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To: Commissioners  
From: Gina Hunt  
Date: 10/8/15  
RE: Possible Change to FMP Review Process

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#### Background:

Over the past year, managers have been discussing ways to streamline the Maryland FMP process. Currently, FMPs are developed for both ASMFC managed species and state managed species. The FMPs are often not revised because the plans are still an appropriate management framework. Stock assessments and other information are updated in the Legislative Report provided on the Fisheries Service website. The report also includes an implementation table for each FMP that tracks the progress of the management actions. This legislative report is required by the FMP law (Natural Resources Article Section 4-215) for each management plan. In addition to the legislative reports, FMPs are reviewed on a regular schedule (about 4 per year) and brought to the TFAC/SFAC as part of the review process. This process starts with the FMP staff meeting with species biologists to review the status of the stock, fishery, monitoring data, and management strategies and actions. This part of the Plan Review Team (PRT) makes a recommendation to continue with the current management framework or to amend or revise the plan. The PRT develops a draft document to present to the TFAC/SFAC for stakeholder input. The draft White Perch FMP Review was presented at the last Commission meeting. Additional changes are made to the draft document based on comments from the commissions. The final draft is submitted to the Director of Fisheries. The Director then decides whether the management framework will stay the same, needs to be amended or needs to be completely revised. Both the amendment and revision process would then go through a stakeholder process. In recent years, the review process has recommended amendments to the striped bass, American eel and yellow perch FMPs. Again, only a few are reviewed each year. If an ASMFC compliance requirement is needed for regulatory authority and not covered in a Chesapeake/Maryland FMP, then it would be addressed for a species outside the review process.

#### Discussion:

The Department is considering modifying the review process. Instead of reviewing several FMPs each year, staff would work with the species biologists to create the Legislative Update Report (as they do now). This report contains updates on every species that the Department manages by FMP. This report would then be given to SFAC/TFAC at their October meeting. The Commissions would have 2-3 weeks to provide comments and questions, similar to the current review process. The Department could review those comments make any needed changes to the report and submit it by the beginning of December each year. The report would also be incorporated by reference into regulation each year as both a supplement and update to the existing FMPs for each species. This would not preclude further management discussions on issues that arise on a specific species outside of this update process.

Based on dialogues with both the biologists and the Commissioners, the Department could consider what, if any, changes need to be made to an FMP. If an FMP needed an amendment or revision, it would still go through an FMP development process which includes stakeholder input and incorporation by reference into regulation.

#### Conclusion:

By using annual legislative updates for the review process:

- Fisheries Service will streamline the review process,
- staff time will be used more efficiently, and
- every FMP will be reviewed by the Commissioners each year, not just a scheduled few plans.