

UNITED STATES
DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northeast Region
State, Federal & Constituent Programs Office



FINAL REPORT

Grantee: ATLANTIC STATES MARINE FISHERIES COMMISSION

Project No: 3-ACA-061

Grant No: NA97FG0034

Project Title: A COOPERATIVE STATE-FEDERAL PROGRAM FOR THE
CONSERVATION OF ATLANTIC COASTAL FISHERIES

Period Covered: 01/01/99 - 12/31/99

Prepared by: _____

Approved by: _____

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Statutory Funding Authority: ☐ Anadromous Fish Conservation Act (P.L. 89-304)
☐ Chesapeake Bay Studies
☐ Endangered Species Act
☐ Interjurisdictional Fisheries Act (Title III of P.L. 99-659)
☐ Magnuson Act
☐ Oyster Disease Research
☐ Saltonstall-Kennedy
☐ Unallied Industry Projects
☐ Unallied Science Projects
☒ ACFCMA

Atlantic States Marine Fisheries Commission
Final Report
Grant Number NA97FGO034
A Cooperative State-Federal Program for the
Conservation of Atlantic Coastal Fisheries

Period of Performance: January 1 – December 31, 1999

Period Covered by this Report: January 1 - December 31, 1999

This grant was received by the Atlantic States Marine Fisheries Commission pursuant to the Atlantic Coastal Fisheries Cooperative Management Act (P.L. 103-206) to assist the Commission in meeting the requirement of the Act to improve cooperative fisheries management among the Atlantic Coast states. The goal of the grant, *A Cooperative State-Federal Program for the Conservation of Atlantic Coastal Fisheries*, is to manage, enhance, restore, and maintain the shared fisheries of the Atlantic Coast, with principal emphasis on the conservation and restoration of migratory marine and diadromous fishery resources and their habitat, as well as the maintenance, enhancement, and improvement of public uses and benefits from these resources.

The objectives established to meet this goal are:

- 1) To determine the priority issues in interstate fisheries management, including the need for habitat conservation;
- 2) Develop, review, and monitor the implementation and enforcement of interstate fisheries management plans;
- 3) Recommend to the states, and where appropriate, Regional Fisheries Management Councils and U.S. Government Agencies, strategies and activities to benefit interstate fisheries;
- 4) Conduct and coordinate research and monitoring essential to the preparation, implementation, and revision of interstate fisheries management plans;
- 5) Improve outreach to the various segments of the fisheries community in order to promote public participation in fisheries management;
- 6) Provide administrative support, including clerical, bookkeeping, and technical oversight to accomplish the above objectives.

Commission activities in five major areas were identified to work toward these objectives: 1) *Fisheries Management*, 2) *Fisheries Statistics*, 3) *Research and Stock Assessment*, 4) *Law Enforcement* and 5) *Habitat*. Activities conducted under these major work areas are reported separately below.

I. FISHERIES MANAGEMENT

The Commission used grant funds to work within the areas listed above as follows:

1) Staff Resources

Interstate Fisheries Management Program staff fully or partially funded with this grant includes four Fishery Management Plan (FMP) Coordinators and one Administrative Assistant. Coordinated planning efforts with the Regional Fishery Management Councils is listed to highlight the cooperative fisheries management efforts sought by the Commission and promoted by the Atlantic Coastal Fisheries Cooperative Management Act. ISFMP staff divides this workload as follows:

ISFMP Director (Dieter N. Busch)

Determine priorities for the ISFMP; provide technical and policy assistance to FMP staff, facilitate coordination among Commission member states and planning partners such as the Regional Fishery Management Councils, National Marine Fisheries Service, U.S. Fish and Wildlife Service, and conservation organizations. Additionally, work to improve coordination of ISFMP with other Commission programs.

Fisheries Management Plan Coordinator - Robert Beal

- Summer Flounder (joint FMP with Mid-Atlantic Fishery Management Council)
- Bluefish (joint FMP with Mid-Atlantic Fishery Management Council)
- Tautog (until 11/ 99, after which it was transferred to H. Stirratt)
- Scup (joint FMP with Mid-Atlantic Fishery Management Council)
- Black Sea Bass (joint FMP with Mid-Atlantic Fishery Management Council)
- Atlantic Striped Bass

Fisheries Management Plan Coordinator - Dr. Joseph Desfosse

- Atlantic Croaker
- Atlantic Menhaden
- Atlantic Sea Herring (coordination with New England Fishery Management Council)
- Red Drum (coordination with South Atlantic Fishery Management Council)
- Spanish Mackerel (coordination with South Atlantic Fishery Management Council)
- Spiny Dogfish and Coastal Sharks
- Spot
- Spotted Seatrout
- Winter Flounder

Fisheries Management Plan Coordinator - Amy Schick

- Weakfish (until Nov. 99, after which it was transferred to H. Stirratt)
- American Lobster
- Northern Shrimp

Fisheries Management Plan Coordinator - Heather Stirratt

Shad and River Herring

Atlantic Sturgeon

American Eel

Tautog (since 11/99)

Weakfish (since 11/99)

Fisheries Management Plan Coordinator - Tom O'Connell (on loan from Maryland DNR)

Horseshoe Crab

Administrative Assistant (Jeanette Braxton)

Provides administrative staff support to ISFMP staff, assists in coordination with other Commission departments.

The goal of ISFMP staffing is to be in a position to guide and coordinate the process of obtaining quality, scientific information concerning the managed species and to allow the timely distribution of meeting agendas, meeting minutes, technical and advisory panel reports to species management boards and interested parties. This is to facilitate the open, timely, innovative, and logical development, amendment, and implementation of fishery management plans as desired by the Commission's member states and required by the Atlantic Coastal Fisheries Cooperative Management Act. Further, ISFMP and other Commission staff receive and handle numerous requests for information or comments on management actions from members of the public, interested fishing organizations, other agencies with an interest in marine fisheries management, and members of Congress.

2) Travel and meeting costs for management boards, technical and advisory committees

The Atlantic Coastal Fisheries Cooperative Management Act placed increased burdens on the entire Commission, particularly the Commission's member state agencies. To partially offset this burden, grant funds were used to cover travel and meeting costs for FMP activities for the following species. Significant activities on individual species are included in this discussion.

American Eel

- The Fisheries Management Plan was finalized and approved by the Commission.
- The FMP includes a request to the US Fish and Wildlife Service to list American eel under CITES Appendix III.
- The Technical Committee has developed a standardized YOY sampling protocol for member states/jurisdictions to follow.
- The Technical Committee has also researched the availability of harvest data on which to base the determination of *De minimis* status.

American Lobster

- The American Lobster Management Board approved Addendum I to Amendment 3.
- Efforts are underway to implement Addendum I, specifically a contract with a trap-tag vendor and potential state-federal agreements to implement the trap tag program.
- The addendum includes information on historical participation in the commercial trap fishery for use by the states, NMFS, industry and law enforcement on establishing a trap limit based on historical participation.
- The lobster stock assessment report for peer review continued to make progress and will be completed and peer reviewed during the spring of 2000.

Atlantic Menhaden

- The Menhaden Board instructed the plan development team (PDT) as to what should be contained and addressed in the draft Amendment 1.
- The Menhaden PDT developed a Public Information Document for Amendment 1, which was reviewed and approved by the Menhaden Board. Public hearings were held in the summer.

Atlantic Sea Herring

- The Atlantic Herring Section approved amendment One to the Atlantic Herring FMP.
- The joint Atlantic Herring PDT/TC reviewed assessment information, refined the overfishing definition, and recommended specifications for the 2000-fishing year.
- The joint Atlantic Herring Advisory Panel formulated recommendations for a controlled access system for the fishery.
- The Atlantic Herring Section approved state proposals for implementing Amendment One.
- The Atlantic Herring Section is awaiting implementation of the Council's Herring FMP before taking any further action.

Atlantic Striped Bass

- The Striped Bass Management Board and Striped Bass Advisory Panel conducted a workshop to determine the long-term management issues that need to be dealt with in striped bass management.
- Based on the Workshop a Policy Issue Document was developed that fleshes out 40 issues that need to be addressed in the future of striped bass management.

- The Striped Bass Management Board approved changes to Maryland's and Virginia's striped bass management programs
- The Striped Bass Management Board began the process of developing Amendment 6 to the Fishery Management Plan (FMP).
- Upon reviewing the results of the 1999 stock assessment the Board decided that the fishing mortality on striped bass needed to be reduced during year 2000. This is to be accomplished through Addendum IV to Amendment 5 to the FMP that was developed and prepared in 1999.

Atlantic Sturgeon

- Commission staff received an exemption request from the Canadian Caviar Company to sell Atlantic Sturgeon flesh in the state of New York. The Sturgeon Management Board is expected to take action on this request during its February 2000 meeting week.

Black Sea Bass

- The Summer Flounder, Scup, and Black Sea Bass Technical Monitoring Committee developed the recommendations for the black sea bass commercial quota and commercial management measures, and made recommendations for the recreational management measures.

Bluefish

- The Bluefish Management Board jointly with the Mid-Atlantic Fishery Management Council recommended the commercial quota and the recreational harvest limit. The Bluefish Management Board also recommended commercial and recreational management measures for year 2000.

Horseshoe Crab

- The Technical Committee conducted a workshop to design statistically robust horseshoe crab spawner and egg count surveys. These newly designed spawner and egg count surveys were implemented in the Delaware Bay in the spring.
- The Technical Committee worked out details with the US Fish & Wildlife Service to begin coordinating a coastwide tagging program. Horseshoe Crab biomedical companies have initiated tagging programs as well as studies to examine horseshoe crab post release mortality rates associated with bleeding activities.
- The Horseshoe Crab Management Board approved the preparation of a "fast-track" addendum.

- The draft addendum was completed in December and will be used during public hearings in January 2000.

Northern Shrimp

- The Northern Shrimp Section decided to allow additional gear types in the 1999/2000 fishery based on a request from industry and recommendation from the Technical Committee.
- A recommendation by the Section was approved to begin development of an amendment to the Northern Shrimp FMP in 2000.

Scup

- The Summer Flounder, Scup, and Black Sea Bass Management Board and the Mid-Atlantic Fishery Management Council have focused considerable attention on resolving bycatch and discard issues. These problems are frustrating quota development and enforcement.
- The Board approved an Emergency action the reallocated the state shares for scup during the summer period (May – October).
- Commission staff conducted four public hearings on the Emergency action for scup. The results were presented to the Summer Flounder, Scup, and Black Sea Bass Management Board in August.

Shad and River Herring

- The Shad and River Herring Technical Subcommittee reviewed State annual reports in addition to State recovery/fishing plans for compliance assessment.
- Based on reports from the Shad and River Herring Technical Subcommittee on State compliance, the Shad and River Herring Management Board found that South Carolina may be out of compliance until its legislature can modify the state's regulations in early 2000. The Shad and River herring Management Board is expected to take action regarding South Carolina's compliance status during the February 2000 meeting week.

South Atlantic State-Federal Fisheries Management Board (Atlantic croaker, red drum, Spanish mackerel, spot and spotted seatrout)

- The Red Drum Technical Committee reviewed stock assessment and coordinated efforts to finalize the assessment.
- The South Atlantic State-Federal Fisheries Management Board recommended the development of a plan amendment for red drum.

- The Board will await the results of an assessment of Atlantic croaker being conducting by North Carolina State University personnel before initiating any further management action for that species.

Spiny Dogfish and Coastal Sharks

- The Shark Management Board developed interim management recommendations for the states while the Commission develops management plans for these species.

Summer Flounder

- The Summer Flounder, Scup, and Black Sea Bass Management Board, with the Mid-Atlantic Council's Demersal Committee, discussed future management alternatives for summer flounder.
- The Management Board reviewed Maryland's conservation equivalency proposal.
- The Management Board instructed the Summer Flounder, Scup, and Black Sea Bass Technical Committee to review the summer flounder overfishing definition and pursue the development of an amendment for a constant harvest strategy for year 2000 and later.

Tautog

- Based on a costwide assessment, the Tautog Management Board began the development of Addendum II to the Tautog Fishery Management Plan. A draft of Addendum II was taken out to 3 public hearings in the middle of October and approved by the Board.
- Addendum II modifies the compliance schedule contained in Addendum I, specifically to delay the goal of achieving a fishing mortality rate of $F=0.15$ until April 2002.
- The Board also reviewed the compliance status of New Jersey and Rhode Island. Rhode Island has been identified as being out of compliance due to its differential bag limit for its party/charter boat fishery. The Commission notified the Secretary of Commerce of its findings, and final decision on what action the Federal government will take is pending.
- The Tautog Technical Committee completed the coastwide stock assessment and submitted to the NMFS Stock Assessment Review Committee at the 30th Stock Assessment Workshop.

Weakfish

- The Weakfish Plan Review Team (PRT) reviewed state compliance reports. The PRT also prepared the 1999 FMP Review for Weakfish.
- The Weakfish Board reviewed state compliance reports and recommendations from the PRT, and received a progress report from the Technical Committee on the stock assessment.

- The Technical Committee reviewed the latest information, and management approach in preparation for the SAW/SARC review. The results of the 30th Stock Assessment Review Committee will be presented during the February 2000 meeting week.

Winter Flounder

- The Winter Flounder Management Board reviewed the results of the 28th SAW/SARC.
- The Winter Flounder Management Board reviewed the status of the stocks and evaluated effects of the management alternatives contained in the NEFMC's draft Amendment 9. The Board moved to develop an amendment to the current FMP in order to address the differences in overfishing definitions between the Commission and New England Council's plans.

II. FISHERIES STATISTICS

Atlantic Coastal Cooperative Statistics Program (ACCSP)

The Commission continued its involvement in the development and implementation of the Atlantic Coastal Cooperative Statistics Program (ACCSP). Commission staff participated in and/or staffed meetings of the ACCSP Coordinating Council, Operations Committee, Commercial and Recreational Technical Committees, Biological Review Panel, Discard Prioritization Committee, Outreach Committee and Advisory Committee. Commission staff also participated in and/or staffed various subcommittee meetings including Uploading Data Subcommittee, Standard Codes Subcommittee, Recreational Shellfish/Crustacean Subcommittee, and the Operations Committee/Law Enforcement Subcommittee.

Commission staff provided an overview of the reporting requirements and implementation of the ACCSP to the Chesapeake Stock Assessment Committee in order to facilitate better integration of these programs. Staff of the Commission's Research and Statistics Program also provided a full briefing to the ISFMP staff. The Commission's Executive Committee adopted standard ACCSP language to be included in all Commission fishery management plans to insure that the reporting requirements in Commission fishery management plans are consistent with the requirements of the ACCSP.

Specific ACCSP administrative activities conducted during this grant period include:

- Adoption of the 2000 Operations Plan
- Hiring of full-time ACCSP staff, including an ACCSP Program Manager and an IS Program Manager
- Adoption of the ACCSP Funding Decision Process
- Adoption of 2000 funding priorities by the Coordinating Council

The ACCSP implemented the Funding Decision Process during this grant period. A total of 24 proposals were received from program partners, totaling approximately \$4.5 million. Based on anticipated level funding, the Coordinating Council approved 10 proposals for funding at the

\$1.49 million level. The Commission's administrative proposal to provide staff support and meeting/travel costs for ACCSP meetings was approved. Implementation meetings were conducted with all program partners in order to brief all agencies on ACCSP requirements, identify duplications in current data collection efforts, and initiate discussions among state and federal partners in order to identify which components the various agencies want to implement in the future.

Specific ACCSP data collection technical activities conducted during this grant period include:

- Initiation of the trip ticket evaluation study
- Development of the social/economic pilot study for commercial harvesters
- An ACCESS database was developed for use by the Biological Review Panel and Discard Prioritization Committee to assist with prioritizing fisheries for biological and at-sea observer sampling
- Initial development of the recreational shellfish/crustacean survey
- Development of the for-hire pilot study
- Modifications to the Discard/Release/Protected Species data collection module
- Initial discussions on development of a coastwide permitting system
- Drafting of confidentiality benchmarks

Confidentiality benchmarks were approved to ensure access by authorized users only, to ensure appropriate penalties for disclosure of confidential data, and to ensure data are used appropriately. Specific benchmarks for law enforcement access was drafted jointly by the Operations Committee and Commission's Law Enforcement Committee.

Specific ACCSP data management activities conducted during this grant period include:

- Uploading of 1998 NMFS-NE and FL commercial catch/effort data into the ACCSP data management system
- Drafting of criteria for uploading data to the ACCSP data management system
- Development of a short-term scenario for uploading data to the ACCSP data management system
- Continuation of module development by the ACCSP data management contractor (ICF Consulting)
- Solicitation of agency proposals for hosting the ACCSP data management system (proposals were submitted by the Commission, the NMFS-Headquarters, and Florida Department of Environmental Protection)

Specific ACCSP Outreach/Advisory Committee activities conducted during this grant period include:

- Development of response to the recreational roundtables conducted in 1998
- Development of Advisory Committee recommendations on major ACCSP activities
- Initial development of a press workshop to assist in education and building of a distribution network

- Distribution of ACCSP informational materials through the Commission's mail list and publication of articles in Fisheries Focus
- Initial focus meetings with commercial harvesters to support general ACCSP outreach activities and the social/economic commercial harvesters pilot study

The Outreach Committee and the Commercial Harvesters Subcommittee are jointly developing outreach strategies to develop support from commercial harvesters for the collection of social and economic information through the ACCSP pilot study. A contract was awarded to Tricorn, Inc. to conduct focus group meetings and develop specific outreach strategies for the pilot study and broad outreach strategies to support overall ACCSP activities (Attachment #1).

Specific ACCSP activities conducted to support regional and national fisheries statistics initiatives during this grant period include:

- Participation in meetings of the Fisheries Information Network (FIN)
- Coordination between ACCSP and FIN outreach activities
- Coordination between ACCSP and FIN subcommittee activities (permitting, biological sampling, at-sea observer programs)
- Facilitation of discussion among Atlantic coast and Gulf agencies on implementation of these regional statistics initiatives

Staff from the ACCSP, FIN, and Pacific initiatives have initiated annual coordination meetings to facilitate exchange of information and development of the national fisheries information system (FIS). The ACCSP and FIN have agreed that coordination of specific technical issues will occur at the subcommittee and work group level to ensure consistency as these programs are developed.

Other Activities

Commission staff assisted with the compilation of recreational and commercial fisheries statistics and the development stock assessments for the following species:

- tautog (development of catch-at-age matrix)
- Atlantic croaker (compilation of recreational fisheries statistics)
- weakfish (analysis of recreational fisheries statistics)
- horseshoe crab (development of monitoring programs)

III. RESEARCH AND STOCK ASSESSMENT

The Commission continued activities to improve the quality of Commission stock assessments, including:

- Participation in meetings of the Stock Assessment Workshop (SAW) Steering Committee to develop priorities and discuss possible modification of the SAW process
- Participation in the spring and fall Stock Assessment Review Committee (SARC) for review of species assessments
- Co-sponsoring with Virginia Tech a Workshop on Incorporating Uncertainty into Fishery Models
- Initial development of a stock assessment user's manual based on the information taught in the three stock assessment training workshops held in 1997-1998
- Prioritization of species for external peer review by the ISFMP Policy Board (American lobster, Gulf of Maine winter flounder)
- Initiation of a layman workshops focused on educating Commission legislative and governor appointed members

The Management and Science Committee (MSC) continued activities to conduct broad research activities to support the ISFMP and the Commission's member states, including:

- Approval of a Cooperative State/Federal Fisheries-Independent Sampling Program for the Northeast Region (NEAMAP), including development of a nearshore trawl survey for the Northeast Region
- Approval of a Cooperative Tagging Program for the Atlantic coast
- Development of a standard compliance report to assist state members with submission of FMP compliance report requirements
- Development of recommendations on future Commission actions on aquaculture issues
- Appointment of a Fish Health Subcommittee
- Initial development of a workshop to address alternative uses of regulatory discards
- Initial development of a workshop on multispecies assessments
- Updating of the research need prioritization document
- Conducting of two workshop to evaluate possible Commission roles in shark management
- Development of ACCESS databases for data source compilations and fisheries characterization
- Compilation of information on scientific and display permits
- Review of information on protected species issues
- Review of information from the GSMFC on national fish hatchery issues
- Review of state habitat issues
- Review of Sportfish Restoration Program activities

IV. LAW ENFORCEMENT

- The Law Enforcement Committee (LEC) with thirteen states, NMFS, USFWS, and the Coast Guard represented, addressed and resolved a number of issues dealing with American lobster trap tags, standardization of measuring techniques for finfish, and FMP law enforcement reporting requirements by species.
- In addition to the action items identified above and addressed in greater detail in the attachment, the Committee received a briefing from the US Public Health, Food & Drug Administration (Ms. Miriam Stuckey) concerning the Interstate Shellfish Sanitation Conference Issues. Other topics discussed included review of the regulations in the Horseshoe Crab FMP, law enforcement representation at the MAFMC, an explanation of the new ACCSP initiative (by Joe Moran), and finally the development of short and long term goals for the LEC.
- A Law Enforcement Subcommittee met with ASFMC staff to discuss standardized reporting and improved coordination among the member states.

V. HABITAT

- The Habitat and FMPs Committee reviewed the draft Habitat Program Strategic and Management Plan, discussed development of species FMP habitat sections and source documents, developed ideas on an approach to identifying FMP section writers, reviewed the status of the Habitat Managers Database. They also reviewed habitat information in the draft American eel FMP, and discussed developing mapping protocols for preparation of fishery management plan habitat sections and source document.
- The Habitat Committee developed an approach to identifying writers for FMP habitat sections and source documents.
- The SAV Implementation Subcommittee developed a workplan to implement short-term activities previously identified in the Commission's SAV Policy Implementation Plan.
- Habitat staff prepared and edited a draft report providing guidance for evaluating fishing gear impacts to submerged aquatic vegetation. Staff continued to incorporate edits into the Habitat Managers Database, and coordinate the activities of ASMFC relative to the EFH mandates of the Magnuson-Stevens Act.
- Staff participated in a review of the Coastal-Change Analysis Program (C-CAP). C-CAP is comprised of two components: benthic characterization and land-change analysis. Both of these components are based on remote-sensing data and field verification. The Coastal Services Center initiated the review to examine the current mission and effectiveness of the program and develop a strategic view.

- The Habitat Committee approved the Habitat Program Strategic and Management Plan, and the SAV and gear impacts report (with minor modifications) which ASFMC will use to guide mitigation of SAV related fishing gear impacts from state fisheries.
- Publications: 4 issues of *Habitat Hotline Atlantic* were published in 1999 in addition to the Habitat Program Strategic and Management Plan.