



Atlantic States Marine Fisheries Commission #2

2011 Summer Meeting Summary

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

2011 Summer Meeting
Alexandria, Virginia
August 1-4, 2011

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

703.842.0740

Meeting Summaries, Press Releases and Motions

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AMERICAN LOBSTER MANAGEMENT BOARD (August 1, 2011)

Press Release

**ASMFC American Lobster Board Approves Draft
Addendum XVII for Public Comment: *Addendum Seeks to Reduce Exploitation on
Southern New England Stock by 10%***

Alexandria, VA – The Commission’s American Lobster Management Board has approved Draft Addendum XVII for public comment and review. The Draft Addendum presents a suite of management options to reduce fishing exploitation on the Southern New England stock of American lobster by 10% starting in July 2013. The proposed 10% reduction would come from changes in the minimum size limit, maximum size limit, and/or closed seasons. Proposals would be developed for each affected Lobster Conservation Management Area (2, 3, 4, 5, and 6) to meet the 10% reduction as outlined in the Draft Addendum.

In taking this proposed action, the Board indicated that the 10% reduction in exploitation is the first step in responding to Technical Committee advice for significant exploitation reductions over the long-term to initiate Southern New England stock rebuilding.

The Southern New England lobster stock is at low levels of abundance and experiencing persistent low recruitment caused by a combination of environmental factors and continued fishing mortality. It is this low recruitment that is preventing the Southern New England stock from rebuilding. Under the assumptions of poor recruitment and very high natural mortality, the Technical Committee is not certain that the stock would recover to the target level under a total fishery moratorium.

States will be conducting hearings on the Draft Addendum; the details of those hearings will be released when they become available. Fishermen and other interested groups are encouraged to provide input on the Draft Addendum either by attending public hearings or providing written comments. Copies of the Draft Addendum will be available by August 24, 2011 via the Commission’s website (www.asmfc.org) under Breaking News or by contacting the Commission at 703.842.0740. Public comment will be accepted until 5:00 PM (EST) on October 14, 2011 and should be forwarded to Toni Kerns, Senior FMP Coordinator, 1050 N. Highland St, Suite A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at tkerns@asmfc.org (Subject line: Draft Addendum XVII). The Board will meet in November at the Commission’s Annual Meeting to review public comment and consider final action on the Addendum.

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PR11-25

Motions

Main Motion:

Move to approve Draft Addendum XVII to Amendment 3 for public comment.

Motion made by Mr. White and seconded by Mr. Stockwell. Motion amended.

Motion to Amend:

Move to amend for Section 3 to allow these measures to be implemented by LCMA.

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

Motion to Substitute:

Move to substitute that we change the objective to reduce exploitation in the SNE stock by 10% in

each LCMA to initiate rebuilding of the SNE stock and enable each jurisdiction to prepare their fishing industries for more substantive reductions in a subsequent addendum.

Motion made by Mr. Simpson and second by Mr. McElroy. Motion carries (In Favor – MA, RI, CT, NJ, DE; Opposed – ME, NH, MD, NMFS; Abstentions – VA, NC; Null – NY).

Substituted Motion:

Move to amend “that we change the objective to be reduce exploitation in the SNE stock by 10% in each LCMA to initiate rebuilding of the SNE stock and enable each jurisdiction to prepare their fishing industries for more substantive reductions in a subsequent addendum.”

Motion amended.

Motion to Amend Substituted Motion:

Move to amend to remove option 1 under issue C (closed season) of option 3 (page 24) the last paragraph.

Motion made by Rep. Peake and seconded by Mr. Simpson. Motion passes (6 in favor, 4 opposed, 2 abstentions).

Amended Substitute Motion:

Move to amend “that we change the objective to be reduce exploitation in the SNE stock by 10% in each LCMA to initiate rebuilding of the SNE stock and enable each jurisdiction to prepare their fishing industries for more substantive reductions in a subsequent addendum and to remove option 1 under issue C (closed season) of option 3 (page 24) the last paragraph.

Motion passes (6 in favor, 2 abstentions).

Main Motion as Amended/Substituted:

Move to approve Draft Addendum XVII to Amendment 3 for public comment as amended to change the objective to “reduce exploitation in the SNE stock by 10% in each LCMA to initiate rebuilding of the SNE stock and enable each jurisdiction to prepare their fishing industries for more substantive reductions in a subsequent addendum” and to remove option 1 under issue C (closed season) of option 3 (page 24) the last paragraph.

Motion passes (7 in favor, 3 opposed, 2 abstentions).

ATLANTIC STRIPED BASS MANAGEMENT BOARD (August 1, 2011)

Meeting Summary

The Atlantic Striped Bass Management Board reviewed Draft Addendum III, which contained management options to reduce fishing mortality up to 40% and provide increased protection for the stock when it is concentrated and vulnerable. The Draft Addendum was initiated due to increased concern over declining catch and abundance, as well as low recruitment. Additionally, there is increasing uncertainty and concern over the prevalence of mycobacteriosis in Chesapeake Bay striped bass. The Board postponed releasing the Draft Addendum for Public Comment, pending the results of the Stock Assessment Update in November. For more information, please contact Kate Taylor, Fishery management Plan Coordinator, at ktaylor@asmfc.org or 703.842.0740.

Motions

Main Motion:

Move to approve the addendum for public comment.

Motion made by Mr. Grout and seconded by Terry Stockwell. Motion substituted.

Motion to Substitute:

Move to substitute to postpone this issue until the November meeting when the Board will receive the stock assessment.

Motion made by Mr. Carpenter and seconded by Mr. Augustine. Motion carries (In Favor – MA, RI, CT, NY, NJ, PA, DE, MD, DC, VA, PRFC, NC, NMFS, USFWS; Opposed – ME, NH).

Main Motion as Substituted:

Move to postpone this issue until the November meeting when the Board will receive the stock assessment.

Motion made by Mr. Carpenter and seconded by Mr. Augustine. Motion carries (14 in favor, 2 opposed).

ATLANTIC HERRING DAYS OUT MEETING (August 1, 2011)

Meeting Summary

Commissioners from the States of Maine, New Hampshire, and the Commonwealth of Massachusetts selected ‘days out’ effort control measures for the remainder of the 2011 June – September quota period in Area 1A. ‘Days out’ of the fishery is the primary management measure to prevent early closures and provide herring when demand is greatest.

Updated projections show that consistent with the 2010 fishing season, 2011 catch rates are lower than projected. To ensure that the June – September allocation is fully harvested, Commissioners agreed to set 0 days out (7 landing days) for August 8 – September 30, 2011. Landings will be monitored closely, and Commissioners will quickly convene a ‘days out’ meeting to reduce landing days if necessary.

Vessels are prohibited from landing more than 2,000 pounds of Atlantic herring on a ‘day out’ of the fishery. Fixed gear fishermen may remove and land herring from the gear (weirs and stop seines) on the closed days. For more information, please contact Christopher Vonderweidt at cvonderweidt@asmfc.org or 703.842.0740.

Motions

No motions made.

TAUTOG MANAGEMENT BOARD (August 2, 2011)

Meeting Summary

The Tautog Management Board met to review 2010 state compliance and consider state proposals to implement Addendum VI. The Plan Review Team presented findings that all states met or exceeded all Fishery Management Plan (FMP) measures in 2010. Delaware and North Carolina met the requirements for *de minimis* status in the 2011. Following the presentation, the Board accepted the 2010 Tautog FMP Review and *de minimis* status for Delaware and North Carolina in 2011. *De minimis* status allows a state to apply their recreational regulations to their commercial fishery (bag/size limits). States are still required to implement recreational or monitoring measures in the FMP.

The next order of business was a Technical Committee (TC) review of state proposals to implement the Addendum VI $F_{\text{target}} = 0.15$. Based on the coastwide assessment ($F_{\text{coastwide}} = 0.38$), states must implement regulations to achieve a 53% reduction in harvest to achieve the $F_{\text{target}} = 0.15$. Addendum VI allows states that can demonstrate a regional F that is lower than the coastwide assessment “at the same level of precision as the coastwide assessment” to only reduce harvest based on their regional F rate. The TC

provided a guidance document to help states calculate reductions on June 19, states submitted proposals for TC review around July 15, and the TC held its meeting to review state proposals on July 25, 2011. Massachusetts and Rhode Island submitted a regional VPA assessment (MA/RI VPA) using identical methodology as the coastwide assessment and demonstrating a regional F below the target. The TC endorsed the MA/RI VPA as at the same level of precision as the coastwide assessment based on a mean square residual (MSR) value of 0.69 compared to MSR = 0.61 for the coastwide assessment. The TC also noted that Rhode Island voluntarily lowered its private recreational bag and vessel limit in 2010, and combined MA/RI harvest was reduced by 25% in 2008 even though these states were only required to reduce harvest by 12%. The Board reviewed and unanimously approved the MA/RI VPA proposal.

Due to a lack of fishery-independent data, several states are unable to run a regional VPA and directly compare precision with a metric in the coastwide VPA. New York, Maryland, and Virginia submitted catch curve analyses demonstrating lower regional F's than the coastwide assessment for TC review. The TC could not determine the precision of the New York or Maryland catch curve analyses and suggested some modifications. The TC did not suggest any modifications to the Virginia catch curve proposal and recommended that the Board consider the analysis. After considering the TC's review, the Board agreed to postpone taking action on all catch curve proposals until the ASMFC Annual Meeting, allowing New York and Maryland to modify their proposals as requested by the TC.

The TC found that regulations in state plans to achieve a 53% reduction are risk neutral for Connecticut, New York, Delaware, Maryland, and Virginia. The Board unanimously approved these states proposals to achieve the 53% reduction based on the TC recommendations. Following the approval of these plans, the Board agreed that states will submit all new and revised proposals by September 15, 2011 to allow for TC review prior to the November ASMFC meeting week. All states will be required to implement regulations to implement Addendum VI by January 1, 2012.

For more information, please contact Christopher Vonderweidt at cvonderweidt@asmfc.org or 703.842.0740.

Motions

Move to accept the FMP Review.

Motion made by Mr. Simpson and seconded by Mr. Gilmore. Motion passes unanimously.

Move to grant *de minimis* status for NC and DE.

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

Move that the Board approve the MA/RI regional VPA and not require that they need to implement Addendum VI reductions.

Motion made by Dr. Pierce and seconded by Mr. McElroy. Motion passes (10 in favor).

Move to approve CT, NY, DE and VA proposals that achieve the required 53% reduction.

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

Move that VA catch curve analysis and associated options be approved.

Motion made by Mr. Travelstead and seconded by Dr. Pierce. Motion postponed until Annual Meeting.

Move to postpone to the Annual Meeting.

Motion made by Mr. Himchak and seconded by Mr. Augustine. Motion passes (9 in favor, 1 opposed).

SPINY DOGFISH & COASTAL SHARKS MANAGEMENT BOARD (August 2, 2011)

Meeting Summary

The Spiny Dogfish & Coastal Sharks Management Board met to consider state compliance with the Spiny Dogfish Fishery Management Plan (FMP) during the 2009/2010 fishing season; and review smooth dogfish management measures and landings, state coastal sharks possession limit regulations, the Shark Conservation Act of 2010, and the federal electronic highly migratory species (HMS) dealer proposed rule.

The Spiny Dogfish Plan Review Team (PRT) presented findings that all states met or exceeded all FMP measures in the 2009/2010 fishing and Delaware, South Carolina, Georgia, and Florida met the requirements for *de minimis* status in the 2010/2011 fishing season. The Board accepted the 2009/2010 Spiny Dogfish FMP Review and approved *de minimis* status for Delaware, South Carolina, Georgia, and Florida for the 2010/2011 fishing season. *De minimis* status exempts a state from the commercial biological sampling measures in the FMP.

Staff presented a whitepaper of smooth dogfish management measures, including state and federal measures that apply to smooth dogfish, a discussion of landings, and an example of state shares based on landings from 1998 – 2007. The Board instructed the Spiny Dogfish Plan Development Team (PDT) to draft an addendum with state shares based on landings from 1998 – 2007, 1998 – 2010, and a five-year moving average. The draft addendum will also contain a discussion of how a significant increase in the quota could be allocated equally in the future.

Staff also presented a whitepaper regarding each states timeline to modify their coastal shark possession limits. The Board had requested that staff prepare the whitepaper because NMFS Division of Highly Migratory Species (HMS) indicated that it may use in-season adjustments to possession limits as a quota allocation tool. The presentation addressed the possibility of in-season reductions where the federal possession limit for a species complex is set at zero for a time period or where the possession limit is simply reduced. The Board agreed that staff should treat a zero possession limit in federal waters as a federal waters closure, and state waters should close accordingly based on the FMP measure that state waters must close when adjacent federal waters are closed. Regarding a reduced possession limit, it was noted that adjustments to an already established possession limit (in-season adjustments) can only happen with a 2/3 vote during a Board meeting.

The Board received an update of the Shark Conservation Act of 2010 which prohibits fishermen from removing shark fins at sea (including the head and tail), with the exception of smooth dogfish. The Act contains a savings clause that allows individuals engaged in commercial fishing for smooth dogfish that hold a valid state commercial permit, and are fishing between shore and 50 nautical miles, to remove smooth dogfish fins as long as the fin to carcass ratio does not exceed 12%.

The final order of business before the Board was a review of the proposed rule to implement electronic reporting in federal waters HMS fisheries. The rule proposes to require first receivers of coastal sharks to hold a dealer permit and dealers to report within 24 hours of receiving sharks, and includes a provision that delinquent reports must be submitted before a dealer can receive more sharks. The proposed rule indicates that HMS may reconsider what percentage of harvest would trigger a closure (currently 80%) based on the timeliness of the electronic reports. The Board unanimously approved a motion recommending the Policy Board send a letter in support of the proposed rule. For more information, please contact Christopher Vonderweidt at cvonderweidt@asmfc.org or 703.842.0740.

Motions

Move to approve the *de minimis* requests from DE, GA, SC and FL and accept the FMP review.
Motion made by Mr. Augustine and seconded by Mr. Elroy. Motion passes with objection.

Move to initiate an addendum to the coastal shark FMP to include a state by state allocation for smooth dogfish to be implemented in 2012 or as soon as possible.

Motion made by Mr. Augustine and seconded by Mr. Adler. Motion carries (12 in favor, 4 abstentions).

Move to have the Board recommend to the Policy Board to write a letter supporting the HMS electronic dealer reporting requirements as proposed.

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

ATLANTIC MENHADEN MANAGEMENT BOARD (August 2, 2011)

Press Release

ASMFC Atlantic Menhaden Board Approves Draft Addendum V for Public Comment

Alexandria, VA – The Commission’s Atlantic Menhaden Management Board has approved Draft Addendum V to Amendment 1 to the Interstate Fishery Management Plan for Atlantic Menhaden for public comment. The Draft Addendum proposes establishing a new interim fishing mortality threshold and target (based on maximum spawning potential or MSP) with the goal of increasing abundance, spawning stock biomass, and menhaden availability as a forage species.

The Draft Addendum will also initiate the scoping process (comparable to that of a Public Information Document) on the suite of management tools that could be used to implement the new fishing mortality threshold and target levels. As in a PID, it will contain preliminary discussions of biological, environmental, social, and economic information, fishery issues, and potential management options for action through an addendum.

The MSP approach, as recommended by the 2009 peer review panel, identifies the fishing mortality rate necessary to maintain a given level of stock fecundity (number of mature ova) relative to the potential maximum stock fecundity under unfished conditions. The Draft Addendum presents two options for the new interim fishing mortality threshold (status quo based on an MSP of 8% and an MSP of 15%) and four options for the interim fishing mortality target (status quo and F based on MSPs of 20, 30 and 40%). For illustration purposes, a 15% MSP would equate to a fishing mortality rate threshold required to maintain approximately 15% of virgin stock fecundity. The current MSP level is 8%.

Based on the revised 2009 Atlantic menhaden stock assessment, menhaden was not overfished but had experienced overfishing in 2008. Given the current overfishing definition, which sets the fishing mortality rate (F) target at 0.96 and the F threshold at 2.2, this is the first time overfishing has occurred since 1998. Over the time series, overfishing had occurred in 32 of the last 54 years. F in 2008 (the latest year in the assessment) is estimated at 2.28.

States will be conducting hearings on the Draft Addendum; the details of those hearings will be released when they become available. Staff will be finalizing the Draft Addendum over the next couple of weeks. A subsequent announcement will be made once it is available for public comment. The Board will meet in November at the Commission’s Annual Meeting to review public comment and consider final action on the Addendum. Having gathered scoping information on management tools to implement Addendum V, the Board

will also consider moving forward on a subsequent addendum to establish associated management measures. The Board's intent is to finalize these management measures for implementation in 2013.

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PR11-28

Motions

Main Motion:

Move to adopt Draft Addendum V for public comment with one change: remove Options 3 through 5 from section 2.3.1.

Motion made by Mr. Grout and seconded by Mr. McElroy. Motion substituted.

Motion to Substitute:

Move to substitute to adopt Draft Addendum V for public comment.

Motion made by Mr. Fote and seconded by Mr. Augustine. Motion passes (In Favor – NH, MA, CT, NY, NJ, DE, MD, NC, SC, GA, FL, NMFS, USFWS: Opposed – ME, RI, VA, Abstention – PRFC).

Main Motion as Substituted:

Move to adopt Draft Addendum V for public comment.

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

Move to accept the FMP Review and approve the *de minimis* status for South Carolina, Georgia, and Florida.

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

Move to add Dr. Amy Schueller to the Menhaden Plan Review Team

Motion made by Mr. Meyers and seconded by Dr. Geiger. Motion carries.

WEAKFISH MANAGEMENT BOARD (August 3, 2011)

Meeting Summary

The Weakfish Management Board reviewed the Technical Committee's (TC) report on the adequacy of North Carolina's conservation equivalency measure of a 10% bycatch allowance with a 1,000 lb trip limit in lieu of the 100 lb commercial trip limit. After North Carolina implemented conservation equivalency in August 2010, 17% of trips were non-compliant resulting in the landing of roughly 19,500 pounds through December 2010. However, from January 2011 through April 2011, North Carolina had better compliance with only 5% non-compliant trips at 1,150 pounds. The Board tasked the TC to provide another update at the November 2011 Board meeting.

The Board also reviewed the TC report on weakfish modeling work completed by Dr. Yan Jiao at Virginia Tech University. The TC recommended using the improved statistical catch at age models with time varying natural mortality in the next weakfish benchmark stock assessment scheduled for 2014.

Motions

No motions made.

SHAD & RIVER HERRING MANAGEMENT BOARD (August 3, 2011)

Meeting Summary

The Shad and River Herring Board was briefed on the timeline for implementation on the New England Fishery Management Council's (NEFMC) Amendment 5 to the Atlantic Herring FMP and the Mid-Atlantic Fishery Management Council's (MAFMC) Amendment 14 to the Squid, Mackerel and Butterfish FMP. Both Amendments are currently being developed to address bycatch of shad and river herring in federal fisheries. The Amendments are expected to be finalized in 2012, with implementation in 2013. Additionally the Management Board responded to a request from the MAFMC to formalize coordination on the reporting of significant issues relating to alosines. The Board also reviewed a motion that was postponed from the March 2011 Board meeting to send a letter to the MAFMC stating its preferred management and monitoring alternatives in Amendment 14, including a statement on the potential for shad and river herring to be added as a "stock in the fishery" to the Squid, Mackerel and Butterfish FMP. The Board was briefed on the alternatives that are being developed by the MAFMC, as well as the implications on a "stock in the fishery" designation. The Board requested additional analysis on the "stock in the fishery" designation for the November meeting.

The Board was updated on the implementation of Amendment 2 (river herring) and 3 (American shad). Four states – Maine, New Hampshire, North Carolina and South Carolina – have submitted River Herring Sustainable Fishery Management Plans (SFMPs), as required under Amendment 2, that have been approved by the Board. New York has informed the Commission that it will also be submitting a SFMP, which will be reviewed by the Board in November. Jurisdictions without an approved plan in place are required to close their commercial and recreational river herring fisheries and prohibit the retention of river herring harvested in state waters by January 1, 2012. Two states – Maryland and South Carolina – have submitted American Shad SFMPs, as required under Amendment 3. Connecticut, North Carolina, Georgia, Florida and the Delaware Basin Cooperative (New Jersey, Pennsylvania, Delaware and New York) have all informed the Commission that they will also be submitting American Shad SFMPs. These SFMPs will all be reviewed by the Board in November. Jurisdictions without an approved plan in place are required to close their commercial and recreational American shad fisheries, with the exception of catch and release fisheries, by January 1, 2013.

For more information, please contact Kate Taylor, Fishery Management Plan Coordinator, at ktaylor@asmfc.org or 703.842.0740.

Motions

Move that we accept the procedures identified in the whitepaper that was developed by staff and the AP recommendations including use of the communication tool of webinars and related devices to access all user groups.

Motion made by Mr. Augustine and second by Mr. Young. Motion passes (19 in favor).

Move that we support section 1 – 8 of the document.

Motion made by Mr. Augustine and seconded by Rep. Peake. Motion passes (18 in favor, 1 abstention).

Move to recommend that the ISFMP Policy Board send a letter to the Mid Atlantic Council stating that the ASMFC does not oppose the removal of Alternative Set 9 from Amendment 14.

Motion made by Mr. Stockwell and second by Mr. Carpenter. Motion postponed until November 2011 meeting.

Motion to postpone until the November 2011 meeting.

Motion made by Dr. Kray and seconded by Mr. Adler. Motion passes (17 in favor).

EXECUTIVE COMMITTEE (August 3 & 4, 2011)

Meeting Summary

The Executive Committee received an update on federal fisheries policy issues from Eric Schwaab, NOAA's Assistant Administrator for Fisheries, as well as discussed issues of mutual concern. In a subsequent session, the Committee received an update on legislative activities and discussed its ongoing legislative strategy. The Committee discussed details related to the planning of the 2011 and 2012 Annual Meetings. For more information, please contact Laura Leach, Director of Finance and Administration, at lleach@asmfc.org or 703.842.0740.

Motions

No motions made.

SOUTH ATLANTIC STATE/FEDERAL FISHERIES MANAGEMENT BOARD (August 4, 2011)

Meeting Summary

Please see press release on the approval of the Omnibus Amendment for Spot, Spotted Seatrout and Spanish Mackerel on page 18.

Motions

Move to accept PRT report.

Motion made by Mr. Cole and seconded by Dr. Rhodes. Motion carries without opposition.

Motion to approve spot option 2 under the stock status.

Motion made by Dr. Laney and seconded by Mr. Cole. Motion carries without opposition.

Move to adopt option 2 under spot recreational measures.

Motion made by Dr. Laney and seconded by Mr. Cole. Motion carries without opposition.

Move to accept option 2 for Spanish mackerel under recreational measures removing the permitted gear specifications and remove the permit requirement.

Motion made by Mr. O'Connell and seconded by Mr. Carpenter. Motion carries without opposition.

Move to accept option 2 for spotted seatrout recreational management measures but move the monitoring and management measures to reach a 20% spawning potential ratio to the recommended management measures section.

Motion by Dr. Duval and seconded by Mr. Woodward. Motion carries.

Move to adopt option 2 of spot commercial management measures.

Motion made by Mr. Cole and seconded by Dr. Rhodes. Motion carries without opposition.

Move to accept option 2 for Spanish mackerel for commercial management measures removing the permitted gear specifications and removing the permit requirement.

Motion made by Mr. O'Connell and seconded by Mr. Cole. Motion carries.

Move to accept option 2 for spotted seatrout commercial management measures but move the monitoring and management measures to reach a 20% spawning potential ratio to the recommended management measures section.

Motion made by Dr. Duval and seconded by Dr. Rhodes. Motion carries without opposition.

Move to adopt option 1 for the *de minimis* criteria for all species.

Motion made by Mr. Cole and seconded by Mr. Woodward. Motion carries without opposition.

Move to allow the exemption of monitoring requirements for *de minimis* states.

Motion made by Mr. Fote and seconded by Mr. Carpenter. Motion carries without opposition.

Motion to submit draft implementation plans for spot and spotted seatrout by October 15, 2011.

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

Move that states submit their implementation plans for Spanish mackerel by March 15, 2012.

Motion made by Mr. O'Connell and seconded by Dr. Duval. Motion carries without opposition.

Move to implement the Omnibus Amendment by July 1, 2012.

Motion made by Mr. Woodward and second by Mr. Podey. Motion carries.

Move to recommend to the full Commission to approve the Omnibus Amendment for Spot, Spotted Seatrout, and Spanish Mackerel as amended today.

Motion made by Mr. Cole and seconded by Mr. Frampton. Motion carries without opposition.

Move to approve the *de minimis* status request for DE commercial, SC commercial and recreational, GA com and recreational, and FL commercial.

Motion made by Mr. Carpenter and seconded Mr. Cole. Motion passes.

Move to approve the FMP Review for Atlantic Croaker.

Motion made by Dr Duval and seconded by Dr. Rhodes. Motion passes.

Motion to accept the *de minimis* request for NJ and DE.

Motion made by Dr. Rhodes and seconded by Mr. Cole. Motion carries.

Motion to approve the FMP review for Red Drum.

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

NORTHERN SHRIMP SECTION (August 4, 2011)

Press Release

Northern Shrimp Amendment 2 Approved for Public Comment

Alexandria, VA – The Commission's Northern Shrimp Section has approved Draft Amendment 2 to the Interstate Fishery Management Plan (FMP) for Northern Shrimp for public comment and review. The Draft Amendment proposes a suite of management options that the Section may use to provide greater flexibility in managing the fishery and maximizing its overall benefits. These include clarification of fishing mortality reference points, timely and comprehensive reporting system, trip limits, trap limits, days out, area management, seasonal quotas, and harvest set asides.

Since the adoption of Amendment 1 in 2004, knowledge of the northern shrimp biology, population dynamics, and fishery has improved. While the management of northern shrimp has resulted in a rebuilt stock and increased fishing opportunity, Amendment 1 only provides two options for managing the fishery – season length and gear limitations. Early season closures occurred in the 2010 and 2011 fishing seasons because landing rates were far greater than anticipated. Furthermore, untimely reporting resulted

in short notice of the season closures and an overharvest of the target total allowable catch by 14% in 2010 and 48 % in 2011. The measures proposed in Draft Amendment 2 are intended to address these issues.

Upon completion of Amendment 2, the Section will initiate consideration of a limited entry program through the adaptive management addendum process. The Public Information Document (PID) for this Amendment initially notified the public of the Section's intent to consider development of a limited entry program. Based on public comment received on the PID and the Section's concern regarding continuing effort increases in this fishery, the Section established a control date of **June 7, 2011**. The intention of the control date is to notify potential new entrants to the fishery that there is a strong possibility they will be treated differently from participants in the fishery prior to the control date. The Section may use historic landings and/or participation criteria for current and past participants as the limited entry system is established.

New England states will be conducting hearings on the Draft Amendment; the details of those hearings will be released when they become available. Fishermen and other interested groups are encouraged to provide input on the Draft Amendment by either attending public hearings or providing written comments. Copies of the Draft Amendment can be obtained via the Commission's website (www.asmf.org) under Breaking News or by contacting the Commission at 703.842.0740. Public comment will be accepted until **5:00 PM (EST) on September 30, 2011** and should be forwarded to Michael Waine, Fishery Management Plan Coordinator, 1050 N. Highland St., Suite 200 A-N, Arlington, VA 22201; 703.842.0741 (FAX) or at mwaine@asmfc.org (Subject line: Northern Shrimp Amendment 2).

PR11-29

Motions

Move to nominate Terry Stockwell from Maine as Vice Chair of the Section.

Motion made by Mr. Diodati and seconded by Mr. Balzano. Motion passes by consent.

Move to include trap limits as an option under the annual specification process.

Motion made by Mr. Stockwell and seconded by Mr. Adler. Motion passes (2 in favor).

Motion that we add the new sections 4.1.4, 4.1.5, and 4.1.6 as drafted by staff, to the draft document for public comment.

Motion made by Mr. Stockwell and seconded by Rep. Peake. Motion passes (2 in favor).

Move to approve the document as amended for public hearing.

Motion made by Mr. Adler and seconded by Mr. Balzano. Motion carries (2 in favor).

HORSESHOE CRAB MANAGEMENT BOARD (August 4, 2011)

Press Release

Horseshoe Crab Board Initiates Addendum VII to implement Adaptive Management *New Framework will Incorporate Multispecies Management*

Alexandria, VA – The Commission's Horseshoe Crab Management Board voted to initiate Addendum VII to implement the Adaptive Resource Management framework. The framework, under development

since 2007, will incorporate both shorebird and horseshoe crab abundance levels when considering the optimized horseshoe crab harvest level for the Delaware Bay area. The ARM framework was developed by the Commission, U.S. Fish and Wildlife Service, and U.S. Geological Survey in recognition of the importance of horseshoe crab eggs to shorebirds in the Delaware Bay Region and was peer-reviewed in 2009.

The Draft Addendum will additionally address allocation of the ARM harvest output among the four states of New Jersey, Delaware, Virginia, and Maryland that harvest horseshoe crabs from the Delaware Bay population. The allocation is based upon multiple decision options, including the proportion of horseshoe crabs harvested that originate from Delaware Bay and a potential harvest cap for Virginia and Maryland to protect crabs that do not originate from Delaware Bay. The Board had received input on the allocation options from the Delaware Bay Ecosystem Technical Committee at the March 2011 meeting, and from the Horseshoe Crab and the Shorebird Advisory Panels at today's meeting. All options considered by the committee and panels will be included as options in the Draft Addendum. After review by the Board, the draft Addendum will be available for public comment.

In additional business, the Board approved formation of an ad-hoc working group, made up of technical committee members and biomedical representatives, to develop best management practices to minimize coastwide mortality from the practice of collecting horseshoe crab blood for worldwide biomedical uses. The Board recognizes the important health impacts of the biomedical industry as well as the regional differences that can exist among companies. The working group will report back to the Board on its findings. For more information, please Danielle Brzezinski, Fishery Management Plan Coordinator, at dbrzezinski@asmfc.org or 703.842.0740.

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PR11-31

Motions

Move to initiate Addendum VII to implement the ARM framework, and to direct the Horseshoe Crab Plan Development Team to include 1) the options discussed and reviewed by the Delaware Bay Ecosystem Technical Committee, the Horseshoe Crab and Shorebird Advisory Panels, as options in the draft addendum; 2) a status quo fallback option, should the necessary data for the ARM framework not be available; and 3) an option that would increase the male crab quota in Maryland and Virginia to offset any reductions to the female crab quota due to the DBSA in those states.

Motion made by Mr. Travelstead and seconded by Mr. Himchak. Motion carries (16 in favor).

ISFMP POLICY BOARD (August 2-4, 2011)

Press Release

ASMFC Voices Support for the Marine Recreational Information Program

Alexandria, VA – The Commission's ISFMP Policy Board affirmed its strong support for the direction, pace, and goal of NOAA's Marine Recreational Information Program (MRIP). This support is a direct result of consistent and frequent updates on the program's progress as well as a comprehensive presentation on MRIP's current status and next steps given by MRIP staff at the Commission's Summer Meeting. It is also a reflection of the active participation of the Commission, other interstate commissions, and the coastal states at all levels of MRIP development, including committees and technical working groups.

“MRIP and the data it will provide are essential to the Commission’s interstate fisheries management program given the breadth and importance of recreational fisheries managed by the Commission and the 15 Atlantic coastal states,” stated Robert H. Boyles, Jr., ASMFC Chair. “The Board applauds the enormous effort NOAA has devoted to improving marine recreational fisheries statistics and appreciates the frank and constructive dialogue NOAA has fostered with the Commission, the states, and the recreational fishing community. The states are committed to continuing to work with NOAA as we transition to using the new survey methodology and catch estimates.”

The Board will transmit its support of the program and its efforts to minimize bias in survey methodology, improve precision of catch estimates, and enhance spatial/temporal coverage of survey data in a letter to NOAA Fisheries Service.

MRIP was developed to address the recommendations of the National Research Council following its review of the Marine Recreational Fishery Statistics Survey and other recreational surveys as well as stakeholder concerns about the reliability and credibility of recreational fishing catch and effort estimates. Its goal is to provide accurate, timely, and statistically sound estimates that fisheries managers, stock assessors, and marine scientists need to ensure the sustainability of fisheries resources. The program has made significant advancements over the last several years, including re-estimating catch and effort data from 2004 to present using new estimation methodology (to be released in 2011) and launching the new sampling methodology beginning in 2012. For more information on MRIP, please visit www.CountMyFish.noaa.gov.

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PR11-26

Meeting Summary

The Interstate Fisheries Management Program Policy Board met to address a number of issues that impact the Commission and its interstate fisheries management process.

The Policy Board reviewed the rebuilding progress for each of the species under Commission management. This review was intended to determine if the progress toward each species rebuilding goals was occurring at an appropriate rate. The Board asked staff to focus on the species in the categories of “concern,” “depleted,” and “unknown” as the 2012 Action Plan is drafted for consideration at the Annual Meeting.

Related to the discussion on rebuilding progress, the Policy Board reviewed a range of options that would increase oversight of species management boards to ensure actions are consistent with the Commission’s Vision. The range of options considered was based on the discussion that was held at the Commission’s March Meeting. The Policy Board tasked staff with further developing two options for further consideration at the Annual Meeting. These options focus on two options that provide greater oversight for the Policy Board through the review of Plan Development Team tasking and review and approval of addenda.

The Policy Board reviewed the Commission policies regarding appointment and conduct of proxies. The Policy Board agreed that these policies are adequate and have been effective in guiding the use of proxies at the Commission.

The Policy Board reviewed a request from the Northern Shrimp Section to establish a control date to notify new entrants to the shrimp fishery that they may be treated differently as a limited entry program is considered. The Policy Board supported the request and established a control date of June 7, 2011.

The Assessment Science Committee (ASC) reported the results of its meeting that was held earlier this summer. A Subcommittee of the ASC and Management Science Committee developed a summary paper describing the issue of stock assessment capacity in the Atlantic states, based on a survey of state agency scientists and managers. The Policy Board established a working group to provide options to address the reduction of state stock assessment capacity. The working group will be composed of Commissioners and ASC members. The findings of the working group will be presented at the Annual Meeting. The Policy Board approved the Stock Assessment Training Guidance Document based on the recommendation of the ASC. The Policy Board also approved the stock assessment schedule for 2012-2013.

The Policy Board was presented a summary from the Black Drum Working Group on a technical workshop that was held in April. The Working Group provided recommendations on stock assessment tools that can be used to monitor and manage the stock. Based on the available data and a recommendation of the Working Group, the Policy Board agreed to initiate an assessment and interstate fishery management plan for black drum. Resources to initiate this effort will be considered as the 2012 Action Plan is developed.

The Atlantic Coastal Fishery Habitat Partnership (ACFHP) updated the Policy Board on a Science and Data Working Group held in February and a Steering Committee meeting held in May. A summary of the FY11 funding decisions was also provided.

The Policy Board approved a resolution regarding the impacts of non-native species (resolution follows this summary). The Policy Board is concerned about the impacts non-native invasive species may have on Commission managed species. The resolution makes general statements on non-native species and also highlights concern over blue and flathead catfish in the Chesapeake Bay region.

Following the presentation on MRIP progress, the Policy Board discussed the potential impacts of the re-estimated recreational catch numbers from 2004-2010 on assessment and management programs. The Policy Board asked staff to work with the ASC and the Management and Science Committee to explore this issue and report back to the Policy Board.

The Policy Board approved a number of letters to be sent on behalf of the Commission:

- A letter to NMFS supporting proposed changes to the electronic dealer reporting system
- A letter to the Mid-Atlantic Fishery Management Council detailing the Commission position on the Draft Amendment 14 to the Squid, Mackerel, Butterfish FMP.
- A letter to NMFS supporting the status of the Marine Recreational Information Program.

For more information, please contact Robert Beal, ISFMP Director, at rbeal@asmfc.org or 703.842.0740.

Resolution

Atlantic States Marine Fisheries Commission

Approved August 3, 2011

Resolution on Non-Native Invasive Catfish

Whereas, the States along the Atlantic coast from Maine through Florida, including Pennsylvania and the District of Columbia, are concerned about the increasing variety, abundance, range, and ecological impact of invasive species in estuaries, tributaries, and coastal waters; and

Whereas, invasive species negatively impact native species managed by the Atlantic States Marine Fisheries Commission through predation and displacement; and

Whereas, blue and flathead catfish are non-native invasive species that have been introduced and spread to many watersheds along the Atlantic coast; and

Whereas, blue and flathead catfish are large, long-lived fish species exhibiting an opportunistic and non-selective feeding strategy.

Whereas, the spread and high abundance of non-native catfish are causing trophic impacts throughout their range, resulting in unbalanced ecosystems; and

Whereas, predation by blue and flathead catfish is likely having a negative effect on species managed by the Atlantic States Marine Fisheries Commission, most notably, shad, river herring, striped bass, and American eel. Other prey species of concern include white and yellow perch, gizzard shad and freshwater mussels and clams; and

Whereas, the populations and ranges of blue and flathead catfish have become increasingly problematic and both species are expanding significantly in the Chesapeake Bay watershed; and

Whereas, the fishery management jurisdictions in the Chesapeake Bay region are developing policies to address the impacts of invasive catfishes.

Now, Therefore, Be It Resolved,

That the Atlantic States Marine Fisheries Commission does not support the introduction of nor transport of non-native invasive species;

That additional research should be conducted to more fully understand the ecological impacts of non-native catfish on species managed by the Atlantic States Marine Fisheries Commission;

That all practicable efforts should be made to reduce the population levels and ranges of non-native invasive species;

That the Atlantic States Marine Fisheries Commission supports the development of and implementation of a strategy that minimizes the population and ecological impacts of non-native invasive catfish species throughout the Chesapeake Bay watershed.

Motions

Move to adopt option 3 and 4 of the white paper on Policy Board Involvement in Species Management.

Motion made by Mr. Travelstead and seconded by Mr. Goldsborough. Motion postponed until the 2011 ASMFC Annual Meeting.

Move to postpone to the Annual Meeting.

Motion made by Mr. Augustine and seconded by Rep. Martin Motion carries without opposition.

Move to approve the stock assessment schedule as presented.

Motion made by Dr. Kray and seconded by Mr. Grout. Motion carries without objection.

Move that the ISFMP Policy Board approve the stock assessment training guidance document.

Motion made by Mr. Grout and seconded by Mr. Adler. Motion carries without objection.

Move to set June 7, 2011 as the control date to the Northern Shrimp fishery, and future entrants may be treated differently than the current members of this fishery.

Motion made by Mr. Grout on behalf of the Northern Shrimp Section. Motion passes (16 in favor, 0 opposed, 0 null, 2 abstentions)

Move to approve the Resolution on Non-Native Invasive Catfish as presented.

Motion made by Mr. Carpenter and seconded by Mr. Adler. Motion carries (14 in favor, 3 opposed, 0 null, 2 abstentions).

Move that the ASMFC develop an Interstate Fisheries Management Plan for Black Drum.

Motion made by Dr. Duval and seconded by Mr. Fote. Motion carries without opposition.

BUSINESS SESSION (August 3 & 4, 2011)

Press Release

ASMFC Approves Omnibus Amendment for Spot, Spotted Seatrout and Spanish Mackerel

Alexandria, VA – The Atlantic States Marine Fisheries Commission has approved the Omnibus Amendment for Spot, Spotted Seatrout, and Spanish Mackerel. The Amendment updates all three plans with requirements under the Atlantic Coastal Fisheries Cooperative Management Act (1993) and the Interstate Fishery Management Program Charter (1995). All three species represent a large draw for commercial and recreational fishermen in the Mid- and South Atlantic regions with a combined coastwide commercial catch of 12.6 million pounds and a recreational harvest of 14.3 million fish.

The updates to the plans include commercial and recreational management measures and recommendations, adaptive management options, *de minimis* thresholds and exemptions, and monitoring recommendations. The South Atlantic State/Federal Fisheries Management Board adopted these management measures and options after considering public input and technical input from the Plan Development Team. The Omnibus Amendment will be implemented July 1, 2012.

Spanish mackerel is jointly managed by both the Commission and the South Atlantic Fishery Management Council (SAFMC). Due to data limitations, the most recent stock assessment was not

successful in establishing specific values for reference points. The original interstate FMP included a process to review and maintain consistency with federal management, which is essential to maintaining good conservation measures. Over the years, however, both federal and state regulations have changed, while the interstate FMP has remained unchanged. To address this consistency issue, the Omnibus Amendment includes both adaptive management measures as well as a process for Board review and action in response to changes in the federal regulations, which will allow for greater uniformity across the jurisdictions. Currently, the federal FMP has a proposed Amendment 18, which is scheduled for a final vote by the SAFMC at its August meeting. The proposed Amendment 18 changes are included in the current Omnibus Amendment.

The original Spot and the Spotted Seatrout FMPs included no requirements for either management or monitoring. The Omnibus Amendment includes a management trigger for spot, which will help the Board in monitoring the status of the stock until a full coastwide stock assessment can be completed. High levels of spot bycatch present a challenge for managers, in terms of both yearly management and overall assessment of the stock health. For spotted seatrout, the Omnibus Amendment includes recommended measures to protect the spawning stock as well as a required coastwide minimum size. These measures will be essential as increased coastal development presents management challenges to this localized species. Coupled with adaptive management measures, the Omnibus Amendment will provide options for both species to efficiently implement management measures should the Board determine that such measures are needed in the future.

The Omnibus Amendment is available on the Commission's website at www.asmfc.org under Breaking News or can be obtained by contacting the Commission at 703.842.0740. For more information, please contact Danielle Brzezinski, Fishery Management Plan Coordinator, at dbrzezinski@asmfc.org or 703.842.0740.

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PR11-30

Meeting Summary

The Northern Shrimp Section notified the Commission that the due to timing constraints, a fax poll of the Executive Committee may be needed to approve the Amendment 2 to the Interstate FMP later this year.

The Commission also discussed the upcoming meeting between a Special Ad Hoc Committee of Commissioners and the Massachusetts Marine Fisheries Commission. The meeting will be held in November during the Commission's Annual Meeting in Boston, MA. For more information, please contact Robert Beal, ISFMP Director, at rbeal@asmfc.org or 703.842.0740.

Motions

On behalf of the South Atlantic State/Federal Fisheries Management Board, move that the Commission approve the Omnibus Amendment for Spot, Spotted Seatrout, and Spanish Mackerel. Motion made by Mr. Boyles. Motion carries without objection.