

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

**August 18, 2005
Radisson Old Towne Alexandria
Alexandria, Virginia**

ATTENDANCE

Board Members

Lew Flagg, Maine DMR	Eugene Kray, proxy for Rep. Schroeder (PA)
Patten White, Maine Gov. Apptee.	Craig Shirey, Delaware DFW
John Nelson, New Hampshire FGD	Bernard Pankowski, proxy for Sen. Venables (DE)
Ritchie White, New Hampshire Gov. Apptee.	Howard King, Maryland DNR
Paul Diodati, Massachusetts DMF	Bill Goldsborough, proxy for Bruno Vasta (MD)
Vito Calomo, proxy for Rep. Verga (MA)	Ira Palmer, DC F&WD
William Adler, Massachusetts Gov. Apptee.	A.C. Carpenter, Chair , PRFC
Everett Petronio, Rhode Island Gov. Apptee.	Jack Travelstead, Virginia MRC
Eric Smith, Connecticut DEP	Kelly Place, proxy for Sen. Chichester (VA)
Lance Stewart, Connecticut Gov. Apptee.	Preston Pate, North Carolina DMF
Gordon Colvin, New York DEC	John Frampton, South Carolina DNR
Brian Culhane, proxy for Sen. Johnson (NY)	Robert Boyles, South Carolina Leg. Apptee.
Pat Augustine, New York Gov. Apptee.	Spud Woodward, Georgia CRD
Bruce Freeman, New Jersey DFG&W	Gil McRae, Florida MFC
Ed Goldman, proxy for Assemblyman Smith (NJ)	Steve Meyers, NMFS
Erling Berg, New Jersey Gov. Apptee.	David Perkins, US FWS
Leroy Young, Pennsylvania F&BC	

Ex-Officio Members

Michael Hendricks, TC Chair

Andy Kahnle, SASC Chair

ASMFC Staff

Lydia Munger

Julie Nygard

Bob Beal

Guests

Steve Heins
Mark Bryer
George Schaler
Tom McCloy

Harold Mears
Dick Brame
Dewey Hemilright
Anne Lange

Wilson Laney
Joe Fletcher
Ed Cherry

There may have been others in attendance who did not sign the attendance sheet.

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MOTIONS

No motions were made at this meeting.

**ATLANTIC STATES MARINE
FISHERIES COMMISSION**

**SHAD AND RIVER HERRING
MANAGEMENT BOARD**

**Radisson Hotel Old Town
Alexandria, Virginia**

August 18, 2005

The Shad and River Herring Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Radisson Hotel Old Town, Alexandria, Virginia, August 18, 2005, and was called to order at 8:00 o'clock a.m. by Chairman A.C. Carpenter.

WELCOME & INTRODUCTIONS

CHAIRMAN A.C. CARPENTER: Good morning, ladies and gentlemen. We'd like to get the Shad and River Herring Board started. The first item on the agenda is the consent of the board on the agenda. Without objection, we have no changes to the agenda that was in your briefing packets, so we will proceed with that.

BOARD CONSENT

The minutes or proceedings from the February board meeting were included in your packets; and without objection, they will be accepted as well. Seeing no objection, they are taken care of.

PUBLIC COMMENT

The next item that we have here is public comment; and as our practice, we always allow the public to address the board with any issues which they believe would be appropriate to bring up at this time. Is there

any public comment to be received at this point?

Seeing none, we'll move right on to Item Number 4, which is an update of the 2005 stock assessment, and, Andy, I'll turn the mike over to you.

**UPDATE ON THE AMERICAN SHAD
STOCK ASSESSMENT**

MR. ANDREW KAHNLE: Good morning. I am happy to be here in scenic Alexandria. What I'm going to do this morning -- and it will just take a short time -- is to give you a sense for the logistics of the shad assessment that we've been working on and give you some idea of where we are, what we have accomplished and what we have yet to do.

This assessment is really made up of two major parts. The first is a seeking out of available data, a collection of that data, getting the data into a format that we can use that is in electronic format, and getting a written description of how the data was collected and what it's good for or not good for.

Then the second part -- once the data is in hand, then the second part is to evaluate the information and look at possible assessment models or approaches and apply that to the data.

To get the data, to find the information to get it in hand, we have hosted -- ASMFC has hosted four data workshops, starting last fall and continuing into this spring, up and down the coast. We have regionalized the process because there's so many systems that we're working on and so many people involved.

These workshops were designed to not only obtain the information and get the people together who collect the data, but get them together with the assessment people, so that

the data collectors could give us an idea of what was available, what the data should be used for or should not be used for, what the format of the data was — some is still on hard copy field sheets, some is electronically entered already — and then talk about where to go from there to get the information to ASMFC.

People working on shad are an incredibly diverse group of biologists. This gives you a sense for the participation that we've had at the data workshops and of the sorts of folks who collect shad data.

These animals go pretty far inland and often bump up against hydro dams and are taken up over hydro dams, so folks that collect shad data include freshwater biologists as well as the normal marine folks who are involved in the ASMFC process, university folks and a lot of power company biologists, also folks from various commissions that work on the upper part of a lot of the estuaries and rivers that are shared by many states.

Surprisingly, once we got involved and we found out who was collecting information, I'd say less than half of the people had had exposure to the ASMFC process, and so it's been a learning experience for both the folks that collect shad data, as well as for those of us who are hoping to assess that information.

Once we got through the workshops and we had a good sense for what was available, we were able to put together kind of an overview of what we had and the sort of assessment that we were looking at.

This slide shows the number of stocks that we had information on by region and the number of folks who are collecting that information. As you can see, there are a lot of stocks that we may be looking at, and there are a tremendous number of people

involved, and it increases from north to south.

We may not end up with a full assessment on all of these stocks, but most of them will have enough information to at least indicate trends.

This is an overview — and there will be two slides now. This one shows the number of datasets that we're working with. These are fishery-independent datasets. The first row across the top are those datasets that are available to us or that we know are available.

The second row shows the number of datasets that people have handed in to date; and the third row, the number of these datasets that we have a written methods' description for from these folks.

We're doing better to the north. There were fewer stocks; we started earlier; and we doing a little bit less better as we go further south. But, as you can see, there are a lot of datasets that are available and that we would like to work with.

The same overview for fishery-independent data. Again, the top row is for data that we would like to have in hand; the second row the ones that we actually have in hand; and the third one, the ones that we have described. Again, we have a ways to go.

This is the final slide. It's kind of an overview of where we stand. This is just a generalized outline of the standard stock assessment report for ASMFC fish species. The first five chapters of one of these reports talk about the data, summarize the information and explain what it should be used for and what sort of trends it may show.

The next couple of chapters talk about what assessment methods are used and what the results are of those assessments, followed by some recommendations. We are still on that

first row. We are still accumulating information. We are doing best with the northeast and the Mid-Atlantic, and not so well as we go further south.

The data workshops were probably the first time a lot of these shad biologists had got together even within region or river basins. Most of them became excited about the process, bought into the process. Many of them handed us datasets at the time. Some handed us reports, and some handed us a box of data sheets.

Then all of us went back home to the real jobs, field season started, and data trickled in very slowly over the summer. We are now renewing our contact with these folks, and we're starting to get information in the door again. But, as it stands now, we are still in the data collection phase. That's all I have for a presentation.

CHAIRMAN CARPENTER: Are there any questions for Andy? Jack Travelstead.

MR. JACK TRAVELSTEAD: Andy, you may have said this, and I missed it, but what's the deadline. When should I tell my people they absolutely have to get this stuff to you? Yesterday?

MR. KAHNLE: I think the data needed to be in by the end of March for -- no, I'm sorry, the end of May for the Chesapeake System.

CHAIRMAN CARPENTER: Any other questions? Well, I was fortunate enough to attend one of the workshops when it was held here in the Chesapeake Region, and I was quite impressed with the amount of work that needed to be done and the dedication of the folks that were in the room at the time.

I'm afraid that Andy's summation of what happened the day after they all left happened to me, too, because I was supposed to get a bunch of data together and still have not completed my task.

I was so enthusiastic at the February workshop that I asked Lydia to send a memo out to everybody to ask board members to make sure that your staff people did participate in this and were given a time to get it together.

I'm going to renew that request today, because we are slipping very far behind in this process, and it is extremely important for us to get this stock assessment done. I, once again, ask each board member to check with your staff on where you are in the submission of this data and where you are in submitting the written follow-up and see if you can't personally get involved with helping them find the time.

They're all enthusiastic, they all want to do it, but I know that there are other duties and there are other assignments that just overwhelm them. So, I'm pleading with the board to please talk to your people, find out what they need, and try to assist them in any way possible. Pres.

MR. PRESTON PATE, JR.: Thank you, A.C. It would be helpful if Lydia could send us an e-mail reminding us of that charge soon. Otherwise, I'll forget.

CHAIRMAN CARPENTER: It will be there before you get home.

MR. PATE: That will be very helpful.

CHAIRMAN CARPENTER: Bruce.

MR. BRUCE FREEMAN: I notice on this table there's one line indicating New Jersey, and it appears that we've done

everything. We're the only state that has completed all our tasks; is that correct?

CHAIRMAN CARPENTER: Would you like to take a bow on that? (Applause) Thank you, Andy. Gene.

DR. EUGENE KRAY: Leroy and I were just looking at the data sheets that were handed out. We think there's a slippage somewhere, because we think we should be where Delaware is. I don't know where Delaware should be, but in terms of where we are, Mike Hendricks, working for the state of Delaware -- and I don't think, Mike, you changed jobs, did you? Somebody ought to take a look at that and make some corrections there.

CHAIRMAN CARPENTER: Thank you, we'll correct the form.

MR. KAHNLE: Actually, this table discusses the river system, and the person who is involved -- and Mike Hendricks provided a lot of the information for the Upper Delaware System, but we will revise this table as the information comes in.

DISCUSSION OF A POTENTIAL RIVER HERRING STOCK ASSESSMENT

CHAIRMAN CARPENTER: The next item on the agenda is a discussion of a possible or a potential River Herring Stock Assessment. Given the success we've had with the shad so far, I think this is quite an ambitious item on the agenda, but who wants to update us? Lydia.

MS. LYDIA MUNGER: Thank you, Mr. Chairman. At the board's last meeting, they requested to have a discussion of a potential river herring stock assessment. As everyone around the table knows, the question of river herring is becoming more and more prevalent in many states.

This is just something that the board asked us to place on the agenda, and that's why staff has placed it there. There is a letter coming around -- it's being handed out by staff right now -- regarding the concern for river herring in North Carolina. Other than that, it's just an opportunity for the board to discuss whether they want to pursue a stock assessment at this time.

CHAIRMAN CARPENTER: Pres.

MR. PATE: A.C., the river herring fishery in North Carolina has been historically very significant economically and socially. We were, up until just a decade or so, into the many millions of pounds being landed primarily by our pound net fishery.

The stock took a precipitous decline to the point where we developed our own state FMP six years ago; and as part of that, imposed some very restrictive measures on the harvest, commercially and recreationally, of the species, capping the commercial harvest at 300,000 pounds and distributing that among three different user groups.

In spite of those dramatic reductions in fishing mortality, the stock has shown absolutely no response in terms of recovery. The JAI's continue to be alarmingly low. The age structure of the population which we would have expected to see change in positive response to the measures has not changed as we would have hoped; bringing into the debate a lot of thought and interest and concerns about there being some out-of-state impacts that are affecting the health of this population.

Habitat is certainly one of the main concerns. We have, in addition to our stock control, put in a lot of measures to protect habitat and have actually seen some

significant improvement in that effort, particularly through working with our Department of Transportation to replace road-crossing culverts with bridges to allow more upstream passage of river herring.

There seems to be some signs at this point that there's nothing that one state, as least North Carolina, can do to affect the health of the population, which has some similar characteristics with American shad and hickory shad.

Probably the only way we'll be able to see any positive response to the population is to do something throughout the entire range of the species like we have with many other species under our control. I think it is something that we need to start paying some very close attention.

Our concern at home is that we may have done too little too late, and population may be at such a low level that it can't return, that there's just not enough mass there to turn the momentum of decline around. I regret and hope that's not case. We're updating our plan as I speak.

The staff recommendation for management in that plan is a complete moratorium on the harvest of river herring, which you just can't imagine how significant that is to a state that has built a lot of social fabric around that species in the northeastern part of our coast.

I think this board certainly has a role in playing and working with us, not just for North Carolina, but for the health of the stock otherwise. I have sensed, from talking to some of the other individual members, that the other states are having similar experiences that North Carolina is.

I think it's worth pursuing, in full recognition of what our staff and financial resources are, but it's something we need to start paying a lot of attention to.

CHAIRMAN CARPENTER: Thank you, Pres. Bill Goldsborough.

MR. WILLIAM GOLDSBOROUGH: Thank you, Mr. Chairman. Can anybody tell me are river herring caught in any significant quantities in the ocean?

CHAIRMAN CARPENTER: Does anybody have an answer to that question? I don't know, but, Kelly.

MR. KELLY PLACE: Very few people fish the appropriate mesh size to catch them. They are there and would be caught if people were fishing four and half or five inch or smaller. In Virginia's portion, at least, no one fishes that size mesh.

There's a moratorium on shad. Striped bass are the only thing, really, and croaker that are significantly caught there. When the croaker fishery occurs, the river herring is already through.

CHAIRMAN CARPENTER: Thank you. Bill Goldsborough for a follow up.

MR. GOLDSBOROUGH: Thank you. It might do us well to evaluate that further on a coast-wide basis, speaking to Pres' point. It seems to me one of the most effective things we did for American shad was to recognize that mixed river stocks along the coast are not appropriate for targeted harvest because you can't manage according to the health of individual river stocks, and we essentially adopted a river-specific management strategy. I think it has served us well in getting American shad restoration under way.

So, some evaluation of what kind of harvest is going on in the ocean might be part of a coast-wide strategy as per Pres' comments.

CHAIRMAN CARPENTER: Thank you. Jack Travelstead.

MR. TRAVELSTEAD: Thank you, Mr. Chairman. I certainly agree with Pres' comments, and I share his concern very much for the status of river herring, particularly in Chesapeake Bay. I mean, we've seen the same kinds of declines I think that North Carolina has seen.

This item is about a river herring stock assessment, but I would request that we ask our technical committee to look quickly at whatever information they can get together on river herring and advise the board on whether or not there are any immediate actions that the states should take to respond to the kinds of declines we've seen in the last ten years.

CHAIRMAN CARPENTER: Thank you, Jack.

MR. PAUL DIODATI: I think the question that Bill has is an appropriate one, but I think it's best if the technical committee could respond at a future date about that. But, certainly, there are some at-sea fisheries that should be considered, you know, particularly those for sea herring and mackerel, for instance, would be ones that I would take a close look at.

I echo the concerns that we're seeing the same thing the same thing Pres is seeing in North Carolina in Massachusetts. We are prepared to propose a prohibition on all harvest of river herring in Massachusetts next month.

What I'm concerned about is that prohibition may not make much of an impact on these declines. I think it's going to be a combination of things that includes recreational harvest. It's probably the most popular of bait for the striped bass fishery in Massachusetts.

We certainly impact river herring with almost all the coastal alternation projects that go on in our state. Striped bass themselves, they're a top predator on river herring. Again, the at-sea fisheries I think may be somewhat culpable as well.

I think this is a critical situation. The signal couldn't be stronger, in my view, that there is a major problem. I think the commission does need to take some action, but recognizing that resources are something that needs to be considered. They are doing a shad assessment right now.

I not sure where it fits in the queue, but I'd be interested to know if other states are moving ahead with these types of harvest restrictions, such as in North Carolina and Massachusetts. If that's the case, then there may be little that we can do in addition even if we have a stock assessment in the immediate future.

CHAIRMAN CARPENTER:
Thanks, Paul. Lew.

MR. LEWIS FLAGG: Thank you, Mr. Chairman. In response to Paul Diodati's comment, in Maine we've had, for some years now, a three-day weekly closure on taking of river herring in our commercial fisheries.

We have experienced some of the same things that Pres has mentioned, and that is that one of our major alewife-producing runs declined dramatically in the eighties, and through the 1990's we had a complete closure of that fishery for over eight years.

It took eight years in order to bring that resource back just to about 25 percent of its former abundance. So, obviously, there is -- we took some pretty drastic action, and there seems to be other factors that may be coming into play in terms of preventing

recovery of the resource. It appears that it's going to take some really dramatic action to recover these resources.

The other point I wanted to make had to do with the bycatch issue in other fisheries. As Paul mentioned, in the mackerel fishery, as well as in the sea herring fishery, there have been bycatches of river herring in these fisheries.

Recently, I think in 2004, the National Marine Fisheries Service, because of problems in the sea herring fishery related to groundfish bycatch, they've have dramatically increased observer coverage in that fishery.

It used to be very, very low. Now it's up to 20 percent. I think we'll have some data that might be available that will be helpful in terms of looking at potential sources of mortality from other fisheries.

CHAIRMAN CARPENTER: Thank you very much. Dr. Perkins.

DR. DAVID PERKINS: Just a couple of items of note that might be of interest to the board. We're certainly concerned about river herring as well, the Fish and Wildlife Service. We're also focusing a lot of efforts on habitat, fish passage in particular.

We've also recently started to expand, looking at culture of river herring in some of the hatcheries in the north and in the south and have been having a lot of success, I think, with a minimal amount of infrastructure in river herring. That's just one other tool -- certainly not the solution everywhere, but that's just another tool in our tool bag that we can work with.

It seems to be showing some promise. Then also Wilson noted in the cooperative winter tagging cruise, we're also starting to record

the juvenile and adult herring that are being captured. Those species are found in the cruises and just starting last year, I believe, are now keeping track of that, so that will continue in the future and will be a data source.

CHAIRMAN CARPENTER: Thank you very much.

MR. EVERETT PETRONIO: Just to the question of what other states are seeing, other than Maryland or what have you, Rhode Island has also had to go to some fairly restrictive measures.

One of the bigger uses here is for bait in the striped bass run in the spring, and there have been substantial restrictions already placed in effect because we are seeing the same lack of fish that most of the people around the table are reporting. So, I do think that this is something that we really to kind of get on our horse on and look into more closely.

CHAIRMAN CARPENTER: Thank you. Eric.

MR. ERIC SMITH: Two points. Three or four years ago we imposed a moratorium on the taking of river herring in the Connecticut River System, recreational and commercial takes. Frankly, that species doesn't get taken much in other places in Connecticut, so effectively it's a state for river herring.

And I'm hearing a lot other states have done the same thing, and it prompts me to make this observation. The common thread in this whole meeting has been lots of things declining for reasons that we can't really figure out because we've got some pretty restrictive regulations in place.

I'm not just talking about river herring, but weakfish and lots of other things. I just

remembered a comment Mike Sissenwine, the former director of Northeast Fishery Science Center, made years ago in a peer-reviewed paper. The biggest source of mortality on fish in the ocean is being eaten by other fish.

I think as we approach ecosystem management, we ought to start seriously looking at the fact that some of the valuable fisheries we have and the ones that are cherished, we may not have in the same way that we have had in the past as some of the other fish that we manage come back in greater abundance.

It may just be a sad fact of life that you don't see river herring because you have a bigger fish out there that's eating a lot of them. Thank you.

CHAIRMAN CARPENTER: Thank you. Any other comments?

MR. KAHNLE: Just an observation that's pertinent to this discussion, perhaps. I took a trip to Fulton Market a couple of weeks ago, and there were boxes labeled "Herring". In those boxes were hickory shad, alewife, and American shad, all about ten to twelve inches long. So, there is a harvest that continues for all these species somewhere, and it's making it to the market.

CHAIRMAN CARPENTER: Thank you for your undercover work. Gene.

DR. KRAY: Thank you, Mr. Chairman. I wanted to echo what Eric said, particularly in terms of the ecosystems approach. One of the terms that's used often, and when we look at an ecosystems approach to management is a system of tradeoffs.

Even yesterday, when we were talking about the -- I guess it was the menhaden where the striped bass were eating -- a lot of the public

comment were the striped bass were eating the menhaden. And it's a question of, you know, should we catch more striped bass, to allow the catching of more striped bass to allow menhaden to recover, the same with river herring.

So, you know, one of these days we're going to have to be able to get our hands around this whole thing, and it will be a system of tradeoffs. Are we going to trade off for what?

CHAIRMAN CARPENTER: I suspect that you're probably right with that regard, that we are going to be looking at a system of tradeoffs in the future. Well, I guess we are looking at it now. We just haven't quite recognized it fully.

I'll take another comment from the board, and then there are hands in the audience that we'll go to. Bruce.

MR. FREEMAN: It's always interesting when you deal with fish populations. They confuse you. At the time I think we're all seeing declines in shad and river herring in our various runs coastwide.

There seems to another phenomena is an explosion of hickory shad. We're seeing hickory shad in ocean catches, bay catches. No one really has any interest in hickory shad. I'm not sure there's been much work done. But, talking with other people here at the board, it seems to be a phenomenon that's occurring coastwide as well.

So, we're hearing one species of alosids or several species of alosids seem to be declining. On the other hand, we're seeing a very closely related species, the population just seems to be going through the roof.

And, if it's essentially an issue of predation, the question is why is one able to increase its numbers exponentially while the others

are decreasing? There is some room for thought here.

CHAIRMAN CARPENTER: Thank you. There was a hand in the audience. Dick.

MR. DICK BRAME: I'm Dick Brame with the Coastal Conservation Association. Perhaps there's a broader question here. The ASMFC does a very good job at looking at the sexier species and paying attention to them.

They have a number of the forage species that they look at and a number of them that they don't. Perhaps it's time for the ASMFC to look at the forage base as a whole, the ones you manage, like river herring, shad, spot, Atlantic herring, and some of the ones you don't, like bay anchovy.

But I think the ASMFC needs to develop, if nothing else, a forage-based index. What is the status of what the other fish are eating? Perhaps it's sort of a way to back into ecosystem management, but first you've got to know what's out there to be eaten, and you need to somehow quantify it.

I think it's something the board needs to look at as a policy, I mean, maybe even a dreaded workshop, but perhaps even a forage-based technical committee to look at this, to gather all the data we've got on all the species that are being eaten. You know, the law of the jungle is eat or be et, and we're not looking the be ets. Thank you.

CHAIRMAN CARPENTER: Thank you, Dick. I think that we have obviously a very high level of concern expressed around the table. I was being a bit facetious when I said that given the lack of success we've had with the stock assessment on shad, that this was ambitious.

But, I do think it is important, and I think Jack Travelstead had the right idea when he said we should at least task the technical committee with trying to pull together a report of where we are, what the regulations and current status in the states are, a summary report to get us at least started on bringing river herring up on the radar screen here a little higher than it has been.

Personally, I think as soon as we finish the shad stock assessment, we should be able to begin doing this additional work. I think the top priority is to get the shad done.

We've got an awful lot of time and energy already invested in that, and I really am feeling that needs to get to the point where we can turn it over to the stock assessment people before we divert too much energy into river herring.

I know that a number of states have taken very serious action, and it is very serious, but within the limitations of the staff people that we have, let's face it, they're going to be the same people that are going to work on shad and river herring.

Please, let's get the shad stock assessment to the point where the assessment scientists are working on it before we divert too much energy to this. I don't mean to take away from the importance of the river herring, but it's a matter of priorities.

And, as Gene said, we've got to balance, and we've already got a lot going for the shad. Let's get that one off the table before we divert too much energy. So, with that, I'll assume that's a direction that I'm giving to the technical committee.

Are there any other items under river herring? We'll move on to, then, Item Number 6, the discussion of potential future addendum/amendment items, and that is for Lydia.

DISCUSSION OF POTENTIAL FUTURE ADDENDUM/AMENDMENT ITEMS

MS. LYDIA MUNGER: Thank you, Mr. Chairman. At the board's last meeting in February of 2005, the board had some questions regarding the FMP review, and every year the plan review team suggests a number of potential changes that could be done to the FMP through an addendum or an amendment.

It was mentioned that the PRT had a running list as they're currently keeping those changes for the next time that management changes are implemented for these species. Staff has prepared, upon request of the board, a brief presentation based on a proposal that was written by Dick St. Pierre, who is on the plan review team, just to brief the board for board information on things that the plan review team will be looking at the next time the species undergoes an amendment or an addendum.

Like I said, this proposal was prepared by Dick St. Pierre of the Shad and River Herring Plan Review Team. The proposal was distributed on the briefing book CD-Rom, so you should all be able to have a copy of this. There should be extras on the back table.

Each recommendation includes some background information as to why the plan review team believes that this recommendation is pertinent. I'm just going to briefly run through these issues and the recommendations.

The first issue, with regard to the ocean fishery, as you all know, the ocean intercept fishery for American Shad was closed as of January 1st, 2005. There are two recommendations under this issue.

The first is to eliminate the state requirement to report ocean harvest and collect biological information. The second recommendation is to eliminate bycatch sub-sampling requirements, which is currently still a requirement for any state that lands American shad caught as bycatch.

In the plan there is a definition for bycatch, which is that the amount of American shad cannot exceed 5 percent in pounds per trip. The plan review team recommends keeping that definition for the time being, but eliminating the sub-sampling requirement.

Issue 2 deals with monitoring on the Potomac River. The District of Columbia is required currently to conduct sampling of shad stocks in the Potomac River within their jurisdiction. The recommendation from the plan review team is to eliminate the District's requirement to sample shad stocks in their jurisdiction and to reassign that sampling to the Potomac River Fisheries Commission with assistance from D.C., Maryland and Virginia.

Issue 3 deals with hatchery programs. The background around this issue is that under Amendment 1, the hatchery programs that were in existence when Amendment 1 was implemented currently have to be reported on each year, but there are new hatchery programs being developed within more than one state, actually.

The recommendation from the plan review team is to adjust compliance Table 2 which currently appears in Amendment 1 to reflect that all states must report hatchery activities if they stock cultured shad in their waters, regardless of the hatchery source.

Issue 4 deals with river herring and hickory shad. Only partial data is currently being reported by states, and this is discussed each year at the technical committee.

The suggestion by the plan review team is to revise Table 4, recommending that fishery-dependent monitoring programs for adult river herring and hickory shad in all jurisdictions that support such fisheries, so this monitoring would be required as to where now it's just recommended.

That's the end of the presentation at this time, and I'll take any questions.

CHAIRMAN CARPENTER: Any questions for Lydia? Bruce.

MR. CARPENTER: A.C., do you need a motion to actually implement this? Is that what you're looking for from the board?

CHAIRMAN CARPENTER: Let Lydia explain what the process would be here.

MS. MUNGER: Unless the board wishes to pursue an addendum or an amendment at this time, I believe a motion is necessary. The board just asked to see the list that the plan review team has currently put together.

I'm not sure what the intent of the board was to see that list, but I think it was just so the board has an idea of what the plan review team will have in store the next time, perhaps post stock assessment, that this species is to undergo an addendum or an amendment.

CHAIRMAN CARPENTER: Once again, we hear that we've got to get the stock assessment done, so I'm trying to beat on a drum up here, folks, that this stock assessment is important, and we do need to get it done.

MR. PATRICK AUGUSTINE: Thank you, Mr. Chairman. One recommendation was to, express the expression, pass off the Washington

assessment on that part of your area, PRFC, to you and Virginia and Maryland and so on.

Is that needed at this point in time or is that just -- again, it's a recommendation, but is that going to fill a gap that is presently there?

CHAIRMAN CARPENTER: We all work pretty cooperatively, and we let Ira take the fall for anything that's short, so it works for me.

MR. AUGUSTINE: I thought that was going to be the answer. Thank you, Mr. Chairman.

CHAIRMAN CARPENTER: I think we are getting the information that needs to be collected. It's just that the task assignments are given to Ira, but we help him with his work. Ira, if you would like to respond.

MR. IRA PALMER: Good morning. I did want to add a little clarification in reference to this recommendation. The District will continue to sample for shad as part of its overall alocids sampling, we won't stop.

It's a situation where the District doesn't have a commercial harvest in other species, and we feel the reporting would be better as a complete aspect of the Potomac River as opposed to individually only the District's small portion of it, so it will be more comprehensive with Maryland, Virginia and the Potomac River Fisheries Commission together.

I am also happy to say that we actually have a completed and operational small hatchery, and American shad is going to be one of our main products out of that hatchery to enhance stocks in the Potomac River.

CHAIRMAN CARPENTER: Thank you. All right, given that we seem to be -- there are some items here that are going to need to be taken care of, but I think right now most of them are essentially administrative more than truly management directives.

I think rather than divert the staff's attention and resources of the commission to an addendum for these items, I think we just need to make sure that everybody knows that this list is out there; and that as soon as we get the stock assessment done, there may be other items that will come forward.

As the technical committee gets the opportunity to pull some information together about river herring, there may be some things that will need to be added to this list, and we can do it all at one addendum time.

OTHER BUSINESS/ADJOURN

Any other comments with regard to this item? This carries me to Item Number 7, Other Business. Is there any other business to come before the board? Seeing none, we are adjourned.

(Whereupon, the meeting was adjourned at 8:50 o'clock a.m., August 18, 2005.)

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