ASMFC
FISHERIES focus
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Atlantic States Marine Fisheries Commission • 1444 Eye Street, N.W. • Washington, D.C.

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

American Lobster Stock Assessment Yields Mixed Results

High Abundance and Recruitment for Georges Bank & Most of Gulf of Maine Continued Low Stock Abundance & Recruitment for Southern New England and Area 514 (MA Bay and Stellwagen Bank)

With an estimated revenue in excess of $372 million in 2007, American lobster supports one of the most valuable commercial fisheries in the Northeast U.S. The 2009 peer-reviewed stock assessment report indicates that this valuable resource presents a mixed picture of stock abundance throughout its U.S. range (Maine through North Carolina). The report indicated record high stock abundance and recruitment (number of lobsters entering the fishery) throughout most of the Gulf of Maine (GOM) and Georges Bank (GBK). The Southern New England (SNE) stock, which extends from Massachusetts to North Carolina, fared less well with continued low abundance and poor recruitment. Lobsters found in Massachusetts Bay and Stellwagen Bank (referred to as NMFS Statistical Area 514 in the assessment) showed further declines in recruitment and abundance since the last assessment. The Peer Review Panel noted particular concern regarding the status of the stock throughout the SNE assessment area and within Area 514, recommending further restrictions in both areas.

Despite current high levels of abundance and recruitment in GOM and GBK, the Panel recommended "that managers be particularly vigilant of recruitment patterns in these stocks and stand ready to impose substantial restrictions should recruitments decline." The Panel cautioned that productivity has been much lower in the past. For example, landings in the GOM, which accounts for nearly 87% of the coastwide fishery since 2002, fluctuated without trend around 20 million pounds from 1930 – 1990, possibly due to low recruitment and production. Those levels are substantially lower than 72.8 million pounds, which has been the average annual landings from 2000 and 2007. The current levels of fishing effort and harvest will not be sustainable if the stock returns to lower recruitment and production levels. This is of particular concern to the Panel because fishermen harvest approximately 50% of the available (i.e., legal-sized) lobster in the ocean. Biological information indicates that only 30% of the available lobster in the ocean should be removed in order to maintain a healthy fishable population over the long-term.

The Panel noted improvements to both commercial and fishery-independent data efforts. However, commercial data, particularly fishing effort, need more work. States should be strongly encouraged to standardize collection of fishery-dependent data and work toward mandatory universal coverage. The Panel also stressed "the need to continue port and sea sampling so as to achieve representative coverage of all segments of the fishing fleet." The Commission has extended some funding for 2009 port sampling efforts.

Gulf of Maine

Results show current abundance, landings, and effort for the GOM stock overall are at record highs . The Panel noted that effort is the highest observed since 1982 (both in number of traps and soak time) and cautioned against any further increases. Area 514 continued to experience very high exploitation rates and declines in recruitment and abundance since the last assessment. Additional restrictions are necessary given the persistence of low recruitment and its negative effect on abundance and potential egg production.

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Inside This Issue

The Atlantic States Marine Fisheries Commission was formed by the 15 Atlantic coastal states in 1942 for the promotion and protection of coastal fishery resources. The Commission serves as a deliberative body of the Atlantic coastal states, coordinating the conservation and management of nearshore fishery resources, including marine, shell and anadromous species. The fifteen member states of the Commission are: Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida.

Upcoming Meetings

6/8 - 12:
South Atlantic Fishery Management Council, Hutchinson Island Marriott, 555 NE Ocean Boulevard, Stuart, Florida; (800) 775-5936.

6/9 - 11:
Mid-Atlantic Fishery Management Council, Radisson Martinique on Broadway, New York City.

6/15 (6:00 PM):
ASMFC Public Hearing on Coastal Sharks Draft Addendum I, Virginia Marine Resources Commission, 2600 Washington Avenue, 4th Floor, Newport News, Virginia. For more information, please contact Jack Travelstead at (757) 247-2247.

6/17 (7:00 PM):
ASMFC Public Hearing on Coastal Sharks Draft Addendum I, North Carolina Division of Marine Fisheries, Roanoke Island Festival Park, One Festival Park, Manteo, North Carolina. For more information, please contact Clark Gray (252)473-5734

6/23 - 25:
New England Fishery Management Council, Holiday Inn by the Bay, Portland, Maine.

7/7:
ASMFC Fish Passage Working Group, Hotel Providence, 139 Mathewson Street, Providence, Rhode Island.

7/8 & 9:
Atlantic Coastal Fish Habitat Partnership Steering Committee, Hotel Providence, Hotel Providence, 139 Mathewson Street, Providence, Rhode Island.

7/9 & 10:
ASMFC Habitat Committee, Hotel Providence, 139 Mathewson Street, Providence, Rhode Island.

8/3 & 4:
Southeast Area Monitoring and Assessment Program (SEAMAP) Annual Meeting, Francis Marion Hotel, 387 King Street, Charleston, South Carolina.

8/4 - 6:
Mid-Atlantic Fishery Management Council, Embassy Suite Alexandria, 1900 Diagonal Road, Alexandria, Virginia; (703) 684-5900.

8/17 - 20:
ASMFC Summer Meeting, Crowne Plaza Old Town Alexandria, 901 N. Fairfax Street, Alexandria, Virginia; (800) 333-3333.

Leading Change with the Best Science as Our Guide

Many fisheries stakeholders are anxiously waiting to see what changes the new Administration will be making in fisheries and ocean policy. Dr. Jane Lubchenco was confirmed in March as the new NOAA Administrator. She is the first woman and first marine ecologist to lead NOAA. She has a master's degree from the University of Washington and a Ph.D. in marine ecology from Harvard University, where she taught for two years. She has been on the faculty of Oregon State University since 1977. In addition to her strong academic experience, Dr. Lubchenco's resume includes an impressive involvement in science and public service.

She is a former president of the International Council for Science and the America Association for the Advancement of Science. She was a presidential-appointee for two terms to the National Science Board and is an elected member of the National Academy of Sciences. She served on the Pew Oceans Commission listening to and learning from members of coastal communities from around the country about the challenges and threats to our oceans and fisheries. Upon her arrival at NOAA, she pledged to lead with the "best science as our guide."

Last month, Dr. Lubchenco met with the Chairmen of the Regional Fishery Management Councils to share her views on the challenges and problems NOAA faces managing fisheries and ocean resources. She believes successful fisheries management is closely connected to the health of our ocean ecosystems and she sees the Councils as important partners in restoring and managing U.S. fisheries.

She views fishing as an integral part of our coastal communities as well as an important part of the global food supply. She envisions NOAA working with various partners to make the health of the oceans go hand-in-hand with the prosperity of fishermen and coastal communities. She believes ending overfishing and rebuilding stocks can be done while improving the economics of fishing and protecting ocean ecosystems.

Dr. Lubchenco believes annual catch limits are key to achieving the Magnuson-Stevens Act mandate for the Councils and NOAA to end overfishing by 2010. She wants the Councils to put as much emphasis on how catch limits are met as they put on getting the catch limits correct. She is convinced catch share programs perform better than traditional fishery management tools, increasing productivity while advancing goals of profitability and sustainability. She cites that in the first year of the Gulf of Mexico red snapper ITQ plan discards decreased 70% and ex-vessel prices rose 25%.

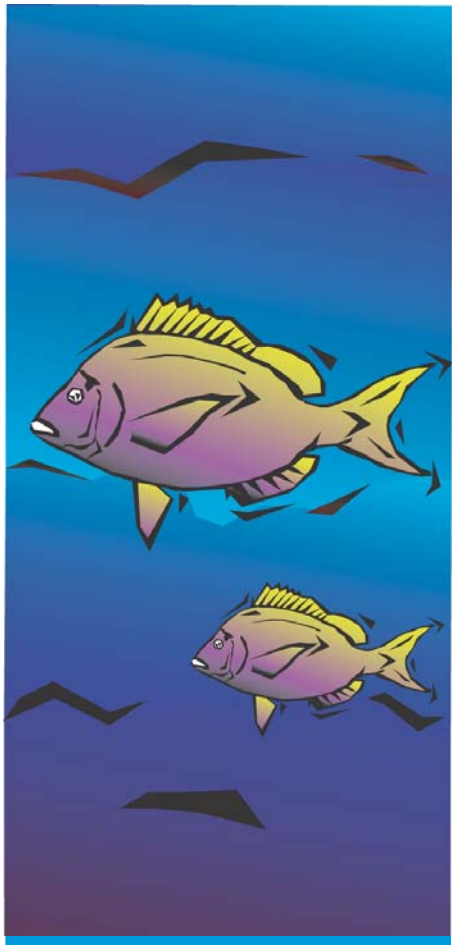
For these reasons, implementation of catch share programs will be a high priority for NOAA. She has established an internal task force to develop a strategy to make catch share management more available to fisheries in the U.S. With $16 million already committed to New England, she intends to make additional resources available to support the Councils' development of catch share programs.

Citing NOAA's most recent Status of Stocks report, Dr. Lubchenco emphasizes the importance of tracking progress. Overfished and overfishing are two metrics with specific deadlines included in the Magnuson-Stevens Act. But it is reasonable to expect NOAA to consider other measures, such as the profitability of fisheries, reduction in discards, impacts to habitat, and changes in estuarine and ocean water quality, to ensure management actions achieve results.

As an ecologist, Dr. Lubchenco wants to close the information gap in what we understand of ecosystem-based science and what we need to know to manage on an ecosystem basis. She recognizes this urgent objective is complicated given the dual challenges of climate change and ocean acidification. One of her goals is to create a mechanism for more comprehensive ecosystem-based planning to evaluate a range of activities while promoting ecosystem health.

As an educator, Dr. Lubchenco has a deep appreciation for the power of communication. She strongly believes NOAA Fisheries does world class science, with a long proud tradition of excellence. She sees benefit in NOAA doing better in sharing its science in non-technical terms and in ways that inspire confidence in the results. She sees transparency in science processes and accessibility to fisheries managers going hand-in-hand with stakeholder trust and understanding of management decisions.

Dr. Lubchenco brings an impressive resume of scientific and educational accomplishments to her new job leading NOAA. She has been appointed by an Administration elected on the promise to produce change. Hopefully, Dr. Lubchenco's clear vision of healthy oceans, abundant stocks, and profitable fisheries are changes we can all agree to support.



Scup
Stenotomus chrysops

Common Name: Porgy

Interesting Facts:
*** Scup are thought to spawn in the morning unlike most fish that spawn at night.**
*** Scup's laterally flattened body is about 2 times as long as it is wide.**
*** Scup feed frantically and fight energetically when hooked.**

Largest Recorded: 6 lbs, 3 oz., Fenwick Shoals, MD

Age/Length at Recruitment: 50% recruited to the fishery at age 2 (6.1") and 100% recruited to the fishery at age 3 (~8.3")

FMP Rebuilding Goals:
Biomass target ($SSB_{40\%}$) = 203 million pounds
Fishing mortality target ($F_{40\%}$) = 0.177

Stock Status: Stock is rebuilt and not overfished

Species Profile: Scup
New Scup Model Yields Positive Results

Introduction

For many years the scup fishery management program has been hindered by the lack of a scientifically-based scup stock assessment. In the absence of an assessment, fishery managers have relied on one primary survey index to form the basis their management decisions. With the review and approval of the scup assessment through the 2008 Data Poor Stocks Peer Review this past December, managers now have a scientifically-sound approach to assess the stock status of the scup resource and manage it accordingly.

Not only does the new assessment provide a much needed tool to assess stock status but it also yielded promising news regarding stock abundance. The 2008 Data Poor Stocks Peer Review set the scup rebuilding goal at 203 million pounds of spawning stock biomass, with a deadline of January 1, 2015. The new assessment indicates that the current population size is about 130% of the biomass goal; therefore, the stock is considered rebuilt. Despite this good news, scientists have advised caution in rapidly increasing quota levels due to uncertainty in recruitment, which is the number of fish that enter the population.

Life History

Scup are a migratory, schooling species found on the continental shelf of the Northwest Atlantic, commonly inhabiting waters from Cape Cod, Massachusetts to Cape Hatteras, North Carolina. The abundance of scup in a specific area is frequently influenced by water temperature. Scup prefer temperatures greater than 45 degrees F and are most frequently encountered in water temperatures from 55 to 77 degrees F.

Scup overwinter in offshore waters from southern New Jersey to Cape Hatteras. When water temperatures begin to rise in spring and summer scup migrate to more northern and inshore waters to spawn. Spawning areas include locations from southern New England to Long Island, New York. Large fish arrive to the spawning grounds first, followed by successive waves of smaller individuals, suggesting that scup school by size. Larval scup are pelagic and are found in coastal waters during warmer months. Juvenile scup use a variety of coastal habitats and can dominate the overall fish population in large estuarine areas during the summer months. Fifty percent of scup enter the fishery at age two (~6.1 inches); and 100% enter the fishery at age three (~8.3 inches).

Commercial & Recreational Fisheries

For decades scup have been highly sought after by commercial, recreational, and subsistence fishermen throughout southern New England and the Mid-Atlantic, largely due to its fine flavor and its avaricious pursuit of baited hooks.

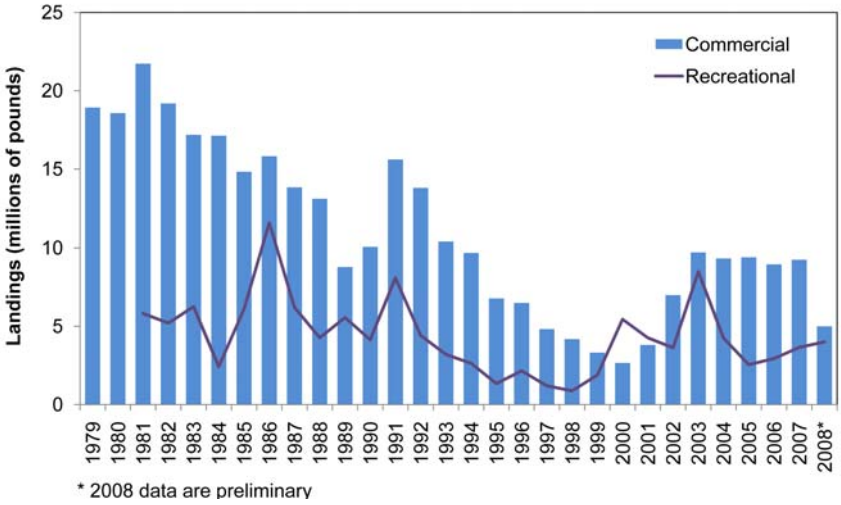
Photo: NEAMAP

Scup support commercial fisheries from Massachu-

setts to North Carolina. From 1974 to 1986, commercial landings fluctuated between 15.4 and 22 million pounds without trend. By 2000, in response to low stock abundance and quota management that began in 1997, landings dropped to 2.7 million pounds, an all-time low for the time series (1930-2008). Since then, landings have been slowly increasing, with a preliminary estimated five million pounds landed in 2008. The primary commercial fishing gear is otter trawl, accounting for approximately 80 percent of the total catch. About one-third of the commercial landings occur in state waters, the largest shares of which are landed in New Jersey and Rhode Island. Commercial fishery discards are an important part of the total fishery removals from the stock, often at about the same level as the commercial landings. Since 2000 the commercial discards have been reduced due to fishery regulations.

Figure 1. Commercial and Recreational Scup Landings

Sources: NEFSC Northeast Data Poor Stocks Working Group Report, 2008 and personal communication from NMFS and ACCSP

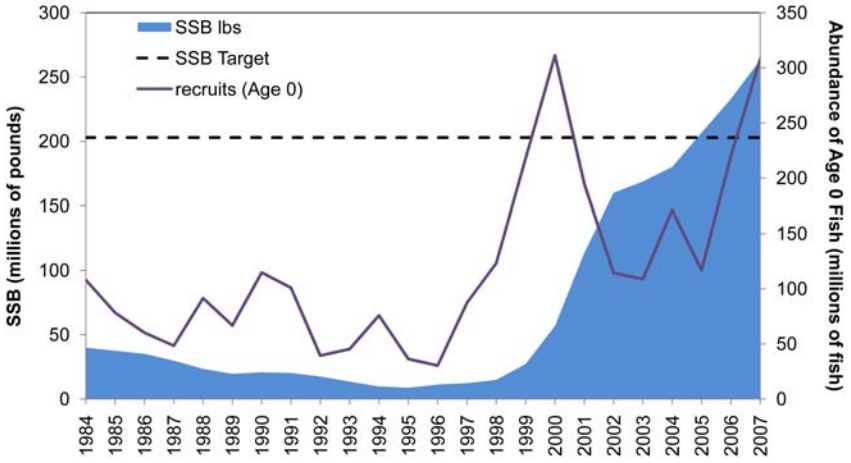


* 2008 data are preliminary

The recreational fishery for scup is significant, with anglers accounting for 17 to 67% of total annual catches from 1985 to 2001. Recreational landings have fluctuated since 1998. Data shows increases through 2001, decreases in 2002, and substantial increases in 2003. Since 2004 landings have ranged from 2.4 to 4.4 million pounds. An estimated four million pounds were landed in 2008. The majority of recreational landings come from state waters, with anglers in New York, Massachusetts, and Connecticut catching the greatest proportion (>90%).

Figure 2. Scup Spawning Stock Biomass and Recruitment

Source: NEFSC Northeast Data Poor Stocks Working Group Report, 2008



Stock Status

The assessment model for scup changed in 2008 from a simple index-based model to a complex statistical catch at age model, called ASAP. ASAP models the scup population similar to how the U.S. Census Bureau models human populations and using similar data (population size at age, growth rates, age at maturity, reproductive potential and success, life span, and removals by deaths). The new scup assessment model uses widely-accepted and commonly-used fishery science principles to analyze the population size, and incorporates a broader range of fishery and survey data than was used previously. The fishery catch is now modeled as four fleets: commercial landings, recreational landings, commercial discards and recreational discards. Indices of stock abundance from fourteen surveys were used in the model calibration.

Recruitment at age 0 averaged 91.4 million fish during 1963-1983, and averaged 119.6 million fish from 1984-2007. The 2000 and 2007 year classes are estimated to be the largest of the time series at 311.2 and 307.9 million age 0 fish, respectively. With greatly improved recruitment and low fishing mortality rates since 1998, spawning stock biomass (those fish that can reproduce) has steadily increased to about 263 million pounds in 2007.

The new reference points are a fishing mortality (F) target of $F_{40\%}$ = 0.177 and a spawning stock biomass (SSB) target of $SSB_{40\%}$ = 203 million pounds. $F_{40\%}$ is the rate of fishing that will result in 40% of the spawning potential of a virgin (unfished) stock. The current F is 0.054 and SSB is 263 million pounds, therefore overfishing is not occurring and the stock is rebuilt.

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Scup Species Profile (continued from page 5)

Technical advice to managers have cautioned rapid increases in quota to meet the revised maximum sustainable yield given uncertainties in recruitment. They advised a more gradual increase in quotas to account for the uncertainty in the model estimates and stock status.

Atlantic Coastal Management

In an effort to coordinate management actions in both state and federal waters, the Atlantic States Marine Fisheries Commission and the Mid-Atlantic Fishery Management Council (Council) established a joint management program for scup in 1995. This program is currently managed under Amendment 14 to the Summer Flounder, Scup and Black Sea Bass Fishery Management Plan, and several subsequent addenda. The management program divides a total annual quota between the recreational fishery (22%) and the commercial fishery (78%).

Each fall the Commission and Council meet to set recreational fishery management measures for the following year; these measures usually include a combination of minimum size limits, bag limits and fishing seasons. Since 2004, the states of Massachusetts, Rhode Island, Connecticut, and New York have formed a northern region when setting their recreational regulations. This regional approach creates consistency between the states where fishermen from different states are often fishing alongside each other in the same waters.

Photo: Mark Terceiro, NMFS Northeast Fisheries Science Center

The commercial quota is divided into three quota periods, Winter I (January - April), Summer (May - October) and Winter II (November - December). A coastwide quota regulates the winter periods, while state-by-state quotas regulate the summer period. Specific management measures for the commercial fishery include minimum size limits, minimum mesh requirements for trawls, a moratorium on entry into the fishery and closed seasons.

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

Atlantic Menhaden Board Initiates Addendum to Extend Chesapeake Bay Reduction Fishery Harvest Cap to 2013

The Commission's Atlantic Menhaden Management Board approved the initiation of Draft Addendum IV to Amendment 1 to the Interstate Fishery Management Plan for Atlantic Menhaden. The Draft Addendum will propose extending the Chesapeake Bay reduction fishery harvest cap, established through Addendum III, for an additional three years (2011 – 2013). The Board will annually review measures in Addendum IV, if approved, to determine if they are appropriate given the most recent information available about the stock and fishery.

The Board's action was initiated by the Commonwealth of Virginia in order to accommodate its legislative process as well as ensure that the current management program is extended while menhaden research efforts continue. Virginia's legislature, which meets January through March each year, is responsible for regulating the menhaden reduction fishery in state waters. With a new Addendum in place this year, Virginia state administrators can work with the legislature in early 2010 to amend Virginia law to extend the harvest cap without the current cap expiring.

Addendum III established the current annual cap of 109,020 metric tons on reduction fishery harvests in Chesapeake Bay as a precautionary measure while research was conducted to address the question of menhaden abundance in the Bay. The cap has been in place since 2006 and will extend through 2010. Harvest for reduction purposes is prohibited in the Chesapeake Bay when 100% of the cap is landed. Overharvest in any given year would be deducted from the next year's quota. Addendum III also includes a provision allowing under-harvest in one year to be credited only to the following year's cap, not to exceed 122,740 metric tons.

The Board will meet in August 2009, during the Commission's Summer Meeting, to review the Draft Addendum and consider approving it for public comment. For more information, please contact Braddock Spear, Senior FMP Coordinator for Policy, at (202) 289-6400 or bspear@asmfc.org.

Winter Flounder Board Approves Addendum I to Initiate Stock Rebuilding of Inshore Stocks

The Commission's Winter Flounder Management Board approved Addendum I to Amendment 1 the Interstate Fishery Management Plan for the Inshore Stocks of Winter Flounder. The Addendum establishes harvest reductions for both the Gulf of Maine (GOM) and Southern New England/ Mid-Atlantic (SNE/MA) inshore stocks of winter flounder (0 – 3 miles).

This action is taken in response to the findings of the 2008 Groundfish Assessment Review Meeting (GARM III), which estimates that the SNE/MA stock is at 9% of the target biomass (overfished) with overfishing occurring and that the GOM stock is likely to be overfished with overfishing likely to be occurring. The Addendum's provisions are also intended to complement federal management measures on groundfish stocks under the final interim rule, which will significantly reduce fishing mortality on federally-managed groundfish stocks, including winter flounder, in offshore waters (3 – 200 miles).

For the GOM, Addendum I requires an 11% reduction in fishing mortality for the recreational sector and a 250 pound possession limit for non-federally permitted commercial fishermen (estimated 31% reduction in harvest). Recreational reductions may be achieved by using possession limits, seasons, or other measures. Commercial measures under the final interim rule are intended to achieve at least an 11% reduction in fishing mortality.

For the SNE/MA, the Addendum establishes a two fish recreational bag limit with current size limits and seasons maintained and a 50 pound possession limit for non-federally permitted commercial fishermen. Both measures will allow for the consistent application of management measures in state water fisheries and are intended to complement the federal interim rule which prohibits any take of SNE/MA winter flounder from offshore waters (an estimated 62% reduction in fishing mortality). The Board set bag and possession limits that are low enough to discourage directed fishing but allow fishermen to keep their winter flounder bycatch. The two fish recreational bag limit is estimated to achieve approximately a 50% reduction in harvest, while the 50 pound commercial possession limit is estimated to achieve approximately a 65% reduction in harvest.

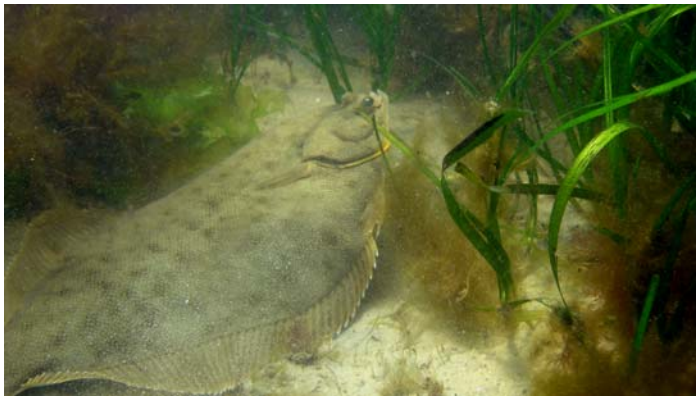

Photo: Carl LoBue, The Nature Conservancy

Cooperative management between state and federal waters on winter flounder is particularly important because of the unique migration patterns and spawning site fidelity of this species. When winter flounder migrate to inshore state water spawning grounds, they become concentrated in certain areas, making it easy for anglers to locate and remove a substantial portion of them. Concentrated fishing effort on spawning females, which are the most productive part of the population, can result in a larger net loss to the population than the landings may suggest. The Addendum's measures seek to enhance stock rebuilding efforts throughout the species range by reducing fishing related mortality on inshore spawning stocks.

States are required to submit proposals to meet the required harvest reductions by mid-June. The Board will meet in August to review the Technical Committee's evaluations of state proposals and take final action. States will be required to implement their regulations by November 1, 2009. Copies of the Addendum can be obtained via the Commission's website (www.asmfc.org) under Breaking News. For more information, please contcat Christopher Vonderweidt at (202) 289-6400.

Coastal Sharks Draft Addendum Approved for Public Comment

The Spiny Dogfish and Coastal Sharks Management Board approved Draft Addendum I to the Interstate Fishery Management Plan (FMP) for Atlantic Coastal Sharks for public comment. Draft Addendum I proposes eliminating four regulations of the FMP, three of which apply only to smooth dogfish. Proposed changes for smooth dogfish only include eliminating recreational possession limits and allowing commercial fishermen to process smooth dogfish at-sea. The latter option is proposed because the commercial smooth dogfish fishery is high volume, labor intensive, and requires an extremely fresh product. Under the proposed change, fishermen are required to have a 95% to 5% carcass to fin ratio consistent with the Shark Finning Prohibition Act.

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ASMFC Honors Fishery Manager, Advisor, Scientist and Interagency Task Force for Their Contributions to Atlantic Coast Fishery Resources

Mr. Roy Miller, Mr. Rick Robins, Dr. Dave Smith, and Mr. Wayne Hettenbach and the agents and officers of the Interstate Watershed Task Force were presented the Commission's Annual Awards of Excellence at its Spring Meeting in Alexandria, Virginia for their contributions to the success of fisheries management along the Atlantic coast. They received awards for their efforts in the areas of management and policy; scientific, technical, and advisory; and the law enforcement, respectively.

Management and Policy

Mr. Roy Miller, of the Delaware Division of Fish & Wildlife, received the award for work in the area of management and policy. Mr. Miller has been involved in Commission activities since 1978. He served as a member of the Striped Bass Technical Committee during the highly controversial years of population decline, harvest moratoria, stock rebuilding, and controlled reopening of the fishery. His hard work and sound judgment enabled the Technical Committee to provide clear scientific advice to support the difficult decisions needed to bring about the Commission's premier fishery management restoration and success story. In 2002, he became the proxy for his state's Administrative Commissioner and has been a conscientious and thoughtful member of 14 species management boards. He led the Horseshoe Crab Management Board through the politically sensitive process of capping horseshoe crab harvest and diplomatically chaired the Weakfish Management Board as it grappled with the technical challenges of managing a species with limited harvest and conflicting abundance indices. His longstanding commitment to the Commission and its management process, along with the deep respect he has earned from his fellow Commissioners, make him an exceptional recipient of this award.

Scientific, Technical, and Advisory

Mr. Rick Robins' work to bridge the gap between opposing viewpoints on the management and use of horseshoe crabs makes him the first of two recipients in this award category. He has represented Virginia on the Horseshoe Crab Advisory Panel since 2000 and was instrumental in developing the male-only strategy as a key provision of Addendum IV to the Interstate Fishery Management Plan for Horseshoe Crabs. The strategy accommodates the science regarding horseshoe crab spawning and population dynamics, addresses the needs of migratory bird conservation, and allows management of the resource for multiple users. He worked with the bait and biomedical industries, advocate organizations, and state fishery managers to effectively build consensus on this difficult management issue, aiding the Commission in its ability to prioritize the needs of migratory birds while appropriately limiting commercial use of the horseshoe crab resource.

AAE Recipients from left: Mr. Wayne Hettenbach, Mr. Rick Robins, Mr. Roy Miller, and Dr. Dave Smith

Dr. Dave Smith, of the U.S. Geological Survey, is the second recipient in the Scientific, Technical and Advisory category. He has been a valuable asset to various Commission species technical and assessment committees for the past 20 years. He has made significant contributions to striped bass tagging, with his early work having formed the basis for current coastwide tagging efforts. He has also advanced the tools that are used to monitor horseshoe crabs. His work includes modifying both the Delaware Bay Horseshoe Crab Spawning Survey and the survey design for sampling horseshoe crab eggs. He has been at the forefront in modeling shorebird and horseshoe interactions to optimize horseshoe crab management decisions. Further, he is always willing to teach and share his knowledge with others.

Law Enforcement

Mr. Wayne Hettenbach of Department of Justice's Environment and Natural Resources Division **and the agents and officers of the Interstate Watershed Task Force** from the U.S. Fish and Wildlife Service (FWS), Virginia Marine Police, and Maryland Natural Resources Police are recognized in the Law Enforcement category for the successful culmination in 2008 of their joint federal/state investigation of illegal striped bass harvest in the Potomac River and Chesapeake Bay. The investigation resulted in charges, ranging from fines to incarceration, for nine individuals and one corporation, with additional charges yet to come. During the course of the covert investigation, initiated by FWS in 2002, Task Force members documented the illegal harvest, sale and purchase of more than 600,000 pounds of striped bass with an estimated value of more than $3 million.

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ASMFC Approves River Herring Amendment: *States Water Fisheries to be Closed by January 1, 2012 unless Sustainablity is Demonstrated through State-specific Management Plans*

On May 7, 2009, the Atlantic States Marine Fisheries Commission approved Amendment 2 to the Interstate Fishery Management Plan (FMP) for Shad and River Herring (River Herring Management). The Amendment prohibits state waters commercial and recreational fisheries beginning January 1, 2012, unless a state or jurisdiction develops and submits for approval a sustainable management plan by January 1, 2010. The Amendment defines a sustainable fishery as "a commercial and/or recreational fishery that will not diminish the potential future stock reproduction and recruitment." Submitted plans must clearly demonstrate that the state or jurisdiction's river herring fisheries meet this new definition of sustainability through the development of sustainability targets which must be achieved and maintained. The plans are subject to Technical Committee review and Board approval prior to the fishing year beginning January 1, 2012. Proposals to re-open closed fisheries can be submitted annually as part of the annual state compliance report.

The Board's action of Amendment 2 was taken 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 2007, commercial landings of river herring decreased by 97 percent from 13.6 million pounds to 317,000 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.

Amendment 2 requires states to implement fisheries-dependent and independent monitoring programs. In recognition of limited state resources, the required monitoring will be identical to monitoring for American shad, a species closely related to river herring, so that monitoring can be conducted concurrently with current efforts. This monitoring will also assist the river herring stock assessment, which is expected to be completed in 2012. The Amendment also contains recommendations to member states and jurisdictions to conserve, restore, and protect critical river herring habitat.

River herring stocks are a multi-jurisdictional resource occurring in rivers and coastal and ocean waters. While oversight of river herring management in state waters lies with the Commission, river herring can be encountered in ocean fisheries beyond the states' jurisdiction. Bycatch of river herring in small mesh fisheries continues to be a significant concern. Preliminary analyses indicate that, in some years, the total bycatch of river herring by the Atlantic herring fleet alone could be equal to the total landings from the entire in-river directed fishery on the East Coast. Based on the Board's request, the Commission will send a letter to the Secretary of Commerce supporting efforts underway by the New England and Mid-Atlantic Fishery Management Councils to effectively monitor bycatch of river herring in small mesh fisheries, and encouraging additional resources to support the cooperative efforts to better manage anadromous fisheries. Additionally, the Commission will request that the Secretary of Commerce take emergency action with regard to implementing the bycatch monitoring measures recently under discussion with New England Council.

The Plan will be available by mid-June and can be obtained via the Commission's website at www.asmfc.org under Breaking News or by contacting the Commission at (202) 289-6400. For more information, please contact Kate Taylor, FMP Coordinator, at ktaylor@asmfc.org.

Coastal Sharks Draft Addendum Approved for Public Comment (contined from page 7)

Draft Addendum I also proposes removing the requirement that commercial shark fishermen must check their large mesh gillnets every two hours and applies to all 40 shark species managed under the FMP. Fishermen targeting large mesh species such as king mackerel and blue fish regularly set nets overnight and may catch the occasional shark. The two hour net check requires fishermen to discard any incidentally caught sharks.

Virginia and North Carolina will be conducting hearings on the Draft Addendum; see page 2 for the details of those hearings. Copies of the Draft Addendum can be obtained via the Commission's website at www.asmfc.org under Breaking News. Public comment will be accepted until 5 PM (EST) on June 30, 2009 and should be forwarded to Christopher Vonderweidt, FMP Coordinator, at 1444 'Eye' Street, NW, 6th Floor, Washington, DC, 20005, or comments@asmfc.org (Subject line: Coastal Sharks).

Massachusetts Anglers to Use Electronic Logbooks

ACCSP Releases First Annual Report

Recreational anglers in Massachusetts are now able to enter their logbook information electronically using a web-based reporting application of the Standard Atlantic Fisheries Information System (SAFIS). The application was developed and integrated into SAFIS by the Atlantic Coastal Cooperative Statistics (ACCSP), a state and federal partnership for Atlantic coastal fisheries data collection and data management, at the request of the Massachusetts Division of Marine Fisheries (DMF).

A logbook is an invaluable tool to anglers since it can provide a way to narrow their strategies for any given set of conditions. The electronic logbook will be a more efficient way for anglers to take a look at the past and save the daily entries of logbook information. It also provides the staff of DMF the ability to analyze catch data more quickly and accurately.

"This system is an exciting addition to SAFIS because it can be easily replicated for other fisheries management agencies that are interested in automating their logbooks," stated Mike Cahall, Director of ACCSP. Massachusetts is the second state to start using the electronic logbook. New Jersey began using the electronic logbook to report striped bass harvest in January 2008. Massachusetts has expanded the application to report over 30 species.

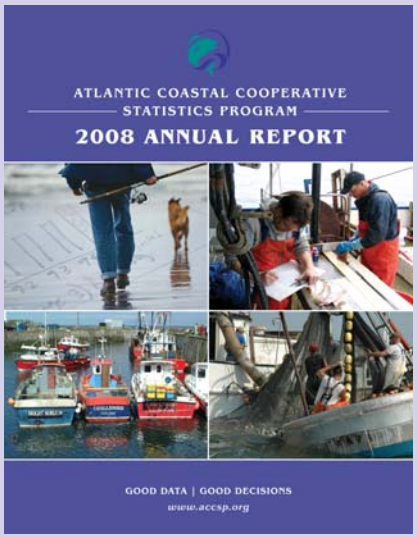
For more details on the electronic logbook, contact Jennifer Thomson of DMF, at (978) 282-0308 or Jennifer.S.Thomson@state.ma.us.

About the ACCSP

ACCSP is a cooperative state-federal program to design, implement, and conduct marine fisheries statistics data collection programs and to integrate those data into a single data management system that will meet the needs of fishery managers, scientists and fishermen. It is composed of representatives from natural resource management agencies coastwide, including the Atlantic States Marine Fisheries Commission, the three Atlantic fishery management councils, the 15 Atlantic states, the Potomac River Fisheries Commission, the D.C. Fisheries and Wildlife Division, National Marine Fisheries Service and the U.S. Fish & Wildlife Service. For more information, please visit www.accsp.org.

First Annual Report Released to Coordinating Council and Constituents

ACCSP released its first annual report at the Coordinating Council meeting on May 7th, 2009 in Alexandria, VA. The 36 page document outlines recent highlights from the program partner projects as well as the various projects of the staff that keep the data systems intact. The document can be downloaded at http://www.accsp.org.



ACFHP Releases RFP for Website Development

The Atlantic Coastal Fish Habitat Partnership (ACFHP) is requesting proposals for its website development. ACFHP is a partnership working in support of the National Fish Habitat Plan, involving state and federal agencies, tribes, local governments, nongovernmental organizations, and other entities to protect and restore fish habitat along the Atlantic coast. ACFHP is looking for an experienced and creative contractor to design an organized and effective website, where its partners can access information and link to other sites that support or pertain to Partnership projects, resources, and other opportunities.

All proposals must be received by 5:00 PM (EST) on June 26, 2009, at: Emily Greene, ACFHP Coordinator, Atlantic States Marine Fisheries Commission, 1444 Eye St. NW, 6th Floor, Washington, D.C. 20005, or egreene@asmfc.org. Questions concerning this RFP must be received in writing at the address or email provided above by 5:00 PM on June 5, 2009.

American Lobster Stock Assessment Yields Mixed Results (continued from page 1)

Georges Bank

Current abundance of the GBK stock is at a record high, while recent exploitation rates are at a record low since the stock has been assessed. Recruitment has remained high in GBK since 1998. From 2005 to 2007, females comprised almost 80% of the population for unknown reasons. The Technical Committee noted the stock could experience recruitment problems if the numbers of males in the population are low.

Southern New England

Current abundance of the SNE stock is the lowest observed since the 1980s and exploitation rates have declined since 2000. Recruitment has remained low in SNE since 1998. Given current low levels of spawning stock biomass and poor recruitment further restrictions are warranted.

Recommended New Reference Points

The new assessment recommends revisions to the reference points set in the FMP. Stock status is determined by comparing threshold values to the average abundance and exploitation rate during recent years (2005-2007). Thus, "overfishing" would occur if the average recent exploitation rate were higher than the threshold. A stock would be "depleted" if average recent abundance fell below the threshold. Given these recommended revised reference points, the GOM and GBK stocks are not depleted and overfishing is not occurring, while the SNE is depleted but not experiencing overfishing. An addendum is needed to implement these new reference points.

This table is based on the recommended reference points in the 2009 Assessment (not those currently in the FMP)			
Variable	**GOM**	**GBK**	**SNE**
Effective Exploitation (Annual rate)			
Threshold	0.49	0.51	0.44
Recent	0.48	0.3	0.32
Recent < Threshold	YES	YES	YES
Overfishing Occurring	NO	NO	NO
Reference Abundance (Number of lobster)			
Threshold	72.0	1.9	25.4
Recent	116.1	4.7	14.7
Recent > Threshold	YES	YES	**NO**
Depleted	NO	NO	**YES**

Next Steps

The Board accepted both the stock assessment and advisory reports and tasked the Technical Committee with providing recommendations for management, including revising the reference points. Copies of the stock assessment and peer review reports are available via the Commission's website at www.asmfc.org under Breaking News or by contacting the Commission at (202) 289-6400.

Q&A on the New Lobster Assessment

How does this assessment differ from previous assessments? The 2009 stock assessment used a new length-based model developed by Dr. Yong Chen of the University of Maine. The assessment incorporated more fishery independent survey data, including the Maine/New Hampshire coastal trawl survey.

How is the new model different than other models? Many stock assessments are age-based, but lobsters, like most invertebrates, do not have the ear bones and scales that record growth over the years. The new model is based on lobster size and used a broader range of fishery and survey data. It also accounted for many factors unique to lobster, including seasonal molting patterns and lobster biology.

Does the new model incorporate management measure effects? Yes, different management scenarios can be plugged into the model to account for changes in regulations, such as v-notching (the practice of fishermen making a v-shaped notch in the tails of egg-bearing female lobsters and not keeping any lobster with a notch) or changes in minimum size.

American Lobster Board Approves Addendum XIV

The Commission's American Lobster Management Board approved Addendum XIV to Amendment 3 to the Interstate Fishery Management Plan for American Lobster. The Addendum XIV modifies the Lobster Conservation Management Area (LCMA) 3 trap transfer program, including changes to the conservation tax and trap cap.

Given the competitive nature of the fishery in LCMA 3 (offshore waters), it is expected that once transferability is implemented, all fishing entities will elect to fish the highest number of traps in order to remain competitive. There was concern the end result would be fewer participants in the fishery. The Board adopted the lower trap cap to keep more participants in the fishery as consolidation occurs, which maintains existing social and cultural features of the industry. This action also considers concerns for increased costs and overhead in the fishery by promoting economic efficiency in harvesting the resource. The Board adopted a single lower conservation tax to address con-

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Atlantic States Marine Fisheries Commission
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Return Service Requested

Annual Awards of Excellence (continued from page 8)

In August 2007, the Task Force coordinated a joint law enforcement operation and take-down. Seven law enforcement agencies and some 95 officers and agents, spanning three jurisdictions, searched two seafood businesses, five residences and other locations. Seven subpoenas were served and two boats, as well as a pickup truck, were seized. In early 2008, they began an overt operation including a detailed analysis of striped bass catch reporting and commercial business sales records from 2003 through 2007.

A widespread conspiracy to underreport striped bass harvests was uncovered. Because of the quality of the Task Force investigation and documentation, nearly all defendants have negotiated plea agreements with the Department of Justice. Perhaps more importantly, the investigation resulted in significant changes in striped bass tagging regulations. The Task Force and others involved in the investigation assisted Maryland in developing new regulations and tagging requirements, which will be effective this summer, to forestall efforts to profit on a large scale from this important East Coast fishery.

American Lobster Board Approves Addendum XIV (continued from page 11)

cerns that the high tax of the previous plan would deter transfers from occurring and was confusing to industry. The conservation tax is a passive reduction of traps that will occur with each trap transfer event at the rate of 20%. For example if 100 trap tags are transferred to a fisher, the net number of tags received by that fisher will be 80.

The Addendum sets a 20% single conservation tax partial trap transfers within LCMA 3 and a 10% conservation tax for the sale of a complete fishing operation. It also lowers the trap cap under the transfer program for Area 3 to 2000.

In other action, the Board initiated an addendum to cap permits to fish traps in federal waters of LCMA 1 by requiring a qualification process for federal permit holders. The draft addendum will explore capping permits but not reduce the number of permits in LCMA 1 and allowing trap only permits within LCMA 1 to be transferred. The draft addendum will address effort control issues in LCMA 1 by preventing non-trap permits from converting to trap permits and by not allowing trap permits from other LCMAs to declare LCMA 1. The Board will review and consider approving the draft addendum for public comment at its next meeting in August.