

# ADVISORY COUNCIL ON TIDAL FINFISHERIES



## MINUTES OF FEBRUARY 18, 2015



Richardson and Robbins Building Auditorium, 89 Kings Highway, Dover, Delaware 19901  
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### ADVISORY COUNCIL

Dewayne Fox, Ph.D., Chair (*Absent*)  
Bernie Pankowski  
Brian Hoeffcker  
James "Jay" Little  
Marvin Kahl, Jr.  
P. "Wes" Townsend (*Absent*)  
Joseph Smith

### DIVISION OF FISH & WILDLIFE

John Clark  
Stewart Michels  
David Saveikis, Director  
Mike Stangl  
Sr. Cpl. Drew Aydelotte  
Kim Stangl

### PUBLIC

5 Visitors

#### **Agenda Item 1. Welcome**

**Acting Chairman Little** called the meeting to order at 6:00 and welcomed everyone.

#### **Agenda Item 2. Approval of 11/19/14 meeting minutes**

A motion passed to approve the meeting minutes from November.

#### **Agenda Item 3. December MAFMC Meeting summary**

**Mr. Michels** provided an update on management issues relevant to Delaware from the December Mid-Atlantic Fisheries Management Council (MAFMC) meeting. The MAFMC is looking into tilefish regulations, including tighter regulations for blueline tilefish. Development of a new summer flounder management amendment is in progress. Protection of forage species through fishing controls was discussed. MAFMC is investigating how to reopen the Research Set Aside (RSA) program and they are also debating actions to protect deep sea corals from being damaged by fishing gear.

#### **Agenda Item 4. Regulatory update**

**Mr. Michels** updated the Council on recent fisheries regulatory actions. The Atlantic shark regulation was updated to match the federal shark rules. This includes new shark species groupings, a 78-inch minimum size for the hammerhead group, and a commercial smoothhound quota. This regulation is expected to go into effect in April. A regulatory hearing on the Atlantic striped bass regulation was held on February 23<sup>rd</sup>. The DFW was seeking public input on the options for reducing recreational harvest by 25%.

#### **Agenda Item 5. Striped Bass Addendum IV Appeal**

**Director Saveikis** discussed Delaware's appeal of the ASMFC Addendum IV to Amendment 6 to the Atlantic Striped Bass Interstate Fisheries Management Plan (ISFMP). Delaware's ASMFC Commissioners appealed the Addendum on the grounds that the Addendum was requiring large reductions in Delaware's striped bass harvest without considering the socioeconomic impacts of these actions, which is a violation of the charter. Delaware also appealed the unfair allocation of commercial striped bass quota to our state. While Delaware's appeal was rejected by ASMFC, ASMFC agreed to give more weight to socioeconomic impacts in any future changes to fishery management plans and to consider

designating the Delaware River as a striped bass producer area, which would give Delaware more flexibility in managing striped bass in the future. The Council thanked Delaware's ASMFC Commissioners for appealing the Addendum.

#### **Agenda Item 6. ASMFC Winter Meeting Summary**

**Mr. Clark** gave a summary of the Atlantic States Marine Fisheries Commission (ASMFC) winter meeting. *Atlantic Menhaden Board* – The 2015 Atlantic menhaden benchmark assessment was approved for management use and the Board tasked the Technical Committee (TC) with estimating the effect of increasing the coastwide quota on population for the Spring Meeting. *Policy Board* – Due in part to Delaware's appeal, increasing the importance of economic analysis in fisheries management decisions and the prominence of the Committee on Economics and Social Sciences (CESS) was discussed. The Board also suggested CESS create a set of standard socioeconomic data to be included in Fishery Management Plans (FMP). *American lobster* – Under Addendum XVII all Lobster Conservation Management Areas (Areas) were required to reduce exploitation by 10% in order to address rebuilding. The TC found that Area 5, which includes Delaware, did not meet the required reduction. Although ASMFC voted to require a 4/30-5/31 season closure for LCMA 5 at the 2014 Annual Meeting, the amount of the LCMA 5 overage was wrong. The Board realized this error and approved a motion to remove the mandatory season closure for LCMA 5 in April and May. LCMA 5 will remain closed for February and March, and will reopen in April. Further management for the areas will be considered when the benchmark stock assessment is finalized, which will be in 2015. *South Atlantic Board* – The Board approved the 2015 Black Drum Benchmark Stock Assessment and Peer Review Report for management use. Based on the assessment results, black drum is not overfished and not experiencing overfishing. Given the assessment findings, the Board chose not to make any additional changes to the management program at this time. *Summer flounder, scup, and black sea bass* – The Board approved Addendum XXVI to the Summer Flounder and Black Sea Bass FMP, continuing adaptive regional management for the 2015 recreational summer flounder fisheries. The region of Delaware through Virginia will again have a 16-inch minimum size, 4 fish possession limit, and no closed season in 2015. The Addendum also provides the option for the Board to extend the adaptive regional

management approach into 2016. In addition, regional management for black sea bass will continue in 2015. The southern region, Delaware through North Carolina, will continue to match the black sea bass regulations for federal waters. *Atlantic Striped Bass Board* – The Board approved Addendum IV recreational fishing implementation plans and conservation equivalency proposals for all the states and jurisdictions. The implementation plans, which were reviewed and approved by the TC, contain state-specific management options that achieve a 25% reduction in harvest from 2013 levels for the coastal fishery. The Board also tasked the TC with expanding the exploration of stock-specific reference points to include the other producer areas, such as the Delaware Bay and the Hudson River stocks, in addition to the Chesapeake Bay. The Board will review progress on the stock-specific reference points at its Spring Meeting in May. *Tautog Board* – The Board accepted the 2015 Benchmark Stock Assessment and Peer Review Report for management use. Unlike previous assessments, which assessed the stock on a coastwide basis, the 2015 assessment evaluated stock status regionally to reflect differences in life history information and exploitation patterns. The stock assessment is the most comprehensive to date, and provides multiple alternatives for managing tautog regionally. The Board will consider next steps for management at the Spring Meeting. *ACCSP Board* – The Board was briefed on the transition to the states of the Marine Recreational Information Program (MRIP) Access Point Angler Intercept Survey (APAIS). The National Marine Fisheries Service (NMFS) should release the survey funds to ASMFC by mid-2015. Funding will then be made available to Delaware through ASMFC to hire the staff needed to conduct the survey in 2016.

**Agenda Item 7. Update on Texting Service for Commercial Fishing Changes**

**Mr. Clark** updated the Council on the text messaging service the DFW will be using to get appropriate information out to commercial fishermen. Letters were recently sent to all commercial fishermen explaining how to sign up for this service. The DFW is now receiving texting numbers from fishermen and will use the system soon.

**Agenda Item 8. Director's update**

**Director Saveikis** updated the Council on two pieces of proposed legislation the Division hopes will be introduced in the current legislative session. The first bill would change the eel fishing code to comply with the ASMFC American Eel FMP. The second bill would streamline the regulatory process for regulatory changes that must be made to comply with FMPs. This streamlining bill would allow changes to be made to regulations in as little as two days if the change was mandated by a FMP and the change had no options for public debate. Director Saveikis announced that the Delaware Commission on Interstate Cooperation had appointed Representative William Carson as Delaware's ASMFC Legislative Commissioner and that Representative Carson had named Mayor Craig Pugh of Leipsic as his proxy.

**Agenda Item 9. Agenda items for 3/18/15 meeting**

**Mr. Little** requested agenda items for the next regularly scheduled meeting, which is March 18<sup>th</sup>:

1. Research Set Aside explanation from MAFMC economic impact on fisheries research.

This meeting adjourned at 7:30 PM.

Respectfully submitted,



Kim Stangl  
Recording Secretary

