

**PROCEEDINGS OF THE  
ATLANTIC STATES MARINE FISHERIES COMMISSION  
WEAKFISH MANAGEMENT BOARD**

**Crowne Plaza  
Old Town Alexandria, Virginia  
August 3, 2011**

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## ATTENDANCE

### Board Members

Mark Gibson, RI, Administrative Proxy	Catherine Davenport, VA (GA)
Rick Bellavance, RI, proxy for Rep.Martin (LA)	Michelle Duval, NC, proxy for L. Daniel (AA)
David Simpson, CT (AA)	John Frampton, SC (AA)
Bill McElroy, RI (AA)	Malcolm Rhodes, SC (GA)
Andrew Voros, NY, proxy for Sen. Johnson (LA)	Robert Boyles, SC (LA)
Pat Augustine, NY (GA)	Bill Cole, NC (GA)
James Gilmore, NY (AA)	Spud Woodward, GA (AA)
Russ Allen, NJ, proxy for D. Chanda (AA)	Michael Denmark, GA, proxy for J. Duren (GA)
Tom Fote, NJ (GA)	Bill Orndorf, FL (GA)
Rick Cole, DE, proxy for D. Saveikis (AA)	Aaron Podey, FL, proxy for J. McCawley (AA)
Roy Miller, DE (GA)	Sen. Thad Altman, FL (LA)
Bernie Pankowski, DE, proxy for Sen.Venables (LA)	Steve Meyers, NMFS
Tom O'Connell, MD (AA)	Jaime Geiger, USFWS
Bill Goldsborough, MD (GA)	A.C. Carpenter, PRFC
Russell Dize, MD, proxy for Sen. Colburn (LA)	

(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)

### Ex-Officio Members

Lee Paramore, Technical Committee Chair

### Staff

Vince O'Shea  
Bob Beal

Chris Vonderweidt  
Mike Waine

### Guests

Rob O'Reilly, VMRC

The Weakfish Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel Old Town, Alexandria, Virginia, August 3, 2011, and was called to order at 11:00 o'clock a.m. by Chairman James Gilmore.

### **CALL TO ORDER**

CHAIRMAN JAMES GILMORE: Good morning, everybody. My name is Jim Gilmore. I'm the administrative commissioner for New York, and I'm chairing the Weakfish Board meeting today.

### **APPROVAL OF AGENDA**

The first order of business is to approve the agenda. Are there any changes to the agenda? Seeing none, we'll accept that.

### **APPROVAL OF PROCEEDINGS**

The second order of business is the approval of the minutes from the March 2011 meeting, which is in your Briefing CD. Does anybody have any changes to the minutes from the meeting? Seeing none, we will move on from that and we'll accept those.

### **PUBLIC COMMENT**

Before each meeting, we have a period for public comment at the start of each meeting to give the public an opportunity to speak on issues not on the agenda.

### **TECHNICAL COMMITTEE REPORT ON THE NORTH CAROLINA CONSERVATION EQUIVALENCY**

Without any public comment, I think we'll move on to the first agenda item, which is the Technical Committee Report on the North Carolina Conservation Equivalency. If you recall, North Carolina requested a 10 percent bycatch allowance up to a thousand pounds. The board approved that. There was a requirement that they provide some monitoring and do an annual review. They've done that and Lee Paramore is going through that and explain the details of the review.

MR. LEE PARAMORE: I briefly want to go through the document that you had in your mailout. I will do that here in this presentation. I've summarized most of the information in your document here on these slides. This is a report on the North Carolina Conservation Equivalency Measures. August 20<sup>th</sup>

North Carolina implemented a 10 percent weakfish bycatch allowance.

This was a 10 percent allowance that allowed up to a thousand pounds of weakfish to be landed as long as the 10 percent bycatch was not exceeded. This was done in lieu of the hundred pound commercial trip limit that was implemented up and down the rest of the coast for the other states. Basically, we have taken landings here and the compliance with those landings and summarized it for two periods.

The measure went in effect August 20<sup>th</sup>, but I've summarized it for the period of September through December of 2010 and then January through April of 2011. As far as landings go, during that first period, September through December, North Carolina landed approximately 63,000 pounds. This occurred over about 2,300 trips. Of these trips, 17 percent of these trips had landings that exceeded the 10 percent bycatch allowance, so 10 percent of these trips were out of compliance. The total pounds that were landed on these trips that are out of compliance accounted for 19,519 pounds.

This was 31 percent of the total catch during this period, so a pretty high non-compliance in this period. During the more recent period, January through April 2011, North Carolina landed 32,000 pounds, a little over 1,300 trips. Five percent of these trips exceeded the 10 percent bycatch allowance. This accounted for 1,143 pounds. You can see the compliance has vastly improved since the first period and was 3 percent in 2011 so far.

If you want to look at the same information but just break it down by gear so you can kind of see who the primary culprits were in terms of the non-compliance, you can see winter trawls had zero trips that were non-compliant, so they were pretty good. They only landed 4,000 pounds of weakfish during this period, but none of those trips were out of compliance.

It was primarily gill nets and long hauls. Gill nets landed the vast majority of the landings, nearly 38,000 pounds. This occurred over 2,000 trips. Seventeen percent of these trips were out of compliance, and over 12,576 pounds were landed on these trips that were non-compliant. This accounted for 33 percent of the total gill net landings.

Long hauls, a similar situation – actually, almost 30 percent of the long-haul trips were non-compliant and approximately 35 percent of the landings that

occurred in long hauls were non-compliant. The overall combined average for all gears was 31 percent non-compliant. This is for that first period again, September through December.

If we look at the second period, which is the more recent period, after the regulation has been in place for a while, January through April we can pretty much all gears had fairly good compliance. The biggest gear here that accounted for most of the landings were gill nets. They landed 32,613 pounds. Five percent of those trips were out of compliance and accounted for 948 pounds, and that was 3 percent of the total.

Others, it looks really bad but you have to keep in mind that was based on only two trips, that 59 percent non-compliance, and accounted for 195 pounds. So, really, compliance from January through April seems to have been pretty good and sort of in line with what we kind of expected from most gears in fisheries is 2 to 3 percent non-compliance is pretty normal.

If we just sort of break it down into pounds per trip landed in categories of less than 100 to 500 pounds and then 500 to a thousand pounds, we can see that of the 3,700 trips that were made, 96 percent of those trips landed less than a hundred pounds. This would be sort of analogous to the regulations that the other states have. Three percent of the trips landed between 100 and 500 pounds, and we had 31 trips that landed between 500 and 1,000 pounds.

We had no trips that landed over a thousand pounds, so we had full compliance with the thousand pound cap. Trips that landed less than a hundred pounds accounted for 53 percent of the landings, and then trips that landed over a hundred pounds combined accounted for about 47 percent of the landings.

After the technical committee meeting, we had a recommendation. The recommendation is basically that the board would want to see what would have happened in North Carolina had we have had a hundred pound trip limit in place. We've thought about different ways that we could sort of simulate what North Carolina landings would look like under a hundred pound trip limit, and I'll explain how we did that here in just a second.

I'm going to give various scenarios. Each of these scenarios has assumptions for the level of compliance with regulations. Basically the compliance would be either a hundred percent of the trips complied with

the regulation or we had the same level of non-compliance if we would have had a hundred pound trip limit in place as what we did when we had the 10 percent bycatch allowance in place.

Also, there are some assumptions with the magnitude of discards. Either we assumed that there were no discards or we assumed that trips that did not meet 10 percent bycatch allowance would have had discards and could have landed up to a hundred pounds of weakfish. This first slide here shows the assumption of the landings that could have occurred under a hundred percent compliance.

Scenario 1 at the bottom, you see 76,483 pounds were landed. This is basically North Carolina's landings minus all the landing that occurred that were not compliant. We had essentially a little over 20,000 pounds of fish that were landed out of compliance. Scenario 2 should be considered sort of a bottom range of what would be assumed to occur under a hundred pound trip limit.

This assumes that all trips that landed over a hundred pounds would have been limited to a hundred pounds. We would have had a hundred percent compliance and that there would have been no discards that occurred in the fishery. Scenario Number 3 assumes a hundred pound trip limit with a hundred percent compliance.

It assumes that all those trips that met the 10 percent bycatch allowance under the current rule could have landed more weakfish, and there were discards so we assumed that those trips could have landed a hundred pounds. Essentially what you would expect to see here is sort of where North Carolina falls out in the current regulations as to what would have happened under a hundred pound trip limit.

You can see that 76,000 pounds falls sort of in between the 65,000 and 87,000 pounds, so with that regard things looked pretty good. Now, there is a second scenario I'll show you on the next slide. This has the assumption of landings but it assumes that there is the same level of non-compliance, meaning that people who didn't abide by the 10 percent bycatch allowance, that rate of non-compliance would continue if we would have had a hundred pound trip limit in place.

Scenario Number 4 basically assumes the same thing as previously assumed is basically a hundred pound trip limit but assumes that there were no discards with the 10 percent bycatch allowance. Scenario

Number 5 assumes a hundred pound trip limit but assumes those people who met the 10 percent bycatch allowance under the current rule would have had discards, so we assumed that those people could have landed up to a hundred pounds.

As you can see, the current landings under this scenario for North Carolina are 97,144 pounds, which is what we actually landed. The lower bound would have been 77,000 pounds and the upper bound is 99,887 pounds under what we assume would have happened under a hundred pound trip limit. North Carolina is at the upper end of that, pushing the upper boundary of the hundred pound trip limit. Under this scenario, it looks like North Carolina probably landed more fish than they would have landed under a hundred pound trip limit.

One of the other questions from the technical committee that they thought might be relevant to the board was just to look at what kinds of species are commonly landed with weakfish. I just picked the three major gears here that account for the vast majority of weakfish landings. Primarily the main one is gill nets here in the center, and weakfish are primarily landed with croaker and bluefish. For the largest extent that accounts for the vast majority of weakfish landings.

Winter trawls is primarily croaker, but we also see them with flounder and bluefish. Long haul is a smaller gear in terms of landings, but they're landed with spot and sea mullet and you can also see weakfish made the list, which is kind of ironic. Some in summary for North Carolina's compliance we obviously had initial poor compliance at 31 percent non-compliance with the regulation when it first went in place in 2010.

The compliance has vastly improved since 2011 with the current compliance rate around 3 percent. Of course, it remains to see what remains to be seen what will happen with the rest of the year in terms of compliance. The magnitude of landings is within the range of what was assumed to occur under a hundred pound trip limit although it is near the upper estimate under the assumption of continued non-compliance. In closing, really the majority of the weakfish landings occur with croaker, bluefish, flounder and spot. With that, I can take any questions or anything you may have about that subject.

CHAIRMAN GILMORE: Thanks, Lee, great presentation. Any questions for Lee? A.C.

MR. A.C. CARPENTER: Lee, you had a slide up there a moment ago and you talked about there were no landings greater than a thousand pounds but there are non-compliant issues, and I am assuming that the non-compliant is that they did not have 10,000 pounds of something else associated with that catch, is that correct, in order to meet the 10 percent?

MR. PARAMORE: A non-compliant trip would simply be a trip where the pounds of fish landed other than weakfish did not make up 90 percent of the catch. As a example, you could have – I mean, literally you could have five pounds of weakfish and if you didn't have 90 percent of other fish, then that five pounds is non-compliance. It always would have gone into the non-compliant category.

MR. ROB O'REILLY: Lee, I guess the what if scenarios; I'm kind of curious as to whether you think that they really carry any weight given the situation that North Carolina chose the 10 percent option because certainly other states could say, well, if we thought everyone landed up to the hundred pound limit, some of our non-compliance wouldn't be significant so what was the technical committee really trying to show there and do you think it has any validity at this time?

MR. PARAMORE: You mean in terms of the upper and lower bounds on the assumptions of a hundred pound trip limit?

MR. O'REILLY: Yes. If I may follow up, I think you were characterizing what would have occurred if a hundred pounds was assigned to all those trips rather than the current measure that's in North Carolina, and I guess the question is, is that going to be important for the future; is that something that should carry forward and should other states also look at that once the plan review team looks at all the state data; is it a useful tool?

MR. PARAMORE: Well, I think the idea of having the different scenarios is I think the lower scenario is really unrealistically low and the high scenario is unrealistically high in that the people who met the 10 percent bycatch allowance obviously are not always going to land a hundred pounds. They may only have a few pounds over what they actually landed.

The people who we assumed did not have any discards, obviously there were discards. I mean, the whole idea there is that's basically an upper and lower bound that really spans a spectrum of reality is probably somewhere in the middle. Obviously, we

were hoping that our landings would come out somewhere in the middle.

I had no idea where they would come out when I began this analysis. I think it's a useful tool but without on-the-water observer data to know what the level of discards are, there is really no way to really get a good handle on what is going on. That was just the best way we thought that we could get an answer to provide you with additional information.

MR. O'REILLY: A little different question, Lee; what does the agency plan to do with the individuals who were non-compliant? And in a similar situation, since you have the trip ticket system, do you have any concerns that if there is a notification process at least to inform the non-compliant individuals; how do you plan to address that with the trip ticket?

The reason I'm asking is we looked at our information over a 12-month period on the hundred pound trip limit and depending on which are the major gears, it ranges from 1.2 to about 5.7 percent non-compliance. Our natural reaction would be to notify those individuals. However, we haven't thought about what that might do in terms of reporting. Have you thought about that?

MR. PARAMORE: I think I'm going to defer to Michelle since I'm speaking as the technical committee chair.

DR. MICHELLE DUVAL: Obviously, we were disappointed in the rather high level of non-compliance. This was a new regulation. We generally don't see quite that high level of non-compliance. In talking to our law enforcement staff, he said there was actually a lot of confusion on the water about the interpretation of the proclamation that we put out, and so it took a while for our officers on the water to get the word out to the fishermen in that regard.

I think in terms of notifying, I assume you mean specific notifications to those fishermen who were actually over. I'm going to have to defer that to Louis. I know he really wanted to be here for this. Unfortunately, that couldn't happen. I would be happy to get back to the board on that particular question in terms of informing.

I think just looking at the data that Lee has presented, our compliance has vastly improved over the four months that Lee showed from January through April. I'm glad that you looked at your data. Certainly, I

think most of the rest of the states have had the hundred pound limit in place longer than we've had this 10 percent with no more than a thousand pounds that has been in place for, well, now would be just about one year; but because of the lag in our trip ticket data, we don't have quite a year of information with which to compare. I would certainly be curious as to other states if they were able to provide that level of analysis as well.

MR. O'REILLY: Just a little followup; I think this is an important point since this is the first time that we've had this system, and your words, Michelle, are very encouraging because I think it probably is a good idea at least on the part of what we'll try to do to notify. You're indicating what we're wondering about how did the word get out and how effective was the wording getting out, so perhaps for the first time around notification could be a good process. I appreciate your comments.

DR. DUVAL: And just a quick followup to that, we send our proclamations to all of our license holders and not just someone who might have landed weakfish in the past. Those are sent by snail mail, they're sent by electronic mail. We have quite an extensive notification process, and I think it was really in the interpretation of how the proclamation was worded by the folks who were reading that. We will certainly do a better job of that.

MR. RICK COLE: I'm just trying to get a better understanding of this improvement in compliance. In 2010 did North Carolina just have the hundred pound limit in place – and this is a comparison with that 2010 data, this improvement; is that correct?

MR. PARAMORE: The information that was presented here is based on the four months when North Carolina did have the 10 percent bycatch allowance in place. We never had the hundred pound trip limit in place prior to that. We basically went from no regulations on the commercial fishery to a few months where we were actually out of compliance with Addendum IV to asking the board to allow us conservation equivalency on the 10 percent bycatch allowance, which was granted in August and we implemented it in August. What I'm reporting here is what has occurred since August 20<sup>th</sup> of 2010.

MR. R. COLE: But you're making that comparison – the improvement position that it was based relative to the 2010 non-compliance? In other words, it was 31 percent non-compliance in 2010; is that correct?

MR. PARAMORE: Yes, that's correct. I mean, just to speak to that and in talking to Michelle and Louis and other people, and me being the North Carolina representative and as the technical committee chair, they've expressed to me that there was some confusion with the regulation. Like Michelle said, there was some confusion with the way that the proclamation was originally written and there were some problems with enforcement being able to enforce that 10 percent. I think that lent to a lot of the non-compliance that occurred. I think since January a lot of that has been cleared up and that's why you see the vast improvement in the compliance.

MR. R. COLE: Okay, well, based on that 2010 information, the winter gill net fishery was one of the most non-compliant fisheries, and that's not surprising. It will be interesting to see what happens this winter with that particular fishery. Mr. Chairman, will we receive an update on that at a subsequent meeting?

CHAIRMAN GILMORE: That's actually what I was going to ask Michelle at the end of this was that I think Louis did a very impassioned speech on why this made sense and how it was going to work, and I guess we're all disappointed that at the beginning we had such non-compliance. Now if it turns out that the enforcement and the announcement of this whole thing was really the problem and now that we've got some good data, but will we be able to get an update at the annual meeting, Michelle?

DR. DUVAL: That was going to be my suggestion is that we try to update these numbers in time for the annual meeting. Lee is the one who has to crunch them. We do obviously have some lag time between our trip ticket information coming in and that being entered and verified, but we would at that point have verified information for an entire year, so we would at least be able to go through August and possibly September, Lee, do you think?

MR. PARAMORE: For November; is that what you're – at least August and probably September, also, I would say. I want to express another sort of thing that was brought up in the technical committee meeting obviously is North Carolina has asked for alternative management, and there is certainly a feeling on the technical committee that North Carolina should be held to a really high standard to ensure that our landings are not being excessive to what the board intended.

Obviously, if our performance doesn't improve and isn't in compliance – and this was sort of an industry request. They were worried about the discards in the fishery, so I kind of expected the industry to comply with these regulations. It's kind of, you know, a thing where show us what you want but do what you say you're going to do. I definitely think this is something we should bring back to the board and continue to monitor North Carolina's performance and evaluate it. The board can do what they want to, but that's where we stand.

DR. DUVAL: And I think to kind of sum it up a little bit, you know, live by the data and die by the data, and certainly our commission is going to hear about this next week and certainly putting the fishermen on notice. I think it has been expressed to the industry that they given a gift here by this management board to try this alternative management measure.

Certainly, I'm optimistic given the 3 percent non-compliance based on the last several months of data, but, again, as we expressed – I can't be as impassioned as Louis, that's not my style, but with the board's consent we'd like to move forward and at least be able to have a full year of data to present to you at the annual meeting.

DR. MALCOLM RHODES: Lee, I just had one question. Since you have the trip tickets, have you had an increased number of trips with the allowance of a larger number of a good commercial fish or is it similar trip tickets compared to a year and two years prior? I mean, have you had more fishery because there is more they can bring in?

MR. PARAMORE: With regard to weakfish; I don't follow –

DR. RHODES: Well, I mean, just overall you have the number of trips, you had 2,362 trips; is that similar to previous years or have you seen a bump-up in trips?

MR. PARAMORE: In terms of weakfish trips, they've been declining just like the landings have been declining. Our weakfish landings in 2010 I think were about 40 percent down from what they were in 2009. I haven't actually looked at the number of trips, but I'm pretty sure the number of trips are down pretty similarly. Of course, for a good portion of our spring fishery, which is a large part of our fishery for weakfish, the regulations were unchanged. They didn't change until the fall. I feel

very confident in saying that the number of trips have decreased substantially over the prior couple of years that are landing weakfish.

DR. RHODES: Okay, so that doesn't appear to have gotten a more directed fishery because of the ability to keep a thousand pounds instead of a hundred pounds. That's great!

MR. PARAMORE: Yes, under this regulation it seems like people can go out and catch a thousand pounds, but in reality it's very, very difficult with the 10 percent. I mean, essentially you have to have 10,000 pounds of fish on board to have a thousand pounds of weakfish. There are very few fisheries other than, say, primarily the winter trawl fishery, which has a hundred percent compliance, is really the only fishery that could actually probably on a day-to-day basis have that thousand pounds,

Our biggest weakfish fishery right now is our inshore gill net fishery and you're talking about a fishery that typically lands anywhere from a hundred to three or four hundred pounds of fish per day, so at best they're looking at bringing in thirty to forty pounds of weakfish. That's our biggest weakfish fishery over the last few years.

MR. THOMAS FOTE: I guess you know I had to say something about this and to the long battle that we had over this thing. I really was upset because that was never – the original intent of my motion was to allow a hundred pound bycatch and not a conservation equivalency. As a matter of fact, if we had stayed at the hundred pound bycatch, there would probably be less failure to be in compliance because a lot of those problems was because – which I understand and maybe I'm wrong – with some of those fish that only had 80 or 90 pounds or even less of the hundred pounds but didn't have the 10 percent.

And in the motion that we had basically approved to allow for the hundred pound bycatch, it did require the 10 percent. It just was trying to basically allow fishermen to bring in a hundred pounds and not have a directed fishery. Maybe North Carolina should think about this because of the angst it has caused with many other states dealing with this problem to go back to what we originally made the motion for was to allow a hundred pound by catch in fisheries that would not complicate the issue and not look at it like a directed fishery, which some people have basically looked at this as. That's just my comment on this.

MR. O'REILLY: Mr. Chairman, I don't see an opportunity to address this later, but I want to make sure despite the sort of alternative management regime of North Carolina, that all the commercial states are on the same footing. North Carolina and Virginia have a trip ticket system so it's easy for those states to incriminate themselves as far as the bycatch limits go.

For the other states – and I don't know the answer to this, so I guess it's Mike perhaps and Lee, but what will be the mechanism to I suppose use ACCSP and by way of SAFIS to get other states that have commercial landings to look at their trip limits because whether we recognize it or not today there is certainly going to be times where abundance is going to be there, especially during the migratory periods, and it's going to be important to track all the states and have a way to do that. And it's just my guess that with what has been going on over the last couple of years through ACCSP, that mechanism will be available for the other states; is that correct, and is that something that's anticipated?

MR. MICHAEL WAINE: Yes, like you said, the trip ticket states, we can get the landings by, and Virginia and North Carolina and I believe Florida and Maryland is on that list as well. For the other states it's going to be a little bit more tricky and we can with the ACCSP to see if there is some resolution in the data to get an understanding of how states are complying the hundred trip limit given that they don't have the trip ticket options. That's something that the technical committee will be reviewing annually and updating the board on to the extent possible.

MR. ROY MILLER: Lee, I'm wondering if I could probe just a little bit to find out more about fisheries and how the gill net fishery is prosecuted. Is it primarily a sink net that is set overnight or is this a piece of gear that is fished continually. If it's the former, I don't know how they go about reducing their bycatch appreciably. Can you comment on that?

MR. PARAMORE: I would say it's a combination. I think a lot of ocean gill net fisheries are what we call drop-net fisheries. They go out in the ocean in the morning and fish during the day and then pull their nets up by the evening and come back to the dock and unload. Some of our inshore gill net fishery, which has sort of become our larger fishery in recent years for weakfish, which is a complete change over historical landings, they primarily fish

with evening sets and fishing in the early morning so those are overnight sets that are not actively fished during the night. It's a combination of those two, I would say.

MR. MILLER: I guess we all assumed initially that the problematic gear was going to be trawls, and I'm surprised to see that it's long haul seine and gill nets, because honestly I think it's trickier to eliminate excessive landings of weakfish from those two gears than it might be from trawls. How are they avoiding weakfish with the gill nets, for instance, considering the species complement that's on the list for being taken in gill nets?

MR. PARAMORE: In the gill net fishery they're primarily fishing in the ocean. They're primarily fishing for croaker and bluefish, but they do catch weakfish in those efforts. I mean, it does occur. I can't say for certain that they have the means to catch bluefish and they know where to go catch weakfish, that they wouldn't try to catch weakfish. I don't know.

How the fishermen operate and behave is obviously they're much more creative than we ever thought and that we can ever account for. On the inshore fishery it's just pretty much a mixed fishery. It's hard to avoid the weakfish. They're fishing for bluefish mostly on the inshore fishery in the spring, and weakfish are somewhat just a product of that.

They can certainly in some cases maybe avoid areas where there are high densities of weakfish, but here recently weakfish are just kind of a random occurrence. There is really no pattern to where you would catch them. The numbers just aren't there to really avoid them at all. It's just something that kind of happens as you're fishing for the other species. I don't know that there is a whole lot that they could do to avoid what little bycatch they are going to have on the inshore fishery.

CHAIRMAN GILMORE: Are there any other questions for Lee on this? Okay, the sense I'm getting is I guess there is concern on the board right now; and I don't know if we're ready to do anything in terms of taking an action yet, but I guess we'll wait for the update at the annual meeting and hopefully we'll see good things. A.C.

MR. CARPENTER: It's not a question but maybe a suggestion that since you have started with a four-month period, that your annual reports be still broken out into four-month sections so that we can see if

there is any kind of pattern, seasonality or trend developing that an annual summary would not reveal.

CHAIRMAN GILMORE: Thanks, A.C.; a good idea. Anything else on this? Okay, we're going to move along now to the technical committee report on weakfish population modeling. There was a presentation to the technical committee, and Lee is going to take us through the results of that.

## **TECHNICAL COMMITTEE REPORT ON WEAKFISH POPULATION MODELING**

MR. PARAMORE: Okay, this is a little bit shorter presentation here in just this one slide. Essentially Rob had asked at the last meeting that the technical committee and the stock assessment subcommittee get together with Yan Jiao. She spent the better part of three years working on some weakfish modeling.

She was essentially provided the same data that went into our last benchmark assessment, all of our data sets, and she has done some pretty complex modeling on weakfish. I guess the whole idea here is to see if the stock assessment subcommittee could use some of Yan's assessments as sort of a moving-forward point to sort of advance our assessment techniques for weakfish.

She actually addresses a lot of the recommendations that came out of the review committee to move sort towards a statistical catch-at-age model. Anyway, we talked about the appropriate time period for the next benchmark stock assessment. The last assessment was completed and reviewed in 2009.

Most of the members there at the technical committee and stock assessment subcommittee felt that the most appropriate benchmark would be to just kind of stick with the five-year cycle and go to 2014. Dr. Jiao provided us an update for weakfish modeling. Some of her work is still in progress but a lot of it is ongoing. She has produced several models and done a lot of work, very complex models, a lot of information.

She has looked at sort of the population dynamic issues that occur with weakfish, things such as some of the spatial and distribution differences in weakfish, differences in growth of weakfish, obviously the issue that we've had with the idea of change in mortality in weakfish. Her whole product is really to produce sort of an operational model; to develop usable reference points for the board to work with is

something we really don't have right now in our current model.

Anyway, we just wanted to point out that the whole idea of the time-varying M, which she did find indications that the M is changing over time similar to what we found in our current assessment, and this sort of moves us towards an ecosystem management type model. We even talked about this possibly may be something that the Multispecies Technical Committee or the Assessment Science Committee may want to look at some of her techniques and what she is doing and at least be abreast of what is going on with her modeling techniques.

There is a need, really, for the stock assessment subcommittee really to get together with Dr. Jiao and sort of determine an endpoint of how far she can take her assessment techniques and sort of what type of model we would want to have to move forward with the benchmark assessment. That was one thing that came out of that so probably at some point in the future there needs to be more of a formal meeting to sit down and have Dr. Jiao actually go through a lot of technical reports and documents with the stock assessment subcommittee so that they can kind of flesh those things out.

Like I said, her models are fairly complex. She is using Bayesian Statistics. To a lot of members of the stock assessment subcommittee, this is sort of like a foreign language. They're not really up to speed on these techniques and the statistics and they had suggested maybe that ASMFC may want to think about some training workshops or some other things first with the technical committees and then more formally with the stock assessment subcommittees to get these people up to speed.

If we move forward with Dr. Jiao's stock assessment, which I think the technical committee and stock assessment subcommittee feels like is a really good idea, just keep in mind that right now we're pretty heavily dependent upon her and her expertise in these modeling techniques and these statistics that she is using because we just don't have that level of expertise on our committee.

She has expressed that she is willing to stick around for the next four or five years to kind of see it through a peer review. Then we had to kind of figure where we go from there, if we do that. Anyway, I can try to answer any questions. I don't want to get too much into the details of her work because I'm not

really ready to defend her work or anything, but that's kind of where we're at.

CHAIRMAN GILMORE: Thanks, Lee; I don't think we have too many Bayesian Statistics experts in the room. Any questions for Lee? Rob.

MR. O'REILLY: Well, just to comment I guess. I don't know if it was six years ago or when it exactly was but bluefish was teetering a little bit as far as the assessment approach went, and there was a professor – Toni would remember, of course – from New Hampshire who was going to use sort of a Bayesian approach then. Unfortunately, he fell ill and things were shifted to a more traditional type of biomass dynamic approach and then later on to the statistical catch at age, I guess, so this does have a little precedence.

The other thing I wanted to mention was I've had some positive comments from the technical committee meeting and even to the point where some folks who you would think might be reserved about progressing beyond what they're used to indicated that these types of approaches might be good for other species as well.

CHAIRMAN GILMORE: Thanks, Rob. Any other questions on this? Mark.

MR. MARK GIBSON: Mr. Chairman, I wanted to ask if there were any discussions going on or consideration being given to looking at contingents within the overall weakfish population; that is, the possibility of a migratory component which periodically infiltrates Southern New England estuaries and then contingents of non-migrant fishes and the relative strengths of those waxing and waning over time. Are there any discussions going about that? I know it's something we talked about a long time ago in our days on the technical committee and I wonder where that ended up.

MR. PARAMORE: I do know that Dr. Jiao has looked at sort of the spatial and temporal distributions of weakfish and how they shift over time and modeling how that affects the stocks in general. I don't know specifically to what you're referring to and whether or not she has incorporated that information.

That is certainly something that her modeling techniques seem to be capable of evaluating some of that type of information. They're very complex models, but the complexity of them actually does

allow for a lot of different inputs and looking at different variables, whether they be environmental variables or differences in growth rates or differences in migration patterns of different segments of the population and that sort of thing. It's certainly something that we could bring up with her and see if that's a possibility.

### **REQUEST FOR STOCK ASSESSMENT SUBCOMMITTEE MEMBERSHIP**

CHAIRMAN GILMORE: Any other questions for Lee on this? Okay, thanks for that report. Lee. The next item we have is on the stock assessment subcommittee membership. I think we learned yesterday or most people knew that Dr. Doug Vaughan had retired from the Southeast Fisheries Science Center. I didn't know this, but Vic Crecco I guess is planning on retiring in the fall of 2011. They're both on the committee, actually.

Vic was one of the first people I met when I worked consulting a power plant so he is a really old guy. Anyway, we have a couple of vacancies coming up. Actually, every time I have been at a board meeting with this, we've had some recommendations on replacements, but we don't have any right now, so this is really a plea out to the board to see if there are any suggestions on replacements for these two distinguished gentlemen. If you have any suggestions now I'd take now; but if not please get to us later on. If there is any now, if anybody has a recommendation, please raise your hand. A.C.

MR. CARPENTER: I don't have a recommendation but if we're going to go with this new very complicated model, we may look for a driver of that thing, that somebody has got some expertise or at least the ability to start it up.

CHAIRMAN GILMORE: Yes, good point, A.C. Any other comments on it?

MR. RUSS ALLEN: I just want to mention that it's not only two people, but Des Kahn was also on that stock assessment committee and there was a lot of influence from Joseph Mondorio from Florida had a lot of input, and I don't believe he is still involved. I was also a help on that, too, so it's a small committee now, so it really needs some help.

CHAIRMAN GILMORE: Thanks, Russ. Who actually is still on the committee; do you actually know? Yes, we only have about three people left on

it, so it's not going to be much of a committee anymore. Go ahead, Vince.

EXECUTIVE DIRECTOR JOHN V. O'SHEA: Well, somebody might be tempted to note that it's tracking with the biomass so at least it's proportional.

CHAIRMAN GILMORE: Yes, good point, Vince. Again, if there are any recommendations on this, if you could get them to me or Mike, whatever, and we'll consider that and bring them up at the next meeting. Our last item on the agenda is biological sampling plans for 2011, and I think Mike is going to take us through that.

### **2011 BIOLOGICAL SAMPLING PLANS**

MR. WAINE: I'm just going to review for a second here; Addendum I required states to submit sampling plans by April for our current fishing year based on the preliminary landings in the previous year. The board would review and accept those sampling plans; however, compliance was based on actual landings reported in annual compliance reports in September, so predicting sampling based on a previous year was unnecessary.

In response to this, in 2010 the board approved simplification of the 2011 sampling plan requirements so states currently submit a template memo that acknowledges the sampling requirements in Addendum I. To simplify this process further, the PRT recommended that staff would send a reminder memo to each state indicating their responsibility to comply with monitoring requirements in Addendum I, and we just wanted to pass that around to the board.

CHAIRMAN GILMORE: Any questions for Mike? I guess we're all still not doing so well on our compliance, but I guess when the weakfish come back we will have no problem. I don't think we need much of a motion on this. We just wanted to approve this recommendation by consensus, so is everybody okay with that and does anybody have any objection to that? Okay, then we'll approve that by consensus and move on.

### **ADJOURNMENT**

That's pretty much the agenda unless anybody has any other business before the board. Seeing none, I look for a motion to adjourn. Thanks, we're adjourned.

(Whereupon, the meeting was adjourned at 11:49 o'clock a.m., August 3, 2011.)