



# Atlantic States Marine Fisheries Commission

## 2009 Winter Meeting Summary

Working towards healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

2009 Winter Meeting  
Alexandria, VA  
February 2 – 5, 2009

For more information, please  
contact the identified individual,  
Robert Beal, ISFMP, or  
Tina Berger, Public Affairs

202/289-6400

### Meeting Summaries, Press Releases and Motions

#### TABLE OF CONTENTS:

<b>ATLANTIC STRIPED BASS MANAGEMENT BOARD (FEBRUARY 2, 2009) .....</b>	<b>3</b>
<i>Meeting Summary</i> .....	3
<i>Motions</i> .....	3
<b>AMERICA LOBSTER MANAGEMENT BOARD (FEBRUARY 2, 2009) .....</b>	<b>4</b>
<i>Press Release</i> .....	4
<i>Meeting Summary</i> .....	5
<i>Motions</i> .....	5
<b>SPINY DOGFISH &amp; COASTAL SHARKS MANAGEMENT BOARD (FEBRUARY 2, 2009) .....</b>	<b>6</b>
<i>Press Release</i> .....	6
<i>Meeting Summary</i> .....	6
<i>Motions</i> .....	6
<b>ATLANTIC HERRING SECTION (FEBRUARY 3, 2009).....</b>	<b>7</b>
<i>Press Release</i> .....	7
<i>Motions</i> .....	7
<b>SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS MANAGEMENT BOARD (FEBRUARY 3, 2009) .....</b>	<b>8</b>
<i>Press Release</i> .....	8
<i>Meeting Summary</i> .....	8
<i>Motions</i> .....	9
<b>WINTER FLOUNDER MANAGEMENT BOARD (FEBRUARY 3, 2009) .....</b>	<b>10</b>
<i>Press Release</i> .....	10
<i>Motions</i> .....	11
<b>AMERICAN EEL MANAGEMENT BOARD (FEBRUARY 3, 2009).....</b>	<b>12</b>
<i>Meeting Summary</i> .....	12
<i>Motions</i> .....	12
<b>BUSINESS SESSION (FEBRUARY 3, 2009).....</b>	<b>12</b>
<i>Meeting Summary</i> .....	12
<i>Motions</i> .....	12

<b>SHAD &amp; RIVER HERRING MANAGEMENT BOARD (FEBRUARY 4, 2009) .....</b>	<b>12</b>
<i>Meeting Summary</i> .....	12
<i>Motions</i> .....	13
<b>ISFMP POLICY BOARD (FEBRUARY 4, 2009) .....</b>	<b>13</b>
<i>Meeting Summary</i> .....	13
<i>Motions</i> .....	14
<b>WEAKFISH MANAGEMENT BOARD (FEBRUARY 5, 2009) .....</b>	<b>14</b>
<i>Meeting Summary</i> .....	14
<i>Motions</i> .....	15
<b>ATLANTIC MENHADEN MANAGEMENT BOARD (FEBRUARY 5, 2009).....</b>	<b>15</b>
<i>Meeting Summary</i> .....	15
<i>Motions</i> .....	15

## ATLANTIC STRIPED BASS MANAGEMENT BOARD (February 2, 2009)

### *Meeting Summary*

The Striped Bass Management Board met to review reports on requested analyses and discuss the possibility of an addendum to Amendment 6. Following its October 2008 meeting, where discussion of an addendum was postponed due to time constraints and information needs, the Board developed a list of seven tasks for the Technical Committee and one task for the Committee on Economics and Social Sciences. The reports presented at this meeting were preliminary; final reports are expected in May. A motion to initiate an addendum based on an analysis in the preliminary Technical Committee report was made, but failed for the lack of a majority. It is likely that the discussion of an addendum will continue in May when the final reports are due.

The Technical Committee report included preliminary analyses on the following topics: the expected increase in fishing mortality from an increase in the coastal commercial quotas; conservationally equivalent recreational regulations to the current two fish at 28 inches regulation; uncertainty around terminal year fishing mortality estimates and the fishing mortality reference points; the age structure of striped bass caught in the January-February fisheries off North Carolina and Virginia; projections of the age structure and female spawning stock biomass under increasing fishing mortality; the proportion of age 15 and older striped bass in the population under the current regulations and several alternatives; and potential error in stock assessment results resulting from the use of scale-based ages of striped bass. The Technical Committee is expected to reconvene in late March or early April to approve a final report on the analyses.

During the Technical Committee's discussion of its tasks, two additional concerns were raised that the Committee concluded should be brought to the Board's attention. The first issue pertained to a potential bias in recreational harvest estimates due to complications in survey methodology from the proliferation of cell phone use. On behalf of the National Marine Fisheries Service, Gordon Colvin reported that this issue was being addressed in the redesign of the recreational survey. The second issue involved increasing evidence that the mycobacteriosis disease in the Chesapeake Bay could be increasing natural mortality of striped bass. The Technical Committee will continue to monitor these issues and consider their implications during stock assessment modeling.

The Committee on Economics and Social Sciences (CESS) report provided the progress to date on evaluating management's success with fostering quality and economically viable recreational, for-hire, and commercial fisheries (an objective in Amendment 6). Based on the data and models available, the Board asked the CESS to evaluate the economic effect of striped bass fisheries in terms of expenditures, the ripple effect through the economy, and the viability of the fishery in terms of how effort, expenditures, and revenue have changed since 1995.

Added to the Board's agenda was discussion of the ongoing investigation into illegal commercial striped bass harvest, sale, and purchase in the Chesapeake Bay and Potomac River. Thomas O'Connell, Director of the Maryland Department of Natural Resources (DNR) Fisheries Service, reviewed the currently known aspects of the investigation, and informed the Board that the DNR has proposed regulations to improve harvest reporting and accountability measures. Because the investigation is ongoing, the Board requested another update from the DNR at the Board's next meeting.

For more information, please contact Nichola Meserve, Fishery Management Plan Coordinator, at (202) 289-6400 or nmeserve@asmfc.org.

### *Motions*

**Move to initiate an addendum including options to increase the coastal commercial quotas by 10, 15, 20 and 25% and adopt a 50% underage rollover.**

Motion made by Mr. Johnson, second by Mr. Calomo. Motion fails by roll call vote (In favor: MA, NY, DE, DC, PRFC, VA, and NC; Opposed: ME, NH, RI, CT, NJ, PA, and MD; Abstention: NMFS; absent: USFWS).

## **AMERICA LOBSTER MANAGEMENT BOARD (February 2, 2009)**

### ***Press Release***

### **ASMFC American Lobster Board Adopts Addendum XII and Approves Draft Addendum XIV for Public Comment**

Alexandria, VA – The Commission’s American Lobster Board approved Addendum XII to Amendment 3 to the Interstate Fishery Management Plan for American Lobster. The Addendum establishes protocols for the consistent application of individual trap transferability (ITT) programs for the plan’s lobster conservation management areas (LCMAs) that implement an ITT program. The measures allow for flexibility to the fishery, meet the conservation objectives of the plan, and ensure that effort does not increase as a result of trap allocation transfers.

“The Addendum has been a long time in coming, having been initiated in late 2005 as a result of Addendum VII, and reflects the hard work of the Management Board, technical representatives, stakeholders, and ASMFC staff,” stated Board Chair Brian Culhane of New York. “It will ensure fair and consistent implementation of ITT programs, which were a critical element brought forward by several Lobster Conservation Management Teams during the development their respective effort control plans.”

The Addendum addresses four issues, in order to ensure that the various LCMA-specific effort control plans remain cohesive and viable, and that one jurisdiction’s interpretation of its effort control plan does not undermine the implementation of another jurisdiction’s plan. First, it requires that any trap allocation transfers among state-waters licensed permit holders must occur within the same state. This is to ensure that trap numbers do not increase in a particular state’s waters, eliminating any potential problems associated with increasing trap numbers, such as interactions with marine mammals and other fisheries, as well as increases to fishing effort.

Second, the Addendum clarifies certain principles present in the Commission’s overall history-based trap allocation effort control plan. These are: (1) A lobster permit and its history cannot be separated. When a permit holder transfers a permit, the fishing history is also transferred; (2) A single fishing entity is considered to have established a single lobster fishing history even if that person was a dual permit fishing holder fishing under state and federal fishing permit; (3) Lobster history accumulated under the dual state/federal permits cannot be divided and apportioned between the permits. If a dual permit holder splits his state and federal permits, the history shall be considered to have gone entirely with one permit or the other but not portions of both; and (4) When any individual transfers (sells) trap allocations from any LCMA, his trap allocation in all LCMAs (with history based allocations) will be reduced by that same number.

Third, the Addendum modifies the Commission’s most restrictive rule first established in Addendum IV. As approved, fishermen will be allowed to place traps in multiple areas but must comply with the most restrictive management measures of all areas fished, including the smallest number of traps for the areas selected.

Lastly, the Addendum establishes additional programs that address issues associated with ITT programs, such as management measures to ensure that history-based trap allocation effort control plans in the various LCMAs would be implemented without undermining resource conservation efforts of neighboring jurisdictions or LCMAs. Conservation taxes will be applied to both partial transfers of trap allocations and full business sales once all jurisdictions have allocated traps and implemented the provisions of the Addendum. A database will be developed to track all lobster allocation and trap transfers.

In other business, the Board approved sending forward Draft Addendum XIV for public comment. The Draft proposes modifications to the LCMA 3 trap transfer program, including changes to the conservation tax and trap cap. Specifically, the Draft Addendum proposes applying a single conservation tax for partial trap transfers within LCMA 3 (versus a two tiered conservation tax based on the number of traps transferred) and another conservation tax for the sale of a complete fishing operation. It also proposes lowering the trap cap under the transfer program for Area 3 to 2000 (currently set at 2200 traps) in order to prevent permit holders from maximizing their trap

allocations through trap transfers and thereby nullifying any potential conservation benefits associated with trap transfers and conservation taxes. It is anticipated that several states will be conducting public hearings on Draft Addendum XIV; information on those hearings will be released once they become finalized.

Addendum XII and Draft Addendum XIV will be available by February 17, 2009 and can be obtained by contacting the Commission at (202) 289-6400 or via the Commission's website at [www.asmfc.org](http://www.asmfc.org) under Breaking News. For more information, please contact Toni Kerns, Senior Fishery Management Plan Coordinator for Management, at (202)289-6400 or <[tkerns@asmfc.org](mailto:tkerns@asmfc.org)>.

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PR09-02

### ***Meeting Summary***

The American Lobster Board met to review a number of issues, including final approval of Addendum XII and approval of Draft Addendum XIV for public comment (see above press release for information on both issues). Staff announced the Lobster Peer Review for the assessment will be March 17-20 at the Seaport Hotel in Boston, MA; additional information on the meeting can be found on the ASMFC website ([www.asmfc.org](http://www.asmfc.org)). The State of Connecticut updated the Board on the current v-notch program and indicated it would not meet the conservation equivalency program second year target because the program's funding has been exhausted. As a result, a gauge increase to 3 3/8 inches in LCMA 6 will be required by January 2010. The National Marine Fisheries Service (NMFS) announced it had published an advanced notice of rulemaking in response to the Board request at the last meeting. NMFS is seeking public comment on a control date for the LCMA 1 fishery. This rulemaking will work in conjunction with the upcoming addendum on limited entry for LCMA 1. NMFS also updated the Board that it has completed the public comment period for proposed rulemaking including mandatory federal dealer electronic reporting, maximum size limits, and v-notch definition. The majority of this rule responds to recommendations from the American Lobster Board under Addenda X and XI. The Board accepted the 2008 Fishery Management Plan Review, which gives an overview of the 2007 fishing year. For more information, please contact Toni Kerns, Senior Fishery Management Plan Coordinator for Management, at (202)289-6400 or <[tkerns@asmfc.org](mailto:tkerns@asmfc.org)>.

### ***Motions***

**Move to approve draft Addendum 12 to Amendment 3 of the interstate fishery management plan for American lobster as a final addendum with selection of the following options:**

- **Approve Option B (4.2.2) of the "Most Restrictive Rule" that would conform to the current NOAA Fisheries regulation; and**
- **Approve Option C (4.4.3) of the "Effects of permit & Trap Allocation Transferability on LCMA's Without History-based Allocations (Currently LCMA 1)" that would prevent the holder of any permit holder who transferred trap allocation from fishing in LCMA 1. All other sections shall be enacted as a final Addendum as written.**

Motion made by Mr. McKiernan, second by Mr. Gibson. Motion passes.

**Move to approve Addendum XIV for public comment.**

Motion made by Mr. Lapointe, second by Mr. Gilmore. Motion carries (9 in favor and none opposed).

**Move to approve 2008 FMP Review.**

Motion made by Mr. Lapointe, second by Mr. Grout. Motion passes.

**Move to remove "Utilize the CKWM to evaluate stock status projections" from the term of reference.**

Motion made by Mr. Lapointe, second by Mr. Grout. Motion passes.

## **SPINY DOGFISH & COASTAL SHARKS MANAGEMENT BOARD (February 2, 2009)**

### ***Press Release***

#### **ASMFC Spiny Dogfish Board Approves Initiation of Smooth Dogfish Addendum**

Alexandria, VA – The Spiny Dogfish and Coastal Sharks Management Board approved the initiation of Draft Addendum I to the Interstate Fishery Management Plan for Atlantic Coastal Sharks. Draft Addendum I will propose measures to allow commercial fishermen to remove smooth dogfish fins at sea and eliminate smooth dogfish recreational possession limits. Finning, the act of cutting off the fins and discarding the carcass at sea, will remain prohibited under all options of Addendum I.

In October 2008, the Management Board eliminated a previously established 1,000 pound commercial trip limit for smooth dogfish due to concerns about the impacts of the trip limit to the commercial fishery. Since that time, commercial smooth dogfish fishermen have indicated that requiring all fins to remain naturally attached to the carcass through landing is impractical for such a high volume fishery. Historically, participants have removed fins at sea in order to keep the meat fresh, maximize hold capacity, and increase processing efficiency. Draft Addendum I will also include measures to eliminate recreational possession limits for smooth dogfish.

The Management Board is scheduled to meet in May to review and consider approval of the Draft Addendum for public comment. For more information, please contact Christopher Vonderweidt, Fishery Management Plan Coordinator, at [cvonderweidt@asmfc.org](mailto:cvonderweidt@asmfc.org) or (202) 289-6400.

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PR09-04

### ***Meeting Summary***

In addition to initiating the smooth dogfish addendum, Board members agreed to submit their state plans to meet the requirements of the Coastal Sharks FMP by April 1. Staff will forward the required details of these state plans to Board members next week. The Plan Review Team will review these regulations and provide the Board with a summary during the ASMFC Spring Meeting in May. For more information, please contact Christopher Vonderweidt, Fishery Management Plan Coordinator, at [cvonderweidt@asmfc.org](mailto:cvonderweidt@asmfc.org) or (202) 289-6400.

### ***Motions***

**Move to approve the 2007 FMP Review for all states as presented with the exception of Massachusetts.**

Motion made by Mr. Augustine, second by Mr. Cole. Motion carries.

### ***Main Motion***

**Move to initiate an addendum that would allow smooth dogfish to be processed at sea including removal of fins and head.**

Motion made by Dr. Pierce, second by Mr. Travelstead.

### ***Substitute Motion***

**Move to substitute: to initiate an addendum to re-examine measures for smooth dogfish in their entirety.**

Motion made by Mr. Simpson, second by Mr. Cole. Motion carries.

### ***Main Motion as Substituted***

**Move to initiate an addendum to re-examine measures for smooth dogfish in their entirety.**

Motion carries.

**ATLANTIC HERRING SECTION (February 3, 2009)**

***Press Release***

**ASMFC Atlantic Herring Section Approves Addendum I  
Addendum Provides Suite of Measures to Control Effort in Area 1A**

The Atlantic Herring Section approved Addendum I to Amendment 2 to the Interstate Fishery Management Plan for Atlantic Sea Herring. Addendum I aims to control fishing effort within the Area 1A by allowing the Section to employ bimonthly, trimester, or seasonal quotas with the flexibility to prohibit landings before June 1. The Addendum also restricts vessels from landing more than once per calendar day.

Quota allocations will be based on the average vessel trip reports from 2000 – 2007. In order to prevent quota overages, the fishery will close when 90 or 95% of a quota has been harvested as is most appropriate for the quota season chosen by the Section. The Addendum provides the Section the ability to distribute quota underages equally among all remaining periods. Addendum I also requires fishermen to report through a weekly system in order to properly monitor and manage the quotas.

A seasonal quota allocation will be employed for 2009 with no landings before June 1. Nearly three quarters of the Area 1A total allowable catch will be available from June – September with the remainder available from October – December. Seasons will close when 95% of the quota is projected to be harvested.

Maine, New Hampshire, and Massachusetts will set Area 1A quota allocation provisions for 2010, and possibly future years, during a 2009 days out meeting (date to be determined).

Copies of the Addendum will be available on February 17, 2009 and can be obtained via the Commission's website at [www.asmfc.org](http://www.asmfc.org) under Breaking News or by contacting the Commission at (202) 289-6400. For more information, please contact Christopher Vonderweidt, Fishery Management Plan Coordinator, at [cvonderweidt@asmfc.org](mailto:cvonderweidt@asmfc.org) or (202) 289-6400.

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PR09-03

***Motions***

**Main Motion**

**Move that the Section adopt Option F for 2009 and Option H for 2010 and beyond for Issue 1.**

Motion made by Dr. Pierce, second by Rep. Abbott. Motion amended.

**Motion to Amend**

**Move to amend to include under Option H, allow the use of Options C, E, and F with the percentages in Table 1 of the draft Addendum.**

Motion made by Mr. Grout, second by Mr. P. White. Motion carries.

**Main Motion as Amended**

**Move that the Section adopt Option F for 2009 and Option H to include under Option H, allow the use of Options C, E, and F with the percentages in Table 1 of the draft Addendum for 2010 and beyond for Issue 1.**

Motion made by Dr. Pierce, second by Rep. Abbott. Motion carries.

**Move to adopt for Issue 2.1, Option G for 2009 and Options F and G for 2010 and beyond.**

Motion made by Dr. Pierce, second by Mr. R. White. Motion carries.

**Move to adopt for Issue 2.2, Option C.**

Motion made by Dr. Pierce, second by Mr. Grout. Motion carries.

**Move to adopt for Issue 3, Option C.**

Motion made by Dr. Pierce, second by Rep. Abbott. Motion carries unanimously.

**Move to adopt for Issue 4, Options A, C, and E.**

Motion made by Dr. Pierce, second by Rep. Abbott. Motion carries.

**Move to adopt for Issue 5, Option D.**

Motion made by Dr. Pierce, second by Mr. Grout. Motion carries.

**Move to approve Addendum I as amended.**

Motion made by Sen. Damon, second by Mr. Adler. Motion carries unanimously.

**SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS MANAGEMENT BOARD (February 3, 2009)**

*Press Release*

**Scup Board Increases TAL to 11.18 Million Pounds for 2009 Fishery**

Alexandria, VA – The Commission’s Summer Flounder, Scup, and Black Sea Bass Management Board approved an increase to the 2009 scup total allowable landings limit from 7.34 million pounds to 11.18 million pounds, with the commercial quota revised to 8.4 million pounds and the recreational harvest limit revised to 2.6 million pounds (after the research set aside was deducted). This increase is consistent with that taken by the National Marine Fisheries Service for federal waters.

The Board’s action is based on the results of a recent review of the scup stock assessment which indicates that the scup resource is rebuilt (population estimated to be 130% of its target biomass) and overfishing is not occurring. The newly estimated allowable harvest, or maximum sustainable yield (MSY), is also significantly higher than previously estimated and represents a potential for greater harvest levels in the future.

While the Northeast Fisheries Science Center’s Data Poor Workshop, which conducted the review of the scup assessment, found the new long-term estimate of maximum MSY to be reasonable given the historical evidence from the fishery, it recommended that managers consider a cautious approach in setting quotas. The peer review panel advised that “rapid increases in quota to meet the revised MSY would be unwarranted given uncertainties in recruitment. A more gradual increase in quotas is the preferred approach given the uncertainty in the model estimates and stock status”.

Given this advice, the states chose to maintain their recreational management measures for the 2009 fishery. For specific state measures, please contact your state marine fishery agency.

For more information, please contact Toni Kerns, Senior Fishery Management Plan Coordinator for Management, at (202) 289-6400 or tkerns@asmfc.org.

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PR09-06

***Meeting Summary***

The Summer Flounder, Scup, and Black Sea Bass Board met to address a number of issues. The Board was presented the results of the Northeast Fisheries Science Center’s Data Poor Workshop and Peer Review for scup and black sea bass. The new scup assessment utilizes an age structured assessment program (ASAP) which incorporates data such as population size at age, growth rates, age at maturity, reproductive potential and success, life span, and removals by deaths. Both fishery-dependent (catch data from commercial and recreational fisheries) and fishery-independent (survey sample data) data were used in the model. The data used in the model should be less sensitive to inter-annual changes in any single data component than the previous model used to assess the



population. The peer review panel accepted the revised stock assessment as the basis for biological reference points and status determination for scup. The new model of scup population dynamics and the recommended reference points represent a more stable approach for monitoring stock status and specifying the annual fishery regulations. The new reference points indicate that the stock is rebuilt (the population is at 130% of its biomass target) and overfishing is not occurring. While the new long term Maximum sustainable yield (MSY) estimate appears reasonable given the historical evidence from the fishery, managers may consider a cautious approach in setting quotas. The peer review panel advised that “rapid increases in quota to meet the revised MSY would be unwarranted given uncertainties in recent recruitment. A more gradual increase in quotas is a preferred approach reflective of the uncertainty in the model estimates and stock status.”

The new black sea bass assessment utilizes a statistical catch at length model (SCALE) which incorporates data such as population size at age, growth rates, age at maturity, reproductive potential and success, life span, and removals by deaths. Both fishery-dependent (catch data from commercial and recreational fisheries) and fishery-independent (survey sample data) data were used in the model. New information from a tagging study and age data led to the conclusion that natural mortality was higher than previously modeled. Additionally, the interpretation of historical landings concluded that landings taken in the 1950s were not at sustainable levels. The peer review panel accepted the revised stock assessment as the basis for biological reference points and status determination for black sea bass. The new reference points indicate that the stock is not overfished, but not yet rebuilt (the population is at about 92% of its biomass target) and overfishing is occurring. Managers should use caution when setting specifications due to the uncertainty in the natural mortality estimate, the model input parameters, residual patterns in model fit and uncertainty associated with managing a species that changes sex during its life span. The Technical Committee will review the assessment and peer review report for scup and black sea bass and will provide recommendations to the Management Board. The Board will consider approval of the recommended reference points and stock status after it receives recommendations from the Technical Committee.

The Board reviewed state proposals to manage the states’ 2009 summer flounder recreational fishery. The Board approved all state proposals that met the previously approved requirement that 50 percent of the state’s reduction come from a seasonal closure. States will choose which set of approved regulations will be adopted for 2009. The Board delayed discussions of initiating an addendum that would require mandatory regions until the Technical Committee has completed an analysis on the use of slot limits and trophy fish as potential management tools. Dave Simpson from the State of Connecticut was elected Vice –Chair of the Management Board.

For more information, please contact Toni Kerns, Senior Fishery Management Plan Coordinator for Management, at (202) 289-6400 or tkerns@asmfc.org.

### *Motions*

#### **Move to nominate Dave Simpson as the Vice-chair of the Board.**

Motion made by Mr. Gilmore, second by Dr. Pierce. Motion carries.

#### **Move to amend the scup TAL for 2009 by increasing it from 7.34 million pounds to 11.18 million pounds.**

Motion made by Dr. Pierce, second by Mr. Gibson. Motion carries (11 in favor, 0 opposed).

#### **Move to amend the Winter I landing limit of 30,000 pounds to a possession limit, with no restriction on the amount of landings per two week period.**

Motion made by Mr. Simpson, second by Dr. Pierce. Motion fails for the lack of a two-thirds majority.

#### **Move to not implement the performance measure requirement recommended by the Technical Committee for the 2009 summer flounder recreational fishery.**

Motion made by Mr. Gilmore, second by Mr. Fote. Motion carries (7 in favor, 2 opposed, 2 abstentions).

#### **Move to substitute: that conservation measures in the fishery for 2009 include performance measures based on average historical performance as applied in 2008.**

Motion made by Mr. Simpson, second by Mr. Miller. Motion fails.

**Move to approve all summer flounder recreational proposals that achieve 50% of the required reduction through seasonal closures as approved by the Technical Committee.**

Motion made by Mr. Adler, second by Mr. Culhane. Motion carries.

**Move to approve all summer flounder recreational proposals for liberalization.**

Motion made by Dr. Daniel, second by Mr. Travelstead. Motion carries.

**Move to maintain status quo regulations for the 2009 scup recreational fisheries in MA, RI, CT, NY, and NJ.**

Motion made by Mr. Simpson, second by Dr. Pierce. Motion carries.

**WINTER FLOUNDER MANAGEMENT BOARD (February 3, 2009)**

*Press Release*

**Winter Flounder Board Fast Tracks Development of Addendum to Initiate Stock Rebuilding of Inshore Stocks**

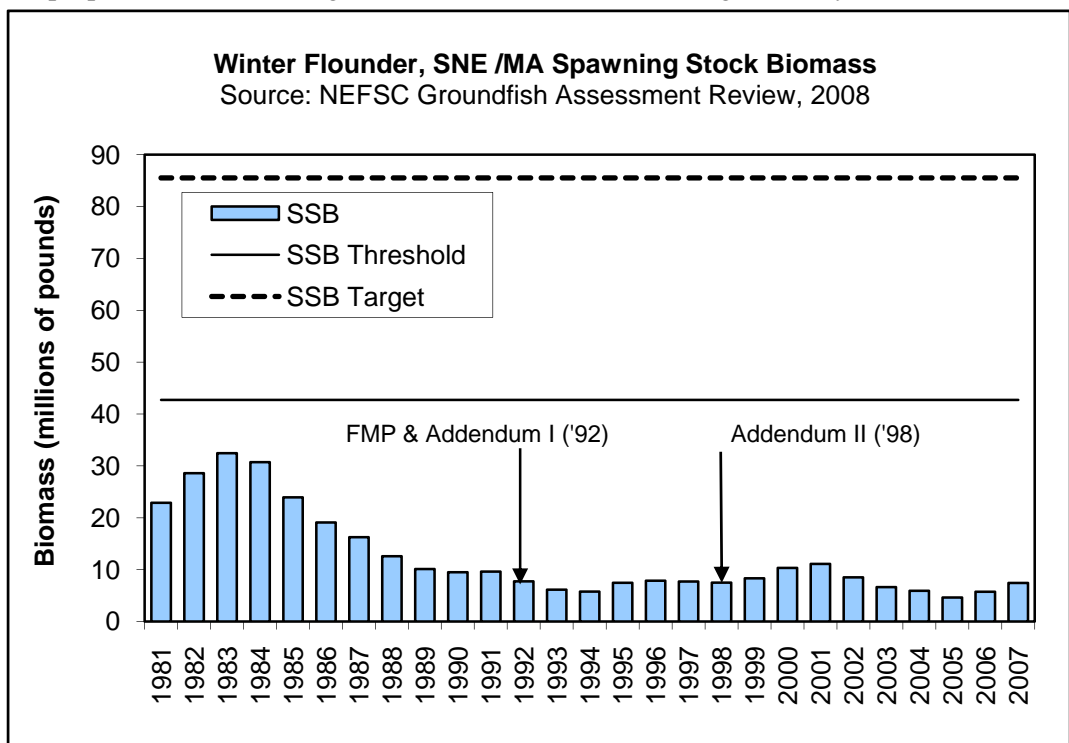
Alexandria, VA – The Commission’s Winter Flounder Management Board approved the development of Draft Addendum I to Amendment 1 the Interstate Fishery Management Plan for the Inshore Stocks of Winter Flounder. The Draft Addendum will propose a suite of management measures to reduce fishing mortality on the inshore

stocks of winter flounder (0 – 3 miles). The range of management measures will include zero possession limits; commercial trip limits; recreational bag/size and seasonal limits; and measures to prevent an influx of effort in state waters for Southern New England/Mid-Atlantic (SNE/MA) and Gulf of Maine (GOM) stocks.

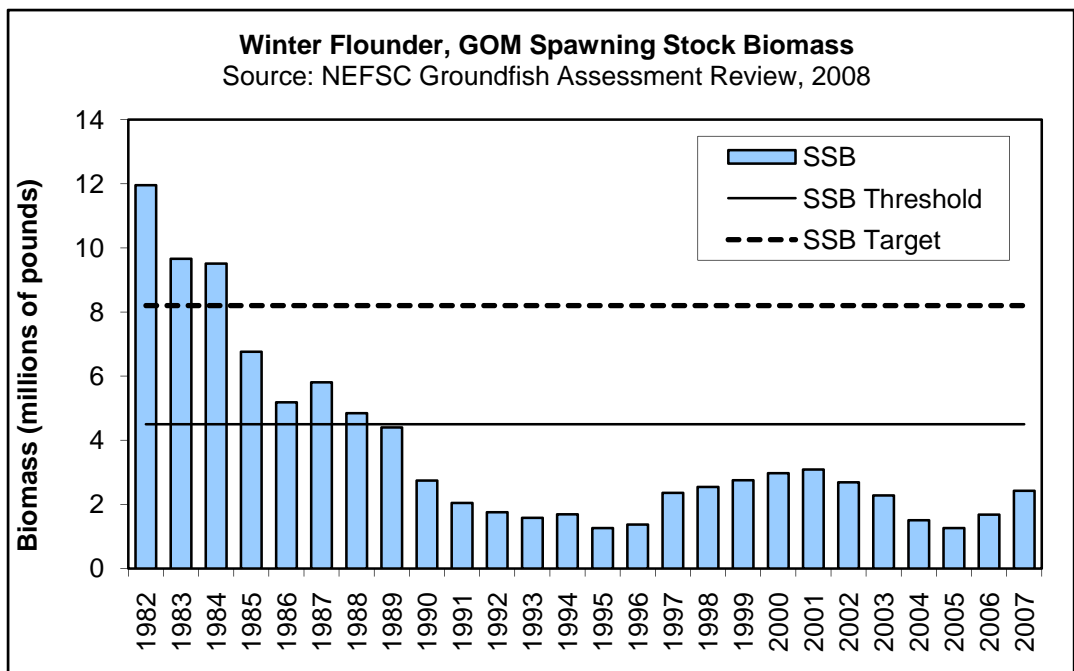
This action is taken in response to the findings of the 2008

Groundfish Assessment Report Meeting (GARM III), which estimates that the SNE/MA stock is at 9% of the target biomass (overfished) with overfishing occurring and that the GOM stock is likely to be overfished with overfishing likely to be occurring.

Another factor influencing the Board’s action is pending federal management measures on groundfish stocks, which will significantly reduce fishing mortality on federally-managed groundfish stocks in offshore waters (3 – 200 miles). Options under the Draft Addendum will seek to enhance stock rebuilding efforts throughout the species range by reducing fishing related mortality on inshore spawning stocks.



The Board will review and consider approval of Draft Addendum 1 for public comment in March. If approved, the draft addendum will be released for public comment and review in March/April, with state public hearings to be conducted in April. The Board will meet again in May, during the Commission's Spring Meeting, to review public comment and advisory panel input, and consider final action on the Addendum.



For more information, please contact Christopher Vonderweidt, Fishery Management Plan Coordinator, at (202) 289-6400 or cvonderweidt@asmfc.org.

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PR09-05

**Motions**

**Move that the Board reconsider the action taken at the Annual Meeting to initiate an emergency action for winter flounder management and instead initiate an addendum.** Motion by Dr. Pierce, second by Mr. Gibson, motion fails.

**Move to establish an emergency action to close the state water fishery for GOM winter flounder.** Motion by Mr. Lapointe, second by Mr. Simpson, motion postponed.

**Move to postpone until SNE/MA discussion is complete.** Motion by Mr. Simpson, second by Mr. Lapointe, motion passed.

**Move to establish an emergency action to implement a zero possession limit for recreational and commercial fisheries for the SNE/MA stock in state waters.** Motion by Mr. Simpson, second by Dr. Pierce, motion fails 3 in favor, 4 opposed, 0 abstentions, 2 null.

**Move to reconsider the motion for to initiate emergency action from the Annual Meeting.** Motion by Mr. Lapointe, second by Dr. Pierce, motion carries.

**Move to initiate a “fast track” addendum for winter flounder for final action at the May 2009 Spring Meeting Week. Included in the draft addendum will be a provision for zero possession limits, trip limit measures that reduce the fishery as low as possible, options for bag/size limits, season limits, and measures to prevent an influx of effort in state waters for SNE/MA and GOM stocks.** Motion by Mr. Lapointe, second by Mr. Ewing, motion carries.

**Move to nominate Donald Swanson and Erik Anderson to the Winter Flounder Advisory Panel.** Motion by Mr. Grout, second by Mr. Adler, motion carries.

## **AMERICAN EEL MANAGEMENT BOARD (February 3, 2009)**

### ***Meeting Summary***

The American Eel Management Board received a report from the Technical Committee Chair on the Terms of Reference (TOR), venue for peer review, and timeline for completion for the upcoming American eel stock assessment. The Board accepted the TORs that were presented and recommended that the Stock Assessment Subcommittee move forward on an ASMFC external peer review to be completed in early 2011. The Board expressed an interest in increasing participation with Canadian scientists during the stock assessment process.

The Board reviewed a draft Memorandum of Understanding (MOU) between the Commission and the Great Lakes Fishery Commission. The MOU was further discussed during the Policy Board meeting.

New Hampshire, Massachusetts, Pennsylvania, the District of Columbia, South Carolina, Georgia and Florida requested and were granted *de minimis* status by the Board for the 2008 commercial and recreational American eel fisheries. The *de minimis* requirement is met when state reported commercial landings are less than 1% of the coastwide commercial landings for American eel. For more information, please contact Kate Taylor, Fishery Management Plan Coordinator, at (202) 289-6400 or [kaylor@asmfc.org](mailto:kaylor@asmfc.org).

### ***Motions***

**Move to approve the stock assessment time line and terms of reference for the American eel stock assessment.**

Motion made by Dr. Daniel, second by Dr. Kray. Motion carries unanimously (17 n favor).

**Move to accept the 2008 FMP Review for American Eel and grant *de minimis* to the states of NH, MA, PA, DC, SC, GA, and FL.**

Motion made by Mr. Grout, second by Mr. Cole. Motion carries.

## **BUSINESS SESSION (February 3, 2009)**

### ***Meeting Summary***

The Commission reconfirmed George Lapointe and Robert Boyles as its Chair and Vice-Chair, respectively, through the Commission's 2009 Annual Meeting.

### ***Motions***

**Move to nominate George Lapointe as Chairman of the ASMFC.**

Motion made by Mr. Travelstead on behalf of the Nominating Committee. Motion carries.

**Move to nominate Robert Boyles as the Vice- Chairman of the ASMFC.**

Motion made by Mr. Travelstead on behalf of the Nominating Committee. Motion carries.

## **SHAD & RIVER HERRING MANAGEMENT BOARD (February 4, 2009)**

### ***Meeting Summary***

The Shad and River Herring Management Board met to review the 2008 River Herring Stock Status Report and consider final action on Draft Amendment 2. The Stock Assessment Subcommittee Chair provided an overview of the 2008 River Herring Stock Status Report. Major report findings include:

- A decline in commercial landings since 1969
- Historical and recent declines in abundance for alewife, blueback herring, and both species combined based on available run size estimates
- A decline of mean lengths of male and female alewife and blueback herring over time by 13-45 mm TL
- A decline in maximum age of male and female alewife by one or two years
- Declines in mean length-at-age of alewife and blueback herring

- Contrasting trends over time for relative abundance indices of young-of-the-year (YOY) from state seine surveys and for relative abundance indices of juvenile, adult, and all life stages from state and federal trawl surveys

This report is a prequel to the full stock assessment, which is scheduled to be completed in 2012.

The Board reviewed submitted public comment, as well as input from its Advisory Panel comment and Technical Committee on Draft Amendment 2 (River Herring). The Board delayed action on Draft Amendment 2 (River Herring). Instead, it initiated the creation of a working group comprised of Board members, as well as members of the Plan Development Team and Technical Committee, to develop practical monitoring measures that will provide a basic level of resource protection that all states must adopt, as well as to determine what constitutes a sustainable fishery and excessive bycatch. The working group will present its recommendations at the May Board meeting.

The Board was presented an update on Draft Amendment 3 (American Shad). The Draft Amendment will be completed for Board review at the May meeting. At that time, the Board will consider approval of Draft Amendment 3 (American Shad) for public comment.

For more information, please contact Kate Taylor, Fishery Management Plan Coordinator, at (202) 289-6400 or ktaylor@asmfc.org.

### *Motions*

**Move that the Chairman establish a subcommittee to meet with the PDT for the purpose of developing more detailed options including a basic level of resource protection that all states must adopt, and definitions of what constitutes a sustainable fishery and excessive bycatch, to be reported on at the May Meeting Week.**

Motion made by Mr. Travelstead, second by Mr. Augustine. Motion carries unanimously.

## **ISFMP POLICY BOARD (February 4, 2009)**

### *Meeting Summary*

The Interstate Fisheries Management Program Policy Board met to address a number of issues. The Policy Board discussed the use of roll call votes during management board meetings to increase transparency and accountability. The Policy Board decided to continue the current practice of conducting a roll call vote upon request by any Board member.

The Policy Board received an update on the Federal Recreational Registry Rule and the progress on developing and implementing the Marine Recreational Information Program. The Registry Rule details the information that states will have to collect in order to be exempt; the Rule becomes effective on January 1, 2010.

The Policy Board reviewed consensus statements from a meeting of Commission representatives with the New England Fishery Management Council, the Mid-Atlantic Fishery Management Council, and the National Marine Fisheries Service (NMFS) to discuss alignment between state and federal fishery management. The Policy Board agreed that this is an important issue and will continue to monitor the alignment of the Commission with the NMFS and Councils. The Policy Board may revisit this issue later in the year.

The Multispecies Technical Committee provided an update on its progress in developing the multispecies stock assessment model. The model has been updated to reflect the most recent stock assessment information for striped bass and bluefish. The Committee will continue to refine this model and consider its usage for improving the Commission's single species assessment and management.

The Habitat Committee reported that the Diadromous Species Source Document has been finalized. The Document will be distributed to the Commissioners, technical committees, and the Habitat Committee. Members

of the public can access the document through the Commission's website. The Habitat Committee also provided an update on the Commission's artificial reef coordination activities.

The Atlantic Coastal Fish Habitat Partnership (ACFHP) informed the Policy Board that the Memorandum of Understanding (MOU) has been completed. The MOU has 30 signatories and represents an important step toward having the ACFHP recognized by the National Fish Habitat Initiative Board, possibly leading to future funding for ACFHP.

The Northeast Area Monitoring and Assessment Program (NEAMAP) Trawl Survey was peer reviewed at the end of 2008. The peer review endorsed the design and execution of the Survey and agreed that it has considerable value to support future stock assessments.

An update on the environmental impact statement (EIS) for Chesapeake Bay oyster restoration was presented to the Policy Board. The Commission submitted comments on the EIS to the Army Corps of Engineers (USACE) based on the input of the Interstate Shellfish Transport Committee and the Habitat Committee. The public comment is currently being reviewed; Maryland, Virginia, and USACE will decide on the course of future restoration efforts in the spring. The final record of decision will be published in the summer.

The Policy Board also discussed the future role of the Interstate Shellfish Transport Committee (ISTC). The Board agreed to review potential tasks for the Committee when developing the 2010 Action Plan, but wanted to ensure that there was not any overlap between the ISTC and other groups working on shellfish issues.

The Policy Board reviewed the most recent version of the Memorandum of Understanding on North American Eel Management and agreed that Commission would be a signatory to the document to improve eel management throughout its range.

The Policy Board asked that staff develop a template for clearly conveying the status of ASMFC-managed stocks. The purpose of this document will be to track the progress of achieving the ASMFC's vision of "healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015."

For more information, please contact Robert Beal, ISFMP Director, at (202) 289-6400 or rbeal@asmfc.org.

### ***Motions***

**Move to authorize the Policy Board to sign off on the MOU from the American Eel Board.**

Motion made by Mr. Carpenter, second by Dr. Geiger. Motion carries.

## **WEAKFISH MANAGEMENT BOARD (February 5, 2009)**

### ***Meeting Summary***

The Weakfish Management Board met to receive an update of the ongoing weakfish stock assessment. The Weakfish Technical Committee and Stock Assessment Subcommittee held data and assessment workshops in 2008, and also participated in the Northeast Science Center's Data Poor Workshop held in December. At that workshop, a panel of peers reviewed the work on the assessment to date and provided suggested revisions. A report from the Technical Committee Chair at this meeting responded to the panel's suggestions, highlighting the areas that would be improved in the ongoing assessment. An additional meeting to finalize the model runs for the assessment has been added to the timeline for late March or early April. Regardless, the weakfish stock assessment is on schedule to be formally reviewed by a Stock Assessment Review Committee (SARC) in June 2009.

For more information, please contact Nichola Meserve, Fishery Management Plan Coordinator, at (202) 289-6400 or nmeserve@asmfc.org.

***Motions***

No motions made.

**ATLANTIC MENHADEN MANAGEMENT BOARD (February 5, 2009)**

***Meeting Summary***

The Board met to receive updates on several items. Cooperative research, involving industry spotter pilots from Omega, Ark Bait, and state and federal scientists, was initiated during the 2008 season. Spotter pilots submitted to scientists weekly logs that record observed number of schools and estimated number of fish per school. The scientists in turn are developing indices to track relative abundance over time. Improvements in the research can be made for the 2009 season with a modest investment of funds.

The Board confirmed the members and purpose of a Chesapeake Bay Menhaden Guidance Group that it created at its October meeting. The Group's long term goal is to identify research and monitoring programs to support assessment and management and to develop and implement a long term funding strategy. The Board also received an update on the Policy Board's intent to task the Management and Science Committee and Multispecies Technical Committees with monitoring this issue. The Menhaden Board will discuss specific guidance for those Committees at its May meeting.

The benchmark stock assessment for menhaden is scheduled for peer review in March 2010. The next step in that process is a data workshop meeting in May 2009 to compile data and continue discussion about which model or models will be used in the assessment.

The Board approved Ron Lukens' appointment to the Advisory Panel as a representative for Virginia.

***Motions***

No motions made.