial seat" is unavailable to serve on the CRF Committee or a "commercial seat" becomes vacant. If this occurred, and in the case of a disagreement between committees, Glen Skinner noted, the MOU states the decision would go to the Secretary of the North Carolina Department of Environmental Quality.

Steve Weeks asked about the proposals brought before the committee for this meeting. Deputy Director Lupton gave a brief description of the following proposals: Disease and Pathology, Commercial Fishery Statistics, and Gear Development Projects. Glenn Skinner advised the fund is currently holding roughly $2 million, and these projects would designate $300,000 in commercial license funds to the Division annually. Beth Govoni estimated that annual commercial license receipts were approximately $600,000.

The RFP process was questioned by Chairman Doshier regarding advertisement, eligibility, and process procedures. Deputy Director Lupton advised that RFPs were typically sent to universities, local governments, and published in accordance with state contracting procedures. Steve Weeks pointed out that the committee may need to ask questions or inquire about the project's specific plan; to ensure that the applicant's proposal and the committee's intent were congruent. Due to the nature of the RFPs, an oral presentation to the committee may be necessary to fully grasp the applicant's methodology and expected results. This would also give the committee an opportunity to ask questions and ensure appropriate stewardship of the fund was carried out. Beth Govoni stated that a presentation by applicants could be mandated, and DMF staff could incorporate the requirement into the RFPs. A Pre-Bid Conference requirement was also discussed. Steve Weeks stated this would be a great opportunity to ensure the correct intent and parameters were clearly presented, and applicants could address any questions that have arisen. Deputy Director Lupton recommended the Pre-Bid Conference and applicant presentations be held as a joint meeting of the committee and CRF Committee.

Andrew Berry was contacted for comments through phone; however, Chairman Doshier was having difficulty with a clear connection, and the call ended.

<u>Discussion began on individual proposals and RFP's.</u>

1. NC Commercial Resource Fund Request for Proposals – Economic Impact Study

    Steve Weeks stated he did not agree with the background statement of "…total economic impact of commercial fishing on North Carolina's economy was $388,325,000…" and thought this statement should be removed from the RFP, as the RFP's goal was to find a more accurate impact amount, with consideration to durable good expenditures. Gilbert Baccus stated that when economic multipliers are considered, this figure would be more accurately reflected.

Steve Weeks made a motion to move forward with the Economic Impact RFP, with the modification of removing the estimated commercial fishing economic valuation. Gilbert Baccus seconded the motion. The motion carried unanimously.

    A "quasi-commercial/recreational industry" that may need to be considered was described by Steve Weeks. Chairman Doshier stated this was a gray-area. Deputy Director Lupton stated that commercial license holders with landings were already included in industry economics. Chairman Doshier stated that it was common for charter vessels to run charters seasonally and commercial trips in the off-season; however, this may be difficult to combine for this specific study. Chairman Doshier stated that it may warrant discussion in the future, and Steve Weeks agreed to leave the motion as-is.

2. N.C. Commercial Resource Fund Request for Proposals – Public Relations Campaign

    Steve Weeks mentioned that a similar background paragraph should be used for both RFPs. This RFP is commercial industry focused, and the reference to recreational fisheries should be stricken from the background as well. Beth Govoni asked the committee whether this RFP should be limited to North Carolina entities and members

agreed to open it to all applicants, within state contracting guidelines. Glenn Skinner stated that like the economic impact RFP, an edit to this RFP which includes presentation by the applicants, may be necessary.

Funding continuity for a public relations campaign was discussed by the committee. Steve Weeks stated that he preferred for an annual plan to entice competition, while Glenn Skinner stated that he thought a continual plan would provide the committee the ability to find a firm that was able to complete the work and continually add-on to the work already achieved. Beth Govoni explained a process meeting both preferences was how state contracts are handled. Contracts would be in place for one-year, and renewal options would be available based upon committee approval. This would eliminate the need for an annual RFP process. Chairman Doshier called for a vote.

Glen Skinner made a motion to approve the Public Relations RFP, with the edits discussed in regard to the background information as well as allowing all entities to compete for the bid. Steve Weeks seconded the motion. The motion carried unanimously.

3. N.C. Commercial Resource Fund Proposal for Commercial Fishery Statistics

Deputy Director Lupton explained the need for funding to support DMF's Quota Monitoring Biologist and a Commercial Port Agent, as the need for quota monitoring has risen. Steve Weeks stated he preferred to allocate funds on an annual basis, due to decreasing license sales and landings. Glenn Skinner agreed that funds for the proposal should be allocated on an annual basis, due to the nature of the business and potential uncertainties. Gilbert Baccus and Glenn Skinner agreed that providing research and having access to data for future use would be important for the industry.

Chairman Doshier contacted committee member Andrew Berry via speaker phone for comment. Andrew Berry inquired that if trips are down, what were the funds being used for? Deputy Director Lupton explained that it was not for expansion, but to continue operations to sustain the N.C. Trip Ticket program. Andrew Berry stated he did not support a 5-year plan to fund this project, and Deputy Director Lupton explained that the committee was looking to review this on an annual basis. Chairman Doshier stated that funding was needed to protect the program, because once the program is gone, the data is gone as well. Andrew Berry stated that he was comfortable with the plan reviewed on an annual basis.

Glenn Skinner made a motion to approve $125,000 for the Proposal for Commercial Fishery Statistics with an annual review process. Gilbert Baccus seconded the motion. The motion carried unanimously.

4. N.C. Commercial Resource Fund Proposal for Commercial Gear Development Projects

Chairman Doshier opened discussion on the proposal. Steve Weeks recommended this plan be reviewed on an annual basis, as the needs of the industry may change. Glenn Skinner called on DMF Biologist Kevin Brown for his opinion on an annual grant process. Kevin Brown stated funding longevity would assist with staff retention; however, he was comfortable with an annual review process, and DMF would work with the committee's research needs. Deputy Director Lupton stated that prioritization would

need to occur, as Kevin had developed multiple projects within the proposal. Annual funding would not allow for multiple projects to start in the same year.

Chairman Doshier called committee member Andrew Berry via speaker phone for comment. Questions arose on a gillnet bycatch study, and equipment used to obtain data. Kevin Brown stated that the striped bass fishery and gillnets were a project within the proposal, however, the shrimp trawl projects would likely occur during Year One, and the gillnet study would occur after an annual review, at a later date. Andrew Berry stated that if there was a gillnet bycatch study, he thought that it should include the same equipment that commercial fishing license holders were required to use. According to Kevin Brown, if this were to occur, he would like to work with the industry to complete a collaborative dependent study.

Chairman Doshier called for other discussion, and subsequently a motion.

Steve Weeks made a motion to approve $150,000 for the Proposal for Commercial Gear Development with an annual review process. Glenn Skinner seconded the motion. The motion carried unanimously.

Gilbert Baccus followed up to the motion by discussing dead water areas. He asked that DMF maintain an awareness of water quality issues throughout commercial gear studies. Glenn Skinner stated that though his experience, DMF staff took water quality issues, such as low dissolved oxygen and temperature, into effect throughout their research and data findings.

5. NC Commercial Resource Fund Proposal for Disease and Pathology: Research and Monitoring

Chairman Doshier asked for input on this proposal in the amount of $25,000 annually. Glenn Skinner stated this proposal filled an industry need. Chairman Doshier reiterated that this was not compounding and could be altered at the annual review.

Steve Weeks made a motion to approve $25,000 for the Proposal for Disease and Pathology: Research and Monitoring, with an annual review process. Gilbert Baccus seconded the motion. The motion carried unanimously.

ADDITIONAL ITEMS

Chairman Doshier called on the committee for additional items.

Chairman Doshier inquired about the commission lawsuit on open-meeting laws. Steve Weeks stated it was ongoing. Chairman Doshier stated that at a prior committee meeting, the question was posed as to how the committee could avoid a similar situation. This was not posed as to how to circumvent the law, but to ensure the committee remained in compliance. Chairman Doshier reminded members to maintain compliance throughout any communication.

Glenn Skinner discussed the absence of commercial seats on the commission. He suggested that the committee make a recommendation to the commission that no action occurs with respect to

the Commercial Fishing License Fund, until the CRF Committee is filled with the commercial seats on the commission. These seats should be filled by the commercial industry before these funding options are reviewed by the commission. Deputy Director Lupton stated that a motion could be made to the commission, however, the chair of the committee should draft the recommendation, and DMF staff can review it before sending it to the commission.

Glenn Skinner made a motion that the Committee recommend the MFC review the funding proposals by the MFC, only after the commercial seats have been filled. Steve Weeks seconded the motion. The motion carried unanimously.

Gilburt Baccus moved to make a motion to adjourn. Steve Weeks seconded the motion. Motion carried unanimously.

Meeting adjourned at 11:43 a.m.

BG/wb

Program #	Program Name	Section	Program Lead Contact	~Year	Overview & Data Use
PGM 100 -	Juvenile Anadromous	Fisheries Management	Sean.Darsee@ncdenr.gov	1955- Trawl 1972-Seine	Trawl and seine survey in the Albemarle Sound area used to develop juvenile abundance indices for key species. Expanded to CSMA in 2017. Used in NC and federal stock assessments. Also collects water quality data, habitat data, and upland use information. Occurs May-Oct.
PGM 120 -	NC Estuarine Trawl Survey	Fisheries Management	Katy.West@ncdenr.gov	1972	Currently May-July trawl survey for JAI throughout the state used to monitor shrimp abundance, produce JAI for target species (i.e., spot, Atlantic croaker, Atlantic menhaden), southern flounder JAI, blue crab index used stock assessment. spotted seatrout JAI (June-July) used in stock assessment. Habitat data used in Coastal Habitat Protection Plan (CHPP) and Fishery Management Plans (FMPs), and in commenting for permits.
PGM 123 -	Red Drum Juvenile Survey	Fisheries Management	Lee.Paramore@ncdenr.gov	1991	Fall seine survey throughout the state (Sep - Nov), serves as an index for juvenile red drum, used as input in ASMFC stock assessment for red drum.
PGM 135 -	Striped Bass Independent Gill Net Survey	Fisheries Management	Sean.Darsee@ncdenr.gov	1990	Gill net survey in the Albemarle Sound area used to develop indices of abundance for striped bass and other key species, used in NC and federal stock assessments. Tagging and collects ageing structures for key species. Also collects water quality and habitat data used in CHPP and FMPs. Occurs Nov-May.
PGM 146 -	Striped Mullet Electroshock Survey	Fisheries Management	Daniel.Zapf@ncdenr.gov	2003	Electroshocking survey in Neuse River (Jan-Apr and Oct-Dec) striped mullet abundance data is used in the striped mullet stock assessment and reported in annual FMP update.
PGM 150 -	Anadromous Adult Spawning Area Survey	Fisheries Management	Holly.White@ncdenr.gov	1972	Gill nets and fish pots in Albemarle Sound rivers to identify river herring spawning grounds by river system on a yearly rotational basis (Feb-May).
PGM 160 -	Anadromous Egg and Larval Survey	Fisheries Management	Holly.White@ncdenr.gov	1972	Conducted in conjunction with PGM 150 to determine presence/absence of river herring eggs and/or larvae to verify spawning has occurred. Plankton nets Mar-May rotational rivers in Albemarle area.
PGM 195 -	Pamlico Sound Survey	Fisheries Management	Daniel.Zapf@ncdenr.gov	1987	Trawl survey June and September in the Neuse, Pamlico and Pungo Rivers, and Pamlico Sound area.
PGM 215	Strategic Habitat Area Evaluation (SHAs)	Habitat Enhancement	Casey.Knight@ncdenr.gov	2017	Verify habitat and fish condition on SHAs and non-SHAs. Ground truthing done to validate designation and future habitat protection actions.
PGM 356 -	Acoustic Tagging	Fisheries Management	Michael.Loeffler@ncdenr.gov	2010	Telemetry studies of various species throughout the state.
PGM 365 -	Red Drum Long Line Survey	Fisheries Management	Lee.Paramore@ncdenr.gov	2007	Longline sampling Jul - Oct in Pamlico Sound, targets adult red drum, incorporated into ASMFC stock assessment; also source of tagging for red drum and coastal shark species.
PGM 366 -	DMF Finfish Tagging	Fisheries Management	Michael.Loeffler@ncdenr.gov	2014	Conventional tagging for striped bass, red drum, spotted seatrout, flounder, and cobia. Data available for input into stock assessments, independent estimates of fishing mortality, and migratory patterns.
PGM 400 -	Anadromous Commercial Harvest-culled	Fisheries Management	Sean.Darsee@ncdenr.gov	1986	Fish house sampling (no effort) in Albemarle area to determine sex, age, length and weight composition of commercial harvest and some hook and line data. Also houses all American shad fish house samples statewide, past Cooperative Winter Trawl Cruise samples and tagging.
PGM 410 -	Anadromous Commercial Samples-unculled	Fisheries Management	Holly.White@ncdenr.gov	1972	Since 2008 contracted river herring pound net sampling for Chowan River to continue long-term CPUE. Used to collect age samples from river herring used as a management trigger; % repeat spawners in the FMP.
PGM 431/441 -	Sciaenid Pound Net	Fisheries Management	Todd.VanMiddlesworth@ncdenr.gov	1978	Fish house market and bait samples from individual trips to characterize the size and length composition of catches and also gather information on fishing effort at trip level, used in stock assessment across several key species.

PGM 432/442 -	Flounder Pound Net Fishery	Fisheries Management	Michael.Loeffler@ncdenr.gov	1976	" "
PGM 433/443 -	Winter Trawl Fishery	Fisheries Management	Tracey.Bauer@ncdenr.gov	1979	" "
PGM 434/444 -	Ocean Gill Net Fishery	Fisheries Management	Todd.VanMiddlesworth@ncdenr.gov	1982	" "
PGM 435/445 -	Beach Seine Fishery	Fisheries Management	Todd.VanMiddlesworth@ncdenr.gov	1982	" "
PGM 436 -	Commercial Crab Harvest Samples	Fisheries Management	Corrin.Flora@ncdenr.gov	1995	" "
PGM 437/447 -	Long Haul Seine Fishery	Fisheries Management	Todd.Mathes@ncdenr.gov	1978	" "
PGM 438 -	Offshore Live Bottom Fishery	Fisheries Management	Mclean.Seward@ncdenr.gov	1983	Fish house market samples from individual trips to characterize the size and length composition of catches and also gather information on fishing effort at trip level, used in stock assessment across several key species.
PGM 439/449 -	Coastal Pelagic	Fisheries Management	Mclean.Seward@ncdenr.gov	1983	Fish house market samples from individual trips to characterize the size and length composition of catches and also gather information on fishing effort at trip level, used in stock assessment across several key species.
PGM 460 -	Miscellaneous Species Survey	Fisheries Management	Todd.VanMiddlesworth@ncdenr.gov	1988	Fish house lengths taken in a variety of gears when estimates of effort not available.
PGM 461 -	Estuarine Gill Net and Seine Sampling	Fisheries Management	Daniel.Zapf@ncdenr.gov	1991	Fish house market and bait samples with fishing effort.
PGM 462 -	Estuarine Gill Net Selectivity	Fisheries Management	Daniel.Zapf@ncdenr.gov	1999	Fishery independent gill net gear testing and exploratory sampling.
PGM 465 -	Cold Stun Sampling	Fisheries Management	Tracey.Bauer@ncdenr.gov	2010	Fishery independent samples of cold stun fish.
PGM 466	Sea Turtle Monitoring	Fisheries Management	John.McConnaughey@ncdenr.gov	2010	Onboard monitoring of anchored gill net operations for protected species (sea turtles/Atlantic sturgeon) and dependent fishery harvest and discard data. Data used for ITP compliance, FMPs, stock assessments.
PGM 467	Alternative Platform Observations	Fisheries Management	John.McConnaughey@ncdenr.gov	2010	Monitoring of anchored gill net operations for protected species from Division owned boat (sea turtle/Atlantic sturgeon). ITP compliance.
PGM 476 -	Commercial Gig Fishery Survey	Fisheries Management	Michael.Loeffler@ncdenr.gov	2004	Fish house market samples with fishing effort.
PGM 510 -	Juvenile Shrimp Sampling	Fisheries Management	Chris.Stewart@ncdenr.gov	1975	Seasonal shrimp trawl sampling in Southern District for area closures.
PGM 570 -	Commercial Shrimp Trawl Characterization	Fisheries Management	Kevin.H.Brown@ncdenr.gov	2007	Observer samples from commercial shrimp trawls and dependent/independent gear testing.
PGM 600	Cultch Plantings	Habitat Enhancement	Jason.Peters@ncdenr.gov	1977	Deployment database for cultch planting program.
PGM 601	Oyster Sanctuary Deployment	Habitat Enhancement	Jordan.Byrum@ncdenr.gov	1996	Deployment database for oyster sanctuary program.
PGM 610	Spat fall Evaluation	Habitat Enhancement	Greg.Allen@ncdenr.gov	1981	Annual spat fall survey.
PGM 611	Oyster Sanctuary Monitoring	Habitat Enhancement	Jacob.Boyd@ncdenr.gov	2007	Oyster population monitoring at oyster sanctuaries.
PGM 627	Monitoring of Public Oyster Mechanical Harvest	Fisheries Management	Joe.Facendola@ncdenr.gov	2008	Dredge samples for the oyster FMP 26% live oyster trigger for dredge fishery closure in Pamlico Sound off public bottom (Oct - Mar).
PGM 640-	Hard Clam Survey	Fisheries Management	Jeffrey.Dobbs@ncdenr.gov	1998	Fishery independent patent tong clam samples in Core Sd (Aug).
PGM 646-	Commercial Shellfish Harvest	Fisheries Management	Jeffrey.Dobbs@ncdenr.gov	1998	Fish house samples of shellfish.
PGM 697 -	Bay Scallop Monitoring	Fisheries Management	Jeffrey.Dobbs@ncdenr.gov	1975	Fishery independent scallop dredge samples statewide (Jan, Apr, Jul, Oct).
PGM 635	Shellfish Bottom Mapping	Habitat Enhancement	Anne.Deaton@ncdenr.gov	1989	Map and sample estuarine benthic habitat (shellfish and SAV). Information used to identify high shellfish resource areas, prioritize for protection and restoration, and comment on impacts of proposed development projects.

PGM 850-	Diet Study, NCSU	Fisheries Management	Katy.West@ncdenr.gov	2012	Initially food habitat (diet) study with NCSU, determine diet and prey selectivity of predatory fishes and incorporate diet information into the NCDMF database by linking individual predator records with their stomach contents.
PGM 909 -	Water Quality Monitoring	Fisheries Management	Holly.White@ncdenr.gov	2008	Multi parameter data sondes/loggers provide continuous long-term water quality monitoring in the Albemarle Sound and throughout the state.
PGM 915 -	Pamlico Sd, Rivers, and Southern District Gill Net Survey	Fisheries Management	Daniel.Zapf@ncdenr.gov	1999	Gill net survey throughout the state, exclusive of ASMA. Relative index of abundance for key estuarine species used in the development of stock assessments and FMPs for spotted seatrout, bluefish, weakfish, red drum, black drum, striped bass, and southern flounder. Data used in kingfish trigger. Occurs Feb 15 - Dec 15.
PGM 930 -	Comprehensive Life History (aging)	Fisheries Management	Randy.Gregory@ncdenr.gov	1991	Aging Lab specimens for ~ 15 finfish species. Includes age and growth information collected from all sources, division surveys, and commercial and recreational fisheries.
PGM 931	Maturity and Genetic Sampling	Fisheries Management	Randy.Gregory@ncdenr.gov	2016	Gonadal specimens for histology and fins clips for DNA processing used to update maturity schedules for stock assessments, stock ID, and parentage based tagging (CSMA striped bass).
	License Program	License and Statistics	Stephanie.McInerny@ncdenr.gov	1999	Commercial (1999-current); Recreational (2007-current); Counts of licenses and permits issued.
	Marine Recreational Information Program (MRIP) / Access Point Angler Intercept Survey (APAIS)	License and Statistics	Chris.Wilson@ncdenr.gov	1981	Recreational fishing effort and catch estimates.
	Central Southern Management Area Creel Survey (CSMA)	License and Statistics	Drew.Cathey@ncdenr.gov	2012	Recreational effort and catch estimates (CSMA striped bass and shad).
	For-Hire Survey (FHS)	License and Statistics	Chris.Wilson@ncdenr.gov	1999	For-hire fishing effort estimates.
	Highly Migratory Species Catch Card (HMS)	License and Statistics	Dallis.Tucker@ncdenr.gov	1999	Recreational bluefin tuna and billfish catch reports.
	Gigging Mail Survey	License and Statistics	Drew.Cathey@ncdenr.gov	2010	Recreational gigging effort and catch estimates.
	Castnet/Seine Mail Survey	License and Statistics	Drew.Cathey@ncdenr.gov	2011	Recreational castnet/seine effort and catch estimates.
	Crab/Shellfish Mail Survey	License and Statistics	Drew.Cathey@ncdenr.gov	2010	Recreational fishing effort and catch for blue crab, shrimp, and shellfish.
	Trip Ticket Program	License and Statistics	Alan.Bianchi@ncdenr.gov	1994	Commercial fishing effort, landings, and ex-vessel value; landings data available before 1994 but no effort information.
	Quota Monitoring Program	License and Statistics	Alan.Bianchi@ncdenr.gov	1999	Daily commercial landings and effort for quota monitored species (i.e., summer flounder, striped bass, spiny dogfish, black sea bass north of Hatteras; historic information for river herring and American shad).
	Fisheries Economics Program	License and Statistics	Adam.Stemle@ncdenr.gov	1994	Social and economic information for commercial and recreational fisheries; Economic impact analyses for commercial and recreational fisheries.

Notes Independent Sampling Programs

Program #	Program Name	Section/ Contact	~Year	Overview & Data Use
PGM 100 -	Juvenile Anadromous	Fisheries Mgmt./Katy West	1955- Trawl	Seasonal trawl/seine survey in the Albemarle area (May-Oct)
PGM 120 -	NC Estuarine Trawl Survey	Fisheries Mgmt./Katy West	1972	Mainly May-July trawl survey for JAI through out the state
PGM 123 -	Red Drum Juvenile Suvey	Fisheries Mgmt./Katy West	1991	Fall seine survey through out the state (Sep - Nov)
PGM 127 -	Assessment of Fish Population Lower Ca	Fisheries Mgmt./Tina Moore	1997	In cooperation with UNCW trawl, gill net and electroshocking in Cape Fear
PGM 135 -	Striped Bass Independent Gill Net Surve	Fisheries Mgmt./Katy West	1990	Gill net survey in the Albemarle area (Nov-May)
PGM 146 -	Striped Mullet Electroshock Survey	Fisheries Mgmt./Katy West	2003	Electroshocking survey in Neuse River (Oct-Apr)
PGM 150 -	Anadromous Adult Spawning Area Surve	Fisheries Mgmt./Katy West	1972	Mainly gill nets and fish pots spring in Albemarle area (Feb-Apr)
PGM 160 -	Anadromous Egg and Larval Survey	Fisheries Mgmt./Katy West	1972	Plankton nets Mar.-May rotational rivers in Albemarle area
PGM 195 -	Pamlico Sound Survey	Fisheries Mgmt./Katy West	1987	Trawl survey June and September in Pamlico area
PGM 300 -	Anadromous Inshore Tagging (returns o	Fisheries Mgmt./Katy West	1971	Historical, current P366
PGM 310 -	Red Drum MARFIN (returns only; no act	Fisheries Mgmt./Katy West	1996	Historical, current P366
PGM 311 -	CFR Striped Bass Recapture Study (retur	Fisheries Mgmt./Tina Moore	2010	Historical, current P366
PGM 340 -	Albermarle Sound Non Anadromous Tag	Fisheries Mgmt./Katy West	1980	No active tagging , returns only
PGM 355 -	Spotted Seatrout Conventional Tagging	Fisheries Mgmt./Tina Moore	1996	Historical, current P366
PGM 356 -	Acoustic Tagging	Fisheries Mgmt./Katy West	2010	Telemetry studies of various species through out the state
PGM 360 -	Red Drum Tagging (returns only; no acti	Fisheries Mgmt./Katy West	1983	Historical, current P366
PGM 365 -	Red Drum Long Line Survey	Fisheries Mgmt./Katy West	2007	Longline sampling Jul - Oct in Pamlico Sound
PGM 366 -	DMF Finfish Tagging	Fisheries Mgmt./Katy West	2014	Conventional tagging for striped bass, red drum, spotted seatrout, flounder, etc.
PGM 400 -	Anadromous Commercial Harvest-culle	Fisheries Mgmt./Katy West	1986	Fish house sampling in the Albemarle area
PGM 410 -	Anadromous Commercial Samples-uncu	Fisheries Mgmt./Katy West	1972	Since 2008 contracted river herring pound net sampling for Chowan River
PGM 431/441 -	Sciaenid Pound Net	Fisheries Mgmt./Katy West	1978	Fish house market and bait samples with fishing effort
PGM 432/442 -	Flounder Pound Net Fishery	Fisheries Mgmt./Katy West	1976	" "
PGM 433/443 -	Winter Trawl Fishery	Fisheries Mgmt./Tina Moore	1979	" "
PGM 434/444 -	Ocean Gill Net Fishery	Fisheries Mgmt./Katy West	1982	" "
PGM 435/445 -	Beach Seine Fishery	Fisheries Mgmt./Katy West	1982	" "
PGM 436 -	Commercial Crab Harvest Samples	Fisheries Mgmt./Katy West	1995	" "
PGM 437/447 -	Long Haul Seine Fishery	Fisheries Mgmt./Katy West	1978	" "
PGM 438 -	Offshore Live Bottom Fishery	Fisheries Mgmt./Tina Moore	1983	" "
PGM 439/449 -	Coastal Pelagic	Mclean Seward	1983	" "
PGM 460 -	Miscellaneous Species Survey	Fisheries Mgmt./Katy West	1988	Fish house lengths taken in a variety of gears when estimates of effort not available
PGM 461 -	Estuarine Gill Net and Seine Sampling	Fisheries Mgmt./Katy West	1991	Fish house market and bait samples with fishing effort
PGM 462 -	Estuarine Gill Net Selectivity	Fisheries Mgmt./Katy West	1999	FI gill net gear testing
PGM 465 -	Cold Stun Sampling	Fisheries Mgmt./Tina Moore	2010	FI samples of cold stun fish
PGM 466	Sea Turtle Monitoring	Fisheries Mgmt./John McConnaughey		
PGM 467	Alternative Platform Obeservations	Fisheries Mgmt./John McConnaughey		
PGM 476 -	Commercial Gig Fishery Survey	Fisheries Mgmt./Katy West	2004	Fish house market samples with fishing effort
PGM 510 -	Juvenile Shrimp Sampling	Fisheries Mgmt./Tina Moore	1975	Seasonal shrimp trawl sampling in Southern District for area closures
PGM 570 -	Commercial Shrimp Trawl Characterizat	Fisheries Mgmt./Tina Moore	2007	Observer samples from commerical shrimp trawls
PGM 640-	Hard Clam Survey	Fisheries Mgmt./Tina Moore	1998	FI patent tong clam samples in Core Sd (Aug)
PGM 646-	Commercial Shellfish Harvest	Fisheries Mgmt./Tina Moore	1998	Fish house samples of shellfish
PGM 697 -	Bay Scallop Monitoring	Fisheries Mgmt./Tina Moore	1975	FI scallop dredge samples for Southern District (Jan, Apr, Jul, Oct)
PGM 215	SHA Evaluation	Habitat Enhancement/Casey Knight		
PGM 600	Cultch Plantings	Habitat Enhancement/Jason Peters		
PGM 601	Oyster Sanctuary Deployment	Habitat Enhancement/Jordan Byrum (Artificial Reef Biologist)		

PGM 610	Spatfall Evaluation	Habitat Enhancement/Greg Allen (Manteo)		
PGM 611	Oyster Sanctuary Monitoring	Habitat Enhancement/		
PGM 627	Oyster Dredge Trigger Sampling	Fisheries Mgmt./Tina Moore	2008	Dredge samples for the oyster FMP 26% live oyster trigger for closure (Oct - Mar)
PGM 635	Shellfish Bottom Mapping	Habitat Enhancement/Anne Deaton		
PGM 850-	Diet Study, NCSU	Fisheries Mgmt./Katy West	2012	Food habitat (diet) study
PGM 909 -	Water Quality Monitoring	Fisheries Mgmt./Katy West	2008	Multi parameter data sondes/loggers provide continuous long-term water quality
PGM 915 -	Pamlico Sd, Rivers, and Southern Distric	Fisheries Mgmt./Katy West	1999	FI gill net survey throughout the state (Feb 16 - Dec 15)
PGM 930 -	Comprehensive Life History (aging)	Fisheries Mgmt./Tina Moore	1991	Aging Lab specimens for ~ 15 finfish species
PGM 931	Maturity and Genetic Sampling	Fisheries Mgmt./Tina Moore	2016	Gonadal specimensfor histology and fins clips for DNA processing

FISHERIES MANAGEMENT SECTION LEADS (Individual species in all caps denote state fishery management plan) 10/2/18

SPECIES/PROGRAM	STAFF/EMAIL	PHONE	SECTION PROGRAMS
Finfish			Carcass Collection Program
American Eel	Todd.Mathes@ncdenr.gov	252-948-3872	Randy.Gregory@ncdenr.gov
AMERICAN SHAD	Holly.White@ncdenr.gov	252-264-3911	252-808-8078
Atlantic Croaker	Daniel.Zapf@ncdenr.gov	252-948-3875	Citation Program
Atlantic Menhaden	Corrin.Flora@ncdenr.gov	252-264-3911	Carole.Y.Willis@ncdenr.gov
Atlantic Sturgeon	Michael.Loeffler@ncdenr.gov	252-264-3911	252-808-8081
Billfishes	Randy.Gregory@ncdenr.gov	252-808-8078	Cold Stun Events
Black Drum	Chris.Stewart@ncdenr.gov	910-796-7370	Tracey.Bauer@ncdenr.gov
Black Sea Bass (North)	Todd.VanMiddlesworth@ncdenr.gov	252-473-5734	252-808-8159
Black Sea Bass (South)	Mclean.Seward@ncdenr.gov	910-796-7289	Gear Development
Bluefish	Lisa.Hollensead@ncdenr.gov	252-473-5734	Kevin.H.Brown@ncdenr.gov
Catfishes	Sean.Darsee@ncdenr.gov	252-264-3911	252-808-8089
Cobia	Anne.Markwith@ncdenr.gov	252-808-8159	Invasive Species
Dolphin	Tracey.Bauer@ncdenr.gov	252-808-8159	Corrin.Flora@ncdenr.gov
Gag	Mclean.Seward@ncdenr.gov	910-796-7289	252-264-3911
Hickory Shad	Holly.White@ncdenr.gov	252-264-3911	Observer Program
INTERJURISDICTIONAL STATE PLAN	Kathy.Rawls@ncdenr.gov	252-808-8074	John.McConnaughey@ncdenr.gov
King Mackerel	Randy.Gregory@ncdenr.gov	252-808-8078	252-808-8049
KINGFISHES	Kevin.H.Brown@ncdenr.gov	252-808-8089	Permits (Bait Shrimp, Pound Net,
Monkfish	Lisa.Hollensead@ncdenr.gov	252-473-5734	Scientific/Educational Activity)
Perches (White, Yellow)	Sean.Darsee@ncdenr.gov	252-264-3911	Jennifer.Lewis@ncdenr.gov
RED DRUM	Lee.Paramore@ncdenr.gov	252-473-5734	252-808-8076
RIVER HERRING	Holly.White@ncdenr.gov	252-264-3911	Proclamation Distribution Email List
Scup	Todd.VanMiddlesworth@ncdenr.gov	252-473-5734	Debbie.Manley@ncdenr.gov
Sharks	Lisa.Hollensead@ncdenr.gov	252-473-5734	252-808-8075
Sheepshead	Anne.Markwith@ncdenr.gov	910-796-7292	Stock Assessment Program
Snapper Grouper Complex	Mclean.Seward@ncdenr.gov	910-796-7289	Laura.Lee@ncdenr.gov
SOUTHERN FLOUNDER	Michael.Loeffler@ncdenr.gov	252-264-3911	252-808-8094
Spanish Mackerel	Randy.Gregory@ncdenr.gov	252-808-8078	Tagging Program/Returns
Spiny Dogfish	Lisa.Hollensead@ncdenr.gov	252-473-5734	Trevor.Scheffel@ncdenr.gov
Spot	Daniel.Zapf@ncdenr.gov	252-948-3875	252-948-3867
SPOTTED SEATROUT	Tracey.Bauer@ncdenr.gov	252-808-8159	**MANAGEMENT**
Striped Bass, Atlantic Ocean	Charlton.Godwin@ncdenr.gov	252-264-3911	Fisheries Management Section Chief
STRIPED BASS, ESTUARINE	Charlton.Godwin@ncdenr.gov	252-264-3911	Kathy.Rawls@ncdenr.gov
Striped Bass, Albemarle/Roanoke	Sean.Darsee@ncdenr.gov	252-264-3911	252-808-8074
Striped Bass, Central	Todd.Mathes@ncdenr.gov	252-948-3872	Northern District Manager
Striped Bass, Southern	Chris.Stewart@ncdenr.gov	910-796-7370	Katy.West@ncdenr.gov
STRIPED MULLET	Daniel.Zapf@ncdenr.gov	252-948-3875	252-948-3884
Summer Flounder	Todd.VanMiddlesworth@ncdenr.gov	252-473-5734	Southern District Manager
Tautog	Lisa.Hollensead@ncdenr.gov	252-473-5734	Tina.Moore@ncdenr.gov
Tuna	Randy.Gregory@ncdenr.gov	252-808-8078	252-808-8082
Weakfish	Tracey.Bauer@ncdenr.gov	252-808-8159	FMP/Rulemaking Coordinator
Invertebrates			Catherine.Blum@ncdenr.gov
BAY SCALLOP	Jeffrey.Dobbs@ncdenr.gov	252-808-8193	252-808-8014
BLUE CRAB	Jason.Rock@ncdenr.gov	252-948-3874	Executive Assistant
EASTERN OYSTER	Joe.Facendola@ncdenr.gov	252-808-8082	Jennifer.Lewis@ncdenr.gov
HARD CLAM	Jeffrey.Dobbs@ncdenr.gov	252-808-8193	252-808-8076
Horseshoe Crab	Jeffrey.Dobbs@ncdenr.gov	252-808-8193	Office Assistant
SHRIMP	Chris.Stewart@ncdenr.gov	910-796-7370	Debbie.Manley@ncdenr.gov
Whelks	Joe.Facendola@ncdenr.gov	910-796-7291	252-808-8075

NORTH CAROLINA DIVISION OF MARINE FISHERIES

Fish Dealer Report

License & Statistics Section, PO Box 769, Morehead City, NC 28557 October 2018

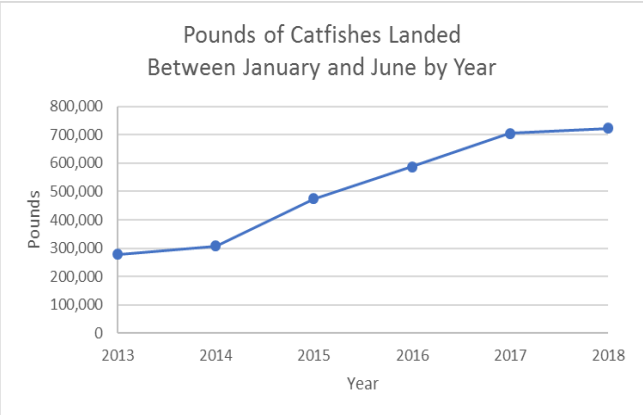
2018 COMMERCIAL LANDINGS REVIEW

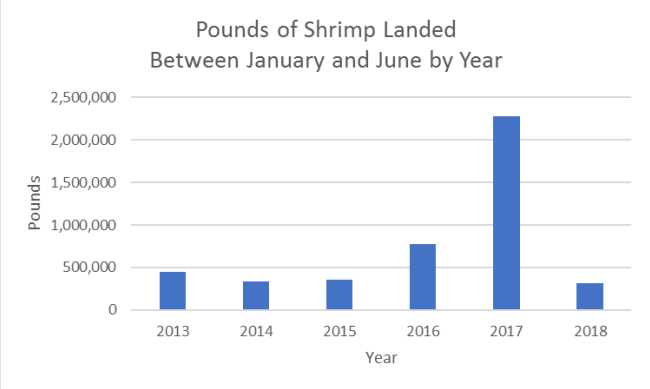
According to the North Carolina Division of Marine Fisheries Trip Ticket Program, North Carolina fishermen landed 17.3 million pounds of seafood from January through June 2018. These landings represent a 23.2 percent decline in total landings over the same period in 2017, and a 24.7 percent decline from the previous five-year average.

The top five species landed were hard Blue Crab (5.8 million pounds), Atlantic Croaker (1.6 million pounds), Summer Flounder (1.4 million pounds), Spiny Dogfish (755,937 pounds), and catfishes (722,552 pounds).

Shrimp landings fell 86 percent from the same period last year and 62 percent from the previous five-year average. Shrimp landings for the period of January through June has been increasing in recent years with notable increases in 2016 with a total of 770,523 pounds and 2017 totaling 2.3 million pounds. Landings of shrimp from January to June dropped in 2018 to 318,051 pounds.

Catfish landings saw a dramatic increase in the past five years. Landings of catfishes from January to June increased 2 percent over the same period in 2017 and increased 54 percent from the previous five-year average.





REPORT FISH AND CRAB KILLS

Fishermen and seafood dealers are often the first to observe an abundance of dead or dying fish and crabs in one area. Such fish kill events may be due to weather or human induced causes which stress organisms or degrade water quality. Water quality conditions that can contribute to fish kills include low dissolved oxygen, rapid salinity change, or elevated levels of pollutants such as pesticides in the water. Rapid reporting of observed fish/crab kills helps state agencies determine the cause of the event and how it can be prevented in the future. Calls may be anonymous.

To report fish or crab kills, one can fill out a simple online form provided by the NC Department of Environmental Quality (DEQ). Alternatively, call the nearest DEQ regional office, or on evenings and weekends, call the Environmental Emergency hotline.

DEQ Washington Regional Office:
252-946-6481; 800-338-7804

DEQ Wilmington Regional Office:
910-796-7215; 800-248-4536

Environmental Emergency hotline (after work hours): 800-858-0368

TRIP TICKET REMINDERS

The Trip Ticket Program would like to remind dealers that they are required to check licenses and vessel numbers prior to making a purchase from a fisherman. The most common errors found on trip tickets are incorrect or invalid fishing license and vessel numbers. This often happens to electronic dealers after license sales season, as they save a fisherman's license number into the reporting software and forget to check the fisherman's license for any changes. Your help with this is greatly appreciated.

Also, the Trip Ticket Program recently implemented a new field called Disposition. This field was asked to be included on trip ticket forms by the North Carolina Marine Fisheries Commission and it is used to record the amount of landings that might be retained or not sold to dealers. Staff would like to remind dealers to take advantage of that field when necessary.

STAFF CHANGES

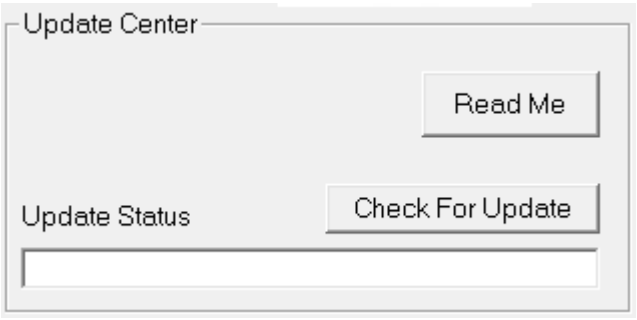
Long time Trip Ticket Program employee Grace Kemp retired August 31st. Grace was a point of contact for our electronic dealers for many years, and while we work to replace her, any questions you have regarding electronic reporting can be submitted to Alan Bianchi by email at Alan.Bianchi@ncdenr.gov or by phone at 252-808-8092. Also, our commercial port agent in the Wilmington area has moved on. While we work to replace the port agent, dealers seeking information can reach our other port agents based on their county of operation below. Interviews have been completed for both positions, and we hope to have them filled in November.

Brunswick County Dealers:
Jon Anglemyer: 252-948-3881
Pender County Dealers:
Chris Kelly: 252-264-3911
New Hanover County Dealers:
Chuck Davis: 252-808-8029
All other counties:
Marty Brill: 252-473-2158

TRIP TICKET CODES

In response to changing fisheries practices, the Trip Ticket Program has created a new gear code to capture oyster products farmed in cages. Code 395 - "Oyster Cage/Rack/Bag".

Update your electronic reporting software to the latest version (Version 7.0.6) to make use of this new code. You can update your software by clicking on the "Check for Update" button in the update center.



HURRICANE DAMAGE

The Trip Ticket Program would like to extend a thank you to dealers who reported financial impacts from Hurricane Florence to the Division of

Marine Fisheries. We received preliminary accounts of damages and losses from 68 dealers. Dealers reported everything from no damages to complete destruction of their fish houses, docks, inventory, and vessels. The maximum reported to date was a $600,000 loss. A majority of the damage reported to the division came from the coastal areas from Carteret, Craven, Onslow, Pender, New Hanover, and Brunswick counties.

TECH TIPS

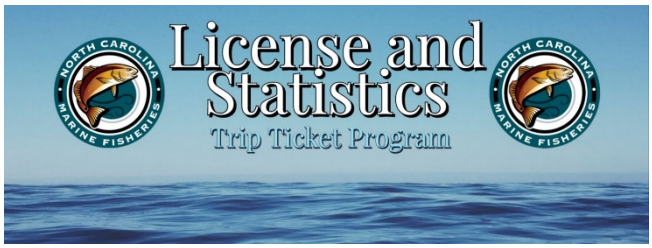
With a little know-how, Trip tickets can be entered in a matter of seconds. The more you customize the program to your needs and the more you use the keyboard, the faster your ticket creation will be. Here are some examples:

Tab and Type
Push the mouse aside. Use the Tab key to take you from field to field. Located at the top of several drop-down lists is a blank space for the search and type-ahead feature. Use the Enter key rather than clicking on a button. If a button that you need to click becomes highlighted with a dotted box just inside the button box (because you tabbed to it), hit the Enter key. Hitting Enter when the button is highlighted is the same as clicking on the button with the mouse.

Defaults
Setup default values on the fisherman/vessels and species screens. These default values will fill in automatically in the ticket screen. If the default value is correct, then pass over it. If the default value is not appropriate, then change it on the ticket screen.

MOREHEAD CITY HQ OFFICE REMODEL

The North Carolina Division of Marine Fisheries Morehead City Headquarters Office has recently gone through some remodeling to improve and upgrade security. The receptionist desk has been moved to the right of the front door in the lobby and the sitting area in the lobby has been expanded. Security access locks have been added to the hallways to prevent unauthorized access to staff offices. We are also implementing a new customer management system to allow for better coordination of license sales in the Morehead City Headquarter Office. Implementation of the customer management software will happen before the end of the year.



NORTH CAROLINA DIVISION OF MARINE FISHERIES

Semiannual Fisheries Bulletin

2018 Commercial Statistics

Marine Fisheries
ENVIRONMENTAL QUALITY

License and Statistics Section, PO Box 769, Morehead City, NC 28557 October 2018

FINFISH	January – June (Pounds – rounded) 2014	2015	2016	2017	2018
Amberjacks[1]	80,304	77,615	74,828	58,919	63,247
Anglerfish (Monkfish & Monklivers)	62,244	99,957	48,963	51,739	39,933
Bluefish	1,514,841	472,082	803,087	1,119,042	470,071
Bonito	6,468	18,467	8,274	9,391	12,311
Butterfish	18,992	35,257	24,084	31,680	23,861
Carp	15,363	35,271	22,605	14,819	17,264
Catfishes	308,317	474,148	587,375	705,211	722,552
Cobia	20,686	18,697	18,578	17,633	17,587
Croaker, Atlantic	2,054,885	1,576,129	1,662,982	869,326	1,574,277
Cutlassfish, Atlantic	132,155	166,469	1,135	41,751	25,055
Dolphinfish	405,221	320,371	334,863	189,255	129,239
Drum, Black	6,289	24,596	14,818	43,362	40,828
Drum, Red	22	39,838	20,942	34,186	53,339
Eel, American	1,824	2,723	2,234	4,393	2,336
Flounder, Southern	123,370	130,299	93,483	130,169	73,730
Flounder, Summer	2,410,119	2,323,303	1,875,669	1,181,768	1,387,628
Flounders, Other	2,638	964	1,209	*	66
Garfish	4,378	35,679	12,586	19,641	12,622
Grouper, Gag	41,529	41,346	33,419	25,497	33,488
Grouper, Red	28,008	22,772	9,477	8,326	6,596
Grouper, Scamp	21,654	24,080	22,559	15,957	20,352
Grouper, Snowy	23,155	22,430	70,403	65,044	70,100
Groupers, Other	6,336	3,594	6,269	4,775	5,214
Grunts	14,411	13,870	16,574	16,863	14,032
Hakes	622	1,262	2,635	2,506	974
Harvestfish (Starbutters)	89,348	114,842	96,956	36,472	73,485
Herring, River (Alewife and Blueback)	1,139	NA	NA	NA	NA
Hogfish (Hog Snapper)	4,970	3,866	3,206	5,069	3,161
Jacks (Crevalle and Blue Runner)	1,136	448	2,040	833	316
Mackerel, Atlantic (Boston)	555	1,338	160	629	1,418
Mackerel, King	97,663	32,296	55,875	137,602	91,152
Mackerel, Spanish	137,529	187,252	223,015	248,664	252,328
Menhaden,Atlantic	598,911	563,103	271,290	532,323	417,031
Mullet, Sea (Kingfishes)	227,647	369,306	279,129	356,193	227,466
Mullet, Striped	206,085	235,458	203,490	189,321	236,788
Perch, White	149,388	121,004	201,118	159,796	118,147
Perch, Yellow	64,326	40,574	27,462	15,562	12,298
Pigfish	8,853	6,253	2,164	2,450	2,780
Pinfish	7	34	193	79	207
Pompano	1,128	1,266	4,408	1,166	1,890
Porgies	44,952	20,235	12,483	22,055	22,591
Pufferfish	189	807	1,453	1,955	315
Scup	145,917	210,156	99,632	165,567	64,138
Sea Basses	391,715	382,873	321,340	376,126	335,478
Seatrout, Spotted	67,989	87,530	54,004	97,732	15,076

	January – June (Pounds – rounded)				
	2014	2015	2016	2017	2018
Shad, American	191,302	95,966	62,245	90,868	52,256
Shad, Gizzard	84,995	53,564	83,994	121,783	209,605
Shad, Hickory	110,280	149,336	96,121	73,627	75,312
Sharks	683,740	359,330	457,610	559,296	432,537
Sharks, Dogfish, Smooth	455,409	209,485	132,247	152,938	198,810
Sharks, Dogfish, Spiny	4,558,556	4,247,173	2,243,146	390,805	755,937
Sheepshead	15,152	20,398	19,344	14,455	11,126
Skates	16,925	43,216	23,650	39,454	32,527
Skippers	15,315	10,166	9,002	9,147	11,936
Snapper, Vermilion (Beeliner)	101,450	75,045	124,373	105,757	105,130
Snappers, Other	2,676	4,118	4,996	2,157	7,261
Spadefish	13,121	6,310	8,377	7,968	4,807
Spot	123,811	30,769	10,457	29,422	41,882
Striped Bass	72,118	110,408	124,712	84,076	93,230
Swordfish	555,153	436,592	346,005	291,170	340,811
Tilefish, Blueline	71,711	23,607	15,793	41,943	32,282
Tilefishes, Other	13,261	7,320	16,973	29,661	11,376
Triggerfish	116,492	81,324	59,388	53,134	82,295
Tuna, Bigeye	80,283	93,504	57,080	41,052	63,931
Tuna, Bluefin	80,178	85,145	154,123	303,781	209,948
Tuna, Yellowfin	311,926	259,715	249,162	509,674	336,038
Tunas, Other	125,874	110,225	80,437	52,705	38,320
Tunny, Little (False Albacore)	92,881	31,646	53,461	88,374	56,799
Wahoo	7,312	8,429	9,527	14,546	9,642
Weakfish (Grey Trout)	37,761	24,646	34,139	34,507	13,600
Unclassified for Industrial Use or Bait	21,753	31,873	16,238	72,085	51,122
Unclassified Fish for Food	64,958	86,975	60,241	54,620	58,798
TOTAL FINFISH	**17,567,671**	**15,056,145**	**12,181,310**	**10,279,852**	**10,030,085**
SHELLFISH					
Blue Crabs, Hard	6,962,629	7,647,153	8,342,138	8,086,876	5,824,847
Blue Crabs, Peeler	515,197	579,795	362,986	717,017	322,566
Blue Crabs, Soft	332,286	332,207	263,320	407,962	227,506
Clams, Hard (Meats)	224,555	214,360	191,534	152,208	130,891
Clams, Hard (*Numbers*)	11,691,611	10,896,705	9,868,865	7,971,372	6,902,125
Octopus	86	*	146	124	123
Oysters (Meats)	327,260	267,056	327,808	407,919	320,101
Oysters (*Bushels*)	61,864	50,483	61,967	77,111	60,511
Scallops, Sea (Meats)	15,830	105,566	116,287	92,827	55,331
Shrimp[2] (Heads On)	338,650	351,542	770,523	2,281,597	318,051
Squid	9,283	15,462	31,945	18,406	25,172
Stone Crabs	2,759	2,911	4,289	3,658	2,918
Whelks/Conchs (Meats)	43,456	59,334	70,475	47,820	48,890
Unclassified Shellfish	71,681	79,297	92,489	81,175	35,255
TOTAL SHELLFISH	**8,843,672**	**9,654,683**	**10,573,940**	**12,297,589**	**7,311,651**
GRAND TOTAL	**26,411,343**	**24,710,828**	**22,755,250**	**22,577,441**	**17,341,736**

[1] Includes species from genus *Seriola* (greater amberjack, lesser amberjack, almaco jack, and banded rudderfish.)
[2] Includes brown, pink, and white shrimp.
* Units not shown to avoid disclosure of private enterprise.

NOTE: Landings collected by North Carolina Division of Marine Fisheries Trip Ticket Program (October 2018).

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