

ADVISORY COUNCIL ON TIDAL FINFISHERIES



MINUTES OF September 23, 2020



WebEx Virtual Meeting
Phone: 302-739-9914, Fax: 302-739-6157

ADVISORY COUNCIL

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

DIVISION OF FISH & WILDLIFE

John Clark
Michael Stangl
David Stormer
Scott Newlin
Jason Boucher
Lt. Casey Zolper
Chief Drew Aydelotte
David Saveikis, Director

PUBLIC

3 Visitors

Agenda Item 1. Welcome

Chairman Dewayne Fox called the meeting to order at 6:13 PM and welcomed everyone.

Agenda Item 2. Approval of June 17, 2020 Meeting Minutes

Motion made by Mr. Little and seconded by Mr. Pankowski to accept the June meeting minutes as written, with Council passing the motion unanimously.

Agenda Item 3. Regulatory Update – John Clark, Fisheries Administrator, stated that the regulation adopting the circle hook measure, required by ASMFC Striped Bass Addendum VI, will be approved by January 1, 2021, using the new streamlined regulation adoption process for specific, mandatory management measures. Draft regulations will be forthcoming to change the size limit for Mako Sharks and to require the use of corrodible circle hooks for shark fishing.

- **Revise Delaware's Tilefish regulation to match federal regulation – John Clark, Fisheries Administrator**, reviewed the current Delaware and federal tilefish regulations. Delaware's current regulation has no closed season, no minimum size, and a daily possession limit of 7 golden and blueline tilefish in any combination. The federal waters measure adopted for 2020 and 2021 for blueline tilefish is a possession limit of 3 for private vessels, 5 for USCG uninspected for-hire vessels and 7 for USCG inspected for-hire vessels, with a closed season from November 1 to April 30; golden tilefish in federal waters has an 8 fish possession limit with no closed season. The Council requested that the Division revise Delaware's Tilefish recreational management measures to match the 2020 through 2021 federal waters recreational management measures. The request was made in the form of a motion by Mr. Little, was seconded by Mr. Pankowski and was approved by the Council without objection.

Agenda Item 4. Mid Atlantic Fisheries Management Council (MAFMC) – John Clark, Fisheries Administrator, stated that the Mackerel, Squid and Butterfish Board reviewed the recent performance of the river herring and shad bycatch cap and voted to maintain the 129 metric ton

bycatch cap specification for the squid, mackerel and butterfish fishery for 2021 and 2022.

Agenda Item 5. Atlantic States Marine Fisheries Commission (ASMFC) – John Clark, Fisheries Administrator, stated that the Atlantic Striped Bass Board initiated development of an Amendment to the Atlantic Striped Bass Fishery Management Plan (FMP) by directing the Plan Development Team to develop a Public Information Document to gather public input on the following management topics: fishery goals and objectives, stock rebuilding/timeframe, management triggers, biological reference points, regional management (recreational measures, coastal and producer areas, regional reference points), recreational discard mortality, conservation equivalency, recreational accountability and coastal commercial quota allocation. The South Atlantic Board approved draft Addendum I to Amendment 1 to the Interstate Fishery Management Plan for Atlantic Migratory Group Cobia based on the results of the 2020 benchmark stock assessment. New recreational landings data show the cobia stock is considerably larger than previous assessments. Currently 92% of the total cobia quota is allocated to the recreational fishery, with the remaining 8% allocated to the commercial fishery. The draft cobia addendum will consider options to change the allocation between the recreational and commercial sectors. ASMFC will be holding a joint Delaware/Maryland virtual cobia public hearing on the Addendum at 6 pm on September 24, 2020. The Shad and River Herring Management Board reviewed the 2020 American Shad Benchmark Stock Assessment and Peer Review Report, which indicated American shad remains depleted on a coastwide basis. Multiple factors, such as overfishing, inadequate fish passage at dams, predation, pollution, water withdrawals, channelization of rivers, changing ocean conditions, climate change and restricted access to spawning habitats, are likely responsible for the current shad status. Adult shad mortality was found to be unsustainable for 3 stocks – Connecticut, Delaware and Potomac, and sustainable for five stocks – Hudson, Rappahannock, York, Albemarle Sound and Neuse. The Atlantic Menhaden Management Board approved the use of ecological reference points (ERPs) for

Atlantic menhaden management. The ERP target fishing mortality (F_{target}) will maintain the Atlantic menhaden population at a level that sustains Atlantic striped bass at their biomass target. The Atlantic menhaden F_{target} was reduced from .31 to .19 and the fishing mortality threshold was reduced from .86 to .57. Total menhaden allowable catch is still below the fishing mortality target. The ASMFC met jointly with the MAFMC in August 2020 to discuss management options for the draft Bluefish and the draft Summer Flounder, Scup and Black Sea Bass FMP amendments. The draft Bluefish and the draft Summer Flounder, Scup and Black Sea Bass allocation and rebuilding amendments included an option for separating the recreational sector into a private angler harvest limit and a for-hire harvest limit, but that option was removed from both draft amendments. Recreational sector separation for all four species may be included in the Recreational Reform Amendment. The approved Bluefish Specifications for 2021 require a further 12% reduction from the 2020 recreational harvest limit. ASMFC and MAFMC are still considering options to include in the Black Sea Bass Commercial Allocation Amendment, which include: a) status quo, b) increasing Connecticut's allocation to 5%, c) dynamic allocation – which would reallocate based on stock distribution, d) quota trigger – which would reallocate quota above the trigger (the trigger could be set anywhere between 3 – 5 million pounds) by a new formula, but quota below the trigger would be distributed by the status quo allocation formula, e) another quota trigger option – which would reallocate quota above the trigger to increase Connecticut and New York's allocations to 5% and 9% – and F) distributing the coastwide quota using varying ratios initial allocations and current stock distribution. The allowable biological catch for black sea bass is up 9% for 2021 and up 8% for summer flounder for 2021. ASMFC and MAFMC reviewed the draft Summer Flounder, Scup and Black Sea Bass FMP Amendment, which presents options for reallocating the quota between the commercial and recreational sectors because current allocations are based on landings data that are up to 30 years old, resulting in the latest assessments using the new Marine Recreational Information Program estimates greatly altering the allocations.

Agenda Item 6. CARES Act Funding for Fisheries-Related Businesses – Council, David Saveikis, Fish & Wildlife Division Director, stated the Division has developed a draft spending plan to provide financial assistance to the commercial, recreational, seafood dealers and seafood processing fishing industries. The draft plan is currently under internal administrative review before sending to NOAA Fisheries for final approval. The Division will be able to open the application process after NOAA has approved the spending plan.

Agenda Item 7. Director's Update – David Saveikis Fish & Wildlife Division Director, stated that the funds from the Athos Environmental Damage settlement have been awarded to the Division, with the funds to be used for the reconstruction of the Seventh Street boat ramp. A Memorandum of Agreement (MOA) has been signed by DNREC and the Mayor of Wilmington. The Seventh Street boat ramp is estimated to be completed during the 2021 calendar year. The Reedville, a menhaden fishing vessel, was

sunk August 13, 2020 on Artificial Reef site #11. The Division is in the process of acquiring another menhaden vessel to add to Delaware's artificial reef system.

Suggested Agenda Items for Next Meeting

1. CARES Act Funding for Fisheries-Related Business.
2. Update on weakfish regulations

The meeting adjourned at 7:15 PM

Respectfully Submitted by



Rebecca Hoover
Recording Secretary