

# DIRECTOR'S REPORTS

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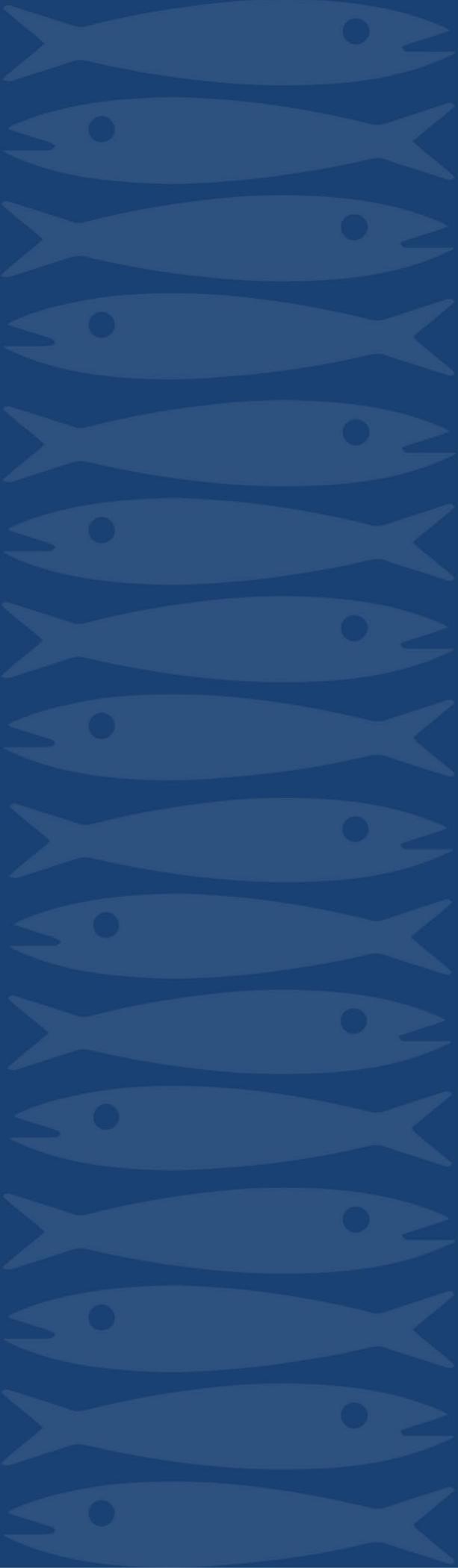
MAFMC

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PROTECTED RESOURCES UPDATE

LANDINGS UPDATE

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# ASMFC



# Atlantic States Marine Fisheries Commission

## 79<sup>th</sup> Annual Meeting Webinar Summary

*Sustainable and Cooperative Management of Atlantic Coastal Fisheries*

79<sup>th</sup> Annual Meeting Webinar  
October 19-22, 2020

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

### Meeting Summaries, Press Releases and Motions

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## **ATLANTIC HERRING MANAGEMENT BOARD (OCTOBER 19, 2020)**

### ***Meeting Summary***

The Atlantic Herring Management Board reviewed the 2021-2023 fishery specifications package which was approved by the New England Fishery Management Council (Council) through Framework 8. The Framework proposes a lower sub-annual catch limit (ACL) for Area 1A in 2021 (1,391 mt) and 2022/2023 (1,184 mt) based on results of the 2020 Management Track Assessment and following the acceptable biological catch ABC control rule proposed in Amendment 8. The Framework also proposes changes to the 2,000-pound incidental catch limit for Atlantic herring in Areas 2 and 3 to aid the mackerel fishery in better utilizing its available quota when the herring quota is low. This and other decision points in Framework 8, such as the management uncertainty buffer, transfers for at-sea processing, carryover of unused quota, and the research set aside, were informed by recommendations from the Council's Scientific and Statistical Committee, Advisory Panel, and Herring Committee.

Framework 8 was submitted to NOAA Fisheries for review in September. Similar to previous years, the Board decided to wait until a final rule is released by NOAA Fisheries before it considers specifications for the Area 1A fishery in 2021 (and beyond). However, the Board did approve a seasonal quota allocation for the 2021 Area 1A fishery with 72.8% available from June through September and 27.2% allocated from October through December, which is consistent with the seasonal allocation strategy set for the Area 1A fishery in 2020. Additionally, the fishery will close when 92% of the seasonal period's quota has been projected to be harvested and underages from June through September shall be rolled into the October through December period.

Lastly, the Board received an update regarding ongoing discussions between Commission and Council leadership on better coordinating state and federal herring management. A proposed list of shared management responsibilities, developed by a work group of Commission Plan Review Team and Council Fishery Management Action Team members, was reviewed by Commission and Council leadership. While no action was taken at their last meeting, leadership agreed to continue to discuss how best to cooperatively manage the herring resource and fishery. Another update will be provided to the Board in February.

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

### ***Motions***

**Move to allocate the 2021 Area 1A sub-ACL seasonally with 72.8% available from June through September and 27.2% allocated from October through December. The fishery will close when 92% of the seasonal period's quota has been projected to be harvested and underages from June through September shall be rolled into the October through December period.**

Motion made by Ms. Ware and seconded by Mr. Kane. Motion approved by consent (Roll Call: in favor – ME, NH, MA, RI, CT, NY, NJ, NEFMC, NMFS)

## **WINTER FLOUNDER MANAGEMENT BOARD (OCTOBER 19, 2020)**

### ***Meeting Summary***

The Winter Flounder Management Board reviewed the 2020 assessment updates for the Gulf of Maine (GOM) and Southern New England Mid-Atlantic (SNE/MA) winter flounder stocks. The stock assessment reports were peer-reviewed in September as part of the Northeast Fisheries Science Center's 2020 Management Track Stock Assessment process.

The GOM stock assessment indicates overfishing was not occurring in 2019. The assessment produces biomass estimates from three different fall surveys, but the area-swept methodology does not provide biomass reference points, resulting in an unknown stock biomass status. The GOM survey indices of abundance are relatively flat over the full time series with little change to the size structure. The Board expressed concern that these indices of winter flounder abundance have not demonstrated any response to the large declines in commercial and recreational removals since the 1980s. It was suggested that research is needed to better understand winter flounder abundance and distribution within different habitat types and especially estuaries for future stock assessments.

The SNE/MA assessment indicates the stock is overfished but overfishing did not occur in 2019. The spawning stock biomass estimate reached a time series low in 2019 of 64% of the biomass threshold despite sustained low levels of fishing mortality. Recruitment, an important indicator of the stock's ability to rebuild, has declined sharply since the 1980s and remains near the time series low. The Board expressed concern over the SNE/MA's depleted stock status and the low probability of rebuilding to the biomass target by 2023, the rebuilding plan target date. The Board emphasized the importance of incorporating environmental indicators into future stock assessments to better capture the influence of climate change on the stock's ability to rebuild.

In December, the New England Fishery Management Council will recommend specifications to NOAA Fisheries based on the 2020 assessment results and recommendations from its Scientific and Statistical Committee. After reviewing the Council's recommendation to NOAA, the Board will set state water specifications in February.

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

### ***Motions***

**Move to nominate William Hyatt as the Vice-chair to the Winter Flounder Management Board.**

Motion made by Ms. Ware and seconded by Ms. Patterson. Motion stands approved.

## AMERICAN LOBSTER MANAGEMENT BOARD (OCTOBER 19, 2020)

### *Press Release*

# **American Lobster Benchmark Stock Assessment Finds GOM/GBK Stock Not Overfished nor Experiencing Overfishing & SNE Stock Significantly Depleted *Assessment Introduces Regime Shift Methodology to Address Changing Environmental Conditions***

The 2020 American Lobster Benchmark Stock Assessment presents contrasting results for the two American lobster stock units, with record high abundance and recruitment in the Gulf of Maine and Georges Bank stock (GOM/GBK) and record low abundance and recruitment in the Southern New England stock (SNE) in recent years. The GOM/GBK stock is not overfished nor experiencing overfishing. Conversely, the SNE stock is significantly depleted with poor prospects of recovery. Stock status was assessed using the University of Maine Stock Assessment Model for American Lobster (UMM, Chen et al. 2005), a statistical catch-at-length model that tracks the population of lobster by sex, size and season over time.

“On behalf of the American Lobster Board, I want to applaud the members of the Technical Committee and Stock Assessment Subcommittee for their exceptional work on the 2020 Benchmark Stock Assessment Report,” stated Board Chair Dan McKiernan from Massachusetts. “This assessment made a notable advancement in considering the impact of changing environmental conditions on lobster population dynamics.”

Extensive research has highlighted the influence of the environment on American lobster life history and population dynamics. Among the critical environmental variables, temperature stands out as the primary influence. Further, its range is experiencing changing environmental conditions at some of the fastest rates in the world. Therefore, considering these environmental influences is vital when assessing the lobster stocks and was a focal point of this stock assessment. Environmental data time series included water temperatures at several fixed monitoring stations throughout the lobster’s range, average water temperatures over large areas such as those sampled by fishery-independent surveys, oceanographic processes affecting the environment, and other environmental indicators such as lobster prey abundance.

Environmental time series were analyzed for regime shifts, which indicate a significant difference in the lobster’s environment and population dynamics from one time period to another. Regime shifts can change a stock’s productivity, impacting the stock’s level of recruitment and its ability to support different levels of catch. Temperature time series were also analyzed to quantify the effect of temperature on survey catchability of lobster and correct trends in abundance estimated from surveys by accounting for temperature-driven changes in catchability through time.

Model-estimated abundance time series were also analyzed for shifts that may be attributed to changing environmental conditions and new baselines for stock productivity. Shifts were detected for the GOM/GBK stock in 1996 and 2009 and one shift was detected for the SNE stock in 2003. The GOM/GBK stock shifted from a low abundance regime during the early 1980s through 1995 to a moderate abundance regime during 1996-2008, and shifted once again to a high abundance regime during 2009-2018 (Figure 1). Conversely, the SNE stock shifted from a high abundance regime during

the early 1980s through 2002 to a low abundance regime during 2003-2018 (Figure 2). New reference points were developed to account for the changing regimes.

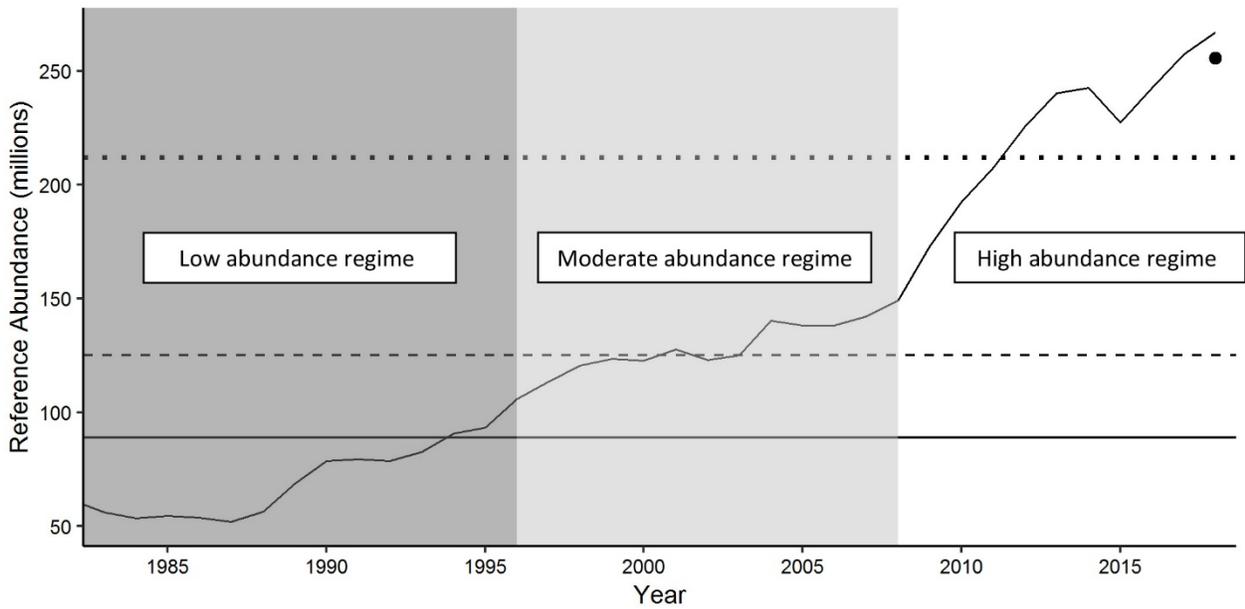


Figure 1. GOM/GBK stock abundance compared to the fishery/industry target (dotted black line), abundance limit (dashed black line), and abundance threshold (solid black line) reference points based on detected low (dark grey period), moderate (light grey period), and high (white period) abundance regimes. The circle is the three-year (2016-2018) average reference abundance.

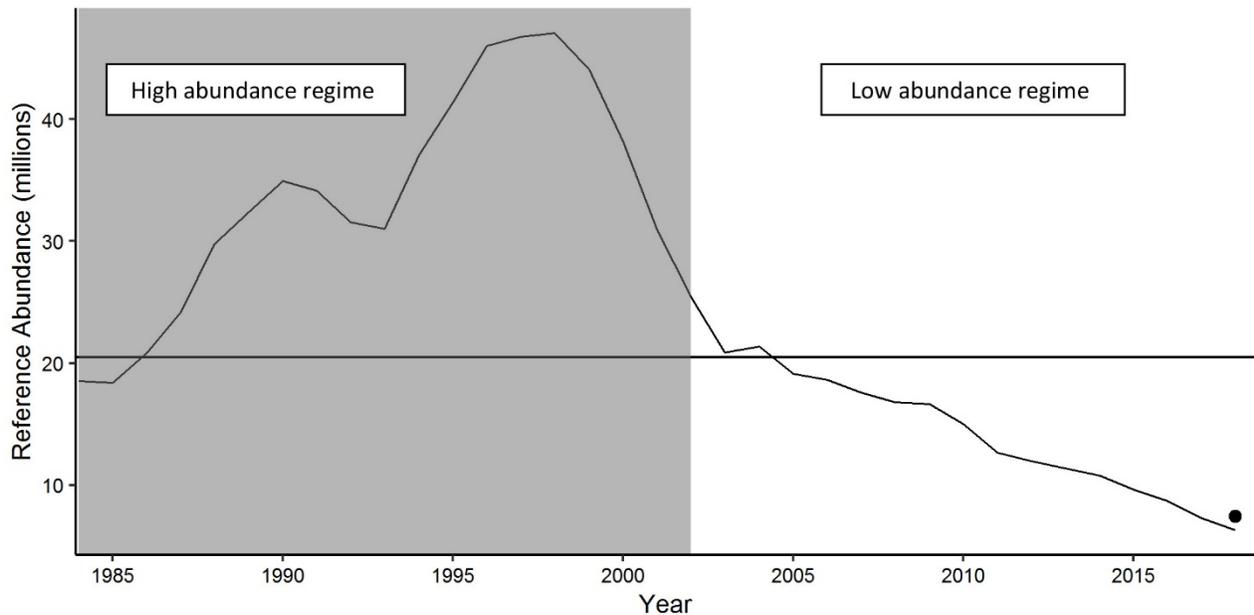


Figure 2. SNE stock abundance compared to the abundance threshold (solid black line) reference point based on detected high (grey period) and low (white period) abundance regimes. The circle is the three-year (2016-2018) average reference abundance.

In this assessment, three reference points are used to characterize stock abundance. The **abundance threshold** is calculated as the average of the three highest abundance years during the low abundance regime. A stock abundance level below this threshold is considered significantly depleted and in danger of stock collapse. This was the only abundance reference point recommended for the SNE stock due to

its record low abundance and low likelihood of reaching this threshold in the near future. The **abundance limit** is calculated as the median abundance during the moderate abundance regime. Stock abundance that falls below this limit is considered depleted because the stock's ability to replenish itself is diminished. The **fishery/industry target** is calculated as the 25<sup>th</sup> percentile of the abundance during the high abundance regime. In this case, when abundance falls below this target, the stock's ability to replenish itself is not jeopardized, but it may indicate a degrading of economic conditions for the lobster fishery.

Two reference points are used to evaluate the fishing mortality condition of the stocks. The **exploitation threshold** is calculated as the 75<sup>th</sup> percentile of exploitation during the current abundance regime. The stock is considered to be experiencing overfishing if exploitation exceeds the exploitation threshold. The **exploitation target** is calculated as the 25<sup>th</sup> percentile of exploitation during the current abundance regime.

Based on these reference points, the GOM/GBK stock is not depleted and overfishing is not occurring. The average abundance from 2016-2018 was 256 million lobster which is greater than the fishery/industry target of 212 million lobster. The average exploitation from 2016-2018 was 0.459, below the exploitation target of 0.461.

The SNE stock is significantly depleted and overfishing is not occurring. The average abundance from 2016-2018 was 7 million lobster, well below the abundance threshold of 20 million lobster. The average exploitation from 2016-2018 was 0.274, falling between the exploitation threshold of 0.290 and the exploitation target of 0.257.

Stock indicators were also used as an independent, model-free assessment of the lobster stocks. These indicators are based strictly on observed data and are free from inherent assumptions in the population dynamics models. GOM/GBK stock indicators showed similar results to the assessment model, with increasing abundance and distribution of recruits and larger-sized lobster over time. However, abundances of young-of-year (YOY) lobster have been negative or neutral since the 2015 stock assessment and YOY abundance appears particularly poor in the southwestern areas of the stock. Recent research has indicated lobster larvae may be settling in habitat outside that covered by current surveys, but these trends are concerning and need to be further researched. Exploitation generally declined through time to its lowest levels in recent years. Fishery performance indicators were generally positive in recent years with several shifting into positive conditions around 2010. New stress indicators were developed for this assessment, including shell disease prevalence and the number of annual days with temperature equal to or above 20° C. These indicators show relatively low stress, but indicate some increasingly stressful conditions through time, particularly in the southwest portion of the stock.

Indicators for the SNE stock also showed similar results to the assessment model, with decreasing abundance and distribution of all life stages to low levels in recent years. All indicators averaged below their time series medians since the 2015 assessment and many have averaged below the 25<sup>th</sup> percentile. Mortality indicators based on exploitation rates were variable across surveys, and fishery performance indicators have generally shown deteriorating performance in recent years. The stress indicators point toward similar negative conditions in the stock's environment, including unfavorably warm waters and the manifestation of a stressful environment through high shell disease prevalence.

Combined, these indicators reflect the SNE stock's very poor condition and continuing recruitment failure.

The American Lobster Board accepted the Benchmark Stock Assessment and Peer Review Report for management use, adopted the new reference points as recommended by the assessment, and committed to considering management responses to the assessment findings at its next meeting in February 2021. In addition, the Board intends to continue development of Addendum XXVII, which was initiated in 2017 to proactively increase resilience of the GOM/GBK stock but stalled due to the prioritization of Atlantic right whale issues.

A more detailed overview of the stock assessment, as well as the Benchmark Stock Assessment will be available on the Commission website, [www.asmfc.org](http://www.asmfc.org), on the American Lobster webpage under stock assessment reports. For more information, please contact Caitlin Starks, Fishery Management Coordinator, at [cstarks@asmfc.org](mailto:cstarks@asmfc.org) or 703.842.0740.

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PR20-22

### ***Meeting Summary***

After reviewing and accepting the 2020 American Lobster Benchmark Stock Assessment and Peer Review for management use, the American Lobster Management Board considered several additional items: a report on data collection requirements for 2021, a report on the electronic tracking pilot program, and the annual Fishery Management Reviews (FMP) for Lobster and Jonah crab.

Staff provided a report on the data collection requirements under Addendum XXVI for which implementation had been delayed from January 1, 2019 to January 1, 2021 in order to incorporate the elements into all reporting platforms. Over the past several months, a Lobster Data Elements Work Group has met weekly to develop definitions for the remaining data elements to ensure consistency in state and federal lobster-only reporting. Specifically, the Work Group recommended changes to federal collection of five effort level and gear characterization data points after the lobster-only permit holders begin reporting via federal VTRs. These include number of trap hauls, number of traps in the water by area, traps per trawl hauled, number of buoy lines by area, and total number of buoy lines. The Board forwarded a recommendation to the Interstate Fishery Management Program Policy Board to send a letter to NOAA Fisheries requesting these changes to VTRs; if accepted, it may be one to two years until implementation.

Next, the Board received a presentation on the results of the electronic tracking pilot program, which was initiated through Addendum XXVI. The project assessed tracking devices from Succorfish, Rock7, and Pelagic Data Systems by placing them on volunteer lobster vessels from Maine and Massachusetts with federal lobster permits from June 2019 to May 2020. Though the devices differed somewhat in features and performance, they all were able to deliver vessel positions and detect individual trap hauls. Cellular based systems were both lower in cost and permitted faster ping rates than satellite systems. Recognizing the critical need for electronic tracking to characterize spatial and temporal effort of the lobster fishery, the Board supported an expanded pilot project and future work on data integration and hardware testing. The Board Chair and several other members volunteered to produce a white paper describing the need for this information, which will be presented at the next meeting.

Finally, the Board considered the American Lobster FMP Review for the 2019 fishing year, and the Jonah Crab FMP Reviews for the 2018 and 2019 fishing years. No management concerns were raised for lobster, however, for the past three years New York has been unable to implement two required measures for Jonah crab: regulations to limit the directed trap fishery to lobster permit holders only, and the 1,000 crab bycatch limit for non-trap and non-lobster trap gear. The Board approved the FMP Reviews, state compliance reports, and *de minimis* requests for both species, and also made a recommendation to the ISFMP Policy Board to send a letter to New York regarding its implementation of Jonah crab measures.

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

### ***Motions***

**Move to accept the 2020 American Lobster Benchmark Stock Assessment and Peer Review for management use.**

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

**Move to adopt the following reference points as recommended in the 2020 benchmark assessment for the GOM/GBK stock:**

- **Abundance reference points: Fishery/industry Target, Abundance Limit, and Abundance Threshold (212 million lobsters, 125 million lobsters, and 89 million lobsters, respectively)**
- **Exploitation Reference Points: exploitation threshold and exploitation target (75th and 25th percentiles of annual exploitation estimates during the current abundance regime)**
- **And for the SNE stock:**
- **Abundance Threshold for the SNE stock (20 million lobsters)**
- **Exploitation Reference Points: exploitation threshold and exploitation target (75th and 25th percentiles of annual exploitation estimates during the current abundance regime)**

Motion made by Dr. McNamee and seconded by Mr. Kane. Motion adopted by unanimous consent.

**Move to recommend to the ISFMP Policy Board a letter be sent to New York regarding the implementation of Jonah crab measures.**

Motion made by Mr. Keliher and seconded by Mr. Borden. Motion passes by unanimous consent, with one abstention from New York.

**Move to approve the Lobster FMP Review for the 2019 fishing year, state compliance reports, and *de minimis* status for DE, MD, and VA.**

Motion made by Ms. Patterson and seconded by Mr. Kane. Motion passes by unanimous consent.

**Move to approve the Jonah Crab FMP Reviews for the 2018 and 2019 fishing years, state compliance reports, and *de minimis* status for DE, MD, and VA.**

Motion made by Ms. Patterson and seconded by Mr. Borden. Motion adopted by consent.

**ATLANTIC MENHADEN MANAGEMENT BOARD (OCTOBER 20, 2020)**

**Press Release**

**ASMFC Atlantic Menhaden Board Approves TAC for 2021-2022**

The Atlantic Menhaden Management Board (Board) approved a total allowable catch (TAC) of 194,400 metric tons (mt) for the 2021 and 2022 fishing seasons, which represents a 10% reduction from the 2018-2020 TAC level. The 2021-2022 TAC was set based on the ecological reference points (ERPs) approved by the Board in August, and reaffirms the Board’s commitment to manage the fishery in a way that accounts for the species role as a forage fish.

“This TAC represents a measured and deliberate way for this Board to move into the realm of ecosystem-based management,” said Chair Spud Woodward of Georgia. “The TAC strikes a balance between stakeholder interests to maintain harvest on menhaden at recent levels, while also allowing the ERP models to do what they are intended to do.”

Based on projections, the TAC is estimated to have a 58.5% and 52.5% probability of exceeding the ERP fishing mortality (*F*) target in the first and second year, respectively. The TAC will be made available to the states based on the state-by-state allocation established by Amendment 3 (see accompanying table for 2021 and 2022 based on a TAC of 194,400 mt).

In determining which level to set the TAC, the Board also considered recent updates to the fecundity (*FEC*) reference points, and current stock condition. According to the latest assessment results, the 2017 estimate of fecundity, a measure of reproductive potential, was above both the ERP *FEC* target and threshold, indicating the stock was not overfished. A stock assessment update is scheduled for 2022 which will inform the TAC for 2023 and beyond.

For more information, please contact Max Appelman, Fishery Management Plan Coordinator, or Toni Kerns, ISFMP Director, at [mappelman@asmfc.org](mailto:mappelman@asmfc.org) or [tkerns@asmfc.org](mailto:tkerns@asmfc.org), respectively.

2021-2022 ATLANTIC MENHADEN QUOTAS			
		Metric Tons	Pounds
<b>TAC</b>		194,400	428,578,637
<b>1% Set Aside*</b>		1,944	4,285,786
<b>TAC After Set Aside</b>		192,456	424,292,851
STATE	ALLOCATION	QUOTA (MT)	QUOTA (LBS)
ME	0.52%	995	2,194,080
NH	0.50%	962	2,121,582
MA	1.27%	2,453	5,407,708
RI	0.52%	996	2,196,488
CT	0.52%	993	2,188,342
NY	0.69%	1,330	2,931,091
NJ	10.87%	20,925	46,131,966
PA	0.50%	962	2,121,464
DE	0.51%	986	2,174,821
MD	1.89%	3,634	8,011,402
PRFC	1.07%	2,066	4,554,267
VA	78.66%	151,392	333,761,875
NC	0.96%	1,840	4,056,588
SC	0.50%	962	2,121,464
GA	0.50%	962	2,121,464
FL	0.52%	997	2,198,250
<b>TOTAL</b>	<b>100%</b>	<b>192,456</b>	<b>424,292,851</b>

\*1% of the TAC is set aside for episodic events, the remaining TAC is allocated to the states per the provisions of Amendment 3. Quotas may be adjusted pending final 2020 landings and the redistribution of any relinquished quota.

###

### **Motions**

**Move to approve the Ecological Reference Point (ERP) fecundity target and threshold, which correspond with the fishing mortality (F) ERPs approved in August 2020, for the management of Atlantic menhaden. The ERP fecundity target and threshold are to be defined as the equilibrium fecundity that results when the Atlantic menhaden population is fished at the ERP F target and threshold respectively.**

Motion made by Ms. Fegley and seconded by Mr. Rhodes. Motion carries without objection.

### **Main Motion**

**Move to set the total allowable catch (TAC) at 176,800 metric tons for 2021 and 187,400 metric tons for 2022 which are the levels associated with a 50% probability of exceeding the ERP fishing mortality target, respectively.**

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

### **Motion to Substitute**

**Move to substitute to set a TAC of 194,400 metric tons for 2021 and 2022.**

Motion made by Ms. Meserve and seconded by Ms. Ware.

### **Motion to Amend**

**Move to amend the substitute motion to set a TAC of 194,400 metric tons for 2021 and 187,400 metric tons for 2022.**

Motion made by Dr. Davis and seconded by Mr. Estes. Motion fails (6 in favor, 12 opposed).

### **Motion to Substitute**

**Move to substitute to set a TAC of 194,400 metric tons for 2021 and 2022.**

Motion made by Ms. Meserve and seconded by Ms. Ware. Motion carries (12 in favor, 6 opposed).

### **Main Motion as Substituted**

**Move to set a TAC of 194,400 metric tons for 2021 and 2022.**

Motion carries (13 in favor, 5 opposed). Roll Call: In Favor – ME, NH, MA, NY, NJ, PA, DE, MD, VA, PRFC, SC, NOAA Fisheries, USFWS; Opposed – RI, CT, NC, GA, FL.

## **SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (OCTOBER 20, 2020)**

### **Press Release**

#### **ASMFC South Atlantic Board Approves Atlantic Cobia Addendum I**

The Commission's South Atlantic States/Federal Fisheries Management Board approved Addendum I to Amendment 1 to the Interstate Fishery Management Plan for Atlantic Migratory Group Cobia. The Addendum modifies: (1) the allocation of the resource between the commercial and recreational sectors, (2) the methodology to calculate the commercial trigger for in-season closures; and (3) and commercial and recreational *de minimis* measures.

The Addendum changes the allocation of the resource between the recreational and commercial fisheries from 92% and 8% respectively to and 96% and 4% respectively. The change was primarily based on new recreational catch estimates that resulted from changes in survey methodology by

the Marine Recreational Information Program. The new catch estimates were, on average, about two times higher than previously estimated, impacting the allocation between the two sectors. In considering the new allocation percentages, the Board took into account the increase in the recreational catch and the harvest levels of the commercial fishery in recent years. The new commercial allocation allows the fishery to operate at its current level with some room for landings to increase as the stock range expands further north.

The Addendum also modifies the calculation of the commercial trigger, which determines when an in-season coastwide commercial closure occurs. The approved trigger is set up to provide states with enough time to close the fishery via their administrative processes without exceeding the quota.

Changes to *de minimis* measures, which are applied to states with relatively small commercial or recreational harvest, include adjusting the commercial allocation set aside and recreational regulations. For *de minimis* measures, the Addendum establishes a commercial *de minimis* set aside of 4% of the commercial quota with a maximum cap of 5,000 pounds to account for potential landings in *de minimis* states not tracked in-season against the quota. States that are *de minimis* for their recreational fisheries may choose to match the recreational management measures implemented by an adjacent non-*de minimis* state (or the nearest non-*de minimis* state if none are adjacent), or limit its recreational fishery to 1 fish per vessel per trip with a minimum size of 33 inches fork length (or an equivalent total length of 37 inches).

States are required to implement the new measures by January 1, 2021. For more information, please contact Savannah Lewis, Fishery Management Plan Coordinator, at [slewis@asmfc.org](mailto:slewis@asmfc.org) or 703.842.0740.

### ***Meeting Summary***

The South Atlantic State/Federal Fisheries Management Board met to consider approval of Atlantic Cobia Draft Addendum I (see above press release); review the spot and Atlantic croaker traffic light analyses (TLA) and resulting management triggers; and review and approve annual FMP Reviews, state compliance reports, and *de minimis* requests for red drum, Atlantic croaker, and Atlantic cobia.

### **Spot and Atlantic Croaker Traffic Light Analyses**

The Chairs of the Spot and Atlantic Croaker Technical Committees (TC) presented the results of the annual TLAs for spot and Atlantic croaker. The TLA assigns a color (red, yellow, or green) to categorize relative levels of indicators on the condition of the fish population (abundance metric) or fishery (harvest metric). For example, as harvest or abundance increased relative to its long term mean, the proportion green in a given year will increase. The Board annually evaluates amounts of red against threshold levels to potentially trigger management action. In 2019, the TLA triggered for both spot and Atlantic croaker at the 30% level, or a moderate level of concern. Staff presented the resulting management responses outlined in Addenda III for Spot and Atlantic croaker. For both species, non *de minimis* states are required to institute a 50 fish bag limit for their recreational fishery, and non *de minimis* states must reduce commercial harvest by 1% of the average state commercial harvest from the previous 10 years. States with more restrictive measures in place are encouraged to keep them. The Board discussed the implementation timeline for states to make the required management changes. State implementation plans are due to the TC by February 12, 2021, with the Board meeting to occur by webinar the week of March 15, 2021, to approve the plans.

## **Annual Fishery Management Plan Reviews**

Staff presented annual FMP Reviews for red drum, Atlantic croaker, and Atlantic cobia. The Board considered *de minimis* requests from states for the three species, and approved all annual FMP reviews, state compliance reports, and *de minimis* requests. *De minimis* requests were approved for the red drum fisheries in New Jersey and Delaware. For Atlantic croaker, *de minimis* requests were approved for the recreational and commercial fisheries of New Jersey, and the commercial fisheries for Delaware, South Carolina, Georgia, and Florida. For Atlantic cobia, *de minimis* requests were approved New Jersey, Delaware, PRFC, and Maryland, and the commercial fishery for Georgia.

For more information, please contact Savannah Lewis, Fishery Management Plan Coordinator, at [slewis@asmfc.org](mailto:slewis@asmfc.org) or 703.842.0740.

## **Motions**

### **Main Motion**

**For Issue 1 recreational and commercial allocation, move to approve option C, 96% recreational and 4% commercial allocation.**

Motion made by Mr. Gary and seconded by Mr. Cimino.

### **Motion to Substitute**

**Move to substitute to approve option B, 97% recreational and 3% commercial allocation.**

Motion by Mr. Haymans and seconded by Mr. Bell. Motion fails (3 in favor, 7 opposed, 2 abstentions).

### **Main Motion**

**For Issue 1 recreational and commercial allocation, move to approve option C, 96% recreational and 4% commercial allocation.**

Motion made by Mr. Gary and seconded by Mr. Cimino. Motion carries (8 in favor, 2 opposed, 2 abstentions).

**For Issue 2 commercial trigger, move to approve option B, the new commercial trigger recommended by the Technical Committee.**

Motion made by Mr. Geer and seconded by Mr. Bell. Motion carries by consent.

**For Issue 3 commercial *de minimis* set aside move to approve option F, to account for potential landings in *de minimis* states not tracked in-season against the quota, 4% of the commercial quota or 5,000 pounds cap, whichever is less, would be set aside and not accessible to non-*de minimis* states.**

Motion made by Mr. Cimino and seconded by Mr. Bell. Motion carries (11 in favor, 1 abstention).

**For Issue 4 recreational *de minimis* size limit, move to approve option C, a recreational *de minimis* state may choose to match the recreational management measures implemented by an adjacent non-*de minimis* state (or the nearest non-*de minimis* state if none are adjacent) or limit its recreational fishery to 1 fish per vessel per trip with a minimum size of 33 inches fork length (or the total length equivalent, 37 inches).**

Motion made by Mr. Geer and seconded by Mr. Bell. Motion carries.

**Move to approve Addendum I to Amendment 1 to the Atlantic Cobia FMP as amended today.**

Motion made by Mr. Bell and second by Mr. Geer. Motion carries without opposition.

**Move to approve the 2020 FMP Reviews, state compliance reports, and *de minimis* requests for red drum, Atlantic croaker, and Atlantic cobia.**

Motion made by Mr. Batsavage and seconded by Mr. Estes. Motion carries by consent.

**EXECUTIVE COMMITTEE (OCTOBER 21, 2020)**

***Meeting Summary***

The Executive Committee met to discuss a number of issues, including the FY20 Audit; Management & Science Committee (MSC) recommendations regarding improvements to Advisory Panel (AP) and public input process and Pennsylvania's participation on the Atlantic Menhaden Management Board. The following action items resulted from the Committee's discussions:

- FY20 Audit – The Audit was reviewed by the Administrative Oversight Committee (AOC) and forwarded to the Executive Committee with a recommendation for approval. The motion to approve passed unanimously.
- Staff provided an update on future Annual Meetings, with plans to hold the 80<sup>th</sup> Annual Meeting in Long Branch, NJ in mid-October of 2021. Future Annual Meetings will be conducted in North Carolina (2022), Maryland (2023), and Delaware (2024).
- The Executive Committee received a progress report on the MSC recommendations regarding AP and the public input process. Staff has made progress on the public input portion of those recommendations, including posting presentations on documents currently out for public comment on the Commission's YouTube channel and webpage (e.g. Black Sea Bass Draft Addendum XXXIII) to increase the opportunities available to stakeholders to understand the issues and submit public comment. Staff will be working on an example survey of a draft management document to further facilitate public input and will consider possible improvements to the AP process early next year.
- Mr. Beal provided an update on the status of the Pennsylvania's membership on the Atlantic Menhaden Management Board. The Commission's guiding documents limit Pennsylvania's participation to diadromous species management activities. However, with the Atlantic Menhaden Board's recent adoption of ecological reference points formalizing the management linkages between striped bass and menhaden, there may be a sound argument for allowing Pennsylvania to remain on the Atlantic Menhaden Management Board. Staff will continue working with the Commission's Executive Committee to flesh out the details on Menhaden Board membership.

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

***Motions***

**On behalf of the Administrative Oversight Committee, move acceptance of the FY20 Audit.**

Motion made by Spud Woodward. Motion passed unanimously.

**HORSESHOE CRAB MANAGEMENT BOARD (OCTOBER 21, 2020)**

***Press Release***

**ASMFC Horseshoe Crab Board Sets 2021 Specifications  
for Horseshoe Crabs of Delaware Bay Origin**

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 2021 season. Based on the allocation mechanism established in Addendum VII, the following quotas were set for the States of New Jersey, Delaware, and Maryland and the Commonwealth of Virginia, which harvest horseshoe crabs of Delaware Bay origin:

	<b>2021 Delaware Bay Origin Horseshoe Crab Quota (no. of crabs)</b>	<b>2021 Total Quota**</b>
<b>State</b>	<b>Male Only</b>	<b>Male Only</b>
Delaware	162,136	162,136
New Jersey	162,136	162,136
Maryland	141,112	255,980
Virginia*	34,615	81,331

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

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

The Board chose a harvest package based on the Delaware Bay Ecosystem Technical Committee’s and ARM Subcommittee’s recommendation. The ARM Framework, established through Addendum VII, incorporates both shorebird and horseshoe crab abundance levels to set optimized harvest levels for horseshoe crabs of Delaware Bay origin. The horseshoe crab abundance estimate was based on data from the Benthic Trawl Survey conducted by Virginia Polytechnic Institute (Virginia Tech). This survey, which is the primary data source for assessing Delaware Bay horseshoe crab abundance, does not have a consistent funding source. Members of the Delaware and New Jersey U.S. Congressional Delegations, with the support of NOAA Fisheries, have provided annual funding for the survey since 2016.

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

###

PR20-25

***Meeting Summary***

The Horseshoe Crab Management Board met to set specifications for the 2021 fishing season for horseshoe crab of Delaware Bay origin (see above press release); receive a progress update on revisions to the Adaptive Resource Management (ARM) Framework; consider approval of the Fishery Management Plan (FMP) Review and state compliance for 2019; and consider a nomination to the Horseshoe Crab Advisory Panel.

During the discussion on the 2021 specifications, the Board recognized a decline in the abundance estimate resulting from the 2019 Virginia Tech Trawl Survey. The Board requested further investigation into potential causes of the decline, and comparison to the composite abundance index that was

developed from other available surveys when there was insufficient funding to run the Virginia Tech Trawl Survey.

Additionally, the Board considered a progress update on ongoing revisions to the ARM Framework. At the Board's direction, the ARM Subcommittee has been working on incorporating horseshoe crab population estimates from the Catch Multiple Survey Analysis (CMSA) model used in the 2019 Benchmark Stock Assessment into the ARM Framework, updating scientific information for horseshoe crab and red knots, moving the model to a new software platform, improving model structure, and updating the red knot population model. The ARM Subcommittee will meet for a second Assessment Workshop in early 2021, and is expected to present the complete ARM Framework to the Board in August or October 2021 after peer review.

The Board also reviewed the FMP Review and state compliance reports for the 2019 fishing year. All states' regulations were found to be consistent with the FMP and *de minimis* requests were granted to the Potomac River Fisheries Commission, South Carolina, Georgia, and Florida. The Board noted some concern related to increased biomedical mortality in 2019, and tasked the Technical Committee with evaluating the impact of recent biomedical mortality levels on the stocks.

Finally, the Board appointed a new member to the Horseshoe Crab Advisory Panel: Christina Lecker, a biomedical representative from Virginia. For more information, please contact Caitlin Starks, Fishery Management Plan Coordinator, at [cstarks@asmfc.org](mailto:cstarks@asmfc.org) or 703.842.0740.

### ***Motions***

#### **Move to select harvest package 3 (500,000 male-only crabs) for 2021 horseshoe crab bait harvest in Delaware Bay.**

Motion made by Mr. Nowalsky and seconded by Mr. Miller. Motion approved by consent.

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

Motion made by Mr. Luisi and seconded by Dr. Rhodes. Motion approved by unanimous consent.

#### **Move to appoint Christina Lecker to the Horseshoe Crab Advisory Panel.**

Motion made by Mr. Geer and seconded by Mr. Bell. Motion approved by consent.

### **SPINY DOGFISH MANAGEMENT BOARD (OCTOBER 22, 2020)**

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

#### **ASMFC Spiny Dogfish Board Sets Quotas for 2021-2023 Fishing Seasons**

The Commission's Spiny Dogfish Management Board approved a commercial quota of 29.6 million pounds for the 2021/2022 and 2022/2023 fishing years (May 1–April 30). The quotas are consistent with the measures recommended to NOAA Fisheries by the Mid-Atlantic Fishery Management Council (Council). State-specific allocations are provided in table below.

**Spiny Dogfish State Allocations (in pounds) for the 2021-2023 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%
2021/22	17,144,556	800,413	2,259,728	264,866	1,749,935	3,191,020	4,149,062
2022/23	17,144,556	800,413	2,259,728	264,866	1,749,935	3,191,020	4,149,062

\* 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.

Although the Board had previously set multi-year specifications for 2019-2021, in December 2019 the Council approved a new Risk Policy with the intent that 2021/2022 specifications would be revised to reflect the new policy. As such, the Council’s Scientific and Statistical Committee (SSC) recommended increasing the acceptable biological catch (ABC) for 2021 from 35.4 million pounds to 38.6 million pounds. Based on this revised ABC recommendation, the Council approved a commercial quota of 29,559,580 pounds, which is an 8% increase compared to the previously set 2021/2022 quota. The Council also voted to extend these same specifications to the 2022 fishing year to align with the timing of the 2022 research track assessment. The Board works cooperatively with the Council in managing the spiny dogfish fishery in order to have consistency in state and federal waters. Neither the Board nor the Council recommended trip limit changes but the Council has plans in 2021 to conduct socioeconomic analyses of potential trip limit changes.

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.

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

###

PR20-26

**Motions**

**Move to revise the 2021/2022 fishing year spiny dogfish commercial quota to 29,559,580 pounds and to set the 2022/2023 fishing year quota at 29,559,580 pounds.**

Motion made by Mr. Reid and seconded by Mr. Kane. Motion passes by unanimous consent.

**Move to nominate Ms. Meserve as Vice-chair of the Spiny Dogfish Board.**

Motion made by Ms. Ware and seconded by Ms. Patterson. Motion passes by unanimous consent.

**ATLANTIC STRIPED BASS MANAGEMENT BOARD (OCTOBER 22, 2020)**

**Meeting Summary**

The Atlantic Striped Bass Management Board met to consider approving state implementation plans for circle hook measures, which are required by Addendum VI; receive a Technical Committee (TC)

report on release mortality in the recreational fishery; and review the first draft of the Public Information Document (PID) for Amendment 7.

The intent of the circle hook provision is to reduce release mortality when fishing with bait in recreational striped bass fisheries. All state proposals included final (or proposed) regulatory language and a definition for 'circle hook' comparable to that cited in Addendum VI. The Plan Review Team (PRT) noted a lot of variation in regulatory language among states, although all the regulations essentially say the same thing. The PRT reiterated concerns previously raised by the Law Enforcement Committee, stressing the importance of all jurisdictions agreeing on standardized regulatory language to improve compliance and enforcement, especially where states share common borders and fishing areas. Addendum VI also provides states flexibility to propose exemptions to mandatory circle hook requirements to address specific needs of the state fishery. Two states (Maine and Massachusetts) proposed exemptions, but the PRT was unable to make a definitive recommendation to the Board regarding exemptions due to limited guidance on what constitutes an acceptable level of flexibility. The Board discussed whether the proposed exemptions would lead to other 'niche' exemptions across state fisheries, further weakening enforceability and undermining the intent of the provision. In order to achieve the greatest level of conservation for the resource, the Board approved the state implementation plans, with the caveat that no exemptions to Addendum VI mandatory circle hook requirements will be permitted. Maine and Massachusetts will begin their rulemaking processes to remove exemptions to circle hook measures from state regulation.

The Board reviewed a TC report on release mortality in the recreational fishery, which constitutes a significant proportion of total fishing mortality on the stock. The report highlighted how recreational release mortality is calculated for stock assessments, the factors (data and modeling) limiting the accuracy of those estimates now and in the future, as well as potential management actions the Board could pursue to reduce release mortality in the fishery. Following review, the Board tasked the TC to explore the relative impact of different release mortality rate estimates on stock status, with the TC reporting back to the Board in February. The Board also reiterated the importance of hearing from the public on this issue as part of the adaptive management process within Amendment 7.

Lastly, the Board reviewed the first draft of the PID for Amendment 7. The PID is the first step in the amendment process; it is a broad scoping document intended to solicit stakeholder feedback on any issues concerning the management of the striped bass resource and fishery, and to inform development of the Draft Amendment. The PID highlights nine issues that have already been identified by the Board for consideration in Draft Amendment 7, including fishery goals and objectives, biological reference points, management triggers, stock rebuilding, regional management, conservation equivalency, recreational release mortality, recreational accountability, and the coastal commercial quota allocation. The Board offered a number of changes to the PID, including additions to the 'statement of the problem' and questions to the public to help focus stakeholder feedback. The Board will consider approving the PID for public comment in February 2021 at the Winter Meeting after these changes and additions have been addressed.

Finally, the Board appointed Bob Danielson, a recreational angler from New York, to the Striped Bass Advisory Panel. For more information, please contact Max Appelman [mappelman@asmfc.org](mailto:mappelman@asmfc.org), Fishery Management Plan Coordinator, or Toni Kerns [tkerns@asmfc.org](mailto:tkerns@asmfc.org), ISFMP Director, or at 703.842.0740.

## ***Motions***

### **Main Motion**

**Motion to not exempt any state from putting in place the circle hook rules for bait fishing as specified in Addendum VI.**

Motion made by Mr. Fote and seconded by Mr. Abbott.

### **Motion to Substitute**

**Motion to substitute to approve the Addendum VI state implementation plans for circle hooks with the exception of the Massachusetts for hire exemption**

Motion made by Ms. Ware and seconded by Dr. Davis. Motion fails (5 in favor, 8 opposed, 2 abstentions, 1 null).

### **Main Motion**

**Motion to not exempt any state from putting in place the circle hook rules for bait fishing as specified in Addendum VI.**

Motion made by Mr. Fote and seconded by Mr. Abbott. Motion passes (15 in favor, 1 opposed). Roll Call: In Favor – MA, NY, MA, RI, NY, NJ, PA, DE, MD, VA, NC, DC, PRFC, NMFS, USFWS; Opposed – CT.

**Move to nominate to the Atlantic Striped Bass Advisory Panel Bob Danielson from New York.**

Motion made by Ms. Davidson and seconded by Mr. Fote. Motion adopted by consent.

## **ATLANTIC COASTAL COOPERATIVE STATISTICS PROGRAM COORDINATING COUNCIL (OCTOBER 23, 2020)**

### ***Meeting Summary***

The ACCSP Coordinating Council met to elect a new chair and vice-chair and take action on ranked proposals to allocate funding for FY2021. The Council elected John Carmichael (SAFMC) as Chair, and Jason McNamee (RI) as Vice-chair. The Council and staff extended appreciation to Lynn Fegley (MD) for three years of leadership as Chair.

The Council opted to fund the FY2020 proposals as presented by the Advisory and Operations Committees. The Council discussed the increase in the ACCSP administrative grant and tradeoffs for funding across the areas of Partner projects vs. administrative costs, staff vs. contractor approach, and short-term vs. long-term benefits of program and project priorities. The Leadership Team will meet in the coming month to evaluate the administrative grant and carryover funds, and approaches to support coastal initiatives such as the SAFIS Helpdesk. The ACCSP Leadership Team will finalize the administrative grant budget and recommend alternatives for using any carry-over or additional funds to the Coordinating Council for consideration in February.

The Council will address the Operations Committee recommendations on future funding of maintenance projects under the step-down plan at the February Meeting.

The Council received brief highlights on committee and program updates, including completion of the Biological Resilience Project, partner coordination, and meaningful accomplishments in cybersecurity, data collection tools, Data Warehouse, and outreach. For more information, please contact Geoff White, ACCSP Director, at [geoff.white@accsp.org](mailto:geoff.white@accsp.org).

### ***Motions***

#### **Move to elect Mr. Carmichael as Coordinating Council Chair.**

Motion made by Ms. Fegley and seconded by Ms. Lupton. Motion carries by unanimous consent.

#### **Move to elect Mr. Jason McNamee as Vice-chair.**

Motion made by Ms. Patterson and second by Ms. Ware. Motion carries by unanimous consent.

#### **Move to fund the submitted ACCSP proposals as ranked in Average Ranking table of proposals with the exception of the Administrative Grant proposal. That the Leadership Team evaluate a detailed ACCSP Administrative Grant before approving the Administrative Grant. That the funds from savings be brought to the Leadership Team for ranking of priority then back to the Coordinating Council.**

Motion made by Ms. Patterson and seconded by Mr. Bell. Motion approved (18 in favor).

#### **Move to adjourn.**

Motion made by Mr. Bell and seconded by Ms. Patterson. Motion carries by unanimous consent.

### **BUSINESS SESSION (OCTOBER 23, 2020)**

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

The Business Session reviewed and approved the 2021 Action Plan, which outlines the Commission's administrative and programmatic activities for next year. The Plan, which is guided by the Commission's 2019-2023 Strategic Plan, will be available on the Commission's website, [www.asmf.org](http://www.asmf.org), under Guiding Documents early next week. By unanimous acclamation, the Business Session re-elected Patrick C. Keliher of Maine and A.G. "Spud" Woodward of Georgia the Commission Chair and Vice-chair, respectively. For more information, please contact Robert Beal, Executive Director, at [rbeal@asmfc.org](mailto:rbeal@asmfc.org) or 703.842.0740.

### ***Motions***

#### **Motion to approve the 2021 Action Plan.**

Motion by made by Mr. Anderson and seconded by Mr. Fote. Motion passes.

#### **On behalf of the Nominations Committee, move to nominate Mr. Keliher as Chair of ASMFC effective until the end of the next Annual Meeting.**

Motion made by Mr. Gilmore. Motion passes.

#### **On behalf of the Nominations Committee, move to nominate Mr. Woodward as vice-chair of ASMFC effective at the end of the meeting.**

Motion made by Mr. Gilmore. Motion passes.

### **INTERSTATE FISHERIES MANAGEMENT PROGRAM (ISFMP) POLICY BOARD (OCTOBER 23, 2020)**

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

The ISFMP Policy Board met to receive the Report from the Chair and an update from Executive Committee; consider dividing the species managed by the South Atlantic State/Federal Management Board into two new boards; determine the process for setting the 2021 coastal sharks specifications;

discuss a whelk workshop; consider letters from the American Lobster Board and the Atlantic Striped Bass Board; and receive an update on the Horseshoe Crab FMP Review.

Commission Chair Patrick C. Keliher from Maine opened up the Policy Board meeting with his Annual Report to the Commission. The Report will be included in the next issue of *Fisheries Focus* for those interested in reading the report in full. The Chair also presented the Executive Committee Report to the Board (see Executive Committee meeting summary earlier in this document).

Based on the growing number of species under the purview of the South Atlantic State/Federal Fisheries Management Board, the Policy Board agreed to divide its species among two newly created boards: a Coastal Pelagics Board, which will oversee the management of Atlantic cobia and Spanish mackerel, and a Sciaenids Board, which will oversee the management of spot, red drum, black drum, Atlantic croaker, and spotted sea trout. This division will allow each Board to provide the appropriate amount of time and attention to its respective species, without compromising its focus on other species due to time limitations. Additionally, given the expanding ranges of some species, the new Board configuration will allow more northern states to effectively engage on species management programs for which they have a declared interest. As part of the new board structure, the South Atlantic Fishery Management Council be invited to join both Boards to ensure continued collaboration between state and federal management.

The Policy Board agreed to set the 2021 coastal sharks specification via an email vote after NOAA Fisheries has published a final rule. NOAA Fisheries is proposing a January 1 start date for all shark management groups, as well as an initial 36 shark possession limit for large coastal and hammerhead management groups with the possibility of in season adjustments.

Dan McKiernan updated the Board about recent efforts to reinstate a symposium to allow states to share information about whelk science and management. Virginia Sea Grant has offered to fund and facilitate a workshop for the states. While the pandemic significantly slowed planning for the workshop, progress is now being made to host a webinar with the states.

The Policy Board agreed to send two letters on behalf of the American Lobster Board. The first letter is to NOAA Fisheries and will request changes to how data is collected by NOAA for five of the lobster data elements, including (1) number of trap hauls in effort, (2) number of traps in water in effort, (3) traps per trawl in effort, (4) buoy lines in effort, and (5) number of buoy lines in the water (see the Lobster Board meeting summary for details). The second letter is to New York requesting the state implement all of the necessary regulations of the Jonah Crab FMP (see the Lobster Board meeting summary for details). The Chair of the Atlantic Striped Bass Board requested letters be sent to both Maine and Massachusetts detailing required changes with regards to each state's Addendum VI implementation plans given both states' circle hook exemptions were not approved by the Board. Both states agreed it was clear the actions they need to take and a letter was not necessary. The states will update the Atlantic Striped Bass Board at its next meeting of the changes made to their measures to meet the requirements of the FMP.

Lastly, the Board was informed a revised version of the Fishery Management Plan Review for the 2019 Fishing Year will be emailed to the Horseshoe Crab Board, Advisory Panel, and Technical Committees. One of the state compliance reports misreported biomedical collections for the 2019 fishing year. As a result, the total biomedical collections will decrease relative to what was presented to the Board

earlier in the week. An updated version of the FMP Review will be posted to the Commission's website on the Horseshoe Crab webpage.

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

***Motions***

**Move to split the South Atlantic State/Federal Fisheries Management Board into a Pelagic Board and a Sciaenid Board.**

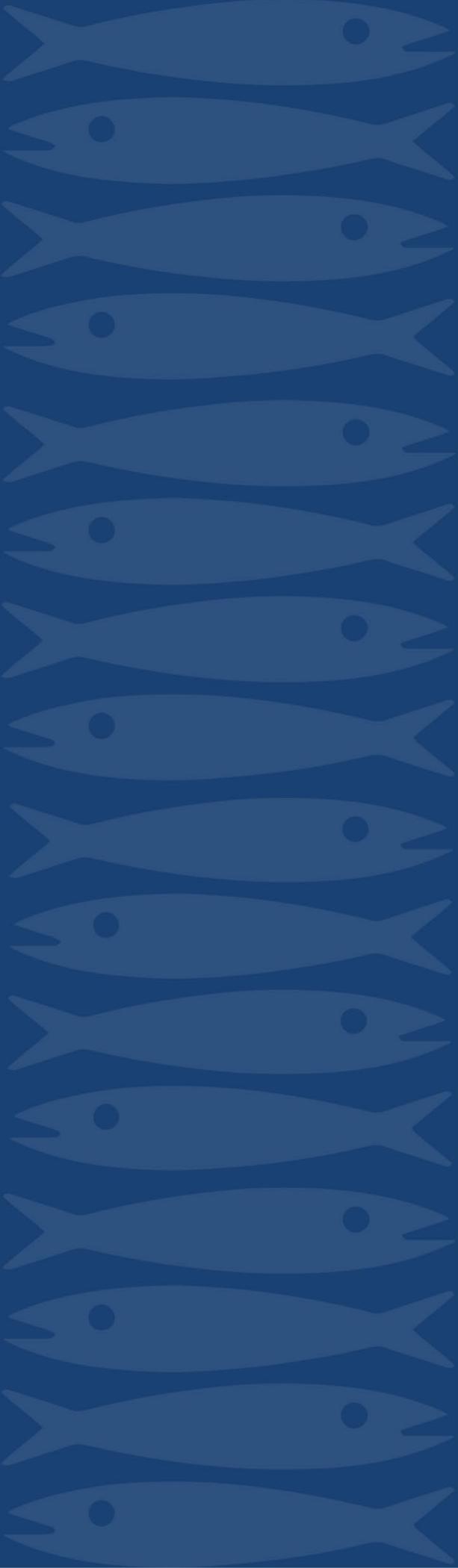
Motion made by Mr. Cimino and seconded by Mr. Woodward. Motion passes by consensus.

**Move to approve the 2021 coastal sharks specifications via an email vote after NOAA Fisheries publishes the final rule for the 2021 Atlantic Shark Commercial Fishing season.**

Motion made by Mr. Batsavage and seconded by Mr. Estes. Motion passes by consensus.

**Motion to adjourn.**

Motion made by Mr. Fote and seconded by Mr. Bell. Motion passes.



**MAFMC**



## October 2020 Council Meeting Summary

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's meeting October 5-8, 2020. This meeting was conducted by webinar due to the ongoing COVID-19 pandemic. Presentations, briefing materials, motions, and webinar recordings are available at <http://www.mafmc.org/briefing/october-2020>.

During this meeting, the Council:

- Revised 2021 specifications for spiny dogfish and adopted new specifications for 2022
- Reviewed previously-implemented 2021 specifications for chub mackerel and recommended no changes
- Approved a list of eighteen recommendations in response to Executive Order 13921
- Received a report detailing updates made to the research priorities document and outlining plans for a comprehensive review of all priorities scheduled for 2021.
- Received updates on several ongoing EAFM activities
- Convened a joint meeting of the Council and SSC to support open communication and continue development of SSC activities in support of Council priorities
- Revised and finalized the range of alternatives for the Bluefish Allocation and Rebuilding Amendment\*
- Reviewed progress on the Recreational Management Reform Initiative and agreed to initiate a joint framework/addendum and a joint amendment to address several recreational issues\*
- Received a report from the Executive Committee regarding draft deliverables for the 2021 Implementation Plan

*\* Items denoted with an asterisk (\*) were undertaken during joint meetings with the Atlantic States Marine Fisheries Commission's Bluefish Management Board or Policy Board.*

### Spiny Dogfish 2021-2022 Specifications

The Council revised spiny dogfish specifications for the 2021 fishing year (begins May 1) and adopted new specifications for the 2022 fishing year. Although the Council had previously set multi-year specifications for 2019-2021, in December 2019 the Council approved a revised risk policy with the intent that 2021 specifications would be revised to reflect the new policy. As such, the Council's Scientific and Statistical Committee (SSC) recommended increasing the upcoming 2021 Acceptable Biological Catch (ABC) for 2021 from 35.4 million pounds to 38.6 million pounds. Based on this revised ABC, the Council approved a commercial quota of 29.6 million pounds, which is an 8% increase compared to the quota previously recommended for 2021 and a 27% increase compared to the current 2020 quota. The Council also voted to extend these same specifications for the 2022 fishing year, as recommended by staff and the SSC, to align with the timing of the 2022 research track assessment. The Council did not recommend any trip limit changes but plans to conduct socio-economic analyses of potential trip limit changes in 2021.

### Chub Mackerel – 2021 Specifications Review

The Council reviewed the previously implemented 2021 catch and landings limits for Atlantic chub mackerel. After considering the recommendations of the SSC and Monitoring Committee, as well as the Advisory Panel Fishery Performance Report, they agreed that no changes are necessary to the previously implemented measures. Additional details about 2021 specifications are available [here](#).

## Executive Order on Promoting American Seafood Competitiveness and Economic Growth

The Council approved a final list of recommendations in response to Executive Order (EO) 13921. Section 4 of the EO requires each of Regional Fishery Management Council to submit to the Secretary of Commerce a prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries, including a proposal for initiating action by May 6, 2021. The Council approved 18 recommendations covering a broad range of topics.

The Council approved eight “Council Actions,” which are tasks that can be carried out primarily by the Council. These include a combination of new initiatives which will be added to the Council’s 2021 Implementation Plan and ongoing initiatives that address the objectives of the EO:

- **Council Actions – New Initiatives:** (1) Consider increasing the *Illex* incidental possession limit for certain vessels after the *Illex* fishery closes. (2) Consider increasing the amount of butterfish that can be landed by vessels using smaller than 3-inch mesh. (3) Review and consider changes to the commercial minimum mesh size for summer flounder, scup, and black sea bass. (4) Analyze the potential socio-economic impacts of potential changes to the dogfish trip limit. (5) Initiate a framework to allow golden tilefish specifications to be set for more than 3 years.
- **Council Actions – Ongoing Initiatives:** (1) Continue development of the Recreational Reform Initiative and associated actions. (2) Continue to plan and participate in Climate Change Scenario Planning process. (3) Provide training and outreach to facilitate compliance with commercial eVTR requirements.

The Council also approved ten “Non-Council Actions” recommendations, which are directed to other agencies. Based on guidance provided by the Council, these recommendations will be organized and prioritized within three sub-categories:

- **Non-Council Actions – General:** (1) Modify the USFWS definition of *Shellfish* so that squid will be exempt from import/export rules and fees. (2) Provide increased funding and resources to address fishery reporting issues and improve fishery dependent data. (3) Evaluate the National Standard 1 guidelines relative to the Modern Fish Act and provide clarification on the Councils’ flexibility to implement alternative recreational management approaches. (4) Establish federal policy requiring that imports of seafood should meet or exceed the U.S. standards of harvest.
- **Non-Council Actions – Offshore Wind:** (1) Provide additional funding to the Northeast Fisheries Science Center to support the design and evaluation of new supplemental surveys that can be integrated into stock assessments and existing time series. (2) Collect additional information on fishing and transit locations, especially for fisheries that are not fully covered by existing datasets.
- **Non-Council Actions – Highly Migratory Species (HMS):** (1) Address the disparity between U.S. and foreign HMS harvesting standards (recommendations will address specific concerns related to gear requirements as well as a desire to restrict HMS imports from countries that do not meet U.S. harvesting standards). (2) Integrate Vessel Trip Reporting (VTR) and HMS reporting systems. (3) Require holders of HMS permits with a commercial sale endorsement to report catch and harvest of all species, as well as discarded/undersize fish. (4) Integrate the HMS and GARFO permitting database and USCG safety inspection database.

Additional background information on these topics is available in the [briefing materials](#). Staff is preparing the Council’s recommendations for final submission to NMFS. These will be made available on the Council’s website in the coming weeks.

## Research Priorities Update

The Council received a report detailing updates made to the research priorities document and outlining plans for a comprehensive review of all priorities scheduled for 2021. Last year, the Council approved the Five-Year (2020-2024) Research Priorities document which was re-organized and prioritized to develop a more useful, tactical, and

strategic document to effectively advance scientific and management information by the Council. The 2020 update and 2021 review are intended to track, monitor, and improve the Council's research priorities document to ensure its successful implementation.

### Ecosystem Approach to Fisheries Management Updates (EAFM)

The Council received progress on several ongoing activities in support of advancing the Council's EAFM guidance document. First, staff reviewed progress on the development of a management strategy evaluation (MSE) that will evaluate the biological and economic performance and trade-offs of management alternatives to minimize discards in the recreational summer flounder fishery. The MSE will specify management objectives, performance metrics, and identify uncertainties through an extensive management and stakeholder engagement process. A kick-off webinar and mock MSE workshop was held in September with relevant advisory panels and additional focused stakeholder workshops will occur over the next 12-15 months.

Staff also provided an update on a collaborative research project between the Council and a research team from Rutgers University. The project will test new methods and models to predict short-term (over the next 1-10 years) climate-induced movements of diverse species that better align with management timescales. Summer flounder, spiny dogfish, *Illex* squid, and gray triggerfish have been selected as the focal species and, to date, the model has been fitted to spiny dogfish data. Model development will continue through 2020, with forecast testing scheduled for 2021. It is anticipated the project will be completed sometime in 2022.

### Joint Council/SSC Meeting

Building off the success of the first joint meeting of the Council and its Scientific and Statistical Committee (SSC) in 2019, a second joint meeting was held to support open communication and continue development of SSC activities in support of Council priorities. The Council provided direction to the SSC Economic Work Group regarding their proposal to use the draft 2021 Implementation Plan to develop three case studies to highlight a process and the types of economic information that could be provided to the Council. The Economic Work Group will present the three case studies to the Council in December. Other topics discussed by the Council and SSC included the potential science implications of missing 2020 data due to the COVID-19 pandemic and considerations and approaches to address the application of the new risk policy for a species like ocean quahog.

### Bluefish Allocation and Rebuilding Amendment

The Council met jointly with the Bluefish Management Board (Board) to finalize the range of alternatives for the Bluefish Allocation and Rebuilding Amendment. The Council and Board reviewed recommendations from the Fishery Management Action Team (FMAT) and approved a range of alternatives for inclusion in a draft public hearing document.

Consistent with FMAT recommendations, the Council and Board reduced the range of alternatives for further consideration in this amendment. The state commercial allocation alternatives were condensed to better represent recent state-by-state landings trends in the bluefish fishery. The Council and Board also voted to remove the alternatives related to regional commercial allocations from further consideration in this action. Council and Board members were concerned that this management approach would result in a loss of autonomy and flexibility necessary for state fishery managers to effectively manage to the needs of their state's commercial fisheries. The Council and Board also removed the two rebuilding plan alternatives that were projected to rebuild the stock to its biomass target within 10 years. The Magnuson Stevens Act mandate to rebuild an overfished stock in as short a time as possible while taking into consideration biological and socioeconomic impacts was an important factor in this decision. Council and Board members reasoned that the three remaining rebuilding plan alternatives span a reasonable time period of 4 to 7 years. Lastly, the Council and Board refined the range of alternatives pertaining to the sector transfer process, whereby landings are transferred between the recreational and commercial

sectors, and the *de minimis* provision, which would relieve a state from adopting certain fishery regulatory measures when its harvest has minimal contribution to the coastwide harvest of bluefish.

The Council and Board expect to approve a public hearing document at the joint February meeting. Additional information, including an updated list of issues addressed in this action, can be found at:

<https://www.mafmc.org/actions/bluefish-allocation-amendment>.

## Recreational Management Reform Initiative

The Council and the ASMFC's Policy Board (Board) reviewed progress on the Recreational Management Reform Initiative and discussed next steps. After reviewing nine topics that were either recommended by the Recreational Management Reform Initiative Steering Committee or by stakeholders through scoping for two separate ongoing amendments, the Council and Board agreed to initiate a joint framework/addendum and a joint amendment to address several recreational issues.

The **framework/addendum** will further develop and consider the following topics and management issues:

- better incorporating MRIP uncertainty into the management process;
- guidelines for maintaining status quo recreational management measures (i.e., bag, size, and season limits) from one year to the next;
- a process for setting multi-year recreational management measures;
- changes to the timing of the recommendation for federal waters recreational management measures; and
- a proposal put forward by six recreational organizations called a harvest control rule.

The **amendment** would consider options for managing for-hire recreational fisheries separately from other recreational fishing modes (referred to as sector separation) and would also consider options related to recreational catch accounting such as private angler reporting and enhanced vessel trip report requirements for for-hire vessels.

The Council and Board may consider an initial draft range of alternatives for the framework/addendum, as well as a draft scoping document for the amendment, in early 2021. Additional information about the Recreational Management Reform Initiative can be found at <https://www.mafmc.org/actions/recreational-reform-initiative>.

## Executive Committee - 2021 Implementation Plan

The Executive Committee met to discuss the 2021 Implementation Plan. The Council develops Implementation Plans each year to ensure progress toward achieving the goals and objectives of its 5-year strategic plan. First, the Committee received a progress update on the 2020 Implementation Plan. The Executive Director noted that despite the disruptions caused by the ongoing COVID-19 pandemic, the Council is on track with most of the actions and deliverables identified for this year. Status updates for each item are provided on pages 3-6 of the briefing materials. The Committee then reviewed and provided feedback on a draft list of deliverables that had been developed by staff for 2021. Staff noted that several items on the list (#55-59) were flagged as "Possible Additions" because they were being considered for inclusion in the Council's response to Executive Order 13921. These items will be moved to the main sections of the list in the next iteration reviewed at the December meeting.

The Executive Committee had a lengthy discussion about whether to move item #66 ("Initiate an action to implement a possession limit for frigate and bullet mackerel in the Mid-Atlantic") from the "Possible Additions" section to the proposed deliverables for 2021. A motion to make this change ultimately failed based on a tied vote. This action remains on the draft list of "Possible Additions" for consideration by the Council in December. The Committee requested that additional information be provided during the December Council meeting on why the South Atlantic Fishery Management Council decided against implementing a possession limit for these species, the potential connection between these species and the Mid-Atlantic Council's Fishery Management Plans (e.g.,

as prey for Council managed species or bycatch in Council managed fisheries), and the type of management action that could be used to implement a possession limit for these species in the Mid-Atlantic.

### Next Meeting

The next meeting of the full Council will be held via webinar on **December 14-17, 2020**. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.



## August 2020 Council Meeting Report

The following summary highlights actions taken and issues considered at the Mid-Atlantic Fishery Management Council's meeting August 10-13, 2020. This meeting was conducted by webinar due to the ongoing COVID-19 pandemic. Presentations, briefing materials, and webinar recordings are available at <http://www.mafmc.org/briefing/august-2020>.

During this meeting, the Council:

- Adopted Atlantic mackerel and butterfish specifications for 2021-2022 and longfin squid specifications for 2021-2023
- Revised 2021 specifications for summer flounder, scup, and black sea bass based on the Council's new risk policy and updated ABCs
- Reviewed previously-implemented 2021 specifications for bluefish and recommended no changes\*
- Approved a range of alternatives for the for the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment\*
- Adopted 2021-2026 specifications for Atlantic surfclams and ocean quahogs and received updates on the commingling/discard issue and surfclam genetic study
- Elected officers, swore in three new members and two reappointed members, and bid farewell to three departing members
- Reviewed public input on Executive Order 13921 and provided direction on possible areas of focus
- Supported the formation of an SSC Socio Economic Working Group
- Agreed to send a letter to NEFMC requesting that the development of an amendment to address leasing in the full-time limited access sea scallop fishery be prioritized for 2021
- Agreed to send a second letter to GARFO and NEFSC expressing concern about the redeployment of observers and requesting an extension of the observer waiver through the end of the year

*\* Items denoted with an asterisk (\*) were undertaken during joint meetings with the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board or Bluefish Management Board.*

### Mackerel, Squid, Butterfish Specifications

The Council adopted specifications for Atlantic mackerel (including a river herring and shad cap), longfin squid, and butterfish. The Council's recommendations are summarized in the table below (2020 values are provided for comparison purposes).

	Domestic Annual Harvest (DAH)			
	<i>metric tons</i>			
	2020	2021	2022	2023
<b>Atlantic Mackerel</b>	17,312	17,312	17,312	N/A
<b>Longfin Squid</b>	22,932	22,932	22,932	22,932
<b>Butterfish</b>	23,752	6,350	11,495	N/A

### ***Atlantic Mackerel 2021-2022 Specifications and River Herring/Shad Cap***

The Council reviewed fishery landings and federal trawl survey indices through 2019 and considered recommendations from the Scientific and Statistical Committee (SSC), Monitoring Committee, Advisory Panel, and staff. Atlantic mackerel is currently under a rebuilding program designed to rebuild the stock by June 2023. The available information indicates that the stock status has not changed substantially since it was last reviewed.

Accordingly, the Council voted to maintain the Acceptable Biological Catch (ABC) at 29,184 mt (metric tons), as recommended by the SSC. After accounting for Canadian landings, recreational catch, management uncertainty, and discards, the domestic annual harvest (i.e. “quota” or “DAH”) would also remain 17,312 mt. A management track assessment for mackerel is expected in 2021.

In addition, the Council reviewed recent performance of the river herring and shad (RH/S) cap and voted to maintain the 129 mt cap for 2021-2022 as well. The 129 mt cap will continue to provide a high incentive for the fleet to avoid RH/S. Staff is developing a series of discussion papers later in the year that will consider issues including potential RH/S cap alignment with New England, localized bycatch hotspots, and use of trawl data to adjust the cap.

***Longfin Squid 2021-2023 Specifications***

The recent management track stock assessment for longfin squid concluded that the stock is not overfished, and the status of overfishing remains unknown. The Council reviewed recent fishery performance and considered recommendations from the SSC, Monitoring Committee, Advisory Panel (AP), and staff. Based on the recommendation of the SSC, the Council voted to maintain the ABC at 23,400 for 2021-2023. After a 2% reduction to account for commercial discards, this results in a status quo commercial quota of 22,932 mt. Another management track assessment for longfin squid is expected in 2023.

***Butterfish 2021-2022 Specifications***

The recent management track stock assessment for butterfish concluded that the stock is not overfished and overfishing is not occurring. However, declining recruitment has led to declines in biomass, and as of 2019 biomass is estimated to have been only 69% of the target. The Council considered two ABC approaches – a “varying” approach, which would set the ABC lower in 2021 and higher in 2022, and an “averaged” approach, which would produce an average ABC for both years. The Council ultimately selected the variable approach, as recommended by the SSC, and adopted ABCs of 11,993 and 17,854 for 2021 and 2022, respectively. After accounting for management uncertainty and discards (including a 3,884 mt cap for the longfin squid fishery), the Council recommended DAHs of 6,350 mt for 2021 and 11,495 for 2022. Although the 2021 DAH represents a 73% reduction compared to 2020, the reduced quota may not be constraining given recent low butterfish landings. A research track assessment for butterfish is expected in 2022.

**Summer Flounder, Scup, and Black Sea Bass 2021 Specifications**

The Council met jointly with the Atlantic States Marine Fisheries Commission’s (ASMFC) Summer Flounder, Scup, and Black Sea Bass Management Board (Board) to review previously implemented 2021 specifications for summer flounder, scup, and black sea bass. In December 2019 the Council approved a revised risk policy with the intent that 2021 specifications would be revised to reflect the new policy. As such, the Council’s SSC recommended new 2021 ABC limits for summer flounder, scup, and black sea bass. Based on the revised ABCs and other considerations, the Council and Board voted to revise the 2021 specifications for these species.

The table below summarizes the 2021 commercial quotas and recreational harvest limits (RHL) for summer flounder, scup, black sea bass recommended by the Council and Board (2020 values are provided for comparison purposes).

	Commercial Quota <i>millions of pounds</i>		Recreational Harvest Limit <i>millions of pounds</i>	
	2020	2021	2020	2021
<b>Summer Flounder</b>	11.53	12.49	7.69	8.32
<b>Scup</b>	22.23	20.50	6.51	6.07
<b>Black Sea Bass</b>	5.58	6.09	5.81	6.34

### ***Summer Flounder***

The Council and Board received a data update, including fishery landings and federal trawl survey indices through 2019, and reviewed recommendations from the SSC, Monitoring Committee, Advisory Panel, and staff. Based on the SSC's recommendation to update measures based on the new risk policy, the Council and Board approved a revised ABC of 27.11 million pounds, which results in a commercial quota of 12.49 million pounds and an RHL of 8.32 million pounds for both years after accounting for expected discards. These revisions represent an approximately 8% increase from those currently implemented for 2020-2021.

### ***Scup***

The Council and Board received a data update, including fishery landings and federal trawl survey indices through 2019, and reviewed recommendations from the SSC, Monitoring Committee, Advisory Panel, and staff. Based on the SSC and Monitoring Committee recommendations to update measures based on the new risk policy, the Council and Board approved a revised ABC of 34.81 million pounds for 2021. This revised ABC represents a 13% increase from the currently implemented 2021 ABC and results in a commercial quota of 20.50 million pounds and an RHL of 6.07 million pounds in 2021.

The Council and Board also reviewed an evaluation of scup discards by mesh size, calendar quarter, and statistical area in the commercial fishery. Discards decreased in 2019, but they remain well above average in recent years. The Council and Board agreed with the Monitoring Committee recommendation that no immediate management action was needed but that discards should continue to be monitored.

### ***Black Sea Bass***

The Council and Board reviewed recent trends in commercial and recreational catch and federal trawl survey indices, as well as recommendations from the SSC, the Monitoring Committee, the Advisory Panel, and staff. They had an in-depth discussion of discard projections and the increased risk of overfishing under the revised 2021 ABC due to the reduced buffer between the OFL and the ABC. Based on the SSC's recommended ABC and the Monitoring Committee's recommendation for revised discard projections, the Council and Board approved a revised 2021 ABC of 17.45 million pounds, a commercial quota of 6.09 million pounds, and an RHL of 6.34 million pounds. The revised ABC is 16% higher than the previously implemented 2020-2021 ABC. The commercial quota and RHL are 9% higher than those previously implemented for 2020-2021. These represent the highest landings limits ever implemented by the Council and Board for black sea bass.

The Council and Board also reviewed the black sea bass recreational opening during February 2018-2020 and considered if changes are needed for February 2021. Based on Monitoring Committee's advice, they agreed to revise the values for initial expected February recreational harvest by state. These values are used by the states that participate in this optional season opening to adjust their recreational management measures for the rest of the year as needed to account for expected February harvest. States also have the option of adjusting their measures after February to account for estimated February harvest based on monitoring, rather than the initial expected harvest. However, all states that participate in the February opening must first adopt measures to account for the initial expected February harvest estimate. The revised expected February harvest estimates approved by the Council and Board reflect recent changes in the MRIP methodology.

### **Bluefish 2021 Specifications**

The Council met jointly with the ASMFC's Bluefish Management Board to review previously implemented 2021 specifications for bluefish. As indicated in the summer flounder, scup, and black sea bass specification section, the Council approved a revised risk policy in December 2019 with the intent that 2021 specifications would be revised to reflect the new policy. However, the fact that bluefish is under a rebuilding plan led the Council's SSC to recommend no change to the previously implemented specifications. Based on these recommendations and other considerations, the Council and Board voted for a status quo bluefish ABC of 16.28 million pounds for 2021.

For landings limits, the Council and Board decided to use the 2019 estimate for recreational discards as opposed to the Monitoring Committee's recommendation of an average discard estimate from 2017-2019, which results in an RHL of 8.34 million pounds. Commercial discards were considered negligible, resulting in a commercial quota of 2.77 million pounds. For 2021, no transfer was recommended from the recreational to commercial sector as the recreational sector is anticipated to harvest the entire RHL.

The table below summarizes 2021 commercial quotas and RHL for bluefish recommended by the Council and Board (2020 values are provided for comparison purposes).

	Commercial Quota <i>millions of pounds</i>		Recreational Harvest Limit <i>millions of pounds</i>	
	2020	2021	2020	2021
<b>Bluefish</b>	2.77	2.77	9.48	8.34

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

The Council and Board reviewed alternatives recommended by the Fishery Management Action Team (FMAT) for inclusion in a public hearing document for the Summer Flounder, Scup, and Black Sea Bass Commercial/Recreational Allocation Amendment. This amendment considers potential modifications to the allocations of total allowable catch or landings between the commercial and recreational sectors for these three species. Based on guidance provided by the Council and Board in June, the [FMAT developed draft alternatives](#) for 1) revised commercial/recreational allocations, 2) recreational for-hire sector separation, 3) provisions for quota transfers between the commercial and recreational fisheries, and 4) provisions to allow future modifications to these measures via framework action instead of an amendment.

The Council and Board approved the FMAT-recommended range of alternatives for commercial/recreational allocation options. The groups considered a motion to add options to increase the commercial allocations by 5%; however, they did not approve this motion as they could not identify a supportable justification for this increase, and it is not consistent with the goal of the amendment. They also considered but did not approve a motion to postpone development of this action indefinitely in response to concerns over data uncertainty and potential industry impacts.

The Council and Board voted to remove the alternatives related to recreational for-hire sector separation from further consideration in this action, consistent with the Council and Bluefish Board's decision to remove this issue from the Bluefish Allocation Amendment at their August 6 joint meeting. The intent of removing this issue from these actions is to allow exploration of sector separation through a broader process involving all four species, such as through the ongoing Recreational Reform Initiative. The Council and Board intend to discuss the Recreational Reform Initiative, including sector separation, at their next joint meeting.

For transfer provisions, the Council and Board approved most of the FMAT-recommended alternatives. They removed an alternative that would have allowed for annual quota transfers with limited pre-defined guidelines. They also approved the FMAT-recommended alternatives for framework provisions. The Council and Board are expected to review and approve a public hearing document in December. Additional information regarding the amendment process and timeline is available at: <https://www.mafmc.org/actions/sfsbsb-allocation-amendment>.

### Surfclams and Ocean Quahog Specifications and Other Management Issues

The Council received the results of the most recent management track stock assessments for Atlantic surfclam and ocean quahog, both of which concluded that overfishing is not occurring in the most recent year and that the probability of either stock being overfished is low. The Council also reviewed the regulatory history, fishery performance, and advisory panel recommendations for both fisheries. Staff recommended that specifications

be set for 6 years (2021-2026) to create administrative efficiencies as a result of the new stock assessment process. Based on the ABC recommendations of the Council’s SSC, the Council adopted the specifications in the table below. The commercial quota has not changed since 2004 for surfclams and since 2005 for ocean quahogs.

	Annual Catch Target <i>metric tons</i>	Commercial Quota <i>metric tons</i>
	<b>2021-2026</b>	
<b>Atlantic Surfclam</b>	29,363	26,218
<b>Ocean Quahog</b>	25,924*	24,689*

\* For combined Maine and non-Maine quahog fishery.

For surfclams, the Council also recommended continued suspension of the minimum shell-length requirements for 2021 given that the coastwide 30% threshold requiring a minimum size be implemented was not triggered. However, staff noted that the overall percentage of undersized clams is getting closer to the 30% trigger; therefore, the fishing industry is encouraged to work to avoid landing large numbers of undersized clams.

The Council also received an update on the surfclam/quahog commingling issue. As surfclams have shifted toward deeper water in recent years, catches including both surfclams and ocean quahogs (“commingling”) have become more common. Current regulations do not allow both species to be landed on the same trip or to be placed in the same tagged cages. The Council is forming an FMAT to explore options to address this issue. The FMAT will meet for the first time this fall to develop an action plan.

Finally, the Council received an update on a surfclam genetic study being conducted by researchers at Cornell University. This study aims to document the distributions and habitat preferences of the commercially-harvested Atlantic surfclam (*Spisula solidissima solidissima*), and its sister-taxon, the Southern Surfclam (*Spisula solidissima similis*) in the nearshore waters of the US Northwest Atlantic. As part of this research, high resolution genomic techniques will be developed to quantify amount of gene flow connectivity between each taxon and verify hybridization. The original sampling plan has been significantly impacted by the cancellation of federal and state surveys due to COVID-19. The research team is now planning to use a combination of federal samples collected in 2019, other existing samples from about 25 locations, and possibly a few other commercial samples to fill the sampling gaps.

### Election of Officers and Swearing in of New and Reappointed Council Members

During the yearly election of officers, the Council re-elected Mike Luisi as Chairman and elected Paul Weston (Wes) Townsend as Vice Chairman. Mr. Luisi has served as Maryland’s designated state official since 2010 and has served as Council Chair since 2016. Mr. Townsend is currently in his second term as an appointed member holding Delaware’s obligatory seat. He is the owner/operator of the F/V PAKA out of Indian River Inlet in DE and has extensive experience with commercial fishing in state and federal waters.

The Council swore in three new members: Paul Risi from North Babylon, NY, Michelle Duval from West Chester, PA, and Dan Farnham from Montauk, NY. Also sworn in were two reappointed members: Dewey Hemilright from Wanchese, NC, who is beginning his third full term on the Council, and Sonny Gwin from Berlin, MD, who is beginning his second term on the Council.

### Departing Council Members

The Council bid farewell to three departing members: G. Warren Elliott, Laurie Nolan, and Steve Heins. Mr. Elliott was appointed to the Council in 2011 and served for three consecutive terms. From 2016 until his departure in 2020, Mr. Elliott served as the Council’s Vice Chair. Ms. Nolan’s long history with the Mid-Atlantic Council includes 7 years of involvement as a tilefish advisor prior to her first appointment to the Council in 2000. She served the maximum of three three-year terms from 2000 to 2009. In 2011 she was reappointed and served for

another three terms. Mr. Heins first joined the Council in 2006 as the designated state official from New York and served for 11 years in this role. Following his retirement from the New York Department of Environmental Conservation in May 2017, Mr. Heins was appointed to New York's obligatory seat and served for one term.

### Executive Order 13921

Staff provided a summary of public comments received on Executive Order 13921 on Promoting American Seafood Competitiveness and Economic Growth. The Executive Order tasks the regional fishery management councils with each developing a prioritized list of recommended actions to reduce burdens on domestic fishing and to increase production within sustainable fisheries. After reviewing public comments, the Council provided some additional feedback on possible topics that could be addressed on the list of recommendations. The Executive Committee is expected to meet by webinar to review a draft list for consideration by the full Council at the October meeting.

### Other Business

#### ***SSC Report***

Dr. Paul Rago, SSC Chair, presented a summary of the July 22-23 SSC Meeting. In addition to the ABC recommendations described in previous sections, the SSC also considered the role of economists and social scientists in the work of the SSC. Dr. Rago noted that there are a number of areas where economic and social sciences could contribute, such as increasing focus on ecosystem considerations, tradeoffs among user groups, and upcoming challenges of offshore energy development. In view of the recent increase in the number of social scientists on the SSC, a working group was proposed to better define the role of economists in the process of setting ABCs. The Council expressed support for this recommendation and also asked the working group to consider other opportunities to increase the socioeconomic input from the SSC in Council activities. The working group will scope out these topics which will be discussed further during the joint Council-SSC meeting in October.

#### ***Scallop Limited Access Leasing Program Request***

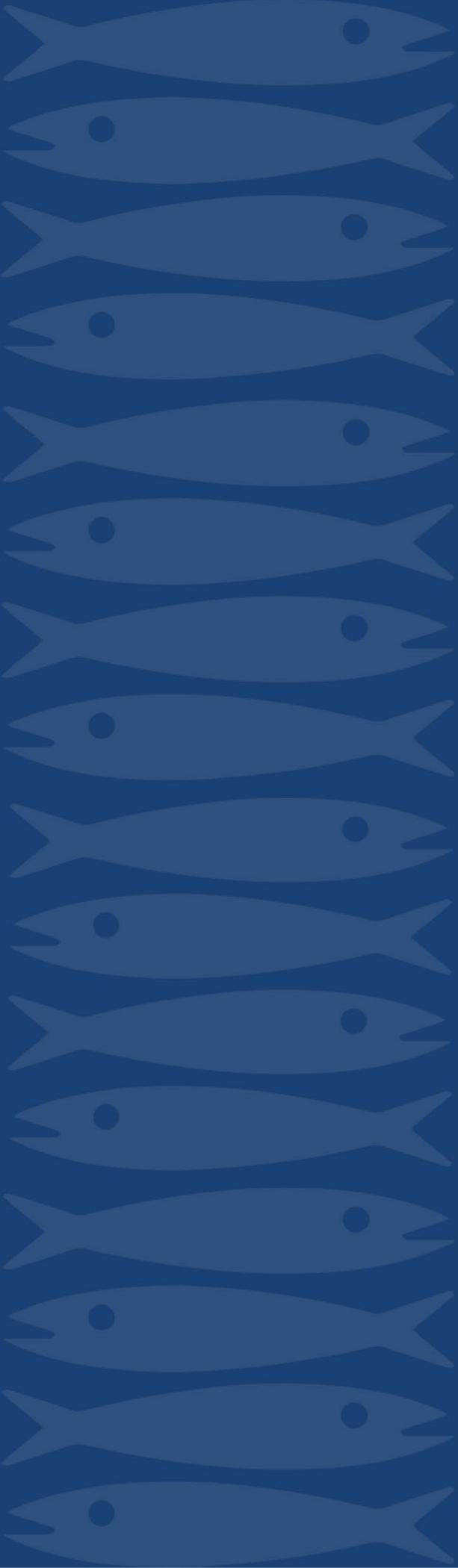
The Council agreed to send a letter to the New England Fishery Management Council (NEFMC) requesting that the development of an amendment to address leasing in the full-time limited access sea scallop fishery be prioritized for 2021. This issue was raised in a letter from the Scallopers Campaign which noted that the sea scallop fishery is among the Mid-Atlantic's highest revenue fisheries and that 70% of limited access vessels support initiating the process to develop a leasing program.

#### ***Observer Program Letter***

The Council discussed concerns about the planned redeployment of observers and at-sea monitors on August 14 for vessels with Greater Atlantic Region fishing permits. The Council previously addressed this issue in June and submitted a letter to the Greater Atlantic Regional Fisheries Office (GARFO) and Northeast Fisheries Science Center (NEFSC) about its concerns. The observer waiver was subsequently extended until August 14. During the Council's discussion on August 13, members of the Council and public participants noted continued concerns about the high risk of transmission of COVID-19 on fishing vessels. Several members of the fishing industry also raised concerns about liability. The Council tasked staff with writing a second letter, which was sent on August 13 and is available at <https://www.mafmc.org/correspondence>. The Council also directed staff to work with GARFO and NEFSC to begin analysis of the science and management impacts of this waiver extension.

### Next Meeting

The next meeting of the full Council will be held via webinar on **October 6-8, 2020**. A complete list of upcoming meetings can be found at <https://www.mafmc.org/council-events>.



# SAFMC



# South Atlantic Fishery Management Council

## News Release

FOR IMMEDIATE RELEASE  
September 18, 2020

CONTACT: Kim Iverson  
Public Information Officer  
Toll Free: 866/SAFMC-10 or 843/571-4366  
Kim.Iverson@safmc.net

### **Council Focuses on Dolphin and Wahoo Management Measures During Meeting Week**

*Bullet and Frigate Mackerel designations approved; fishermen weigh in about Dolphin concerns*

Bullet Mackerel and Frigate Mackerel aren't likely to show up on a dinner plate, but they are the preferred meal for prized game fish such as Wahoo and Blue Marlin and to a lesser extent Dolphin and other apex species found along the Atlantic coast. Members of the South Atlantic Fishery Management Council took action during their meeting this week via webinar to acknowledge the importance of Bullet and Frigate Mackerel, sometimes referred to as tuna, as forage fish by adding the two species to the Dolphin Wahoo Fishery Management Plan as ecosystem component species. The Dolphin Wahoo Plan is administered by the South Atlantic Council and management extends along the entire Atlantic Coast. The designation, through Amendment 12 to the Dolphin Wahoo FMP, comes at the request of the Mid-Atlantic Council and has been largely supported by both scientists and fishermen. The Council received 117 written public comments, the majority in favor of the designation. "Bullet tunas can be protected for the benefit of our offshore marlin, tuna, and wahoo fisheries without harming any existing commercial or recreational fisheries by designating them as Ecosystem Component species," said Heather Maxwell, tournament director for the annual Pirate's Cove Billfish Tournament held out of Oregon Inlet, North Carolina. "The management of these species is paramount to the future success of our tournaments," said Maxwell, noting the economic importance of the tournaments to the area's economy.

Concerns about Bullet and Frigate Mackerel began to emerge following the targeting of Chub Mackerel, another important forage fish, by commercial fishermen in the Mid-Atlantic following a downturn in the squid fishery in 2013. Commercial landings increased substantially in a single year, prompting the Mid-Atlantic Council quickly develop a plan to manage Chub Mackerel and protect other forage fish in the region from uncontrolled harvest. Bullet and Frigate Mackerel were included in the initial plan but were removed when the plan was reviewed by NOAA Fisheries. There isn't currently a directed commercial fishery for Bullet or Frigate Mackerel and recreational fishermen occasionally target the two species as bait. If approved by the Secretary of Commerce, the addition of the of these species to the Dolphin Wahoo FMP would provide an avenue to address management issues should they arise.

The Council continued work on other measures affecting the Dolphin and Wahoo fishery, including modifications to current annual catch limits, accountability measures, allocations, and recreational bag and vessel limits in draft Amendment 10 the Dolphin Wahoo FMP. The Council is will continue work on the amendment in December and public hearings are currently scheduled to be held in early 2021.

*(Continued)*

## **Council Focuses on Dolphin** *(continued)*

Council members received written comments and heard from fishermen during public comment, primarily charter captains in the Florida Keys expressing concerns about the Dolphin fishery in South Florida, with fishermen catching fewer fish and the absence of larger “bull” Dolphin being captured. The fishermen expressed concerns about the commercial longline fishery for Dolphin and possible impacts. The annual catch limit for Dolphin is currently allocated 90% recreational and 10% commercial.

Council members received a presentation from Dr. Wessley Merton with the Dolphinfish Research Tagging Program showing the distribution of Dolphin based on the program’s tagging studies, noting the majority of the commercial fishery occurs outside of U.S. waters in the Caribbean, South America, and international waters. The Council will consider an additional amendment to the Dolphin Wahoo FMP addressing the longline fishery in the future.

### **Other Business:**

The Council also developed a list of recommendations in response to the President’s Executive Order to Promote American Seafood after reviewing input from stakeholders and advisory panel members. The recommendations include modernization of the Individual Transferable Quota (ITQ) program for the Wreckfish fishery, modifications to the Oculina Bank Habitat Area of Particular Concern, commercial electronic logbooks and commercial permits for the snapper grouper fishery. Recommendations will be provided to NOAA Fisheries for further consideration.

In response to a recent stock assessment for Red Porgy, the Council began work on an amendment for management measures to address overfishing, rebuild the stock and revise allocations. The stock has not rebuilt despite management efforts, with a rebuilding plan currently in place. Under the Magnuson Stevens Conservation and Management Act, the Council has two years to implement new measures.

The Council held elections during its meeting, electing Mel Bell, former Vice Chair and representative for the South Carolina Department of Natural Resources Marine Resources Division as its new Chair. Steve Poland, Council representative for the North Carolina Division of Marine Fisheries was elected Vice Chair. Council members acknowledged Jessica McCawley for her service as Chair over the past two years, noting her effective leadership through the challenges brought on by the COVID-19 pandemic.

Additional information about this week’s meeting, including a meeting Story Map, committee reports, and briefing book materials is available from the Council’s website at: <https://safmc.net/safmc-meetings/council-meetings/>. The next meeting of the South Atlantic Fishery Management Council is currently scheduled for December 7-11, 2020 in Wrightsville Beach, North Carolina.

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

## **South Atlantic Fishery Management Council**

### **SUMMARY MOTIONS**

**September 14-17, 2020**

This is a summary of the motions approved by the Council. Motions addressing actions and alternatives for FMP amendments are followed by text showing the result of the approved motion. Complete details on motions and other committee recommendations are provided in the Committee Reports available on the SAFMC website.

#### **Snapper Grouper Committee**

MOTION 1: DIRECT STAFF TO DO THE FOLLOWING:

- Prepare draft Red Porgy amendment for review at the December 2020 meeting.
- Prepare analysis to show length of commercial season under potential new ACL using average catch rates from recent years to present to the Snapper Grouper Advisory Panel in November 2020 and request recommendations on possible modifications to management measures.
- Request presentation from SERO to inform potential actions in Wreckfish ITQ Modernization Amendment (Amendment 48) for the December 2020 meeting.
- Convene a meeting of the Wreckfish ITQ shareholders and Wreckfish wholesale dealers via webinar ahead of the December 2020 meeting.
- Prepare the Wreckfish ITQ Modernization Amendment (Amendment 48) to be considered for scoping at the December 2020 meeting.
- Approve the list of topics for the AP meeting.

APPROVED BY COUNCIL

#### **SEDAR Committee**

MOTION 1: DIRECT STAFF TO COMPLETE THE FOLLOWING TASK:

- Present revised Statements of Work for the 2023 assessments of the snowy grouper and tilefish (golden) at the March 2021 meeting after the SSC has reviewed the Snowy Grouper Assessment (SEDAR 36 Update).

APPROVED BY COUNCIL

#### **Dolphin Wahoo Committee**

MOTION 1: APPROVE AMENDMENT 12 TO THE FISHERY MANAGEMENT PLAN FOR THE DOLPHIN WAHOO FISHERY OF THE ATLANTIC FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND RE-DEEM THE CODIFIED TEXT.

APPROVED BY COUNCIL

MOTION 2: SELECT ALTERNATIVE 2 AS THE PREFERRED ALTERNATIVE IN ACTION 1.

Action 1. Revise the total annual catch limit for dolphin to reflect the updated acceptable biological catch level.

Preferred Alternative 2. The total annual catch limit for dolphin is equal to the updated acceptable biological catch level.

APPROVED BY COUNCIL

MOTION 3: SELECT ALTERNATIVE 2 AS PREFERRED UNDER ACTION 2.

Action 2. Revise the total annual catch limit for wahoo to reflect the updated acceptable biological catch level.

Preferred Alternative 2. The total annual catch limit for wahoo is equal to the updated acceptable biological catch level.

APPROVED BY COUNCIL

MOTION 4: MOVE ALTERNATIVES 2 AND 3 IN ACTION 3 TO THE CONSIDERED BUT REJECTED SECTION.

Action 3. Revise sector allocations and sector annual catch limits for dolphin.

APPROVED BY COUNCIL

MOTION 5: APPROVE IPT SUGGESTED EDITS TO ALTERNATIVES 4, 5, AND 6 IN ACTION 3.

Action 3. Revise sector allocations and sector annual catch limits for dolphin.

Alternative 4. Allocate 93.75% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 6.25% of the revised total annual catch limit for dolphin to the commercial sector. This is based on approximately maintaining the current commercial annual catch limit and allocating the remaining revised total annual catch limit to the recreational sector.

Alternative 5. Allocate 93.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 7.00% of the revised total annual catch limit for dolphin to the commercial sector.

Alternative 6. Allocate 92.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 8.00% of the revised total annual catch limit for dolphin to the commercial sector.

APPROVED BY COUNCIL

MOTION 6: APPROVE IPT SUGGESTED EDITS WITH THE EXCEPTION OF ALTERNATIVE 1 IN ACTION 4.

Action 4. Revise sector allocations and sector annual catch limits for wahoo.

Alternative 2. Allocate 97.45% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.55% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the following formula for each sector:

- Sector apportionment = (50% \* average of long-term catch (pounds whole weight)) + (50% \* average of recent catch (pounds whole weight)).
- Long-term catch = 1999 through 2008; Recent catch = 2006 through 2008.

Alternative 3. Allocate 96.35% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.65% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the total catch between 1994 and 2007.

Alternative 4. Allocate 97.56% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.44% of the revised total annual catch limit for wahoo to the commercial sector. This is based on approximately maintaining the current commercial annual catch limit and allocating the remaining total annual catch limit to the recreational sector.

Alternative 5. Allocate 97.00% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.00% of the revised total annual catch limit for wahoo to the commercial sector.

APPROVED BY COUNCIL

MOTION 7: AMEND ALTERNATIVE 4 TO REFLECT A SMALL INCREASE IN THE COMMERCIAL ACL. REMOVE ALTERNATIVE 2 IN ACTION 4 TO THE CONSIDERED BUT REJECTED SECTION.

Action 4. Revise sector allocations and sector annual catch limits for wahoo.

Alternative 4. Allocate 97.55% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.45% of the revised total annual catch limit for wahoo to the commercial sector. This is based on approximately maintaining the current commercial annual catch limit and allocating the remaining total annual catch limit to the recreational sector.

APPROVED BY COUNCIL

MOTION 8: REMOVE ACTION 5 TO THE CONSIDERED BUT REJECTED SECTION.

APPROVED BY COUNCIL

MOTION 9: ACCEPT THE IPT SUGGESTED EDITS TO ACTION 7.

Action 7. Revise the trigger for the post season recreational accountability measures for dolphin.

Alternative 2. Implement post season accountability measures in the following fishing year if the recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

Alternative 3. Implement post season accountability measures in the following fishing year if the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

Alternative 4. Implement post season accountability measures in the following fishing year if recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total (commercial and recreational combined) annual catch limit in any one year.

Alternative 5. Implement post season accountability measures in the following fishing year if the total (commercial and recreational combined) annual catch limit is exceeded.

Alternative 6. Implement post season accountability measures in the following fishing year if the recreational annual catch limit is exceeded.

APPROVED BY COUNCIL

MOTION 10: ACCEPT THE IPT SUGGESTED EDITS TO ACTION 8 WITH THE EXCEPTION OF ALTERNATIVE 2.

Action 8. Revise the post-season recreational accountability measures for dolphin.

Alternative 3. Reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Alternative 4. Reduce the bag limit in the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the bag limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Alternative 5. Reduce the vessel limit in the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the vessel limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

APPROVED BY COUNCIL

MOTION 11: ACCEPT THE IPT EDITS TO ACTION 9.

Action 9. Revise the trigger for the post season recreational accountability measures for wahoo.

Alternative 2. Implement post season accountability measures in the following fishing year if the recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

Alternative 3. Implement post season accountability measures in the following fishing year if the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

Alternative 4. Implement post season accountability measures in the following fishing year if recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total (commercial and recreational combined) annual catch limit in any one year.

Alternative 5. Implement post season accountability measures in the following fishing year if the total (commercial and recreational combined) annual catch limit is exceeded.

Alternative 6. Implement post season accountability measures in the following fishing year if the recreational annual catch limit is exceeded.

APPROVED BY COUNCIL

MOTION 12: ACCEPT THE IPT SUGGESTED EDITS TO ACTION 10 WITH THE EXCEPTION OF ALTERNATIVE 2.

Action 10. Revise the post-season recreational accountability measures for wahoo.

Alternative 3. Reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Alternative 4. Reduce the bag limit in the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the bag limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

Alternative 5. Implement a vessel limit in the following recreational fishing season that would prevent the annual catch limit from being exceeded in the following year. However, the vessel limit will not be implemented if the Regional Administrator determines, using the best available science, that it is not necessary.

APPROVED BY COUNCIL

MOTION 13: APPROVE THE FOLLOWING TIMING AND TASKS:

- Continue work on Amendment 10 for review at the December 2020 meeting.
- Write a follow-up letter to the Mid-Atlantic Council upon submittal of Amendment 12.

APPROVED BY COUNCIL

### **Executive Committee**

MOTION 1: MOVE TO REQUIRE COUNCIL MEMBERS TO TAKE HARASSMENT PREVENTION TRAINING THROUGH THE COUNCIL SUBSCRIPTION SERVICE. TRAINING WILL BE VALID FOR 2 YEARS.

APPROVED BY COUNCIL

MOTION 2: MOVE TO APPROVE THE REVISED OC AP MEMBERSHIP STRUCTURE AND MAKE APPOINTMENTS IN DECEMBER 2020.

APPROVED BY COUNCIL

### **Advisory Panel Selection Committee**

MOTION 1: REAPPOINT RITA MERRITT AND JEFF SOSS TO THE HABITAT PROTECTION AND ECOSYSTEM-BASED MANAGEMENT AP.

APPROVED BY COUNCIL

MOTION 2: REAPPOINT DOUG KELLY, SHELLY KRUEGER AND KATIE LATANICH TO THE OUTREACH AND COMMUNICATIONS AP.

APPROVED BY COUNCIL

MOTION 3: READVERTISE THE COMMERCIAL SEAT ON THE LAW ENFORCEMENT AP AND REAPPOINT NICKEY MAXEY TO THE LE AP.

APPROVED BY COUNCIL

MOTION 4: REAPPOINT GARY ROBINSON AND TOM ROLLER (NGO) TO THE MACKEREL COBIA AP. APPOINT PAUL RUDERSHAUSEN TO THE MACKEREL COBIA AP. CONSIDER THE STRUCTURE OF THE MACKEREL COBIA AP AT THE DECEMBER 2020 COUNCIL MEETING.

APPROVED BY COUNCIL

MOTION 5: REAPPOINT JACK COX AND ROBERT FREEMAN AND APPOINT CHRIS KIMREY TO THE SNAPPER GROUPER AP.

APPROVED BY COUNCIL

MOTION 6: APPOINT ANDREW MAHONEY, TONY CONSTANT AND HARRY MORALES TO THE SNAPPER GROUPE AP.

APPROVED BY COUNCIL

MOTION 7: REAPPOINT DAVE SNYDER TO THE SNAPPER GROUPE AP.

APPROVED BY COUNCIL

MOTION 8: REAPPOINT VINCENT BONURA, RICHARD GOMEZ, JIMMY HULL, AND DAVID MOSS TO THE SNAPPER GROUPE AP.

APPROVED BY COUNCIL

MOTION 9: APPOINT CHRIS MILITELLO AND ANDREW FISH TO THE SNAPPER GROUPE AP.

APPROVED BY COUNCIL

### **SEDAR Appointments**

MOTION 1: APPROVE SEDAR 76 (BLACK SEA BASS) AND SEDAR 78 (SPANISH MACKEREL) TABLE OF PANELISTS, OBSERVERS AND DATA PROVIDERS AS PROVIDED BELOW.

APPROVED BY COUNCIL

MOTION 2: APPROVE SCHEDULES FOR SEDAR 76 (BLACK SEA BASS) AND SEDAR 78 (SPANISH MACKEREL).

APPROVED BY COUNCIL

**SUMMARY REPORT  
DOLPHIN WAHOO COMMITTEE  
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL  
Webinar  
September 16, 2020**

The Committee approved amended minutes from the June 2020 meeting and the agenda.

**Adding Bullet and Frigate Mackerel to the Dolphin Wahoo FMP as Ecosystem Component Species: Amendment 12**

The amendment would add bullet mackerel and frigate mackerel to the Dolphin Wahoo Fishery Management Plan and designate them as ecosystem component species. The Committee reviewed a summary of the effects for the amendment and the Council's rationale. The Committee made the following motion:

**MOTION #1:** APPROVE AMENDMENT 12 TO THE FISHERY MANAGEMENT PLAN FOR THE DOLPHIN WAHOO FISHERY OF THE ATLANTIC FOR FORMAL SECRETARIAL REVIEW AND DEEM THE CODIFIED TEXT AS NECESSARY AND APPROPRIATE. GIVE STAFF EDITORIAL LICENSE TO MAKE ANY NECESSARY EDITORIAL CHANGES TO THE DOCUMENT/CODIFIED TEXT AND GIVE THE COUNCIL CHAIR AUTHORITY TO APPROVE THE REVISIONS AND RE-DEEM THE CODIFIED TEXT.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**Revise Dolphin and Wahoo Management Measures: Amendment 10**

Amendment 10 includes actions that accommodate updated recreational data from the Marine Recreational Information Program by revising the annual catch limits and sector allocations for dolphin and wahoo. The amendment also contains actions that implement various other management changes in the fishery including revising accountability measures, accommodating possession of dolphin and wahoo on vessels with certain unauthorized gears onboard, removing the operator card requirement, reducing the recreational vessel limit for dolphin, and allowing filleting of dolphin at sea onboard for-hire vessels North of the Virginia/North Carolina border.

The Committee discussed the amendment and provided the following guidance as well as made the following motions:

**MOTION #2:** SELECT ALTERNATIVE 2 AS THE PREFERRED ALTERNATIVE IN ACTION 1.

*Action 1. Revise the total annual catch limit for dolphin to reflect the updated acceptable biological catch level*

**PREFERRED Alternative 2.** The total annual catch limit for dolphin is equal to the updated acceptable biological catch level.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**MOTION#3:** SELECT ALTERNATIVE 2 AS PREFERRED UNDER ACTION 2.

*Action 2. Revise the total annual catch limit for wahoo to reflect the updated acceptable biological catch level.*

**PREFERRED Alternative 2.** The total annual catch limit for wahoo is equal to the updated acceptable biological catch level.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**MOTION #4:** MOVE ALTERNATIVES 2 AND 3 IN ACTION 3 TO THE CONSIDERED BUT REJECTED SECTION.

*Action 3. Revise sector allocations and sector annual catch limits for dolphin*

**Alternative 2.** Allocate 93.95% 94.01% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 6.05% 5.99% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the total catch between 2008 and 2012, as reported in 2019 and does not incorporate recreational landings from Monroe County, Florida.

**Alternative 3.** Allocate 94.91% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 5.09% of the revised total annual catch limit for dolphin to the commercial sector. This is based on the total catch between 1994 and 2007.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**MOTION #5:** APPROVE IPT SUGGESTED EDITS TO ALTERNATIVES 4, 5, AND 6 IN ACTION 3.

*Action 3. Revise sector allocations and sector annual catch limits for dolphin*

**Alternative 4.** Allocate 93.75% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 6.25% of the revised total annual catch limit for dolphin to the commercial sector. This is based on approximately maintaining the current commercial annual catch limit of 1,534,485 pounds whole weight and allocating the remaining revised total annual catch limit to the recreational sector.

**Alternative 5.** Allocate 93.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 7.00% of the revised total annual catch limit for dolphin to the commercial sector.

**Alternative 6.** Allocate 92.00% of the revised total annual catch limit for dolphin to the recreational sector. Allocate 8.00% of the revised total annual catch limit for dolphin to the commercial sector.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

*DIRECTION TO STAFF FOR ACTION 3:*

- Revise and simplify Alternative 1 (No Action)

**MOTION #6:** APPROVE IPT SUGGESTED EDITS WITH THE EXCEPTION OF ALTERNATIVE 1 IN ACTION 4.

*Action 4. Revise sector allocations and sector annual catch limits for wahoo*

**Alternative 2.** Allocate 97.45% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.55% of the revised total annual catch limit for wahoo to the

commercial sector. This is based on the following formula for each sector: ~~using landings data as reported in 2019 and does incorporate recreational landings from Monroe County, Florida.~~  
Sector apportionment = (50% \* average of long-term catch (pounds whole weight)) + (50% \* average of recent catch (pounds whole weight)).

Long-term catch = 1999 through 2008; Recent catch = 2006 through 2008

**Alternative 3.** Allocate 96.35% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.65% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the total catch between 1994 and 2007.

**Alternative 4.** Allocate 97.56% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.44% of the revised total annual catch limit for wahoo to the commercial sector. This is based on approximately maintaining the current commercial annual catch limit of 70,542 pounds whole weight and allocating the remaining total annual catch limit to the recreational sector.

**Alternative 5.** Allocate 97.00% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 3.00% of the revised total annual catch limit for wahoo to the commercial sector.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**DIRECTION TO STAFF FOR ACTION 4:**

- Revise and simplify Alternative 1 (No Action).

**MOTION #7:** AMEND ALTERNATIVE 4 TO REFLECT A SMALL INCREASE IN THE COMMERCIAL ACL. REMOVE ALTERNATIVE 2 IN ACTION 4 TO THE CONSIDERED BUT SECTION.

*Action 4. Revise sector allocations and sector annual catch limits for wahoo*

~~**Alternative 2.** Allocate 97.45% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.55% of the revised total annual catch limit for wahoo to the commercial sector. This is based on the following formula for each sector: using landings data as reported in 2019 and does incorporate recreational landings from Monroe County, Florida.  
Sector apportionment = (50% \* average of long term catch (pounds whole weight)) + (50% \* average of recent catch (pounds whole weight)).~~

~~Long-term catch = 1999 through 2008; Recent catch = 2006 through 2008~~

**Alternative 4.** Allocate 97.56% 97.55% of the revised total annual catch limit for wahoo to the recreational sector. Allocate 2.44% 2.45% of the revised total annual catch limit for wahoo to the commercial sector. This is based on approximately maintaining the current commercial annual catch limit of 70,542 pounds whole weight and allocating the remaining total annual catch limit to the recreational sector.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**MOTION #8:** REMOVE ACTION 5 TO THE CONSIDERED BUT REJECTED SECTION.

~~*Action 5. Revise the commercial accountability measures for dolphin*~~

~~**Alternative 1 (No Action).** The current commercial accountability measure includes an in-season closure to take place if the commercial annual catch limit is met or projected to be met. If the commercial annual catch limit is exceeded, it will be reduced by the amount of the~~

commercial overage in the following fishing year only if the species is overfished and the total annual catch limit is exceeded.

**Alternative 2.** If commercial landings for dolphin reach or are projected to reach the commercial annual catch limit, close the commercial sector for the remainder of the fishing year.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

OTHER DIRECTION TO STAFF:

- The subsequent action (Action 6) that focuses on the commercial accountability measures for wahoo is not approved by the Committee and will not be further considered in Amendment 10.

**MOTION #9:** ACCEPT THE IPT SUGGESTED EDITS TO ACTION 7.

*Action 7. Revise the trigger for the post season recreational accountability measures for dolphin*

**Alternative 2.** Implement post season accountability measures in the following fishing year if the recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Alternative 3.** Implement post season accountability measures in the following fishing year if the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Alternative 4.** Implement post season accountability measures in the following fishing year if recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total (commercial and recreational combined) annual catch limit in any one year.

**Alternative 5.** Implement post season accountability measures in the following fishing year if the total (commercial and recreational combined) annual catch limit is exceeded.

**Alternative 6.** Implement post season accountability measures in the following fishing year if the recreational annual catch limit is exceeded.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**MOTION #10:** ACCEPT THE IPT SUGGESTED EDITS TO ACTION 8 WITH THE EXCEPTION OF ALTERNATIVE 2.

*Action 8. Revise the post-season recreational accountability measures for dolphin*

**Alternative 2.** Reduce the recreational sector annual catch limit by the amount of the overage in the following year. Also reduce the length of the following recreational fishing season by the amount necessary to prevent the revised annual catch limit from being exceeded in the following fishing year. However, the recreational annual catch limit and recreational fishing season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 3.** Reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 4.** Reduce the bag limit in the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the bag limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 5.** Reduce the vessel limit in the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the vessel limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**DIRECTION TO STAFF FOR ACTION 8:**

- Add an alternative that would monitor for persistence in increased landings. Under this alternative, if landings are projected to be met, reduce the bag limit or vessel limit first and if needed reduce the length of the recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded.

**MOTION #11: ACCEPT THE IPT EDITS TO ACTION 9.**

*Action 9. Revise the **trigger for the post season** recreational accountability measures for wahoo*

**Alternative 2.** Implement post season accountability measures in the following fishing year if the recreational annual catch limits are constant and the 3-year geometric mean of landings exceed the recreational sector annual catch limit. If in any year the recreational sector annual catch limit is changed, the moving multi-year geometric mean of landings will start over.

**Alternative 3.** Implement post season accountability measures in the following fishing year if the summed total of the most recent past three years of recreational landings exceeds the sum of the past three years recreational sector annual catch limits.

**Alternative 4.** Implement post season accountability measures in the following fishing year if recreational landings exceed the recreational sector annual catch limit in two of the previous three fishing years or exceeds the total (commercial and recreational combined) annual catch limit in any one year.

**Alternative 5.** Implement post season accountability measures in the following fishing year if the total (commercial and recreational combined) annual catch limit is exceeded.

**Alternative 6.** Implement post season accountability measures in the following fishing year if the recreational annual catch limit is exceeded.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**MOTION #12: ACCEPT THE IPT SUGGESTED EDITS TO ACTION 10 WITH THE EXCEPTION OF ALTERNATIVE 2.**

*Action 10. Revise the **post-season** recreational accountability measures for wahoo*

**Alternative 2.** Reduce the recreational sector annual catch limit by the amount of the overage in the following year. Also reduce the length of the following recreational fishing season by the amount necessary to prevent the revised annual catch limit from being exceeded in the following fishing year. However, the recreational annual catch limit and recreational fishing season will not

be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 3.** Reduce the length of the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the length of the recreational season will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 4.** Reduce the bag limit in the following recreational fishing season by the amount necessary to prevent the annual catch limit from being exceeded in the following year. However, the bag limit will not be reduced if the Regional Administrator determines, using the best available science, that it is not necessary.

**Alternative 5.** Implement a vessel limit in the following recreational fishing season that would prevent the annual catch limit from being exceeded in the following year. However, the vessel limit will not be implemented if the Regional Administrator determines, using the best available science, that it is not necessary.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**DIRECTION TO STAFF FOR ACTION 10:**

- Add an alternative that would reduce the bag limit or implement a vessel limit while monitoring for persistence in increased landings. Under this alternative, if landings met or were projected to meet the sector ACL with the reduced bag limit or vessel limit in place, an in-season closure would occur.

**OTHER DIRECTION TO STAFF:**

- In Action 12, revise the action to also accommodate spiny lobster traps.

**Dolphinfish Research Program Presentation**

Dr. Wessley Merten, Director of the Dolphinfish Research Program, presented on recent research into dolphin movements, migration patterns, and fisheries in the Western Atlantic. This presentation was meant to inform the Committee on recent research that has been conducted on the topics and address a previous request from the Committee for such information. This agenda item was a summarized version of the more detailed presentation provided at the Dolphinfish Research Program Seminar that took place on August 26<sup>th</sup> via webinar.

**Topics for the October 2020 Dolphin Wahoo Advisory Panel meeting and Other Business**

Due to time constraints, the Committee was not able to address the draft list of topics for the upcoming Dolphin Wahoo Advisory Panel (AP) meeting or Other Business. The Committee reviewed and approved the list of topics for the AP meeting during the Full Council session.

**Timing and Tasks:**

**MOTION #13: APPROVE THE FOLLOWING TIMING AND TASKS:**

- CONTINUE WORK ON AMENDMENT 10 FOR REVIEW AT THE DECEMBER 2020 MEETING.
- WRITE A FOLLOW-UP LETTER TO THE MID-ATLANTIC COUNCIL UPON SUBMITTAL OF AMENDMENT 12.

APPROVED BY COUNCIL

**FINAL**  
**SUMMARY REPORT**  
**EXECUTIVE COMMITTEE**  
**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**  
**Meeting via Webinar**  
**September 17, 2020**

The Committee approved the meeting agenda and the minutes from the June 2020 meeting.

**AP and SSC Composition**

The Committee met in closed session to consider adding a seat to the SSC and revising the composition of the Outreach and Communication Advisory Panel. The Committee did not recommend increasing the number of seats on the SSC. The current seats and their designations are considered sufficient to meet Council needs. The Committee approved the proposed restructuring plan for the Outreach and Communication Advisory Panel. Appointments for revised seats will be considered in December and the structural changes will take place once appointments are made.

**Harassment Prevention**

The Committee met in closed session to consider modification to the SAFMC Handbook to address harassment prevention measures. The intent of the proposed changes is to clarify the Council policies on harassment prevention and workplace violence and provide guidance on how affected parties should respond. The Committee supported including the proposed language, with minor modifications for addressing meeting disruptions, in the handbook revisions. The handbook will be reviewed in its entirety and considered for approval at a future meeting.

The Committee raised the issue of security at Council meetings and activities, particularly the Council's security obligations as a convener of public gatherings. Because this issue has implications to the Council's MSA responsibilities and potentially impacts all Councils, guidance will be requested of NOAA GC and the question will be raised at the Council Coordination Committee.

**Travel Forms**

Kelly Klasnick reviewed revised Council travel authorization and reimbursement forms. The new forms may be submitted electronically and will become effective immediately. A training video will be developed and provided to Council travelers.

**Council Priorities and Work Schedule**

John Carmichael reviewed the Council priorities and amendment workplan for 2020, emphasizing changes resulting from the August 7, 2020 meeting. The Council was asked to consider two potential projects to add to the workplan: the ABC Control Rule amendment and Coral Amendment 10.

Council recommended proceeding to develop Coral Amendment to include one action considering establishing a shrimp fishery access area along the Eastern boundary of the Northern extension of the Oculina Bank CHAPC. The access area will be reviewed by the Habitat and Ecosystem and Shrimp APs and comments provided to the Council in December. Council will also review options and consider scoping approval in December.

Council also recommended proceeding with SSC review on the ABC Control Rule Amendment at the SSC's October meeting, with a status report to the Council in December.

The Council supported the priorities for the December 2020 meeting and preliminary topics for the March 2021 meeting. Council members will be asked to individually prioritize FMP projects prior to the December meeting, and staff will develop solutions to the overload that develops in June 2021 for consideration in December 2020.

The Council will meet via webinar on November 9, 2020 from 10 am to 4 pm to discuss several recreational fisheries issues. Topics will include overview presentations on the recreational accountability measures and reporting amendments, a final report on the MyFishCount project, and a status report from the joint recreational working group.

## **MOTIONS**

**MOTION #1:** MOVE TO REQUIRE COUNCIL MEMBERS TO TAKE HARASSMENT PREVENTION TRAINING THROUGH THE COUNCIL SUBSCRIPTION SERVICE.

TRAINING WILL BE VALID FOR 2 YEARS.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

**MOTION #2:** MOVE TO APPROVE THE REVISED OC AP MEMBERSHIP STRUCTURE AND MAKE APPOINTMENTS IN DECEMBER 2020.

APPROVED BY COMMITTEE

APPROVED BY COUNCIL

## **ADDENDUM**

### **Outreach and Communication Advisory Panel Seats**

4 state agency seats: 1 ea from NC, SC, GA, FL

4 SeaGrant state program seats: 1 ea from NC, SC, GA, FL

4 fishermen seats: 1 ea from commercial, for-hire, private recreational, at-large

4 peer agency seats: 1 ea from GMFMC, MAFMC, CFMC, ASMFC

1 Coast Guard seat

1 SERO seat

1 media representative seat

2 at-large seats

**FINAL**  
**SUMMARY REPORT**  
**SEDAR COMMITTEE**  
**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**  
**September 15, 2020**

The Committee approved minutes from the June 2020 meeting and agenda.

**SEDAR ACTIVITIES UPDATE**

The Committee was provided an overview of the research track and operational assessment process. The Committee wanted to ensure that public participation would still be part of the process.

**STATEMENT OF WORK APPROVAL**

The Committee was provided statements of work for 2023 assessments of Snowy Grouper and Tilefish. Currently assessments are ongoing for these two species and the Scientific and Statistical Committee requested time to revise the statements of work based on the findings of the assessment. The Committee requested the statements of work be brought back to Committee in March 2021 after review of the current Snowy Grouper assessment (SEDAR 36 Update). The Committee recognized the Tilefish assessment (SEDAR 66) would not be completed by then but statements of work need to be completed prior to the spring SEDAR Steering Committee.

**STEERING COMMITTEE GUIDANCE**

The Committee reviewed the current planning grid for SEDAR assessments and table of timing for completed and future assessments. The Committee recommended a Red Snapper Research Track Assessment as a high priority and Gray Triggerfish and Red Porgy as Operational Assessments.

The Committee did not make any motions.

**Other Business:**

No other business was brought before the committee.

**Timing and Tasks:**

DRAFT MOTION #1: DIRECT STAFF TO COMPLETE THE FOLLOWING TASK:

1. PRESENT REVISED STATEMENTS OF WORK FOR THE 2023 ASSESSMENTS OF SNOWY GROUPER AND TILEFISH (GOLDEN) AT THE MARCH 2021 MEETING AFTER THE SSC HAS REVIEWED THE SNOWY GROUPER ASSESSMENT (SEDAR 36 UPDATE).

APPROVED BY COUNCIL

**FINAL**  
**SUMMARY REPORT**  
**SNAPPER GROUPEL COMMITTEE**  
**SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL**  
**SEPTEMBER 2020**  
**(meeting held via webinar)**

The Committee approved minutes from the June 2020 meeting and the agenda for the September 2020 Committee meeting.

**Status of Amendments under Formal Review**

NMFS SERO staff updated the Committee on the status of amendments under review or recently submitted:

- Regulatory Amendment 33 (Red Snapper Seasons): Final rule package has been sent to NMFS Headquarters.
- Abbreviated Framework 3 (Catch Levels for Blueline Tilefish): The final rule published on 7/16/20 and regulations became effective on 8/17/20.
- Regulatory Amendment 34 (SMZs in NC & SC): The amendment was submitted to NMFS on 8/11/20. NMFS is preparing the proposed rule package.

**Review of Red Snapper 2020 Recreational Season**

Council staff provided a summary of catch and effort data provided by the four South Atlantic states during the 2020 Red Snapper recreational season. Preliminary estimates from Florida suggest that 33,838 Red Snapper were harvested by private recreational anglers and 2,929 Red Snapper were harvested by charter boats. Council staff also updated the Committee on data obtained through the MyFishCount program. Note that the recreational ACL for red snapper in the South Atlantic is 29,656 fish.

**Wreckfish ITQ Modernization (Amendment 48)**

The Committee discussed the options paper for the modernization of the Wreckfish ITQ program. In September 2019, the Council approved the review of the Wreckfish ITQ program and directed staff to prepare an options paper for an amendment, including an action to modify the goals and objectives of the Snapper Grouper FMP by adopting those developed in the 2016-2020 Vision Blueprint for the Snapper Grouper Fishery. At this meeting, the Committee requested that staff convene a webinar meeting with Wreckfish ITQ shareholders and Wreckfish wholesale dealers prior to the December 2020 Council meeting to discuss the actions proposed in the options paper and make recommendations to the Council for potential additional actions. The Committee also requested that the group also discuss the possibility of requiring VMS on vessels participating in the Wreckfish fishery. The Committee decided to wait until the December 2020 meeting to consider Amendment 48 for public scoping in winter 2021. In addition, at the December 2020 meeting, the Committee requests that SERO staff deliver a presentation on how similar programs are administered in the Gulf of Mexico, including how cost recovery might be applied to the South Atlantic Wreckfish ITQ Program, issues surrounding the Wreckfish Permit and whether it is needed in the South Atlantic, and how electronic reporting could be implemented for the fishery.

### **Red Porgy (Amendment 50)**

At the June 2020 meeting, the Council directed staff to begin work on an amendment to end overfishing of Red Porgy, revise the rebuilding schedule, and address modifications to sector allocations and management measures. At this meeting, staff presented an overview of the options paper and requested guidance from the Committee on possible actions and a range of alternatives to develop for consideration at the December 2020 meeting. The Committee made no changes to the options presented but requested more information on whether a recreational ACT was needed. In addition, the Committee requested that the Snapper Grouper Advisory Panel (AP) provide recommendations on possible changes to management measures, including bag and trip limits, and seasonal/spawning closures. It was noted that commercial management measures for Red Porgy were recently modified with implementation of Vision Blueprint Regulatory Amendment 27. A draft timeline was presented that would complete development of the amendment by the statutory deadline of June 2022.

### **Topics for November 2020 Snapper Grouper Advisory Panel Meeting**

The Snapper Grouper AP's scheduled April 2020 was cancelled due to the COVID-19 pandemic. The AP is scheduled to meet via webinar on November 4-6, 2020. Topics the Council approved for the AP's agenda are:

- Red Snapper fishery performance report
- Management measures for Red Porgy
- Recommendations on proposed ecosystem component species
- Use of descending devices
- Update on CitSci Projects
- Update on MyFishCount
- Input for Recreational Management Issues Webinar
- Update on Council Activities related to Climate Change

### **Other Business**

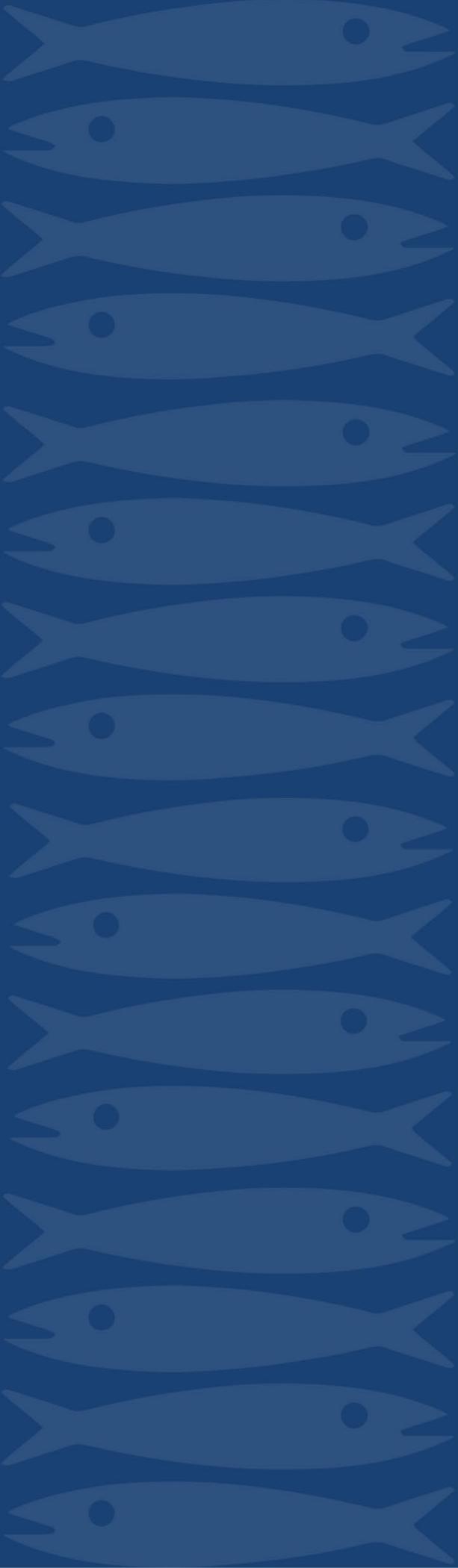
There was no Committee discussion under Other Business.

**Timing and Tasks:**

**MOTION: DIRECT STAFF TO DO THE FOLLOWING:**

- Prepare draft Red Porgy amendment for review at the December 2020 meeting.
- Prepare analysis to show length of commercial Red Porgy season under potential new ACL using average catch rates from recent years to present to the Snapper Grouper Advisory Panel in November 2020 and request recommendations on possible modifications to management measures.
- Request presentation from SERO to inform potential actions in Wreckfish ITQ Modernization Amendment (Amendment 48) for the December 2020 meeting.
- Convene a meeting of the Wreckfish ITQ shareholders and Wreckfish wholesale dealers via webinar ahead of the December 2020 meeting.
- Prepare the Wreckfish ITQ Modernization Amendment (Amendment 48) to be considered for scoping at the December 2020 meeting.
- Approve the list of topics for the AP meeting.

**APPROVED BY COUNCIL**



# HMS



ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

STEPHEN W. MURPHEY  
*Director*

October 22, 2020

**MEMORANDUM**

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

**FROM:** Steve Poland, Executive Assistant for Councils & Highly Migratory Species lead

**SUBJECT:** Highly Migratory Species Update

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**Issue**

Highly Migratory Species activity update.

**Action Needed**

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

**Overview**

The Highly Migratory Species (HMS) Advisory Panel (AP) met on September 9<sup>th</sup> and 10<sup>th</sup>, 2020 via webinar. The Advisory Panel discussed impacts from COVID-19 on HMS fisheries, reviewed Amendment 12 to the Consolidated Atlantic HMS FMP, discussed the 2020 bluefin tuna season and updated assessment, and received a presentation on shark depredation within commercial and recreational fisheries along the Atlantic.

Covid-19 impacts

Economist from NOAA Fisheries presented a presentation entitled “[2020 Fisheries Economic Situation Report](#)” summarizing the trends in revenue and effort within the commercial and recreational HMS fisheries due to COVID-19 pandemic restrictions. Of note, commercial landings values for HMS fisheries declined precipitously after March and ranged from 12-66% below monthly averages for the previous year. However, while ex-vessel prices declined after March, by July prices had rebounded to previous years’ averages coinciding with the relaxation of many restaurant occupancy restrictions. The for-hire sector reported a significant drop in trips for the March through June survey periods. In contrast, private boat trips in the Southeast increased during this period when compared to 2019. However, fifty fewer HMS tournaments have been registered through August 2020 when compared to the previous year.

Amendment 12

Draft [Amendment 12 to the Consolidated Atlantic HMS FMP](#) proposes modifying the plan objectives and framework procedures to address changes to the National Standard guidelines and update triggers and timing of allocation decisions and stock assessment and fishery evaluation reports. Proposed actions in this amendment update the FMP with current NOAA Fisheries policies and guidelines and reporting requirements and updates and consolidates the FMP objectives. However, two actions being considered have the potential to modify how stock status of some fisheries are determined by adopting international determinations of stock status for some species and trigger more frequent deliberation on sector allocations. Comments on raft Amendment 12 are being accepted through October 26<sup>th</sup> with an anticipated final action in mid-2021.

## Bluefin Tuna

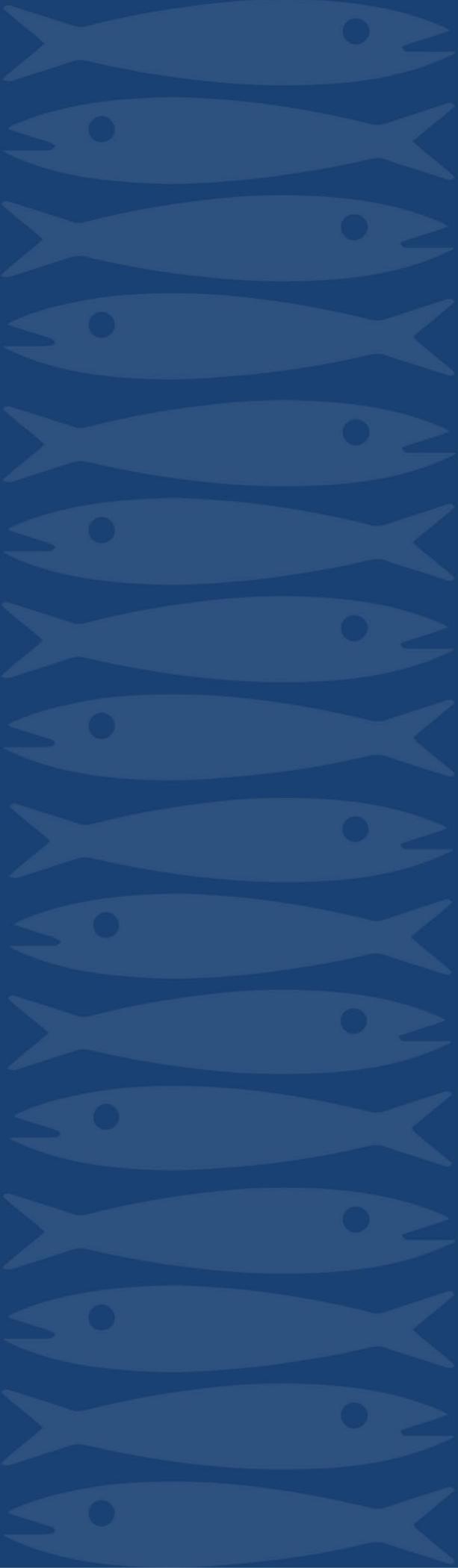
Staff from HMS provided a presentation summarizing [landings trends in the Atlantic Bluefin Tuna fishery to date](#). Of interest to North Carolina fisherman, there was a notable increase in recreational landings coastwide and the commercial fishery had the highest landings of the general category quota during the January sub quota period (January – March) triggering a closure on February 28<sup>th</sup>. There was also a 33% increase in the number of 2020 Atlantic Tuna Permits compared to the previous 5-year average. NOAA Fisheries is considering resuming the use of Restricted Fishing Days (RFD) for the Atlantic Bluefin Tuna fishery in an effort to better constrain harvest for 2021. RFDs can be used to restrict fishing during certain days to improve the distribution of fishing opportunities throughout a quota subperiod. NOAA Fisheries expressed intent to gather public comment on the use of RFDs but has not yet published a formal scoping/public comment period.

## Shark Depredation

Reports of shark depredations and frustrations from anglers have steadily increased over the last few years. Stakeholders and the Gulf and South Atlantic Fishery Management Councils have expressed concerns over the apparent increase in these events within their regions and requested that NOAA Fisheries consider these concerns in any upcoming management actions related to HMS sharks. Staff presented a [preliminary analysis of shark depredations within HMS and other federally managed fisheries](#). Species most commonly depredated from longline trips were Swordfish and Yellowfin Tuna accounting for 57% of all interactions. Of these depredations, 83% were considered a total economic loss or only a head was retrieved. Incidence of shark depredation in the snapper-grouper fishery was much less but did show an increasing trend since the mid-2000s. More research and monitoring is need for recreational and for hire trips to quantify the extent and prevalence of shark depredations.

## Closure of Recreational Atlantic Billfish

After the September AP meeting, NOAA Fisheries announced that the recreational landings limit for Atlantic Blue Marlin, White Marlin, and Roundscale Spearfish had been exceeded. NOAA Fisheries published a [notice](#) on September 10<sup>th</sup> prohibiting the retention on these species for the remainder of the fishing year. Catch information is still being finalized for the fishery and it is not yet clear on the management response for the 2021 season.



# PROTECTED RESOURCES UPDATE



ROY COOPER  
*Governor*

MICHAEL S. REGAN  
*Secretary*

STEPHEN W. MURPHEY  
*Director*

October 23, 2020

## MEMORANDUM

**TO:** Marine Fisheries Commission

**FROM:** Barbie Byrd, Biologist Supervisor  
Protected Resources Program, Fisheries Management Section

**SUBJECT:** Protected Resources Program Update

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### Issues

Summary information is provided from the division's Protected Resources Program for the most recent Incidental Take Permit (ITP) seasonal report provided to National Marine Fisheries Service.

### Overview

#### *Summer 2020 Seasonal Report*

The summer 2020 seasonal report for the Sea Turtle ITP is provided from the division's Protected Resources Program. A seasonal report is not required for the Atlantic Sturgeon ITP.

Due to protective measures to help prevent the spread of COVID-19, the Observer Program received a waiver from the National Marine Fisheries Service (NOAA Fisheries) for maintaining observer coverage until further notice. Nevertheless, Marine Patrol and observers have been conducting alternative platform observations.

There were no observed or reported incidental takes of sea turtles or Atlantic sturgeon during the 2020 summer season.

The summer 2020 seasonal report can be found at the following link:

[Summer 2020 Seasonal Sea Turtle ITP Report](#)

### Action Needed

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

2020 Summer Seasonal Progress Report  
Incidental Take Permit No. 16230  
June 1 – August 31, 2020  
(ITP Year 2020)



John McConnaughey  
Protected Species Biologist  
North Carolina Division of Marine Fisheries

June 30, 2020  
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## SUMMARY

The summer season was June 1, 2020 through August 31, 2020 for Incidental Take Permit (ITP) Year 2020 (September 1, 2019 – August 31, 2020) as defined in ITP No. 16230. During this time, the North Carolina Division of Marine Fisheries (NCDMF) was still under a waiver from the National Marine Fisheries Service (NMFS) for maintaining observer coverage of anchored estuarine gill nets. The waiver had been provided on March 23, 2020 due to the COVID-19 pandemic. The observer program ceased conducting observations immediately; however, Marine Patrol officers, who are not required to have two staff per vessel, continued alternative platform observations.

In June 2020, the NCDMF outlined protocols for staff to resume limited field sampling while preventing the spread of COVID-19. For the Observer Program, these protocols included among other things, the use of alternative platform observations only and no overnight travel. The Observer Program resumed effort on June 6, 2020.

Between June 6 and August 31, 22 small mesh gill net trips were observed. No trips occurred on large mesh gill net trips because the fishery was closed in all management units during the 2020 summer season. Estimated observer coverage of small mesh gill nets during summer was 1.6% across all management units (Table 1). The minimum ITP requirement of 1% coverage was met or exceeded in all management units except for D1 where the estimated number of fishing trips was only seven.

Reports from Division staff indicated that fishing effort during summer was low due to COVID-19. As a result, the number of gill net trips observed by the OP and MP were low compared to the efforts made to find and observe fishing effort (see below). Data are not yet available for actual number of reported fishing trips. As a result, observer coverage estimates based on the previous five-year average do not account for reduced fishing effort due to the COVID-19 pandemic.

There were no observed or reported incidental takes of sea turtles during summer 2020.

Seasonal gill net openings and closings continued even though all indications were that fishing effort was low. A list of relevant proclamations is provided in Table 2.

During summer 2020, Marine Patrol made 423 attempts to find gill net effort and were successful 8 times for a success rate of 1.8% for alternative platform observations. Observer Program staff attempted to find alternative platform observations 60 times and succeeded in finding trips on 14 occasions for a success rate of 23%. These comparisons reinforce information that suggested fishing effort was low. During the course of Marine Patrol efforts to observe gill net fishing effort, no citations were issued.

As per the ITP, the division established a permit in September 2014 to register all fishermen participating in the anchored large and small mesh gill net fisheries (Estuarine Gill Net Permit – EGNP). This permit allows the division to monitor the number of fishermen who plan to

participate in the fisheries and it outlines special conditions that the permit holder must comply with to operate in the fishery. As of August 31, 2020, there had been 1,956 EGNPs issued for Fiscal Year (FY) 2021 (July 1, 2020- June 30, 2021). Permits are renewed on an annual basis, based on the fiscal year for licenses. During the 2020 spring season there were zero Notice of Violations (NOV) written for violations of the EGNP.

During summer 2020, observers continued to call fishermen to set up alternative platform trips. Although observers logged 160 phone calls to fishermen, only one call was successful in scheduling an observable trip (Table 3). For the other 159 calls, the fisherman said they were not fishing anchored gill nets (n=45) or no contact was made (n=114).

## TABLES

Table 1. For small mesh gill nets, estimated percent observer coverage calculated from observer trips (< 4 inch) and estimated fishing trips from the Trip Ticket Program (< 5 inch) by management unit for summer 2020 (June - August). Estimated fishing trips were calculated as the 5-yr average of reported trips for 2015-2019 and do not account for potential reductions in fishing effort due to the COVID-19 pandemic.

Management Unit <sup>1</sup>	Trips		Coverage (%)
	Estimated (2015-2019) <sup>2</sup>	Observed	
A	164	3	1.8
B	836	10	1.2
C	117	3	2.6
D1	7	0	0.0
D2	45	2	4.4
E	203	4	2.0
<b>Total</b>	<b>1,372</b>	<b>22</b>	<b>1.6</b>

<sup>1</sup> Table 1 contains all of the openings and closings for each management unit

<sup>2</sup> Finalized trip ticket data averaged from 2015-2019

Table 2. Regulation changes affecting anchored large and small mesh gill net fisheries during summer (June - August) 2020.

Year	Date(s)	Regulation change
2020	June 15	This proclamation supersedes Proclamation FF-34-2019, dated September 12, 2019. It establishes commercial flounder season dates for Internal Coastal Waters by Flounder Management Area. It maintains a 15-inch total length minimum size limit. It also maintains the regulation making it unlawful to possess flounder taken from anchored large mesh gill nets with a stretched mesh length less than 6 inches. It makes it unlawful for a commercial fishing operation to possess flounder from the Atlantic Ocean Waters taken by any method other than trawls. This action is being taken to comply with the requirements of Amendment 2 to the N.C. Southern Flounder Fishery Management Plan. The flounder harvest period for the Northern Management Area will open at 12:01 A.M., Tuesday, September 15, 2020 and close at 8:00 P.M., Tuesday, October 6, 2020. The flounder harvest period for the Central Management Area will open at 12:01 A.M., Thursday, October 1, 2020 and close at 8:00 P.M., Monday, October 19, 2020. The flounder harvest period for the Southern Management Area will open at 12:01 A.M., Thursday, October 1, 2020 and close at 8:00 P.M., Monday, November 2, 2020. (FF-25-2020)
2020	July 22	This proclamation reduced the yardage limit for gill nets with a stretched mess length less than 4 inches in Management Unit B. Yardage limit decrease in Management Unit B were being implemented to coincide with the 500 lb daily trip limit in the commercial Spanish mackerel fishery. (M-12-2020)

Table 3. Categories and descriptions of fishermen responses for the Observer Program's contact logs.

Categories	Category description
1	Left message with someone else
2	Not fishing general
3	Fishing other gear
4	Not fishing because of weather
5	Not fishing because of boat issues
6	Not fishing because of medical issues
7	Booked trip
8	Hung up, got angry, trip refusal
9	Call back later time/date
10	Saw in person
11	Disconnected
12	Wrong number
13	No answer
14	No answer, left voicemail
15	Not fishing because of natural disaster (e.g., hurricane)

# FIGURES

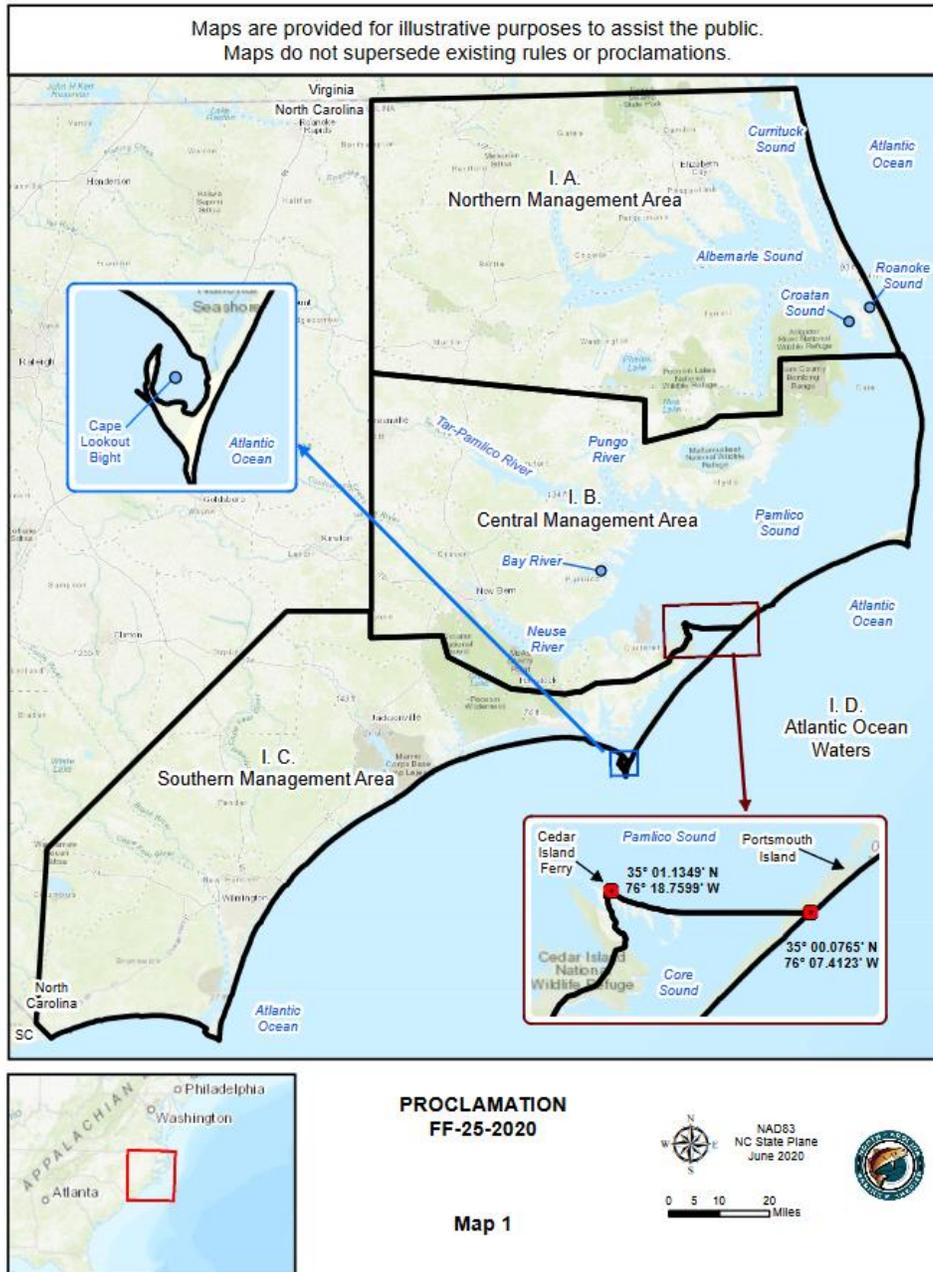


Figure 1. Map for proclamation F-25-2020. See Table 2 for full proclamation description.



# **LANDINGS UPDATE FOR RED DRUM & SOUTHERN FLOUNDER**

## Red Drum Landings 2019-2020

Landings are complete through October 28, 2020.

2019 landings are final. 2020 landings are preliminary.

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average
2019	9	Red Drum	1,508	28,991	35,003
2019	10	Red Drum	8,080	43,644	63,659
2019	11	Red Drum	5,357	14,318	27,646
2019	12	Red Drum	1,763	3,428	2,197
2020	1	Red Drum	1,853	5,885	1,700
2020	2	Red Drum	1,322	3,448	3,996
2020	3	Red Drum	1,040	5,699	3,971
2020	4	Red Drum	2,425	7,848	6,528
2020	5	Red Drum	4,473	13,730	9,661
2020	6	Red Drum	5,890	12,681	6,985
2020	7	Red Drum	6,839	13,777	15,618
2020	8	Red Drum	13,592	21,252	15,846

**FY20 Fishing Year (Sept 1, 2019 - Aug 31, 2020) Landings 54,142**

Year	Month	Species	Pounds	2009-2011 Average	2013-2015 Average
2020	9	Red Drum	28,308	28,991	35,003 *
2020	10	Red Drum	1,927	43,644	63,659 *
2020	11	Red Drum			
2020	12	Red Drum			
2021	1	Red Drum			
2021	2	Red Drum			
2021	3	Red Drum			
2021	4	Red Drum			
2021	5	Red Drum			
2021	6	Red Drum			
2021	7	Red Drum			
2021	8	Red Drum			

**FY21 Fishing Year (Sept 1, 2020 - Aug 31, 2021) Landings 30,235**

\*partial trip ticket landings only

\*\*\*landings are confidential

Year	Month	Species	Pounds	Dealers	Trips	Average (2007-2009)
2016	1	SOUTHERN FLOUNDER	2,625	33	264	7,713
2016	2	SOUTHERN FLOUNDER	1,643	31	291	4,617
2016	3	SOUTHERN FLOUNDER	9,260	58	915	23,512
2016	4	SOUTHERN FLOUNDER	10,558	72	628	68,389
2016	5	SOUTHERN FLOUNDER	24,522	90	821	122,514
2016	6	SOUTHERN FLOUNDER	44,952	100	1,242	154,090
2016	7	SOUTHERN FLOUNDER	43,574	102	1,132	170,387
2016	8	SOUTHERN FLOUNDER	53,057	106	1,409	201,862
2016	9	SOUTHERN FLOUNDER	246,269	131	3,011	396,301
2016	10	SOUTHERN FLOUNDER	280,689	117	2,181	781,717
2016	11	SOUTHERN FLOUNDER	182,768	102	1,479	392,150
2016	12	SOUTHERN FLOUNDER	14	5	5	37,303
2017	1	SOUTHERN FLOUNDER	1,677	38	122	7,713
2017	2	SOUTHERN FLOUNDER	2,758	55	215	4,617
2017	3	SOUTHERN FLOUNDER	8,254	67	874	23,512
2017	4	SOUTHERN FLOUNDER	9,591	83	787	68,389
2017	5	SOUTHERN FLOUNDER	33,105	105	1,121	122,514
2017	6	SOUTHERN FLOUNDER	74,785	115	1,904	154,090
2017	7	SOUTHERN FLOUNDER	74,879	108	1,755	170,387
2017	8	SOUTHERN FLOUNDER	102,751	116	2,364	201,862
2017	9	SOUTHERN FLOUNDER	235,915	128	2,849	396,301
2017	10	SOUTHERN FLOUNDER	548,740	142	3,971	781,717
2017	11	SOUTHERN FLOUNDER	302,286	123	2,003	392,150
2017	12	SOUTHERN FLOUNDER	166	7	8	37,303
2018	1	SOUTHERN FLOUNDER	610	14	43	7,713
2018	2	SOUTHERN FLOUNDER	1,833	34	154	4,617
2018	3	SOUTHERN FLOUNDER	2,815	43	387	23,512
2018	4	SOUTHERN FLOUNDER	8,142	74	769	68,389
2018	5	SOUTHERN FLOUNDER	18,342	90	951	122,514
2018	6	SOUTHERN FLOUNDER	42,501	105	1,407	154,090
2018	7	SOUTHERN FLOUNDER	57,273	117	1,495	170,387
2018	8	SOUTHERN FLOUNDER	72,495	121	1,916	201,862
2018	9	SOUTHERN FLOUNDER	109,125	114	1,776	396,301
2018	10	SOUTHERN FLOUNDER	363,339	109	3,062	781,717
2018	11	SOUTHERN FLOUNDER	226,832	89	1,352	392,150
2018	12	SOUTHERN FLOUNDER	471	5	5	37,303
2019	1	SOUTHERN FLOUNDER	524	25	74	7,713
2019	2	SOUTHERN FLOUNDER	558	23	69	4,617
2019	3	SOUTHERN FLOUNDER	1,412	44	216	23,512
2019	4	SOUTHERN FLOUNDER	5,966	66	448	68,389
2019	5	SOUTHERN FLOUNDER	36,666	92	1,038	122,514
2019	6	SOUTHERN FLOUNDER	61,035	109	1,437	154,090
2019	7	SOUTHERN FLOUNDER	59,404	109	1,554	170,387
2019	8	SOUTHERN FLOUNDER	95,588	109	1,778	201,862
2019	9	SOUTHERN FLOUNDER	51,734	59	551	396,301
2019	10	SOUTHERN FLOUNDER	327,291	119	2,333	781,717
2019	11	SOUTHERN FLOUNDER	159,595	58	537	392,150
2020	3	SOUTHERN FLOUNDER	***	1	1	***
2020	4	SOUTHERN FLOUNDER	***	1	2	***
2020	8	SOUTHERN FLOUNDER	***	2	4	***
2020	9	SOUTHERN FLOUNDER	68,981	17	668	396,301
2020	10	SOUTHERN FLOUNDER	18,768	4	131	781,717

\*2020 data are preliminary. 2016-2019 data are complete.

\*\*\*data are confidential