



Atlantic States Marine Fisheries Commission

66th Annual Meeting Summary

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

66th Annual Meeting
Annapolis, Maryland
October 29 – November 1, 2007

For more information, please contact
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Meeting Summaries, Press Releases and Motions

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AMERICAN LOBSTER MANAGEMENT BOARD (October 29, 2007)

Press Release

ASMFC American Lobster Board Initiates Draft Addendum on Trap Transferability

Annapolis, MD – The Commission’s American Lobster Board approved the initiation of Draft Addendum XII to Amendment 3 to the Interstate Fishery Management Plan for American Lobster. The Draft Addendum will propose the establishment of protocols for the consistent application of trap transferability programs for the plan’s lobster conservation management areas (LCMAs). The goal of the Addendum is to provide for fair implementation of individual trap transferable (ITT) programs that 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 transfers.

Since the implementation of the first ITT program for LCMA 3 in 2003, a number of issues have come to light regarding the effective implementation of any ITT program. These issues include assignment of fishing history, especially for individuals who hold both a state license and federal permit (dual permit holder); the potential for fishing effort to increase with trap transfers of multi-area trap allocations; and the application of the “most restrictive rule.” The Area 3 Lobster Conservation Management Team also proposed options for changes in its plan’s trap cap and conservation tax. All of these issues will be addressed in the Draft Addendum.

In addition, the Board approved initiation of Draft Addendum XIII, which will propose replacement of the Outer Cape Cod’s previously effort control plan with the plan that has been modified, adopted, and implemented by the Commonwealth of Massachusetts. The Draft Addendum will also explore whether further trap reductions currently scheduled for Outer Cape Cod in 2008 are warranted, given improved stock conditions.

Both addenda will be prepared for Board consideration and approval for public comment during the Commission’s Winter Meeting Week in February 2008. For more information, please contact Toni Kerns, Senior Fisheries Management Plan Coordinator for Management, at (202) 289-6400 or <tkerns@asmfc.org>.

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PR07-23

Meeting Summary

The American Lobster Board met to address a number of issues, including the recommendations of its Transferability Committee, state-specific conservation equivalency proposals under Addendum X, the 2007 Fishery Management Plan Review, and an Area 3 Lobster Conservation Team proposal. Its actions with regards to the recommendations of the Transferability Committee are reported above (under Press Release).

The Board tasked the Technical Committee to review conservation equivalency proposals from Maine and Massachusetts regarding a dealer requirement under Addendum X. The Technical Committee will report back to the Board at the Commission’s Winter Meeting in February 2008. The Board also approved the 2007 Fishery Management Plan Review.

The National Marine Fisheries Service updated the Board on the federal implementation of lobster management measures. On October 5, 2007, the implementation of Area 3 gauge and vent increases, along with a four-year, 15%, trap reduction schedule for Area 3, has effectively synchronized federal regulations with the Commission’s ISFMP requirements in all areas exclusive of the historic participation ITT programs in Areas 2, 3, and the Outer Cape. In response to Commission recommendations, in

September 2007, NMFS announced plans to evaluate additional Addenda X and XI measures, including mandatory reporting requirements, and broodstock protection measures in Southern New England, scheduled for state implementation by July 1, 2008. For more information, please contact Toni Kerns, Senior Fisheries Management Plan Coordinator for Management, at (202) 289-6400 or <tkerns@asmfc.org>.

Motions

Move to initiate an addendum to address trap transferability.

Motion made by Mr. P. White, second by Mr. R. White. Motion passes unanimously.

Move to accept the FMP Review for 2007.

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

Move to initiate an addendum that would update the current OCC effort reduction plan.

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

ATLANTIC HERRING SECTION (October 29, 2007)

Press Release

ASMFC Atlantic Herring Section Lowers Area 1A TAC to 45,000 Metric Tons for 2008 – 2009

Annapolis, MD – The Commission’s Atlantic Herring Section voted to reduce the amount of herring available to the 2008-2009 fishery in Area 1A, an inshore region off the coasts of Maine, New Hampshire and Massachusetts. The total allowable catch (TAC) for Area 1A is now set at 45,000 metric tons. An additional 5,000 metric tons was added to the Area 3 quota, bringing the total allowable catch for that area to 60,000 metric tons. The Section committed to review stock status annually to determine if quota adjustments are necessary.

The specifications are consistent with those set by NOAA’s Northeast Regional Administrator in September 2007. The table below outlines the Commission’s final herring specifications for 2008-2009, as well as those set by NOAA’s Northeast Regional Administrator.

Summary of ASMFC and NMFS Atlantic Herring Specifications for 2008-2009.

SPECIFICATIONS	ASMFC Specifications	NMFS Specifications
ABC	194,000	194,000
U.S. OY	145,000	145,000
TAC Area 1A	45,000 (5,000 available Jan-May)	45,000 (5,000 available Jan-May)
TAC Area 1B	10,000	10,000
TAC Area 2	30,000	30,000
TAC Area 3	60,000	60,000
Research Set-Aside	3% from each area TAC (2008 and 2009 FY only)	3% from each area TAC (2008 and 2009 FY only)

The lowering of the Area 1A TAC was consistent with the recommendations of the Atlantic Herring Technical Committee. While the herring resource is considered fully rebuilt and overfishing is not occurring, scientific models have suggested that total herring biomass may be overestimated and

fishing mortality underestimated. Further, there is concern about possible excessive fishing pressure in the inshore Gulf of Maine. Given these findings, the Section opted to limit the Area 1A TAC to 45,000 metric tons – a 5,000 metric ton reduction from last year.

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

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PR07-24

Motions

Move that the Section accept the report of the TC; adopt TACs consistent with the NMFS for the 2008 and 2009 Atlantic herring fishing season, amending the Area 1A quota to 45,000 mt and the Area 3 quota to 60,000 mt.

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

Move to nominate Dennis Abbott as Vice-chair.

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

SPINY DOGFISH & COASTAL SHARKS MANAGEMENT BOARD (October 29, 2007)

Press Release

**ASMFC Spiny Dogfish Board Sets 2008/2009
Fishing Year Quota at 8 Million Pounds**

Annapolis, MD – The Commission’s Spiny Dogfish and Coastal Shark Management Board approved a eight million pound quota for the 2008/2009 fishing year (May 1, 2008 – April 30, 2009), with 58% of the quota allocated to states from Maine through Connecticut and 42% allocated to New York through North Carolina. A trip limit of up to 3,000 pounds was also established.

The 2007 assessment update indicates that the spiny dogfish biomass has continued to increase. Though the stock has not rebuilt to its target spawning stock biomass, it is not overfished and overfishing is not occurring. The Technical Committee recommended a precautionary quota of six million pounds with a 600-pound trip limit due to continued poor pup recruitment that will cause the stock to decline after 2010.

In mid-October, the Mid-Atlantic Fishery Management Council approved and will recommend to the National Marine Fisheries Service (NMFS) a spiny dogfish quota of eight million pounds to be sub-allocated into two six-month periods (4,632,000 pounds for May 1 through October 31, and 3,368,000 pounds for November 1 through April 30). A trip limit of 600 pounds for both periods was approved and will likewise be recommended to NMFS.

For more information, please contact Christopher Vonderweidt, Spiny Dogfish Fishery Management Plan Coordinator, at (202) 289-6400 or [<cvonderweidt@asmfc.org>](mailto:cvonderweidt@asmfc.org).

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PR07-25

Meeting Summary

The Commission's Spiny Dogfish and Coastal Shark Management Board met to review the Technical Committee (TC), Advisory Panel (AP), and Plan Development Team (PDT) recommendations for the Draft Fishery Management Plan for Atlantic Coastal Sharks for Public Comment; consider approving the Draft FMP for Public Comment; provide comment to NMFS on (Shark) Amendment II to the Final Consolidated Highly Migratory Species Consolidated FMP; review the 2007 Spiny Dogfish Assessment Update; review TC dogfish specification recommendations; and set the 2008/2009 dogfish specifications.

The Board instructed the PDT to include all changes as suggested by the AP, TC, and PDT and approved the Draft FMP for Coastal Sharks for Public Comment. The Draft FMP for Public Comment should be available on the ASMFC website www.asmfc.org by the end of November.

The Board then reviewed Amendment II to the Final Consolidated Highly Migratory Species Final Consolidated FMP in order to provide feedback to NMFS. Recommended actions include a minimum of two management regions including an Atlantic States Region; beginning the fishing season on July 16; allow a 2 mt commercial harvest of porbeagle sharks; allow recreational retention of all non-prohibited commercial species; and modify the closure off of NC to only run from January 1 – May 15.

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

Motions

Move to eliminate the sentence “Gillnets must be shorter than 1200 feet” of option c of section 4.3.4.5 of issue 5 Authorized Commercial Gear.

Motion made by Dr. Daniel, second by Mr. Miller. Motion carries (9 in favor, 6 opposed, 1 abstention).

Move to approve the draft FMP as modified today for public comment.

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

Move to set the TAL for spiny dogfish of 6 million pounds for a 3 year period. Quota period one is 57.9% of the 6 million pounds and the second period is 42.1% of the 6 million pounds. The trip limit for both quota periods is 600 pounds.

Motion made by Mr. Augustine, second by Rep. Abbott. Motion is substituted.

Motion to substitute to set the spiny dogfish quota for May 1, 2008 –April 30, 2009 at 8 million pounds. 58% of the quota will be allocated to the states of CT through ME and 42% of the quota be allocated to the states from NY through FL. The trip limit is up to 3,000lbs.

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

Move to set the spiny dogfish quota for May 1, 2008 –April 30, 2009 at 8 million pounds. 58% of the quota will be allocated to the states of CT through ME and 42% of the quota be allocated to the states from NY through FL. The trip limit is up to 3,000lbs.

Motion made by Dr. Pierce, second by Mr. R. White. Motion carries (11 favor, 2 opposed, 3 abstentions).

Move to nominate Dr. Louis Daniel as the vice-chair to the Spiny Dogfish and Coastal Shark Board.

Motion carries.

LAW ENFORCEMENT COMMITTEE (October 29, 2007)

Meeting Summary

A subcommittee of the Law Enforcement Committee (LEC) and the NOAA Office of Law Enforcement presented an update on the MSA reauthorization that allows state access to vessel monitoring system (VMS) data. Implementation of this useful tool is expected by August 2008. It is hopeful that state officers on patrol will have immediate access to this information and the NMFS has pledged its cooperation in the interim in gaining access to this information. A few cases have already been made in the Northeast based on VMS data.

A review of the enforcement of ASMFC species was conducted. Tautog enforcement was discussed and it was reported that the states of New Jersey, New York, Connecticut and Rhode Island have discussed cooperative efforts to reduce illegal fishing. A comparison report will be provided at the spring meeting comparing last year's efforts to this year.

Striped bass enforcement remains a priority along the coast with several cooperative efforts occurring. Several EEZ cases have been made and it has been observed that the amount of illegal fishing for striped bass in the EEZ has been declining in most areas. Joint Enforcement Agreements continue to provide needed assistance to states in this area.

The committee discussed the non-reporting of some Atlantic Herring catches. Enforcement officers will be monitoring catches and landing data to ensure more timely, accurate and full reporting of these catches.

Staff presented an update on the Coastal Shark FMP proposal and the LEC discussed working towards coast-wide training for officers in shark identification. The LEC will also be presenting comments on enforceability as this plan moves forward.

A presentation on the salt-water angler registry was presented and discussed by the committee. Comments were given by the LEC on ways to make the registry enforceable.

Chairman Jeff Marston opened the floor for nominations for Chair and Vice Chair of the Law Enforcement committee. Jeff Bridi, Pennsylvania was nominated for chair and Stephen Adams, Georgia was nominated for vice-chair. The vote was unanimous for these two individuals.

The meeting was closed by newly elected chair Jeff Bridi. For more information, please contact Mike Howard, LEC Coordinator, at mhoward@asmfc.org.

STURGEON MANAGEMENT BOARD (October 29, 2007)

Meeting Summary

The Sturgeon Management Board received a report on the comparison of the ASFMC Guidelines for Stocking Cultured Atlantic Sturgeon for Supplementation and Reintroduction and the U.S. Fish and Wildlife and National Marine Fisheries Service Policy Regarding Controlled Propagation of Species Listed Under the Endangered Species Act. The comparison found that the two guidance documents for controlled propagation do not conflict with each other but that the two documents were not identical. The Management Board directed the Technical Committee to address the topic of making the two documents more compatible; however, they intend to defer any action addressing this issue until the determination regarding the listing of Atlantic sturgeon is complete. For more information, please contact Erika Robbins, Fisheries Management Plan Coordinator, at (202) 289-6400 or erobbins@asmfc.org.

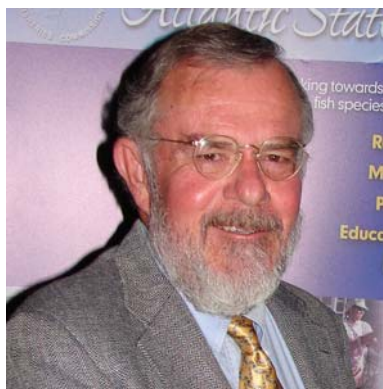
Motions

No motions made.

ANNUAL AWARDS OF EXCELLENCE (October 29, 2007)

Press Release

ASMFC Presents Annual Awards of Excellence to Dr. John Merriner



Annapolis, MD – Dr. John Merriner, formerly of the National Marine Fisheries Service’s (NMFS) Beaufort Laboratory, was presented the Commission’s Award of Excellence at its Annual Meeting in Annapolis, Maryland.

“Every year a great many people contribute to the success of fisheries management along the Atlantic coast. The Commission’s Annual Awards of Excellence recognize outstanding efforts by professionals who have made a difference in the way we manage and conserve our fisheries,” said ASMFC Chair, George D. Lapointe, of Maine. “Today, we honor Dr. Merriner for his contributions to the management and conservation of Atlantic coast fisheries.”

For over thirty years, Dr. John Merriner has worked to improve our understanding and management of important South Atlantic species. His career began at the Virginia Institute of Marine Science (VIMS), where he was responsible for organizing and disseminating environmental data on striped bass abundance and habitat attributes, as well as overseeing a multitude of research projects that dealt with early life histories of fish. This research included investigations on the impacts of power plant entrainment on fish eggs and larvae, the use of submerged aquatic vegetation as habitat for juvenile fish, and the distribution of larval fish in Chesapeake Bay.

After joining NMFS in the late 1980s, Dr. Merriner oversaw fisheries research programs for Atlantic and Gulf menhaden, coastal pelagics, and reef fish. He also served as liaison for the NMFS Southeast Fisheries Science Center to the Commission, and the South Atlantic, Gulf of Mexico, and the Caribbean Fishery Management Councils.

Passionate about clearly communicating the work of fisheries scientists to fisheries managers and the public, Dr. Merriner played an important role in the development and application of the Southeast Data, Assessment, and Review process, the federal stock assessment review for South Atlantic marine fish. Dr. Merriner served with the Commission on several species management boards and technical committees, including the Management and Science Committee and the Atlantic Menhaden Management Board. He was best known and respected on the Commission for his encyclopedic knowledge of fish and fisheries and his clarity of recall on fisheries management and research history. Over the years, his expertise and institutional knowledge on a host of Atlantic coast species proved invaluable.

The Commission established the Annual Awards of Excellence in 1998 to recognize the important contributions of individuals to the success of the organization.

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PR07-26

HORSESHOE CRAB MANAGEMENT BOARD (October 30, 2007)

Meeting Summary

The Horseshoe Crab Management Board met to hear updates on research, harvest, and state regulations. A master's student from Dr. Nancy Targett's lab at University of Delaware recently presented research on an alternative bait matrix used for catching eel. The research showed no statistical difference in catch of eels between using as bait a ½ female and ¼ female ground in the bait matrix and bait bag. The next step in creating a bait that does not rely on horseshoe crabs at all is developing a synthetic attractant. The Board will be briefed on progress in this area.

Several representatives of the biomedical industry presented details on their companies' horseshoe crab harvest and release processes. The Board also heard a report from the Technical Committee on its progress with the USFWS Shorebird Technical Committee in developing an adaptive resource management model that links horseshoe crabs and red knots.

Robert Boyles (SC) will take over as Board Chair at the next meeting and Spud Woodward (GA) was elected Vice Chair. For more information, please contact Braddock Spear, Senior Fisheries management Plan Coordinator for Policy, at (202) 289-6400 or bspear@asmfc.org.

Motions

No motions made.

MANAGEMENT AND SCIENCE COMMITTEE (October 30, 2007)

Meeting Summary

The Management and Science Committee (MSC) met on October 30, 2007 to discuss a number of issues. The majority of discussion revolved around revising the Benchmark Stock Assessment Guidance Document to establish guidelines on establishing an impartial peer review panel. They also clarified a charge given by them to the Multi-Species Technical Committee to now task MSTC with providing a list of possible uses for output data from the MSVPA-X model. Additionally, MSC formed a subcommittee to identify a list of the forage fishes along the Atlantic coast, and then identify information available for those fishes (i.e. whether they are assessed, is there a fishery) that may be useful for management. MSC reviewed and approved the Benchmark Stock Assessment Schedule for 2008. Finally, MSC was provided updates on NEAMAP, Habitat Committee, Fishing Gear Technology Workgroup, Interstate Tagging Committee, Interstate Shellfish Transport Committee. For more information, please contact Melissa Paine, Scientific Committee Coordinator, at (202) 289-6400 or mpaine@asmfc.org.

ATLANTIC MENHADEN MANAGEMENT BOARD (October 30, 2007)

Meeting Summary

The Management Board heard a brief update on menhaden landings for reduction purposes for 2007. Virginia reported that the reduction landings from inside Chesapeake Bay are not expected to reach the cap by the end of the year. Derek Orner presented a summary of the menhaden-related research projects being funded from the NOAA Chesapeake Bay Office (NCBO). Of the 17 projects, three are completed and several others will be completed within the next year. As projects wrap up, NCBO will submit final results to the Menhaden Technical Committee (TC) for its review and comment to the Board.

Alexei Sharov presented to the Board the most recent information on the Light Detection and Ranging (LIDAR) Pilot Program. The program recently finished its second year of testing the equipment and

study design. The results and conclusions from the most recent phase will be available in early 2008. Alexei also gave the TC report including its definition of 'localized depletion', evaluation the expectation of current research to address the localized depletion question, and comment on a recently-funded study on the economics of menhaden. For more information, please contact Braddock Spear, Senior Fisheries management Plan Coordinator for Policy, at (202) 289-6400 or bspear@asmfc.org.

Motions

No motions made.

TAUTOG MANAGEMENT BOARD (October 30, 2007)

Meeting Summary

The Tautog Management Board met to review an additional proposal and reconsider state-specific assessments from Massachusetts/Rhode Island and New Jersey to meet the reductions contained in Addenda IV and V.

The meeting began with a Technical Committee (TC) review of a proposal from Delaware to meet the full reductions contained in Addenda IV and V. Following recommendations of the TC, the Board approved Delaware's proposal based on its use of standard methods as developed by the TC.

The TC then presented recommendations on state-specific assessments from Massachusetts/Rhode Island and New Jersey. The TC advised that the Massachusetts/Rhode Island VPA was identical to the coastwide assessment with a regional input of data and was at least as precise. Following the recommendations of the TC, the Board approved the Massachusetts/Rhode Island proposal, which requires a 12% reduction in exploitation rate to meet the target fishing mortality rate of 0.20 contained in Addenda IV and V.

The New Jersey assessment did not receive the necessary votes to allow the state an exemption from Addenda IV and V reductions. The TC felt that it could not accurately evaluate New Jersey's Trawl Based Assessment Method (TBAM) with the coastwide VPA because of a lack of comparable metrics between the two assessments. There was also some concern over assumptions contained in the TBAM analysis. For more information, please contact Christopher Vonderweidt, Fisheries Management Plan Coordinator, at (202) 289-6400 or cvonderweidt@asmfc.org.

Motions

Move to approve the Delaware proposal.

Motion made by Mr. Himchak, second by Mr. Augustine. Motion passes.

Move to approve the Rhode Island/Massachusetts bi-state proposal.

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

Move that the Board approve New Jersey's trawl-based assessment model (TBAM), evaluated as technically sound with a high level of precision by the Tautog Technical Committee, as documenting a state-specific fishing mortality rate of $F=0.20$ which is the target fishing mortality rate of Addendum V.

Motion made by Mr. Himchak, second by Mr. Calomo. Motion fails.

SHAD & RIVER HERRING MANAGEMENT BOARD (October 31, 2007)

Press Release

**ASMFC Shad Board Initiates Development of
Amendment 3 to the Shad & River Herring Plan
*Amendment to Address Major Findings of Benchmark Stock Assessment***

Annapolis, MD – In response to the findings of the 2007 benchmark stock assessment for American shad, indicating that American shad stocks are currently at all-time lows and do not appear to be recovering, the Commission’s Shad and River Herring Management Board voted to initiate development of Amendment 3 to the Interstate Fishery Management Plan for Shad and River Herring.

The first step in the amendment process is the creation of a Public Information Document (PID), presenting a broad overview of the issues facing the American shad resource, as well as a range of potential management measures affecting the stock and dependent fisheries. Specific issues to be addressed in the PID are (1) incorporating the biological reference points and stock rebuilding goals identified in the 2007 benchmark stock assessment; (2) restricting fisheries operating on stocks where total mortality is increasing and relative abundance is decreasing; and (3) limiting the expansion of directed American shad fisheries unless a state or jurisdiction with management oversight can demonstrate that an increase in harvest will not jeopardize the rebuilding or sustainability of the stock in question. The Shad Plan Development Team was also given the flexibility to include other options in the PID that it deems necessary (i.e., research needs, habitat restoration and enhancement, data collection) as it proceeds with the development of the PID.

The Draft PID will likely be presented to the Management Board at the Commission’s Spring Meeting in May 2008. Upon its approval, it will be made available for public review and comment. It is anticipated that most states will also be conducting public hearings on the PID.

The Management Board also provided feedback on modifying the Draft PID for Amendment 2 to the Interstate Fishery Management Plan for River Herring. Initiated in response to concern about negative stock indicators and low landings levels for river herring, the document will solicit public comment on potential management actions to protect river herring stocks coastwide. Staff will be finalizing the document over the next several weeks and will release it for public review and comment upon its completion. For more information, please contact Erika Robbins, Fisheries Management Plan Coordinator, at (202) 289-6400 or erobbins@asmfc.org.

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PR07-27

Meeting Summary

The Shad and River Herring Management Board reviewed the Draft Public Information Document (PID) for Amendment 2 to the Shad and River Herring Fishery Management Plan. The PID addresses management issues pertaining to the river herring fishery. The Board voted to send the PID out for public comment with management options related to commercial and recreational harvest, including data collection. The Draft PID will be revised in the upcoming weeks and will be available for public comment in November.

After hearing a presentation on the recommendations contained in the 2007 American Shad Benchmark Stock Assessment, the Board initiated the development of a PID for Amendment 3, which will address American shad. For more information on this, please see the above press release.

The Board approved a proposal from Virginia for a limited harvest of American shad bycatch in the York, James, and Rappahannock Rivers in 2008. Similar bycatch fisheries were permitted in Virginia during the 2006 and 2007 fishing seasons.

Following comment from the Technical Committee (TC), the Board initiated the development of a benchmark river herring stock assessment, which the TC anticipates will take five years to complete. The Board has also requested that the TC provide it with recommendations on the minimum requirements for recreational monitoring.

Lastly, the Board approved the Fishery Management Plan Review and Plan Review Team Report, as well as membership of the Shad and River Herring Plan Development Team. For more information, please contact Erika Robbins, Fisheries Management Plan Coordinator, at (202) 289-6400 or erobbins@asmfc.org.

Motions

Move to strike the word license from the title of option 2, and replace with ‘harvest data’ and state under the MSRA states’ anglers will be required to register if they take anadromous species. States and jurisdictions should include state recreational harvest data on river herring.

Motion made by Mr. Smith, second by Mr. Augustine. Motion defeated (4 in favor, 12 opposed).

Move to bring Option 1, Option 2a, Option 3, & Option 6 (modified from “allow landings as” to “regulate”) to public comment in the PID.

Motion made by Mr. Nelson, second by Mr. Augustine. Motion passes unanimously.

Move to bring the amended PID to public hearings.

Motion made by Mr. Nelson, second by Mr. Adler. Motion passes unanimously.

Move that the PRT report on state compliance be modified to indicate that NJ has fully implemented all the requirements of Amendment 1 to the FMP for shad and river herring.

Motion made by Mr. McCloy, second by Mr. Augustine. Motion passes

Motion to approve PDT and Annual Report as amended by the previous motion.

Motion made by Mr. White, second by Mr. Augustine. Motion passes.

Move to initiate development of an amendment that accomplishes the first 3 of the priority items on page 4 of the document implementing recommendations from the American shad stock assessment dated October 11, 2007 with item 2 amended as follows do not increase directed fisheries for American shad unless a state or jurisdiction with management responsibility can justify that the increase will not jeopardize rebuilding for sustainable management of that stock.

Motion made by Mr. Smith, second by Mr. Carpenter. Motion passes unanimously.

Move to approve the Virginia proposal for 2008 with the provision that the bycatch fishery on the spawning grounds is not included and that Virginia work with the tribal governments to collect harvest info on the York River.

Motion made by Mr. Travelstead, second by Mr. Augustine. Motion passes (16 in favor, 1 abstention).

HABITAT COMMITTEE (October 31, 2007)

Meeting Summary

The Habitat Committee received updates on the Atlantic Coastal Fish Habitat Partnership, the diadromous source document, the Habitat Committee member description document, the Fishing Gear Technology Work Group, the Interstate Shellfish Transport Committee, and the Artificial Reef Subcommittee. Megan Caldwell reviewed the 2008 Science Department Action Plan with the Committee. The draft Habitat Program Operational Procedures Manual was again reviewed, including issues concerning habitat sections of fishery management plans, the project/permit comment procedure, and the effectiveness review of the Habitat Program. The Committee discussed sequential updating of habitat sections of fishery management plans, and decided to look into updating the lobster and/or horseshoe crab sections for 2008. The Committee again discussed the issue of working waterfronts and determined that it would be more appropriate for another group to bring the issue to the Policy Board. The Committee discussed the energy source document outline, and decided that it would like to pursue the document following revisions to the outline. For more information, please contact Jessie Thomas, Habitat Coordinator, at (202) 289-6400 or jthomas@asmfc.org.

ISFMP POLICY BOARD (October 31 & November 1, 2007)

Meeting Summary

The Interstate Fisheries Management Program Policy Board met to address a number of issues. The Board heard reports from the Assessment Science Committee, Multispecies Technical Committee, Fishing Gear Technology Workgroup, Management and Science Committee, Law Enforcement Committee, Habitat Committee, Committee on Economics and Social Sciences, and the Interstate Tagging Committee.

The Policy Board received a summary of the calibration protocols that will be used to ensure that the time series of data from the northeast fishery-independent surveys remains usable as the S/V Bigelow comes on line. The Bigelow is the new National Marine Fisheries Service (NMFS) research vessel that will be replacing the Albatross IV to conduct fishery surveys in the northeast Atlantic.

The Policy Board received updates on the federal efforts to improve recreational fishery data collection. The presentations focused on the development of a registry of recreational fishermen and efforts to improve the recreational data collection program. NMFS anticipates publishing a Federal Register notice containing the details of the federal recreational registry by the end of the year. The Policy Board continued its discussion on Commission involvement in developing a recreational registry. Commission staff was charged with developing options for the Commission's involvement in establishing a state level recreational registry. The issue will be discussed again at the Commission's Winter Meeting.

The Policy Board discussed the alignment of state and federal fishery management programs. A series of options for improving the alignment were presented. The Board formed a working group to make recommendations on approaches to improving alignment. The Policy Board will receive a report from the working group at the Winter Meeting.

NMFS introduced its newly launched Fish Watch program. The Program presents species-specific information to allow consumers to make educated decisions when eating fish.

The Policy Board was updated on the activities involved with the development of the EIS for oyster restoration in the Chesapeake Bay. The Board reviewed a draft letter detailing the Interstate Shellfish Transport Committee's concerns about the development of the EIS. The Policy Board agreed to edit the

letter and submit it to Maryland, Virginia, and the Army Corps of Engineers for consideration. The states were urged to increase their participation on the Interstate Shellfish Transport Committee.

The Commission's interstate fishery management plans (FMP) include *de minimis* provisions to allow states with minimal harvest to be excused from implementing certain FMP requirements. The current FMPs include a range of *de minimis* provisions. The Policy Board discussed the possible standardization of the *de minimis* provisions and decided to maintain the current process of species-specific provisions.

A schedule to develop the next Commission Strategic Plan was reviewed. At the ASMFC Winter Meeting a facilitated workshop will be held to initiate the plan development. Plan approval is scheduled to occur at the Commission's 2008 Annual Meeting for implementation from 2009-2013. For more information, please contact Robert Beal, ISFMP Director, at (202) 289-6400 or rbeal@asmfc.org.

Motions

Move to approve the 2008 Stock Assessment Peer Review Schedule as modified today.

Motion made by Mr. Augustine, second by Rep. Abbott. Motion carries.

CAPTAIN DAVID H. HART AWARD LUNCHEON (October 31, 2007)

Press Release

Preston P. Pate, Jr. Receives Prestigious David H. Hart Award



From left: ASMFC Chair George D. Lapointe, Hart Award Award Recipient Preston P. Pate, Jr., and ASMFC Executive Director John V. O'Shea

Annapolis, MD – The Atlantic States Marine Fisheries Commission presented Preston P. Pate, Jr., former Director of the North Carolina Division of Marine Fisheries, the David H. Hart Award, its highest annual award, at the Commission's 66th Annual Meeting in Annapolis, Maryland.

The Commission instituted the "Captain David H. Hart Award" in 1991 to recognize individuals who have made outstanding contributions to the betterment of marine fisheries on the Atlantic coast. The award is named for one of the Commission's longest serving members, who was dedicated to the advancement and protection of marine fishery resources.

Mr. Pate has exemplified the ideals of the award throughout his career in fisheries management.

As Director of the North Carolina Division of Marine Fisheries, he oversaw the full implementation of the Fisheries Reform Act, totally restructuring fisheries management within North Carolina. He guided the development and implementation of fisheries management plans for all of the state's significant fisheries, as well as the development of coastal habitat plans protecting critical fisheries habitat. By working directly with the state legislature, he helped ensure that funds raised by North Carolina's recreational saltwater fishing licensing program are reinvested in the state's marine resources.

During his four year tenure as ASMFC Chair, he deftly steered the Commission through several especially contentious issues, including the establishment of a cap on menhaden fishing in the Chesapeake Bay,

balancing the needs of widely varied user groups of horseshoe crab, and ensuring the rebuilding of summer flounder. He also strengthened precedents of strong support for science-based management, the precautionary approach in the absence of sufficient data, and the use of species-specific disincentives to minimize delayed implementation of required management measures.

Obviously comfortable working with others, Mr. Pate approached difficult issues with an open mind, a calm demeanor, a commitment to hearing all views, and a firm belief that most issues can be resolved provided that all available information is sought and considered, all of which led him to accomplishments that are in keeping with the values and principles reflected in the Hart Award.

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PR07-28

ATLANTIC STRIPED BASS MANAGEMENT BOARD (October 31, 2007)

Press Release

ASMFC Striped Bass Board Approves Addendum I *Addendum Establishes Bycatch Data Collection Program*

Annapolis, MD – The Commission’s Atlantic Striped Bass Management Board approved Addendum I to Amendment 6 to the Interstate Fishery Management Plan for Atlantic Striped Bass. The Addendum establishes a bycatch monitoring and research program to increase the accuracy of data on striped bass discards, as required by Amendment 6. More accurate discard mortality estimates will improve our understanding of stock status and provide for more effective striped bass management. The Addendum also recommends that states, through the Commission if possible, develop a web-based angler education program on fishing techniques known to reduce post-release hooking mortality.

The bycatch program establishes a suite of mandatory and voluntary data collection standards, discard mortality studies, and technical committee analyses for commercial, recreational, and for-hire fisheries. The states from Maine through North Carolina are required to collect commercial data elements consistent with ACCSP standards and recreational quantitative data as reported by interviewed fishermen. Further, the states are to review existing discard mortality studies to develop gear-specific discard mortality estimates. The Striped Bass Technical Committee will be required to analyze any newly collected at-sea observer data, and review temperature-specific estimates of recreational discards and post-release mortality rates.

The Addendum is effective immediately and will be available in early November. Copies can be obtained by contacting the Commission at (202) 289-6400 or via the Commission’s website at www.asmfc.org under Breaking News. For more information, please contact Nichola Meserve, Fisheries Management Plan Coordinator, at (202) 289-6400 or nmeserve@asmfc.org.

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PR07-29

Meeting Summary

The Atlantic Striped Bass Management Board approved Addendum I to Amendment 6 to the Interstate Fishery Management Plan (see above press release). The Board reviewed the intent of the Planning Horizon in Section 4.1 of Amendment 6 and agreed that the planning horizon prohibits the implementation of any new amendments or addenda until January 1, 2009. The Board approved the

Terms of Reference for the 2007 stock assessment, which will undergo a peer review through the Northeast Regional Stock Assessment Workshop process in late November. The Board received an update on the 2006 juvenile abundance indices, and determined that it will ask the Technical Committee for a recommendation to address three low years of recruitment in the Hudson River following the peer review of the 2007 stock assessment.

The Board also approved a proposal from Maryland for its spring fishery in the Chesapeake Bay. During this fishery, anglers are permitted to harvest large migratory, “trophy” striped bass for a short season. Since 1993, the spring trophy fishery has been constrained by a quota ranging from 3,000 fish to nearly 42,000 fish, and any overage in one year has been subtracted from the subsequent year’s quota. In 2007, the Board permitted Maryland a one-year 30,000 fish target with complimentary regulations projected to restrict the harvest to the target. At this meeting, the Board approved a one-year, non-quota based management program for the trophy season with the following regulations: one fish, 28” minimum from April 19-May13; and two fish, 18” minimum with one fish allowed over 28” from May 16-May 31. For more information, please contact Nichola Meserve, Fisheries Management Plan Coordinator, at (202) 289-6400 or nmeserve@asmfc.org.

Motions

Move to adopt Addendum I as revised, to be effective immediately:

Bycatch Data Collection Program - Option 3, with the following elements mandatory and the remaining elements voluntary.

Commercial Fisheries: Data Collection - Bullet #2, #3; Discard mortality studies - Bullet #1;

Technical Committee Analysis - Bullet #1;

Recreational Fisheries: Data Collection - Bullet #1; Discard mortality studies - Bullet #1;

Technical Committee Analysis - Bullet #1

For Hire Fisheries: Data Collection - Bullet #1

Angler Education Program - Option 2 (add “Through the ASMFC, if possible, states are recommended...”, p. 13)

Motion made by Mr. Smith, second by Mr. King. Motion passes (15 in favor).

Move to approve a non-quota based fishery for Chesapeake Bay spring season for 2008.

Maryland regulations to implement season:

- **Open season from April 19 to May 13; one fish creel limit; 28” minimum size; and**
- **Open season from May 16 to May 31; two fish creel limit; 18” minimum, and only one of which may be 28” or greater.**

Motion made by Mr. King, second by Mr. Calomo. Motion passes (13 in favor, 2 abstentions, 1 null).

Move to recommend to the Policy Board that it request that NMFS reconsider the reopening of the EEZ to the harvest of striped bass.

Motion made by Mr. Calomo, second by Mr. Gibson. Motion withdrawn.

EXECUTIVE COMMITTEE (November 1, 2007)

Meeting Summary

The Executive Committee reviewed and approved the FY 07 audit. It discussed and approved procedures to formally recognize out-going Commissioners, proxies and members of the Management and Science Committee and law Enforcement Committee. It also approved procedures to recognize outstanding contributions by state technical staff to the Commission process. For more information, please contact Laura Leach, Director of Finance and Administration, at (202) 289-6400 or lleach@asmfc.org.

Motions

Move to approve the FY07 Audit.

Motion made by Mr. Nelson, second by Dr. Kray. Motion passes.

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (May 9, 2007)

Meeting Summary

The Management Board approved the 2007 Fishery Management Plan Reviews for Atlantic Croaker, Red Drum, Spot, Spotted Seatrout, and Spanish Mackerel. There were no compliance issues for any of these species. Additionally, the Board approved several states' requests for *de minimis* status for their Atlantic croaker and red drum fisheries. These reports will be made available online under each species page on the Commission's website.

The Board was presented with the results of the annual trigger exercises conducted by the Atlantic Croaker Technical Committee (TC) to determine if a stock assessment is necessary before the next scheduled assessment (2010). In this report, the TC documents the changes in landings, catch composition, mean size at age, catch-per-unit-effort, and fishery-independent indices of abundance for Atlantic croaker. The TC found that an assessment was not triggered to occur this year.

The Board approved four nominations for the new Southern Kingfish Technical Committee. This committee is being formed as a first step towards developing a Southern Kingfish FMP. The Board also approved 15 nominations for the new South Atlantic Species Advisory Panel. This panel replaces the former red drum and croaker advisory panels and will also provide advice on spot, spotted seatrout, and Spanish mackerel.

Lastly, the Board approved the nomination of William Sharp, of the Florida Fish and Wildlife Conservation Commission, as Board Vice-chair, and thanked Spud Woodward, of Georgia Department of Natural Resources, for his dedication to the Board as its Chair for the past two years. For more information, please contact Nichola Meserve, Fisheries Management Plan Coordinator, at (202) 289-6400 or nmeserve@asmfc.org.

Motions

Motion to elect Mr. Sharp as Vice-Chair.

Motion made by Ms. Price, second by Mr. Boyles. Motion passes by consent.

Motion to advance the recommended SEAMAP funding to the ISFMP Policy Board as presented by staff.

Motion made by Mr. Duren, second by Mr. Frampton. Motion passes.

Motion to approve FMP review with approval of *de minimis* status as presented by staff.

Motion made by Mr. Boyles, second by Mr. Travelstead. Motion carries by consent.

Motion to approve Southern Kingfish TC nominations as presented by staff.

Motion made by Mr. Boyles, second by Mr. Carpenter. Motion passes by consent.

Move to approve Daniel Dugan, Tom Fote, Jeffrey Reichle, Chris McCurdy, Sherman Baynard, Thomas Powers, Samuel Swift, James Ruhle, Thomas Ogle, Gene Dickson, James Shaw, Greg Davis, James Stockton, William Bird and Tim Adams to the South Atlantic Species Advisory Panel.

Motion made by Mr. Rhodes, second by Mr. Boyles. Motion passes by consent.

BUSINESS SESSION (NOVEMBER 1, 2007)

Meeting Summary

The Atlantic States Marine Fisheries Commission held its Business Session to take action on a number of issues. The Resolutions Committee presented a resolution on the 66th Annual Meeting of the ASMFC. The Commission approved the 2008 Action Plan. The Commission re-elected George Lapointe (Maine) as the Chair and Robert Boyles (South Carolina) as the Vice-Chair.

Motions

Move that we approve the 2008 Action Plan as we discussed with the modification for a potential striped bass addendum later in the year.

Motion made by Mr. Boyles, second by Mr. Diodati. Motion approved.

Move to nominate George Lapointe as Chair of ASMFC.

Motion made by Mr. Nelson on behalf of the Nominating Committee. Motion was accepted.

Move to nominate Robert Boyles as Vice Chair of ASMFC.

Motion made by Mr. Nelson on behalf of the Nominating Committee. Motion was accepted.