

**PROCEEDINGS  
OF THE  
ATLANTIC STATES MARINE FISHERIES COMMISSION  
SHAD AND RIVER HERRING MANAGEMENT BOARD**

**October 23, 2006  
Sheraton Atlantic Beach  
Atlantic Beach, North Carolina**

## ATTENDANCE

### Board Members

John Nelson, New Hampshire Marine Fisheries  
William Adler, Massachusetts  
Vito Calomo, proxy for Rep. Verga (MA)  
Paul Diodati, Massachusetts DMF  
Mark Gibson, Rhode Island DFW  
Everett Petronio, Rhode Island  
G.L. Gunther, Connecticut  
Eric Smith, Connecticut DEP  
Lance Stewart, Connecticut  
Pat Augustine, New York  
Gordon Colvin, New York Sate DEC  
Erling Berg, New Jersey  
Tom McCloy, proxy for D. Chanda (NJ)  
Frank Cozzo, proxy for C. Schroeder (PA)  
Eugene Kray, **Chair**, Pennsylvania  
Leroy Young, proxy for D. Austen (PA)

Roy Miller, proxy for P. Emory (DE)  
Bernie Pankowski, proxy for Sen. Venables (DE)  
Bruno Vasta, Maryland  
Russell Dize, proxy for Sen. Colburn (MD)  
A.C. Carpenter, PRFC  
Steve Bowman, Virginia MRC  
Catherine Davenport, Virginia  
Kelly Place, proxy for Sen. Chirchester (VA)  
Jack Travelstead, Virginia MRC  
Preston Pate, North Carolina DMF  
Robert Boyles, South Carolina DNR  
John Frampton, South Carolina DNR  
Malcolm Rhodes, South Carolina  
Steve Meyers, NMFS  
Bill Archambault, USFWS

### Ex-Officio Members

Mike Hendricks, TC Chair, PA FBC

### ASMFC Staff

Vince O'Shea  
Robert Beal

Erika Robbins

### Guests

M. Carol Bambery  
Jake Kritzer  
Ron Howey  
Christine Burgess  
Bob Ballou  
Dick Brame

Jessica Coakley  
Tom Sinclair  
R. Wilson Laney  
Robert Sadler  
Alexei Sharov  
Bennie Williams

*There may have been others in attendance that did not sign the sign-in sheet.*

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**ATLANTIC STATES MARINE FISHERIES  
COMMISSION**

**65<sup>th</sup> ANNUAL MEETING**

**SHAD AND RIVER HERRING  
MANAGEMENT BOARD**

**SHERATON ATLANTIC BEACH  
ATLANTIC BEACH, NORTH CAROLINA**

**October 23, 2006**

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The meeting of the Shad and River Herring Management Board of the Atlantic States Marine Fisheries Commission convened in the Fear/Outlook/Atlantic Room of the Sheraton Atlantic Beach, Atlantic Beach, North Carolina, on Monday, October 23, 2006, and was called to order at 12:30 o'clock, p.m., by Chairman Eugene Kray.

CHAIRMAN EUGENE KRAY: Will the commissioners take their seats. We're about ready to go. Good afternoon, everyone. Welcome to the Shad and River Herring Management Board. I first want to have Bob Beal make a couple of announcements. Bob.

MR. ROBERT E. BEAL: Thank you, Mr. Chairman. I just wanted to make two quick introductions to the commissioners, essentially. This is the first coastwide board we've had this week so I wanted to introduce two new staff members.

Erika Robbins, who sitting to the right of the chairman, is new to the commission. She has been here about six to eight weeks, I suppose. And she will be handling -- let me see if I can get this right -- obviously shad and river herring, American eels -- what else, Erika? -- sturgeon and bluefish.

So, those will be the suite of species that she's working and to start with. And she's getting up-to-speed real quick, as you guys will see in the presentations today.

And the second new staff person we have is Chris Vonderweidt, who is over behind Jack Travelstead right now passing out papers. Chris will be handling Atlantic herring, spiny dogfish and coastal sharks, tautog, and winter flounder.

So, Chris has been with the commission about a month. So if you guys could introduce yourselves, just so these folks can get to know you, that would be great. That's all. Thank you, Gene.

CHAIRMAN KRAY: Okay, Bob, thank you. I am asking for board consent, approval of the agenda. Any changes to the agenda question? Any additions? Tom.

MR. TOM McCLOY: Mr. Chairman, thank you. I just wonder if we might have a couple of minutes under other business to kind of talk about the compliance criteria dealing with the recreational survey every five years on certain areas.

CHAIRMAN KRAY: That would be fine, Tom. Any other changes/additions? You've all seen the proceedings on the CD from our February 22nd meeting. Are there any objections to the minutes? Then **the minutes stand approved**. Public comment. Does anyone in the audience care to say something at this time?

**ANNUAL REPORTS**

CHAIRMAN KRAY: Okay, we're going to move into Item Number 4 on the agenda, FMP review and PRT report. But before we do that I want to remind all of the commissioners that everyone will have a vote on action items with the exception of the final action items. Thank you.

Everyone will have a vote except the meeting-specific proxies. Meeting-specific proxies do not have a vote. If you're an ongoing proxy you do have a vote. All right, Erika, the FMP review and PRT report.

MS. ERIKA ROBBINS: Thank you. We have first the FMP review. The next stock assessment to be externally peer reviewed is scheduled for

2007. In the fall of 2006 we anticipate that the assessments will be completed for all of the individual systems.

Is this better? Okay. The next stock assessment is scheduled to be peer reviewed in 2007. In the fall of 2006 we anticipate that the assessments will be completed for all of the individual systems.

After these have been completed an editing group will compile all of the individual assessments into a comprehensive assessment of the Atlantic Coast American shad stocks. As I said previously, the final document should be ready for peer review in the spring of 2007.

As for the status of the fisheries, based upon landings data provided in compliance reports prepared by the individual states and jurisdictions, the 2005 commercial landings represent an all-time low, with harvest equaling just over 680,000 pounds.

The previous low came in 1999 with a harvest over 1.3 million pounds. This is likely due to the closure of all ocean intercept fisheries along the Atlantic coast. New Jersey, Delaware, North Carolina, and South Carolina represent 84.3 percent of the total commercial landings.

The National Marine Fisheries Service reported no commercial landings of American shad for Massachusetts, Pennsylvania, the District of Columbia, South Carolina, Georgia, and Florida. The ocean bycatch landings represented about 1 percent of the total commercial landings.

In 2005 shad bycatch landings from ocean waters was 7,411 pounds, down from 378,778 pounds in 2004. For hickory shad the Potomac River Fisheries Commission, North Carolina, South Carolina, and Georgia reported landings in their compliance reports.

In 2005 the coastwide commercial landings of hickory shad was over 179,000 pounds, a decrease from 2004's total of 187,000 pounds. And North Carolina landed 97 percent of the commercial harvest of hickory shad, with their total landings of 173,779 pounds.

In 2005 river herring landings were reported from Maine, New Hampshire, Massachusetts, New York, New Jersey, Delaware, the Potomac River Fisheries Commission, and North Carolina, totaling 692,827 pounds. Two thousand five landings were down from 2004's landings of 2,120,881 pounds.

The Marine Recreational Fisheries Statistical Survey for American shad, hickory shad and alewife and blueback herring data are unreliable because the survey is designed to focus on fishing sites along the coastal and estuarine areas.

For 2005 MRFSS does not report on any recreational harvest for the shad or river herring species. In 2005 fish passage was reported from Maine, Massachusetts, Rhode Island, Pennsylvania, Maryland, and South Carolina.

The fish counts for American shad increased over fish passage reported in 2004 for Androscoggin in Maine, Holtwood in Pennsylvania, and St. Stephen's Dam in South Carolina. The fish counts for American shad decreased from 2004 for the Saco in Maine, Essex, Lawrence, and Holyoke in Massachusetts, Potter Hill in Rhode Island, Conowingo in Maryland and Pennsylvania and Easton Dam in Pennsylvania.

Fish passage was the reported in 2004 for St. Croix in Maine and Safe Harbor and Chain Dam in Pennsylvania. Maine, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, and the U.S. Fish and Wildlife Service are actively involved in shad and river herring restoration, using hatchery cultured fry and fingerlings.

In 2005 fewer American shad were stocked while more hickory shad were stocked compared to 2004. In 2006 the District of Columbia opened a hatchery facility and plans to release hatchery-cultured shad in the upcoming year.

Next is state compliance. Upon review of the state annual reports the PRT has determined that New Hampshire has not fully implemented the required provisions of Amendment 1 to the Shad and River Herring Fishery Management Plan. Specifically, New Hampshire reports that

landings of shad from the ocean fishery exceeds 5 percent in pounds per trip for one of the trips in 2005.

The PRT notes, however, that other states did not document the landings and the ocean bycatch fishery did not exceed 5 percent in pounds per trip. Plus, other states may not have fully implemented the required provisions Amendment 1 to the Shad and River Herring Management Plan as well.

Maine, New Hampshire, and Massachusetts have been granted de minimis status in the past and they request the same status for this year. These states continue to meet the standards for commercial de minimis as defined in Amendment 1 and clarified in Addendum I.

Qualification for de minimis status was calculated by using the highest reported landings for 2005, based upon data from 2006 compliance reports and the National Marine Fisheries Service. Maine was granted de minimis at the February 2006 board meeting.

Last, we have the PRT recommendations. The PRT finds that recreational creel, or the PRT notes that recreational creel surveys are to be completed once every five years. The PRT requests that states include the year of the most recent creel survey and any plans for future surveys in the annual report.

Second, several of the states did not report all of the monitoring requirements listed under Amendment 1, Technical Addendum Number 1, and Addendum I. The states should take note of required monitoring programs that were not reported and make a concerted effort to report all monitoring programs in forthcoming annual reports.

The PRT recommends that the technical committee and management board consider an addendum to Amendment 1 to modify the ocean bycatch sub-sampling requirement. The PRT believes that the low levels of bycatch, such as were reported in 2005, make sampling a difficult task for states to undertake.

The PRT questions the value of collecting this data because of the minimal landings and the instability to, the inability to determine stock composition from the landed fish.

States should still be required to annually document that the 5 percent trip limit is not exceed, report the extent and nature of the non-directed fisheries, and total landings of American shad bycatch, as stated in Amendment 1.

Amendment 1, though focused on American shad monitoring programs also require states report available fishery-dependent and independent information and recommends states initiate fishery-dependent and independent monitoring programs for river herring and hickory shad in their compliance reports.

The PRT seems to be more concerned that river herring is not included in the reports, basically because they think that's what will most likely be reviewed next in peer review, and so if we could have that information already recorded now it will make data collection later easier.

Amendment 1 requires state reports to include a harvest and losses table. Many of the states reports omitted this table from their compliance report or provided an incomplete table. The table format is in Amendment 1.

The PRT recommends that states report all stocking information. The value of the hatchery evaluation requirement is limited without the data on stocking of shad and river herring. The PRT would recommend that all states that stock shad and river herring be required to put stocking data in their compliance reports.

Lastly, in light of the closure of all ocean intercept fisheries for American shad along the Atlantic Coast, the PRT recommends that table 3 in Addendum I be modified.

Currently the table has fishery-dependent monitoring requirements that pertain to directed harvest American shad from the Atlantic Ocean. The requirement to participate in an ocean landings stock composition study should be eliminated. Thank you.

CHAIRMAN KRAY: Thank you, Erika. Good job. Questions of Erika. John. John Nelson.

MR. JOHN I. NELSON, JR.: Not so much a question, Mr. Chairman, as a, you know, just a note. Since New Hampshire was on the board there first as far as having one trip over 5 percent.

We're looking for the fisherman now and we have the rope already to hang him by his thumbs. We're, obviously we'll take care of him when I get back. But, hopefully we tried to be very complete in our report and I think that that's probably why we stand out as having that one instance.

But, we certainly are monitoring it very carefully and I suspect that the guys are so preoccupied with everything else that they can't take that they really overlooked that particular one.

**And we will take care of that when I get back. But in the meantime I would move that we accept the request for *de minimis* for the states that so requested it, Mr. Chairman, and accept the report as presented.**

CHAIRMAN KRAY: Is there a second?

MR. PAUL DIODATI: Second.

CHAIRMAN KRAY: Paul Diodati second. Discussion on the motion? I will call for the vote. Any need to caucus? Okay, all those in favor; 13 in favor; opposed. Unanimous. I'm sorry, Gordon.

MR. GORDON C. COLVIN: Thank you, Mr. Chairman. I would like to also address the issue that Mr. Nelson brought up because I see that there is a recommendation here in the report that we may want to discuss a little bit.

You may recall that New York was on the receiving end of the identical comment in last year's plan review, FMP review. And we're not there this year because I directed my staff not to report that information anymore as at that time we

were the only state that was. I guess New Hampshire didn't get the memo.

But there is an issue here. There is a recommendation on the part of the plan review team that I see appears in quotes here under Item 3 that the board might want to consider. As I understand how this works, it works like this.

In order to get the kind of information that we previously reported and that New Hampshire evidently reported it's necessary, essentially, to go to the National Marine Fisheries Service, acquire a printout of the vessel trip report data for your state for the year in which you're accumulating the information, review the VTRs for trips that reported American shad, and then tabulate and summarize that information.

And if that's what the board wants the states to do, I think that very specifically and explicitly that direction needs to be given because it hasn't been in the past and that's why we have unevenness in terms of what has been reported and what appears in these reports.

And if we do want that, I think we need to be prepared to have some discussion about the, you know, the details of the information that comes out. For instance, one of the things that I noted previously with respect to this is that, again these are VTR data.

It's self-reported data which means among other things it's based on the fishermen's identification of their catch. And if you look at a standard Northeast VTR form, for example, you will see all the shads and one box, listed one after the other.

And what's the first shad that appears? Well, it's American shad. So you have to take any data that gets reported via VTR with a little bit of a grain of salt in terms of what you're looking at.

The other issue is that it's in most states still going to be a pretty rare event. And so the question arises. John says he's going to go home and deal with it. No, he's not. This is one trip.

I don't know how many trips got landed in the state of Rhode Island last year -- or state of New Hampshire last year, how many fishing trips, and how many VTRs were submitted for trips, but it's a lot more than one. And, you know, you've got to put that on the pile somewhere and think about it. Thank you.

CHAIRMAN KRAY: Gordon, are you suggesting that we either explicitly ask or explicitly notify the states as to what should be in their reports, or should we simply, or should we eliminate that portion of it?

MR. COLVIN: Well, yes, is the answer to your question, Mr. Chairman. It should be one or the other because this comes up kind of year-after-year, and yet the states apparently, evidently, have not been given the explicit direction to go through the VTR data. And of course some of the states don't have VTR data.

I mean, those of us who have trips in the Northeast Database, we can go in there and get it. I don't know if it's a significant issue south of North Carolina but there is an issue of evenness involved. So, I don't think we've thought this thing through.

And maybe, you know, we see these things popping up year-in and year-out in the FMP review and you know rather than having to listen to me about it every board meeting maybe we ought to standardize our approach: either keep it in or keep it out; and if we keep it in, let's tell states what we want them to do.

CHAIRMAN KRAY: Why don't we ask the technical committee to take this matter up and come up with a recommendation for our next meeting as to either leave it in with explicit instructions or take it out? Mike, can you do that?

MR. MICHAEL HENDRICKS: Yes, we can.

CHAIRMAN KRAY: Okay. Yes, Bill. Bill Adler.

MR. WILLIAM A. ADLER: This is just, the last motion that was just passed, did that include both issues, de minimis and approval?

CHAIRMAN KRAY: Yes, it did.

MR. ADLER: All right, thank you.

CHAIRMAN KRAY: Yes, Malcolm.

DR. MALCOLM RHODES: The slide that was just up showed that South Carolina was one of the four states responsible for 84 percent of landings, but it then said there is no harvest in South Carolina, and so we'd just like that corrected before we accept the, you know, the status of the fisheries.

### UPDATE ON THE STOCK ASSESSMENT

CHAIRMAN KRAY: I'm sure Erika will look into that and take either one of them out. Anything else on this issue? All right, moving on to the update on the stock assessment, Mike Hendricks.

MR. HENDRICKS: Thank you, Mr. Chairman. Can hear me? I have a few brief slides. Next slide please. The approach for the stock assessment was to devise regional teams of assessment biologists and field biologists.

The coast was divided into four regions: New England, the Mid-Atlantic, the Chesapeake system, and the Southeast. Next slide. We had a total of 44 stocks we are assessing: 9 in the Northeast region, 2 in the Hudson/Delaware, 14 in the Chesapeake, and 19 in the South.

With regard to those regions, there are a number of data collectors involved that we are getting data from and that's 42 collectors, total. Next slide. The collectors include, obviously, all the states involved. And I won't read them.

They include both state, freshwater, and marine agencies, federal agencies like the U.S. Fish and Wildlife Service and National Marine Fisheries Service, various commissions, and also power generating companies who have data in some cases.

The assessment document is going to have two major sections. The largest section will be the source section. It will include all available data. It will include the biology, life history of the species, fisheries-independent and dependent data, trend analysis, population modeling, management and restoration.

It will be organized by stock within region. This will be most likely an immense section. And our goal is to basically collate all the information that we can gather over time so that future stock assessments can use this as a source for those future stock assessments and in effect we'll be able to almost do a stock assessment on an annual basis simply by adding each year.

We won't ever, hopefully, have to go back to historical data from the '40's or '50's or '70's or '60's or whenever because it will all be in this source document. The second section will be the assessment section.

There will be abstracted assessments in that section. And it will be organized by stock. Our expectation is that the peer review team will focus on this section and go back to the source section for clarification when they need it.

Assessment schedule. We had four regional data workshops beginning in October of '04, extending through April of '05. Data acquisition is still ongoing. And many delays were caused by conflicting priorities. It's simply a matter of fact that most of the people who are gathering this data for us have other priorities as well.

We've had or are going to have four regional assessment workshops beginning in April and ending next month in November. We expect to compile the document this winter. And we're hoping for peer review in spring of '07.

You have been given, I believe, a handout covering some of this information entitled "Outstanding Tasks." The are some general coastwide tasks and I just want to highlight a few of those. We need to update the assessments with the 2005 data.

We need to develop maps for use in the coastwide assessment. We need to attempt to find scales from recaptured fish to verify spawning marks. We need to obtain Atlantic Coastal Cooperative Statistical Program landings for the entire coast.

We need to compare three sources of landings data, reported landings, and bycatch, Atlantic Coastal Cooperative Statistics Program data and observer data. We need to summarize and write up the MRFSS data and include an explanation of why we're skeptical about the data.

We need to summarize the rationale for the using F30 instead of F20 or F40. We need to summarize the striped bass diet information and evaluate the potential for striped bass predation on shad.

We need to summarize the M or natural mortality issue. We need to review classic papers on calculation of Z or total mortality from catch curves to standardize methodology. We need to obtain a file of coastwide scrap fish landings. We need to evaluate coastal landings of bait fish for regional and temporal trends that might explain the loss of young shad.

We need to conduct modeling to evaluate if shad stocks could persist under the high mortality estimated for most coastal stocks. And last but certainly not least we need to collate individual assessments into a source document and develop the abstracted assessment. Thank you, Mr. Chairman.

CHAIRMAN KRAY: Thank you, Mike. Any questions of Mike Hendricks? All right, John Nelson

MR. NELSON: Thanks, Mr. Chairman. Mike, just going a little bit further under the regional tasks and state stock-specific tasks, under New Hampshire Rivers the first bullet is "provide report on effects of flow at the fish passage at the Essex Dam." And I'm just wondering if that's supposed to be the Exeter Dam.

I don't mind going down into Massachusetts and taking over what they're doing. It's not a problem as far as I'm concerned, but I wanted to maintain

good relations and not take over the whole Merrimack watershed right away. Should it have been Exeter? Because I know we have looked at the flow at the Exeter a number of times.

MS. ROBBINS: This is put together by our stock assessment subcommittee chair. And as he's not here to answer that question I can only say probably. But the people who are in charge of the New Hampshire assessment should know what it is.

MR. NELSON: I would just highlight it. Just check on that if you would. If you need me to go down to Paul's area, I'll be happy to do it, though.

CHAIRMAN KRAY: Thanks John. A.C.

MR. A.C. CARPENTER: Under the general coastwide there is one that is "obtain and evaluate the SLYME software used to assess eels." And this provides an example of an assessment for one-time spawners. I'm under the impression that shad are multiple spawners, year-after-year. Why would we evaluate a one-time spawner event? I'm curious.

MR. HENDRICKS: The populations in the far south of the range of American shad are semelparous. They only spawn once. So, I assume that that's what Andy is talking about here. And he is looking at trying to use some methods that have been used for eel to see if he can address that.

MR. CARPENTER: Thank you.

CHAIRMAN KRAY: Eric.

MR. ERIC SMITH: Thank you. Could you describe a little bit more on, well, in the section of the state-specific, state stock-specific tasks. It's a little thin for Connecticut and I'm happy to go back and make sure that we pull our weight on this.

But I wonder if that was just waiting for some information that was tardy and it couldn't be brought up to the level of detail of the other states. So could you clarify that for me?

MR. HENDRICKS: I'd like to but I really can't. As Erika said, this was put together by Andy Kahnle. He is the chair of the stock assessment subcommittee. And so I didn't have any input into this so I don't know exactly what he was talking about.

MR. SMITH: Thank you.

MR. HENDRICKS: Sorry.

MS. ROBBINS: I can add a little bit to that. Recently Connecticut has -- well, originally Connecticut had prepared an assessment for their own rivers and their own purposes. And that is going to be brought into our assessment. But it has not been presented yet. It will be presented at the next Shad Stock Assessment meeting. So, it hasn't been evaluated by the whole committee.

CHAIRMAN KRAY: Gordon.

MR. COLVIN: Thank you, Mr. Chairman. As I understand it, this information is provided to us for the dual purpose of bringing us up to date on the status of the stock assessment development and for making us aware of the specific tasks that remain to be completed in our respective areas.

And as you can imagine, I do talk to Andy about the situation from time to time. And I can, so I understand a little bit about what is going on and how things have progressed. And I know that a very major piece of the assessment development related to essentially getting all of the historic data together and assembled and into the data workshops and out of the data workshops and so on and so forth.

And when I talked to Andy last week he felt pretty good about where we were with that, recognizing that there is still a substantial "things to do" list.

And I think from my perspective one way the board members might want to look at this is to look what is due in your state or your area and ask yourself the question, "Do you know who has got to do each of these bulleted items? Do you know what staff people are going to do that?"

And if you do, do you know, have you communicated with them about any problems or issues they're having in getting that work done? Because I think that it would mean -- in my case I sure know who has got to do everyone of those Hudson River items.

And I know who is involved in the Delaware stuff. And I will be keeping in touch with them. And I would that other board members would do the same at this point.

One of the difficulties with shad and river herring, as with some of the other diadromous fish, is that those of us who sit at this table are in many states only part of the state management effort for those species.

And that means in some cases we need to reach out to and work with our inland counterparts. And I want to emphasize the importance of doing that, if that's the case in the state. Because we've still got a fair amount of work to do here, even though I think we've turned a corner on the data.

And it's going to take I think some effort and attention by the members of this board to make sure all these little bullets get checked off in the reasonable future. Now, the other thing is, you know, we've been working in this assessment for some time.

And in the meantime, while we've been working on shad bad things have been happening to river herring. And we need to move on to river herring, but we've got to get this done. And I would just urge everybody to give it their personal attention.

**CHAIRMAN KRAY:** Thanks, Gordon. That's very helpful. Other questions/comments on the update of the stock assessment? Bob Beal.

**MR. BEAL:** Thank you, Mr. Chairman. Just to follow up a little bit on what Gordon was saying, this assessment has been going on for a couple of years. And I don't mean that as a criticism. There is a ton of data to pull together.

But through that course of time it has put staff in kind of an awkward spot a number of times

calling states, asking for things that aren't a real high priority in the states. And we, you know, we at staff can only push so hard to get things done at the state level.

And essentially the bosses of the assessment folks need to give them the time to work on this. So, you know, we'll continue to push as hard as we can from the staff perspective; but, you know, we can only do so much without running into the conflicts with the assessment folks that we're asking for something but it's not a high priority on their schedule and those sorts of things.

So, if communications come out of our office that look like we're pushing, we are. But we're not trying to get, to go around the priorities set at the state level; we're just trying to get this done which I think is the signal that we're hearing out of this board.

They want to get this wrapped up and move on to river herring because I think, as Gordon said, there are some pretty bad things going on with river herring in at least some of the systems if not a lot of the systems up and down the coast.

## **OTHER BUSINESS**

**CHAIRMAN KRAY:** Thanks Bob. Anything else? All right, under other business we have the item that Tom McCloy brought up. Tom, do you want to talk about that?

**MR. McCLOY:** Thank you, Mr. Chairman. I noticed that a number of states are going to be faced with a compliance criteria come spring about recreational surveys for the rivers they're responsible for.

And I know as far as the Delaware Basin states are concerned five years ago the survey that was done was fairly extensive and also fairly expensive.

And not wanting to speak for my fellow basin states -- I'll let them speak up on their own if they choose to -- but from New Jersey's standpoint there is no way that we can be looking at that kind

of an expense this coming spring to do an equivalent survey in the Delaware.

And, Number 1, I'm wondering whether other states find themselves in a similar position right now and if so what we may do about that.

And then, Number 2, I guess, maybe the other question is has the technical committee laid down some guidelines for these recreational surveys that would, you know, maybe allow us to meet that compliance criteria without the expense associated with the survey that we did in the past. And I'd appreciate any thoughts anybody has.

CHAIRMAN KRAY: Mike, do you have any thoughts on that?

MR. HENDRICKS: We've discussed this in a superficial way within the technical committee but we feel it's up to the management board to give us guidance on how these recreational creel surveys should be conducted and whether or not the five-year timeframe is still appropriate.

CHAIRMAN KRAY: Yes, Tom

MR. McCLOY: Just a question in response to that. When you say a five-year timeframe is appropriate do I interpret that to mean it needs to be less time or more time? And then an additional question I might ask is what's the value of doing a recreational survey in these areas every five years, or whatever the time period is?

MR. HENDRICKS: Perhaps I should take that back to the technical committee and allow the technical committee to have some input on that. It's clear from these data that were compiled for this year that recreational landings are fairly low.

And so it may be that a five-year time period is too short a time period to be looking at. We may be able to do it at longer time periods or eliminate the requirement altogether.

CHAIRMAN KRAY: Roy Miller, then Leroy.

MR. ROY MILLER: Thank you, Mr. Chairman. If I could direct a comment and question to Mike, Mike, that particular survey that Tom was

referring to, if memory serves, costs are \$260,000. Does that sound in the ballpark? Leroy Young is nodding his head yes.

Keeping that in mind, I share Tom's concerned over the lack of short-term resources to repeat a study of that magnitude which, as you know, utilized an access-point survey in combination with an aerial survey to estimate total effort.

I would ask the technical committee for some guidance if there is -- now that we've done the basin-wide survey one time is there a cut-rate survey that we could do that is less resource-intensive but that might provide an indicator of stock abundance relative or shall I say harvest relative to what occurred in 2002? And I would ask the technical committee to give us some guidance on that if I may. Thank you.

CHAIRMAN KRAY: Leroy Young.

MR. LEROY YOUNG: I'll get this. Pennsylvania managed their contract for the Delaware survey and I can just tell you for 2007 we are not prepared to do that. We have not budgeted for this survey. We have a major creel survey to do on the Susquehanna River that's going to cost over \$100,000 and we're involved in that.

That's really going to eat up our staff time this year on creel survey work. But I would agree with Roy on the idea of perhaps the technical committee considering some type of scaled-back, index-type survey that could be linked to the 2002 survey, perhaps looking at some of the most heavily used sites.

We do this on Erie, Lake Erie, every year. We have an ongoing creel survey on Lake Erie. And about every, I'm not sure, maybe 10 years there is a full-blown survey scheduled. And then in between there are just a few of the most heavily used sites are monitored.

So that's an idea. So I would agree with Roy on that. There has got to be some scaled-back way to do this because I don't think the states are going to have the kind of money to do this on a five-year basis.

CHAIRMAN KRAY: Gordon.

MR. COLVIN: I certainly share the concerns that have been expressed. And to put it in another context, however, we're supposed to be doing this every year for striped bass up in these same rivers. They're above MRFSS.

And it seems to me the issue is more the generic issue of how do we acquire reliable recreational catch and effort estimates inland of the MRFSS coverage. And I'm not sure what the approach is to get it that but I think it's an issue that is crosscutting, that perhaps the Policy Board in consultation with ACCSP and the Management and Science Committee needs to look at generically.

And we've been looking at what can we do in the Hudson that, what were your words, Tom, a cut-rate or a shortcut or something like that, and is there some way we can come up with an alternative that is less expensive.

And the short answer has no, just no. And it's prohibitive. What we need to do in the Hudson to get reliable catches of the diadromous recreational fish above the extent of MRFSS coverage costs at least 50 to 100 percent more than what the total cost is for the MRFSS coverage in all of New York's marine water. There's just got to be a better way.

CHAIRMAN KRAY: Bob.

MR. BEAL: Thank you, Mr. Chairman. The Management and Science Committee is meeting, actually their meeting starts in about an hour. And one of the issues they're going to take up is this upriver creel survey issue.

The Atlantic Coastal Act plus-up money that was awarded by Congress or appropriated by Congress, part of that money was set aside to do upriver creel surveys. And they're looking into how, what's an effective use of that money, how can these upriver creel surveys be done efficiently.

The money that's been set aside out of the Atlantic Coastal Act funds is in no way enough to do all the, you know, up and down the coast and address the compliance, the requirement of the shad plan.

But I think, you know, part of their discussion is definitely going to be how do we do these studies efficiently and effectively, you know, given the limited resources that we have. So I think, you know, hopefully some guidance will come from that group and then we can start engaging some of the other groups that Gordon had mentioned in his previous comments to figure out how to effectively and efficiently do this.

CHAIRMAN KRAY: Thanks Bob. Leroy.

MR. YOUNG: Another point, and Mike had mentioned this, the relatively low harvest, for example in the Delaware survey in relation to all the harvest up and down the coast -- and I think it was like 1 percent -- it doesn't make a whole lot of sense at least to me that we would, you know, put \$200,000 or \$300,000 into a study to find out now it's 2 percent or half a percent.

Does that really matter? And I think, you know, that's another thing the technical committee really needs to think about, how important is that data based on those kinds of findings.

CHAIRMAN KRAY: Other comments, questions? Mike, you feel comfortable with -- Kelly.

MR. KELLY PLACE: Whether it's to that point or not, I'm going to bring your attention to some data coming out of Virginia that is not yet published from our game, Virginia Department of Game and Inland Fisheries.

While I don't know whether it will help other states and stock assessments it may help as far as predictive models on shad runs. DGIF has discovered through their years of shad restoration work that there is a direct correlation between high and low river flows and high and low recruitment and shad.

In fact, they found that a 20 percent exceedance level results in real high recruitment. And even if the previous brood stock, say four years before, were very plentiful, that year class tends to be determined not so much from the amount of brood stock but the amount of water flow in the river.

So, in other words, you could have very few returning brood stock but if you've got a high river flow you're likely to have a high recruitment, even with low brood stock. And I just wanted to bring -- I guess this was other business that you were referring to?

I just wanted to bring that forward in the interest of possibly other states finding this useful without having to put a bunch of money forward to determine that. It's relevant in our state because of the King William Reservoir issue. Other states might find it relevant in other ways so I bring that up.

CHAIRMAN KRAY: Thanks Kelly. Mike, going back, do you have enough marching orders, do you think, to take back to the technical committee on this?

MR. HENDRICKS: Yes.

CHAIRMAN KRAY: Okay, any other business. Yes?

MR. BILL ARCHAMBAULT: I just wanted to mention on the fish passage that the U.S. Fish and Wildlife Service, National Marine Fisheries Service, South Carolina, North Carolina, are very close to reaching consensus on provisions for upstream passage on the Yadkin-Pee Dee River system.

There are six dams operated by Alcoa on the river system that had blocked passage for spawning in historic nursery habitat. And folks who want a little more information, please see Wilson Laney in the back. We can provide that. Thank you.

CHAIRMAN KRAY: Thank you. Any other business to be brought before this board? Motion to adjourn. Bill, Bill Adler.

MR. ADLER: **So moved.**

CHAIRMAN KRAY: Second by Mark Gibson. We're adjourned.

(Whereupon, the meeting adjourned on Monday, October 23, 2006, at 1:15 o'clock, p.m.)

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