



# Atlantic States Marine Fisheries Commission

## 2008 Summer Meeting Summary

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

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2008 Summer Meeting  
Alexandria, VA  
August 19 - 21, 2008

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

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## **AMERICAN LOBSTER MANAGEMENT BOARD (August 19, 2008)**

### ***Meeting Summary***

The American Lobster Board met to discuss a number of issues. Addendum XII Identifies issues associated with history-based fishing rights programs and transfer programs. The Board reviewed a proposal to consider actions in the addendum to end the delay in the administration of trap allocations and transfers, resolve critical database needs, and prevent the potential shift of trap-fishing effort from state waters to federal waters as well as from one state to another. The Board tasked the Transferability Subcommittee and the Advisory Panel to consider this proposal. The Subcommittee and Advisory Panel will present their recommendations to the Board at the October Board meeting.

The Board initiated an addendum to consider changes in the LCMA 3 transfer program. The addendum will include the LCMT 3 recommended changes to the tax on both partial trap sales and whole business sales. It will also consider changes to the trap cap for individual participating in the transfer program.

The Board noted that Connecticut reached its v-notching target for 2009 under the approved conservation equivalency program for LCMA 6. The v-notching program allows LCMA 6 area to retain its current gauge size rather than implementing Addendum XI's required gauge size increase.

LCMT 1 reported that they have taken the initial steps to begin a limited entry program for LCMA 1. The Board will discuss the issue more fully at its next meeting in October. 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 include the recommendations of LCMT 3 for LCMA 3.**

Motion made by Mr. Adler and seconded by Mr. Lapointe. Motion passes.

## **SUMMER FLOUNDER, SCUP AND BLACK SEA BASS MANAGEMENT BOARD (August 19, 2008)**

### ***Press Release***

#### **Summer Flounder Board Approves Initiation of Addendum *Addendum to Explore Use of Maximum Size Limits as a Potential Management Tool to Develop Slot Limits & Trophy Fishery***

Alexandria, VA – The Commission's Summer Flounder, Scup, and Black Sea Bass has approved initiation of an addendum to explore the addition of maximum size limits as a potential management tool for the summer flounder recreational fishery. Maximum size limits may provide managers with a wider range of recreational management tools (for example, slot limits or trophy fish) as the stock continues to rebuild.

The Board's action is taken in response to a preliminary review by the Summer Flounder Technical Committee on the use of slot limits in the recreational fishery. Given that the effectiveness of state-specific slot limits could not be evaluated due to the limited length frequency data at the state level, the Technical Committee recommended that slot limits should only be considered on a coastwide basis. The Technical Committee also cautioned that seasons and size limits associated with slot limits are likely to be more restrictive than current regulations given the greater availability of fish that could fall within the slot limit.

The Board directed the Technical Committee to determine whether the available data could be used to develop regional slot limits. The first draft of the addendum will be developed for Board review at the Commission's Annual Meeting this October in Rehoboth Beach, Delaware.

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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PR08-19

### ***Meeting Summary***

The Summer Flounder, Scup, and Black Sea Bass Management Board met to address a number of issues. In order to stay in synch with the Mid-Atlantic Fishery Management Council, the Board decided to postpone Draft Amendment 15 until the Council develops and finalizes an amendment regarding annual catch limits and accountability measures as required by the Magnuson-Stevens Reauthorization Act. The Board tasked staff to develop a list of regions states could form, including previous advisory panel recommendations, to consider for summer flounder recreational management. The Board will use this information to discuss the potential development of a new addendum focusing on mandatory regional management for summer flounder. The Board tasked the Law Enforcement Committee to review each states' summer flounder, scup, and black sea bass regulations regarding filleting at sea to determine whether regulations negate the effectiveness of that state's minimum size limits for these three species. The Technical Committee presented a report to the Board regarding data collection, updated research recommendations, and the possibility of an assessment for scup. The Board will continue to monitor the development of a scup assessment including the results of the NMFS Data Poor Stocks Workshop.

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 develop an addendum to include the use of a maximum size limit as a tool for the potential to develop a slot limit and a trophy fishery in the summer flounder recreational fishery.**

Motion made by Mr. Simpson and seconded by Mr. Goldsborough. Motion carries (7-3-1-0).

**Move that all jurisdictions on the Board provide the Law Enforcement Committee with their recreational regulations on summer flounder, scup, and black sea bass as related to whether or not filleting of these species is permitted at sea and that the LEC provide a report to the Board at the annual meeting in October 2008 as to each jurisdiction's program and whether or not their regulations negate the effectiveness of that state's minimum size limits for these three species.**

Motion made by Mr. McCloy and seconded by Mr. Adler. Motion carries.

**Move to develop an addendum to include mandatory regional management areas for the recreational summer flounder fishery.**

Motion made by Mr. Augustine and seconded by Mr. Miller. Motion postponed until Annual Meeting.

**Move to postpone the above motion to the annual meeting.**

Motion made by Dr. Pierce and seconded by Mr. McCloy. Motion carries.

### **WEAKFISH MANAGEMENT BOARD (August 19, 2008)**

### ***Meeting Summary***

The Weakfish Management Board met to approve the 2008 biological sampling plans and to receive an update on the Weakfish Data Workshop held the previous month.

Addendum I to Amendment 6 requires non-*de minimis* states to collect length and age samples based on the magnitude of their landings. Each year states submit plans as to how, when, and where they will sample the fisheries to fulfill the requirements. The Board approved all 2008 sampling reports. State performance with the sampling requirements will be determined during the Plan Review Team's review of state compliance in 2008.

The first of three workshops for the next weakfish stock assessment was held in July 2008. The Data Workshop was held to compile, organize, and critically evaluate all fishery dependent and independent data and life history information that could be used in the assessment. Jeff Brust, Chair of the Stock Assessment Subcommittee, provided an overview of the key decisions made at the workshop, the ongoing investigations, and the next steps. The Assessment Workshop is currently scheduled for October 2008.

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

### ***Motions***

#### **Motion to accept the 2008 biological sampling plans.**

Motion made by Mr. Miller and seconded by Mr. Culhane. Motion carries by consent.

### **ATLANTIC STRIPED BASS MANAGEMENT BOARD (August 19, 2008)**

#### ***Press Release***

#### **Updated Biological Reference Points for Atlantic Striped Bass Confirm Previously Released Stock Status**

Alexandria, VA – The Atlantic Striped Bass Management Board approved new estimates of the biological reference points established in Amendment 6, as well as improved estimates of female spawning stock biomass for 1982-2006 (see accompanying Table 1 and Figures 1 & 2). This action was taken in response to recommendations of the 46<sup>th</sup> Stock Assessment Review Committee, which reviewed the 2007 striped bass stock assessment.

With these updates, the stock status of Atlantic striped bass remains not overfished and not experiencing overfishing. The new estimate of female spawning stock biomass (SSB) in 2006 (40,639 metric tons) is above the new threshold and target levels (30,000 mt and 37,500 mt, respectively). The 2006 estimate of fishing mortality (F) from the statistical catch at age model (0.31) is below the new threshold of 0.34. Retrospective estimates of F from the statistical catch at age (SCA) model, as well as tag-based estimates of F, indicate that the 2006 fishing mortality is likely below the target F rate, which remains at 0.30.

	Fishing Mortality Rate	Female Spawning Stock Biomass
Target	0.30	37,500 metric tons
Threshold	0.34	30,000 metric tons

In its review of the 2007 stock assessment, the Review Committee recommended that the Striped Bass Technical Committee reconsider the ratio of male to female fish used in the estimation of female SSB. The Review Committee also recommended that the Technical Committee re-estimate the fishing mortality threshold based on data from the new preferred assessment model (the SCA model), and that the female SSB target and threshold be linked to the new assessment. The estimates of these reference points for Amendment 6 were based on data from the 2001 virtual population analysis stock assessment. Implementing these changes to the biological reference points does not change their definitions, but rather updates them with new data and estimates of stock size.

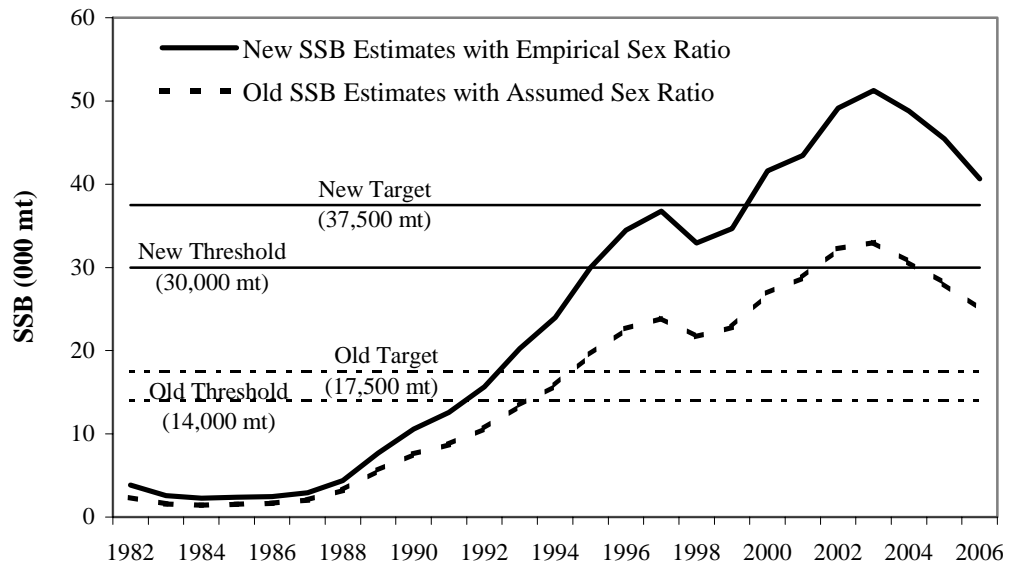
The Technical Committee undertook the recommended work. Based on biological sampling data, new estimates of the sex ratio at age were developed, resulting in the improved estimates of female SSB for 1982-2006. Included in

this time series was a new estimate of female SSB in 1995 (29,985 mt), the year the Atlantic coast stock was declared restored, and the value upon which the management program female SSB threshold is based. Given that Amendment 6 set the female SSB target as 125 percent of the female SSB threshold, the Technical Committee recommended an updated female SSB threshold of 30,000 mt and an updated female SSB target of 37,500 mt.

The Review Committee's recommendation to update the  $F$  threshold meant re-estimating  $F_{MSY}$ , the fishing mortality rate that allows for maximum sustainable yield. Using the new estimates of female SSB and age-1 recruitment from the 2007 assessment, the Technical Committee adopted a model averaging approach to account for uncertainty in the stock-recruitment relationship. The resulting estimate of  $F_{MSY}$  was 0.34, which the Technical Committee recommended to the Board for use. The  $F$  target in Amendment 6 of 0.30 remains the same because it was not based specifically on estimates of stock size, but is based on the objective to maintain an age structure that provides adequate spawning potential to sustain long-term abundance of striped bass populations.

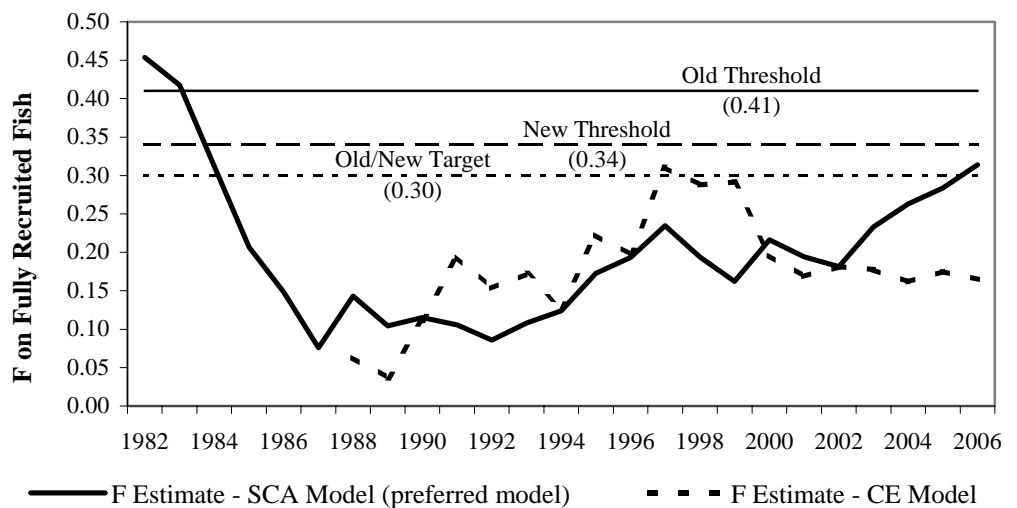
**Figure 1. Atlantic Striped Bass Female Spawning Stock Biomass Estimates and Biological Reference Points**

Amendment 6 defines the female SSB threshold as the 1995 level of female SSB, when the stock was declared restored, and the female SSB target as 125 percent of the female SSB threshold. The old female SSB threshold and target are based on data from the 2001 virtual population analysis, while the new female SSB threshold and target are based on data from the 2007 statistical catch at age (SCA) model, incorporating an empirical (based on data) sex ratio. Both sets of female SSB estimates are from the 2007 SCA model; however, the new set incorporates the same empirical sex ratio.



**Figure 2. Atlantic Striped Bass Fishing Mortality Estimates and Biological Reference Points**

Amendment 6 defines the  $F$  threshold as  $F_{MSY}$ , and the  $F$  target based on management objectives. The old  $F$  threshold is based on data from the 2001 virtual population analysis, while the new  $F$  threshold is based on data from the 2007 statistical catch at age (SCA) model. Estimates from the SCA model were preferred by the 46th Stock Assessment



Review Committee for comparison to biological reference points. However, estimates from the tag-based catch equation (CE) model, as well as retrospective estimates of F from the SCA model, are used to indicate that the terminal year F estimate from the SCA model is likely overestimated and will decline below the F target with the addition of future years of data.

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

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PR08-18

### ***Meeting Summary***

The Striped Bass Management Board met to consider approval of updated biological reference points (see press release above), discuss initiating an addendum to the management plan, and review the 2008 Fishery Management Plan Review and state compliance.

In a meeting earlier this year, the Board discussed issues for inclusion in a possible addendum to respond to new stock status information from the 2007 stock assessment. This discussion was postponed until the Striped Bass Technical Committee completed a re-estimation of the Amendment 6 biological reference points. The Technical Committee provided that report this meeting, including a recommendation for the development of new biological reference points appropriate to the fishery's multiple management objectives once defined by the Board. In response, the Board tasked the Technical Committee with providing background information for use in defining management objectives, and with evaluating the performance of the fishery with the management objectives of Amendment 6. The Board will receive the Technical Committee report at its October meeting before continuing discussion on the possibility of an addendum.

The Board approved the 2008 Fishery Management Plan Review, a report that documents the status of the fisheries, the stock, the management and monitoring programs, and state compliance with requirements for 2007. The Board approved the FMP Review, contingent upon there being no compliance issues in states that are late to provide their annual report. The FMP Review will be made available on the Commission's website once all annual reports are received and the stock status information is updated to reflect the biological reference point update approved by the Board earlier in the meeting.

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

### ***Motions***

**Move to accept the recommendation of FMSY threshold of 0.34, F target of 0.30, an SSB threshold of 30,000 mt and SSB target of 37,500 mt.**

Motion made by Mr. Augustine and seconded by Dr. Kray. Motion carries.

**Move to accept the FMP Review conditionally upon submission of Rhode Island's report.**

Motion made by Mr. Augustine and seconded Mr. Adler. Motion passes unanimously.

### **ATLANTIC HERRING SECTION (August 19, 2008)**

#### ***Meeting Summary***

The Atlantic Herring Section met to review a number of issues in the Atlantic herring fishery. The Plan Review Team (PRT) provided a review of state compliance. No states were found out of compliance, and there were no *de minimis* requests from any states that submitted reports.

Technical Committee (TC) Chair, Dr. Matt Cieri, presented a TC review of the Gulf of Maine spawning closures. The TC cautioned that the current zero-tolerance (no-fishing) regulations have only been in place for one year, which is not long enough to make determinations. Given the caveats with the data set, the TC said that availability of juveniles (through large year classes) might have more impact than management measures on the amount caught. The TC will continue to monitor the juvenile and spawn herring catch and give an annual update to the Section.

Dr. Cieri provided an update of 2008 landings. Catch rates and the resulting overall catch in Area 1A are much higher than predicted. Commission staff provided an update on the New England Fishery Management Council's Scoping Document for Amendment 4 which includes provisions to comply with accountability measures, annual catch limits, and standardized bycatch reporting requirements from the Reauthorized Magnuson Stevens Act as well as addressing bycatch in the mackerel fishery.

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

#### *Motions*

No motions made.

### **AMERICAN EEL MANAGEMENT BOARD (August 20, 2008)**

#### *Meeting Summary*

The American Eel Management Board met to review Draft Addendum II to the Interstate Fishery Management Plan. Draft Addendum II was initiated based on the findings of the most recent American eel stock assessment, which indicated that eel abundance is at an all time low. The goal of the Addendum is to increase the escapement of silver eels to the spawning grounds.

The Board was presented with additional technical analyses that describe the impacts of a suite of regulations. The Board also received input from the American Eel Advisory Panel on the Draft Addendum. Based on the input from the Technical Committee and Advisory Panel, the Board requested a number of changes be made to the Draft Addendum.

The Board approved the Draft Addendum II, with the suggested changes, for public review and comment. The document will be available for public review in early September and it is anticipated that most of the states will hold public hearings in late September or early October. The Management Board will review public comment and consider final approval of the Addendum at the ASMFC Annual Meeting in October in Rehoboth Beach, Delaware. For more information, please contact Robert Beal, ISFMP Director, at (202) 289-6400 or rbeal@asmfc.org.

#### *Motions*

**Move to approve Draft Addendum II be approved for public comment.**

Motion carries.

### **ATLANTIC MENHADEN MANAGEMENT BOARD (August 20, 2008)**

#### *Meeting Summary*

The Board reviewed state compliance for the 2007 fishery. All jurisdictions were in compliance with the reporting requirements of the FMP and reduction landings from Chesapeake Bay were under the harvest cap. The Bay cap for 2008 was set at 122,740 metric tons, the maximum allowed under Addendum III.



Coastwide landings for menhaden increased 19% from 2006 in 2007 to 219,075 metric tons. The harvest for reduction purposes only is 174,455 metric tons, up 11% from the 2006 landings of 157,385 metric tons. The preliminary estimate of the coastwide bait harvest for 2007 is 44,620 metric tons; this is up 70% over the 2006 bait harvest of 26,210 metric tons.

The NOAA Chesapeake Bay Office continues to coordinate research focusing on menhaden in Chesapeake Bay. The Board tasked the Technical Committee (TC) to review results anticipated and evaluate whether they will be useful for assessment and management purposes from the Board's perspective.

Responding to a Board request, the TC reviewed "Gulf of Mexico Menhaden: Considerations for Resource Management." In addition the TC anticipates exploring alternative assessment methodologies and beginning the assessment by Summer 2009. For more information, please contact Braddock Spear, Senior Fisheries Management Plan Coordinator for Policy, at (202) 289-6400 or bspear@asmfc.org.

### *Motions*

#### **Move to nominate Mr. Lapointe as Vice-Chair of the Menhaden Board.**

Motion made by Dr. Geiger and seconded by Mr. Augustine. Motion passes.

#### **Move to accept *de minimis* status for three states SC, GA, FL.**

Motion made by Mr. Augustine and seconded by Mr. Adler. Motion passes.

#### **Move to accept 2008 FMP review for Menhaden.**

Motion made by Mr. Adler and seconded by Mr. Augustine. Motion passes.

### **ISFMP POLICY BOARD (August 20, 2008)**

#### *Meeting Summary*

The Interstate Fisheries Management Program Policy Board met to address a number of issues. An update on the EIS for Chesapeake Bay oyster restoration was presented to the Policy Board. The Project Delivery Team (PDT) continues to develop the EIS with a projected completion date of October 17, 2008. Once the EIS is available for public comment the ASMFC Interstate Shellfish Transport Committee will meet and provide feedback to the Policy Board.

The Interstate Tagging Committee provided a summary of the state regulations regarding fish tagging programs. For states that currently do not have regulations on tagging programs, the Committee provided recommended draft language for consideration.

A summary of the Fish Passage Workshop recommendations was provided to the Policy Board. The Workshop recommendations were divided between short-term and long-term issues. The Policy Board approved the recommendations for consideration as resources are available and the 2009 Action Plan is being developed.

The Policy Board heard reports from the NEAMAP Board. The NEAMAP Board recommended that a peer review of the NEAMAP trawl survey be conducted by the end of the calendar year. The Policy Board agreed with this recommendation and tasked staff with setting up the peer review.

The Policy Board received an update on from the ASMFC Habitat Program. The Habitat Committee will be publishing the Diadromous Species Habitat Source Document by the end of September. This document will contain extensive habitat information for all of the diadromous species managed by the Commission.

The Policy Board agreed with the Habitat Committee's concern that additional flexibility is needed for updating the habitat sections of FMPs. The Policy Board approved a change to the ISFMP Charter to allow FMP habitat sections to be updated through the use of the adaptive management (addendum) process.

The Policy Board approved changes to the process used for the Commission to comment on projects that will impact fisheries habitat. This new process is contained in the Habitat Operational Procedures Manual.

A presentation on the NMFS' proposed rule on implementing the National Standard 1 provisions of the Reauthorized Magnuson Stevens Act. The proposed rule contains the requirements for the Regional Fishery Management Councils to implement annual catch limits (ACLs) and accountability measures (AMs) in all federal FMPs. This requirement for ACLs and AMs will have an impact on a number of species that have joint or complementary management between the Commission and the Councils. The Policy Board requested that staff draft comments on the proposed rule for consideration and submission by the September 22, 2008 public comment deadline.

The Policy Board received an update on the activities to address state/federal alignment on fisheries management. The Policy Board requested that staff review and summarize previous efforts and discussions on this issue. This issue will also continue to be discussed at the Northeast Regional Coordinating Council.

The Policy Board reviewed the public comment received on the draft 2009-2013 ASMFC Strategic Plan. Based on the comment, the Policy Board approved changes to the Strategic Plan. Staff will incorporate those changes and provide a final draft at the Commission's Annual Meeting in October for approval.

The Policy Board tasked staff with drafting a timeline for the public to submit comments prior to an ASMFC Meeting. This timeline will be reviewed by the Policy Board at the Commission's Annual Meeting in October.

A meeting of the Winter Flounder Board will be scheduled at the Annual Meeting to discuss the results of the most recent stock assessment and determine the appropriate management action.

### *Motions*

#### **Move to amend the ISFMP Charter regarding FMP habitat sections.**

Motion made by Mr. P. White and seconded by Mr. Augustine. Motion carries.

#### **Move to approve the revised project comment protocol and the Habitat Operations Procedure Manual.**

Motion made by Mr. Augustine and seconded by Mr. Goldsborough. Motion carries.

#### **Move to include Support data collection and research for ecosystem-based management strategies in goal 2 of the strategic plan.**

Motion made by Mr. Simpson and seconded by Mr. Augustine. Motion carries.

### **SHAD & RIVER HERRING MANAGEMENT BOARD (August 21, 2008)**

#### *Press Release*

#### **ASMFC Shad and River Herring Board Releases Draft River Herring Amendment for Public Comment and Review**

Alexandria, VA – The Commission's Shad & River Herring Management Board has approved sending forward Draft Amendment 2 to the Interstate Fishery Management Plan (FMP) for River Herring for public review and comment. It seeks input on proposed requirements for population and bycatch monitoring, as well as commercial and recreational management measures. It is anticipated that the majority of coastal states will be conducting

public meetings on the Draft Amendment; information on those meetings will be released once they become finalized.

The Draft Amendment has been developed in response to widespread concern regarding the decline of river herring stocks. While many populations of blueback herring and alewife, collectively known as river herring, are in decline or remain depressed at stable levels, lack of fishery-dependent and independent data makes it difficult to ascertain the status of river herring stocks coastwide. Between 1985 and 2004, commercial landings of river herring dropped by 90% from 13.6 to 1.33 million pounds. In 2007, Commission member states reported river herring landings of approximately 1.1 million pounds. In response to declining stocks within their own waters, four states—Massachusetts, Rhode Island, Connecticut, and North Carolina—have closed their river herring fisheries. River herring stocks are a multi-jurisdictional resource occurring in rivers and coastal waters. River herring bycatch continues to be a significant concern. Preliminary analyses indicate that, in some years, the total bycatch of river herring species by the Atlantic herring fleet alone could be equal to the total landings from the entire in-river directed fishery on the East Coast.

The Draft Amendment proposes a suite of management measures to address these concerns and ensure the survival and enhancement of depressed stocks or the maintenance of presently stable stocks. The Draft Amendment proposes mandatory data and bycatch monitoring provisions, as well as options to close fisheries by river system or establish a coastwide moratorium on the river herring fishery. Specific commercial measures include area closures, escapement provisions, and landings reductions by river systems, as well as limited access. Recreational measures include recreational license/permit, limiting recreational harvest by the days of the week, coastwide creel limit, gear restrictions, and area or seasonal closures by river system.

The Draft will be available by early September 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 Fisheries Management Plan Coordinator for Management, at (202) 289-6400 or [tkerns@asmfc.org](mailto:tkerns@asmfc.org)

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PR08-20

### *Motions*

#### **Main Motion**

**Move that the Board refocus Amendment 3 to focus on coordination on interstate monitoring of at-sea bycatch, advocating fish passage (up and downstream), preserving current management goals (F30 and 5 objectives of the plan), and allowing individual states to manage in-river fisheries and determine status of the stock. The Board will annually monitor states' progress on achieving these management goals.**

Motion made by Mr. Simpson and seconded by Mr. Augustine. Motion substituted.

#### **Motion to Substituted**

**Move to substitute to instruct staff to use the 18 items on page 17-18 of the PID and the AP comments to draft an amendment for Board review to include the concept that would allow individual states to tailor solutions for in river fisheries to meet the goals and objectives of the amendment.**

Motion made by Mr. Travelstead and seconded by Mr. Cole. Motion passes (17 in favor, 1 opposed). Motion becomes main motion.

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

**Move to instruct staff to use the 18 items on page 17-18 of the PID and the AP comments to draft an amendment for Board review and to include the concept that would allow individual states to tailor solutions for in-river fisheries to meet the goals and objectives of the amendment.**

Motion made by Mr. Travelstead and seconded by Mr. Cole. Motion passes (18 in favor).

**Move to approve draft Amendment 2 for public review and comment.**

Motion made by Mr. Adler and seconded by Dr. Geiger. Motion passes (18 in favor).

**SPINY DOGFISH & COASTAL SHARKS MANAGEMENT BOARD (August 21, 2008)**

***Press Release***

**ASMFC Spiny Dogfish Board Approves Draft Addenda II and III for Public Comment**

Alexandria, VA – The Spiny Dogfish & Coastal Sharks Management Board approved the release of two addenda for public review and comment. Both addenda propose management options that reflect the historic regional distribution of the spiny dogfish landings among the states. The Board’s action responds to the concern of some states that the current seasonal allocation program is not providing their commercial fishermen the opportunity to harvest the available quota as was intended by the Interstate Fishery Management Plan (FMP) for Spiny Dogfish. It is anticipated that the many coastal states will be conducting public meetings on the Draft Addenda; information on those meetings will be released once they become finalized.

Currently, the interstate spiny dogfish management program allocates the annual commercial quota seasonally while a Board action distributes the quota regionally within the seasonal allocation. The seasonal allocation system divides the quota into two periods, with 57.9% of the quota available for harvest from May 1 to October 31 and 42.1% available for harvest from November 1 to April 30. Through Board action, states agreed upon a regional allocation system dividing the quota between two regions, with 58% allocated to the northern states (ME – CT) and 42% allocated to the southern states (NY-NC). The 58/42 percent allocation was designed to preserve the historical distribution of landings. In recent years, however, the seasonal allocation strategy, which is influenced by dogfish migratory patterns, has resulted in overages of the northern quota share and reduced access to the resource by the southern states.

Draft Addendum II proposes to eliminate the current seasonal allocation system and to formalize the regional allocation system. To ensure a fair allocation of the annual quota between regions and maintain the conservation goals of the plan, the Draft Addendum proposes that each region be accountable for its overharvest through quota reductions the following year. Under the current system, overages in one region have resulted in a reduced quota to the other region. Draft Addendum may be applied to the 2008/2009 fishing season.

Draft Addendum III proposes a suite of options for the establishment of a state-by-state allocation system including quota transfer between states. Options include a minimum threshold (fixed percentage of the annual quota to be distributed to all states independent of historical landings) and percent allocations based on a variety of base years. Addendum III also includes an option for state payback of overages.

Both addenda will be available by early September 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 Christopher Vonderweidt, Fisheries Management Plan Coordinator, at (202) 289-6400 or [cvonderweidt@asmfc.org](mailto:cvonderweidt@asmfc.org).

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PR08-22

***Meeting Summary***

The Spiny Dogfish & Coastal Sharks Management Board met to discuss and consider approval of the Interstate Fishery Management Plan (FMP) for Atlantic Coastal Sharks, as well as two addenda for public comment. The FMP was approved with minor revisions and forwarded to the full Commission (Business Session) for its approval (see page 16 under Business Session for the press release on the Interstate FMP). The Board approved Draft Addenda II & III, both of which address spiny dogfish quota allocations, for public comment (see press

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

### **Motions**

#### **Main Motion:**

**The Spiny Dogfish and Coastal Sharks Management Board moves to recommend approval of the Interstate FMP for Atlantic Coastal Sharks to the Commission.**

Motion made by Mr. Augustine and seconded by Mr. Himchak. Motion amended.

#### **Motion to Amend:**

**Move to amend Section 4.3.2. to allow the transit of non-sandbar large coastal sharks legally caught in the EEZ through VA, MD, DE, NJ from May 15 through July 15 provided that the fisherman notifies the state enforcement agency and/or NMFS prior to transiting and gear is stowed. Specific provisions for implementation will be part of the state implementation plan and must be reviewed by the Law Enforcement Committee prior to approval of the state plan.**

Motion made by Mr. Calomo and seconded by Mr. Augustine. Motion passes (16 in favor, none opposed).

#### **Motion to Amend:**

**Move to amend Section 4.3.2. to allow the transit of sharks legally caught in the EEZ through VA, MD, DE, NJ from May 15 through July 15 provided that the fisherman notifies the state enforcement agency and/or NMFS prior to transiting and gear is stowed. Specific provisions for implementation will be part of the state implementation plan and must be reviewed by the Law Enforcement Committee prior to approval of the state plan.**

Motion made by Mr. Boyles and seconded by Mr. Augustine. Motion carries.

#### **Main Motion as Amended:**

**The Spiny Dogfish and Coastal Sharks Management Board moves to recommend approval of the Interstate FMP for Atlantic Coastal Sharks to the Commission with the following revision to Section 4.3.2. “to allow the transit of sharks legally caught in the EEZ through VA, MD, DE, NJ from May 15 through July 15 provided that the fisherman notifies the state enforcement agency and/or NMFS prior to transiting and gear is stowed. Specific provisions for implementation will be part of the state implementation plan and must be reviewed by the Law Enforcement Committee prior to approval of the state plan”.**

Motion by made Mr. Augustine and seconded by Mr. Himchak. Motion approved.

**Move to accept the recommendations of the Technical Committee on the initial specifications for Coastal Sharks in 2009.**

Motion made by Mr. Augustine and seconded by Mr. Cole. Motion carries.

**Move to approve that Delaware, South Carolina, Georgia, and Florida be granted *de minimis* status for the 2008/2009 fishery.**

Motion by made Mr. P White and seconded by Mr. Augustine. Motion carries.

**Move to approve Draft Spiny Dogfish Addendum II for public review and comment.**

Motion made by Mr. Augustine and seconded by Mr. P. White. Motion carries.

**Move to nominate Dave Simpson as vice chair of the Management Board.**

Motion by made Mr. R. White and seconded by Mr. P. White. Motion approved.

**Move to accept Eric Brazer, Jr. to the Spiny Dogfish Advisory Panel.**

Motion made by Mr. Adler and seconded by Mr. Augustine. Motion carries.

**Move to remove Option H from Draft Addendum III.**

Motion made by Mr. R. White and seconded by Mr. McKiernan. Motion carries.

**Move to include an option basing allocation on landings between 2000 and 2007.**

Motion made by Mr. Travelstead and seconded by Mr. Cole. Motion carries.

**Move to include an option basing allocation on an average of the allocations in options A through (amended) H.**

Motion made by Rep. Abbott and seconded by Mr. P. White. Motion fails.

**Move to add to Issue 1 an option to allocate 1% to Delaware and Connecticut each.**

Motion made by Mr. P. White and seconded by Mr. Miller. Motion carries.

**Move to approve Draft Addendum III as amended to public review and comment.**

Motion made by Mr. Cole and seconded by Mr. Augustine. Motion carries unanimously.

**HORSESHOE CRAB MANAGEMENT BOARD (August 21, 2008)**

*Press Release*

**Board Approves Horseshoe Crab Addendum V  
*Addendum Maintains Current Management Program Through Fall 2009***

Alexandria, VA – The Commission’s Horseshoe Crab Management Board approved Addendum V to the Interstate Fishery Management Plan for Horseshoe Crab. The Addendum maintains the suite of management measures contained in Addendum IV for an additional year. These measures seek to address the needs of the migratory shorebirds, particularly the red knot, while allowing a limited commercial bait fishery. The U.S. Fish and Wildlife Service Shorebird Technical Committee has indicated that the red knot, one of many shorebird species that feed upon horseshoe crab eggs, remains stable at very low population levels. Red knots have shown no sign of recovery, despite a nearly 70 percent reduction in horseshoe crab landings since 1998.

With Addendum IV due to expire on September 30, 2008, the Board initiated development of Addendum V to continue horseshoe crab management in Delaware Bay for another year. Based on the most recent surveys of horseshoe crabs, management measures in Addendum IV and previous management plans are resulting in increased horseshoe crab abundance in the Delaware Bay region. A horseshoe crab trawl survey administered by Virginia Tech shows increases in both immature and mature males and females over the past four to five years. A survey of spawning crabs on the beaches of Delaware Bay indicate stable female spawning activity and increased male spawning over the past nine years.

The Addendum V essentially mirrors the management measures contained in Addendum IV. These include a delayed, male-only harvest in New Jersey and Delaware for one year. Specifically, it prohibits the harvest and landing of male and female horseshoe crabs from January 1 through June 7 in the Delaware Bay, and restricts the annual harvest to 100,000 males per state from June 8 through December 31. As with all Commission plans, states have the prerogative to implement more conservative management measures. In the case of New Jersey, it implemented a moratorium on the harvest and landing of horseshoe crab.

The Addendum also establishes a delayed harvest in Maryland, prohibiting horseshoe crab harvest and landings from January 1 through June 7 for one year. The Addendum further prohibits landing of horseshoe crabs in Virginia from federal waters from January 1 through June 7 for one year. No more than forty percent of Virginia’s quota may be landed from ocean waters and those landings must be comprised of a minimum male to female ratio

of 2:1. The Addendum also contains an adaptive management provision that allows, through Board vote, the extension of these management measures an additional one-year period.

The Addendum will be available in September. Copies can be obtained by contacting the Commission at (202) 289-6400 or via the Commission's website at [www.asmf.org](http://www.asmf.org) under Breaking News. For more information, please contact Braddock Spear, Senior Fisheries Management Plan Coordinator for Policy, at (202) 289-6400 or [bspear@asmfc.org](mailto:bspear@asmfc.org).

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### **Motions**

#### **Main Motion:**

**Move to require, in Addendum V, a moratorium on the horseshoe crab bait fishery in NJ and DE until available data indicate that horseshoe crab and shorebird minimum biometric requirements currently being developed by the Horseshoe Crab Technical Committee and the Shorebird Technical Committee, including:**

- 1. Horseshoe crab surface egg densities on Delaware Bay beaches,**
- 2. Sustainable population levels of migratory shorebirds, particularly the red knot, and**
- 3. An acceptable percentage of migratory shorebirds achieving adequate weight gain before departure to arctic breeding grounds have been attained, indicating a commercial harvest of horseshoe crabs in DE and NJ would not put any species, particularly the red knot, at risk of extinction.**

Motion made by Mr. Himchak and seconded by Rep. Abbott. Motion substituted.

#### **Motion to Substitute:**

**Move to substitute to adopt option 2 for NJ and DE in draft Addendum V.**

Motion made by Mr. Travelstead and seconded by Mr. Augustine. Substitute motion carries (12 in favor 1 opposed)

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

**Move to adopt option 2 for NJ and DE in draft Addendum V.**

Motion made by Mr. Travelstead and seconded by Mr. Augustine. Motion carries (11 favor, 1 opposed, 0 null, 2 abstentions).

**Move to adopt option 2 for Maryland in draft Addendum V.**

Motion made by Mr. Miller and seconded by Mr. Augustine. Motion carries (12 favor, 1 opposed, 1 abstention).

**Move to adopt option 2 for VA in draft Addendum V.**

Motion made by Mr. Travelstead and seconded by Mr. Cole. Motion carries (12 favor, 1 opposed, 1 abstention).

**Move to adopt option 2 for adaptive management.**

Motion made by Mr. Augustine and seconded by Mr. Cole. Motion carries unanimously.

**Move to adopt the compliance dates September 1 to submit state programs and November 1 for states to approve implementation plans in draft Addendum V.**

Motion made by Mr. Augustine and seconded by Mr. Cole. Motion carries.

**Move to accept Addendum V with options as selected.**

Motion made by Mr. Augustine and seconded by Mr. Travelstead. Motion carries (14 favor, 1 opposed).

**Move to approve Allen L. Burgenson to the Advisory Panel.**

Motion Made by Mr. O'Connell and seconded by Dr. Geiger. Motion carries.

## **BUSINESS SESSION (August 21, 2008)**

### ***Press Release***

#### **ASMFC Approves Interstate Fishery Management Plan for Atlantic Coastal Sharks**

Alexandria, VA – The Atlantic States Marine Fisheries Commission has approved the Interstate Fishery Management Plan (FMP) for Atlantic Coastal Sharks. The FMP addresses the management of 40 species, including smooth dogfish, and establishes a suite of management measures for recreational and commercial shark fisheries in state waters (0 – 3 miles from shore).

Coordinated state and federal management is essential to establishing healthy self-sustaining populations of Atlantic coastal sharks. Many species are depleted and vulnerable to collapse if fishing pressure continues as it has in recent years. Most of these sharks utilize state water coastal estuaries and bays as pupping grounds and nurseries. The FMP seeks to protect pregnant females when they are concentrated in these areas to give birth.

Prior to the FMP, there was inconsistent application of shark regulations at the state level. Some states mirrored federal regulations while others had less stringent provisions. Implementing the complementary plan will not only help the stocks rebuild by controlling fishing pressure but will also increase enforceability throughout the species management area.

The FMP includes management measures for smooth dogfish and will offer the first coastwide management of that species off the Atlantic coast. Smooth dogfish are not managed in federal waters and the FMP will control harvest through state landing restrictions.

The FMP establishes a seasonal closure to protect pregnant female sharks and a requirement that fins must remain attached through landings; these measures apply to both recreational and commercial fisheries. Recreational management measures include a prohibition on the harvest of severely depleted species, size limits, and authorized gear. Commercial management measures include species groupings (such as prohibited and research only); the opening and closing of fisheries concurrent with federal actions for small coastal, large coastal and pelagic species groups; a smooth dogfish quota; seasons, landings restrictions, possession limits, gear restrictions and bycatch reduction measures; state commercial license/permit requirements; display and research permit exemptions; and federal dealer permit requirements.

The Plan will be available in September 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 Chris Vonderweidt, Fisheries Management Plan Coordinator, at (202) 289-6400 or [cvonderweidt@asmfc.org](mailto:cvonderweidt@asmfc.org).

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PR08-21

### ***Motions***

#### **Move on behalf of the Spiny Dogfish and Coastal Sharks Management Board approval of the Interstate FMP for Atlantic Coastal Sharks.**

Motion made by Mr. Simpson. Motion carries unanimously.