



ASMFC

# Fisheries *focus*

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## Equivalency -- Is It Really Equal?

by  
Dusty Rhodes

The following article is reprinted, with permission, from the March 1999 issue of *Mid-Atlantic Perspectives*, a newsletter of the Mid-Atlantic Fishery Management Council. Dusty Rhodes is currently chair of the Council and past chair of the Atlantic States Marine Fisheries Commission's Bluefish Advisory Panel.

If memory serves, in the novel, *Animal Farm*, a porker squealed: "Everyone is equal, but some are more equal than others." And that's precisely what worries critics of a fishery management concept called "conservation equivalency." On the flip side, however, supporters counter that management flexibility is a goal worth pursuing whatever the downside risks. To help you better understand equivalency, its strengths and weaknesses, we offer the following analysis.

Simply stated, conservation equivalency, as it relates to fishery management, is a provision which allows individual states to customize management measures to achieve certain objectives—a reduction in landings by a defined percentage, for example—instead of implementing coastwide measures intended to achieve the same ends. The most recent example occurred in the summer flounder fishery in December 1998.

As they do each year, the Mid-Atlantic Fishery Management Council (Council) and the Atlantic States Marine Fisheries Commission (Commission) selected coastwide management measures for the 1999 recreational fishing season. However, in a

radical departure from custom, the two management bodies, which share joint responsibility for summer flounder, also included a provision for state equivalencies. The mandate was to ensure 1999 recreational landings were 40 percent lower than the previous year. On a coastwide basis, that would be attained by a combination of measures (a 15-inch minimum size, an eight-fish bag limit and an open season which would run from about mid-May to about mid-September).

Through equivalency, however, states were allowed to select alternatives as long as their recreational landings were reduced by at least 40 percent. The result has been considerably more variability in summer flounder measures. For example, after landing data for each state were analyzed, it was learned that some states could avoid a closed season altogether by opting for a 16-inch minimum size with an eight-fish bag limit (New York and New Jersey). Other states could significantly diminish a closure by selecting a 16-inch minimum (Virginia) while yet other states could achieve what was considered worthwhile reductions in the closed portion by choosing a compromise minimum size of 15-1/2 inches (New Jersey). In each instance, the permissible variables resulted from state peculiarities in recreational fishing; that is, fish distribution by size, how often and how many anglers attained the daily bag limit, weather, etc.

Although new to the summer flounder fishery, equivalency is neither unique nor untried. On the contrary, the Commission's striped bass, blackfish and weakfish plans contain equivalency provisions in the sense that states are free to establish local control measures as long as certain species goals are met (harvest limits or reductions in harvest limits, for example). However, the summer flounder plan marked the first time a joint plan for the Council and the Commission contained such flexibility. Yet uncertainty surrounded the move to equivalency because states were given the opportunity to choose either the coastwide measure or an equivalent, choices which do not exist in the aforementioned Commission plans.

**American Lobster Stock  
Assessment Peer Review  
Postponed**

**More details on page 9**

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***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, Pennsylvania, Connecticut, New York, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida.***

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## Upcoming Meetings

### ***7/7 (7:00 p.m.):***

ASMFC American Eel Public Hearing, Georgia Coastal Resources Division, City Hall, Community Center Room, 40 Richard R. Davis Drive, Richmond Hill, Georgia; Contact Susan Shipman at (912)264-7218.

### ***7/7 (10:00 a.m. - 5:00 p.m.):***

ASMFC Striped Bass Management Board, Providence Biltmore, Kennedy Plaza, Providence, Rhode Island; (401)421-0770.

### ***7/8 (7:00 p.m.):***

ASMFC American Eel Public Hearing, South Carolina Department of Natural Resources, Marine Resources Conference Room, 217 Fort Johnson Road, James Island, South Carolina. Contact David Cupka at (843)762-5010.

### ***7/13-15:***

ASMFC Striped Bass Stock Assessment Subcommittee, New Hampshire Fish and Game, Durham Regional Office, 225 Main Street, Durham, New Hampshire.

### ***7/13 -15:***

New England Fishery Management Council, Holiday Inn at the Bay, Portland, Maine.

### ***7/20:***

Mid-Atlantic Fishery Management Council (MAFMC) Black Sea Bass and Scup Monitoring Committees, Sheraton International Hotel, 7032 Elm Road, BWI Airport, Baltimore, Maryland; (410)859-3300.

### ***7/20 & 21:***

ACCSP Outreach Committee, 1444 Eye Street, N.W., Sixth Floor, Washington, D.C.; (202)289-6400.

### ***7/21:***

MAFMC Summer Flounder and Bluefish Monitoring Committee, Sheraton International Hotel, 7032 Elm Road, BWI Airport, Baltimore, Maryland; (410)859-3300.

### ***7/27:***

Fisheries Information Network (FIN) Social/Economic Workgroup, Miami, Florida.

### ***7/28 - 30:***

ASMFC Horseshoe Crab Technical Committee, Essington, Pennsylvania.

### ***8/2 - 5:***

ASMFC Meeting Week (see page 6 for tentative agenda), Ramada Inn, Old Town Alexandria, Virginia.

One of the things we have learned in the last few decades of this century/millennium is the importance of the quality of where we live. We must have air to breathe and water to drink more than the kind that comes out of bottles. A few major toxic events have brought this home to the public at large. That sparkling blue marble that we see in pictures from space gets patches of brown and gray from time to time that signal trouble for the people who live there.

It is ironic that these are not new lessons. Earlier in this soon-to-be-over millennium, peoples of other societies recognized that they could be the purveyors of the dirt and grime that made their homes and workplaces unhealthy places to live. Cities had to learn how to manage their waste. Industrial centers had to find technologies that would avoid pollution.

Through it all, there was the hope, the certain knowledge that the vastness of the earth and our growing understanding of planetary physical processes and new technologies would ultimately give us the answer to maintaining the quality of where we live. But it has not proven to be so.

Instead, despite some notable successes in some regions, we have spread the effect of environmental degradation across the planet. And we have gradually come to the realization that, given the demands that we are placing on natural systems, the planet is not really all that vast after all.

So as we come to understand better the importance of the quality of the place where we live, think of the poor fish. They are even more dependent upon the quality of the places in which they live than we are. They cannot control any of the factors of the environment around them; they can only go to another place. They can chase their food, but they cannot cultivate what they eat. They are totally dependent upon the environment as it comes to them, rather than having something that they could do about it.

So if we are facing the difficult issues of how to manage the impact we have on the quality of the place we

live, just imagine how difficult it is for the fish. Of course, in a metaphysical sense we can always note that the fish don't know what is happening to them, so who's to care? Well, people should care. I have always felt that fish are important because they are valuable to people, valuable for food, valuable for recreation, and valuable for families' livelihoods in many ways.

So then there is always the question: what can we do about it? State marine fishery agencies cannot regulate habitat quality. And to be sure, there are always lots of other important social and economic factors in the political equations that determine how habitat-affecting policies are arrived at and implemented. But it is not unfair for us, who are always telling fishermen that proper management should look at the long-term rather than short-term benefits, to insist that others do the same when making decisions that affect ecosystems. Too often the critical economic benefit from a project is short-term; and, in the long run, the project may be unwise.

We must keep talking about the issues. Even if we cannot control the decisions, we can keep the focus on the real issues and on the long-term. We cannot let people forget the full scope of the impacts they are causing. And the strongest voices here will not be the agencies. They will always support their political leaders with short-term agendas, as they must. They can provide information and press to a certain limit. The really effective spokesmen for fish and their habitat will always be *fishermen*. A note to them: Do not wait for the government agencies to show the way. We are often very limited. Take habitat issues seriously, be firm, be persistent.

Anyone who cares about fish, must also care about the places in which they live.

## Equivalency -- Is It Really Equal? (continued from page 1)

That option is no minor feature. The way it works, any equivalent approach would have to pass muster with the Commission to ensure a 40 percent reduction would result. But no similar test is required when the coastwide measure is selected. And that's because when a coastwide measure is crafted, it's assumed defined goals would be met if all states implement it even though, generally, coastwide measures can't impact all states equally. Consequently, requiring a state to prove what the coastwide measure would yield was meaningless. And that, argued equivalency naysayers, would tempt states to select the less restrictive of the two approaches when differences were perceived to exist.

Yet that possibility isn't a fault of the equivalency concept. Rather, it's an artifact of allowing a choice between the coastwide measure and its state equivalent, an option which might not survive ongoing fine-tuning of the summer flounder plan. If the management bodies, especially the Commission, which has equivalency responsibility, refine this approach and eliminate coastwide options, the aforementioned objection would no longer be valid. Thus, it's probably a downside risk for only the 1999, "transitional" year.

Note also that what might be considered unfair about coastwide measure -- their potential to impact states unequally -- is unavoidable. And despite a potential for bias, coastwide measures have proven effective when equivalencies were either inappropriate or unnecessary. In the early days of the summer flounder plan when stocks were at seriously low levels, coastwide recreational measures were considered more effectively and more easily implemented than any other scenario. Moreover, since the recreational sector had been underfishing its harvest limit, coastwide measures could hardly be judged unfair. But with the dramatic increase in summer flounder availability and accompanying increases in recreational landings came the push for a new system. That new system would have to take greater cognizance of state fishing idiosyncrasies to ensure both effective and fair, that is, equitable, controls. Equivalency offers the promise of answering that requirement.

Free lunches are still hard to find, however. Going forward, the possibility of considerable differences among state measures, especially minimum size, will complicate determinations of fair and effective state equivalencies. And it's possible recreational fishermen from neighboring states will look enviously upon measures of adjoining states, thus prompting more public debate and dissatisfaction. The question of possible changes to harvest limit allocation also arises. With increased state measures might come a call for state-by-state harvest limits rather than a coastwide allocation, which is how the recreational sector has been managed so far. This is not to say which approach

is best, but to point out the possibility of considerable debate over the issue.

Nevertheless, it's reasonable to assume equivalency in one manner or another will remain a feature of the summer flounder plan. Indeed, the Commission has committed to fine-tuning summer flounder equivalency. But just what that means in the new decade, is as yet conjecture.

Yet we can be sure that the Chinese proverb, "May you live in interesting times," applies.

## ACCSP State-by-State Implementation Meetings

From mid-May until the end of July, the Atlantic Coastal Cooperative Statistics Program (ACCSP) staff will be facilitating a series of Implementation Meetings, to be held in each partner state. The focus of the meetings is to discuss current data collection and data management strategies by all agencies that collect fisheries data in that jurisdiction. The desired outcomes include (1) agreement to hold future sessions between those agencies to decide how to best collect ACCSP quality data within each jurisdiction, alleviating duplication of effort and burden to industry, while maximizing available funds, and (2) identifying possible programs/areas which may be candidates for future ACCSP funding.

To date, meetings in Rhode Island, New Jersey, and Connecticut have been completed. New Hampshire is scheduled for late June, and the South Atlantic states have agreed to meet at the end of July. Meetings have been well received and have been attended by representatives of the National Marine Fisheries Service (NMFS), ACCSP Coordinating Council members from the states, and law enforcement/technical committee personnel. Discussion has been substantive and well received by all in attendance. ACCSP staff will be in contact with Coordinating Council members from remaining states and NMFS representatives, to schedule implementation meetings before the end of July.

The Operations Committee will meet June 26 & 27 and discuss the ACCSP data management site selection proposals and funding priorities for the 2000 operations year. The ACCSP Biological Review Panel and the Discard Prioritization Committee met earlier this month to begin design of those two modules. Upcoming meetings include the Outreach, Standard Codes, and the Computer Technical Committees.

For additional information on these or any other ACCSP related activity, please contact Joe Moran, ACCSP Program Manager, at (202)289-6400, or by email at [jmoran@asmfc.org](mailto:jmoran@asmfc.org). For data management or information technology issues, please contact Mike Cahall, ACCSP Information Technology Program Manager, at (301)713-2328, or by email at [mcahall@asmfc.org](mailto:mcahall@asmfc.org).

# Atlantic Herring Section Meets; Sets Specifications for Next Year

The Atlantic States Marine Fisheries Commission's (Commission) Atlantic Herring Section met jointly with the New England Fishery Management Council's (Council) Herring Committee on June 14 & 15, 1999, to develop harvest specifications for the upcoming season. The recommendations for the year 2000 are largely unchanged from the current specifications contained in both the Commission's Amendment 1 and the Council's Draft Fishery Management Plan which has been submitted to the National Marine Fisheries Service for review.

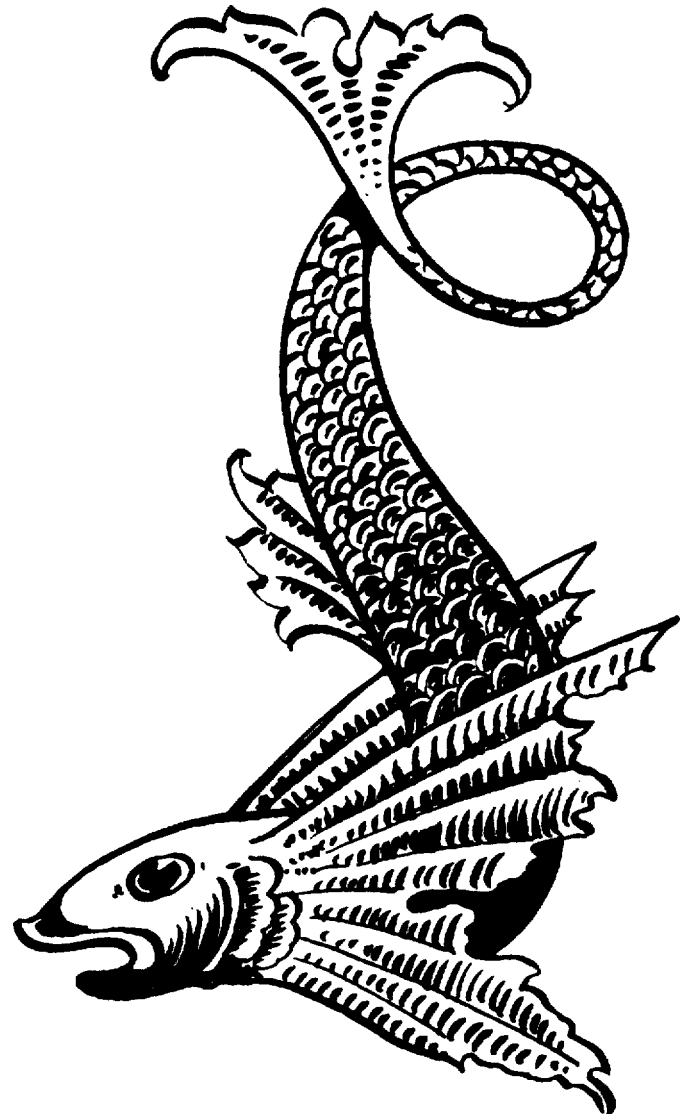
One change for next year is the allocation of 20,000 metric tons (mt) for domestic at-sea processing (USAP) operations, which would occur in management Areas 2 and or 3. The Herring Committee also recommended to the Council to allocate 10,000 mt for USAP this year in Areas 2 and or 3, which was originally specified as zero for the initial year of both plans. This amount would be transferred from the 1999 Joint Venture Processing (JVP) specification since no JVP applications have been received to date. Although the fishing year is almost half over, this action will demonstrate the Council's intent to transition from JV to domestic processing.

The Section and Committee also recommended setting the area-specific total allowable catches at the same level as last year's based on the recommendation of the Plan Development Team (PDT). The reasoning behind this being the PDT had no new evidence of changes in abundance or distribution of the various stock components. Concerns have been raised over the status of the inshore Gulf of Maine component, yet no evidence has been found to suggest a stock collapse. The current scientific advice is that the decrease in catch last year in the Gulf of Maine was due to an apparent change in the catchability of the fish and not a change in population size.

In other actions, the Section/Committee instructed staff to begin developing options for controlling access to the fishery in order to avoid overcapitalization and provide for an orderly development in the offshore fishery. The Herring Committee also recommended to the Council that a control date be established at the Council's July meeting. Establishing a control date would put the public on notice that the Council intends to limit access to the herring fishery in the future based on criteria which will be developed over the next year or so. Staff was also instructed to evaluate what effect a change in the start of the fishing year from January 1 to July 1 might have on sector access to the resource. The Section also approved the Rhode Island proposal to implement Amendment 1, leaving only Massachusetts and New York without approved implementation plans. For more information, please contact: Dr. Joe Desfosse, Fisheries Management Plan Coordinator, at (202) 289-6400.

## Year 2000 Harvest Specifications

Allowable Biological Catch	300,000 mt
Optimum Yield	224,000 mt
Domestic Annual Harvest	224,000 mt
Domestic Annual Processing	200,000 mt
U.S. At-Sea Processing	20,000 mt
Border Transfer	4,000 mt
Joint Venture Processing (total)	20,000 mt
Joint Venture Processing	10,000 mt (limited to Areas 2 and 3)
Internal Waters Processing	10,000 mt (limited to Areas 2 and 3)



**ASMFC August Meeting Week  
Ramada Plaza Hotel  
901 North Fairfax Street  
Alexandria, Virginia**

**Preliminary Agenda\***

\*Dates and times are subject to change

**Monday, August 2, 1999**

- 1:00 p.m. - 4:00 p.m.   Legislators Section  
- review and discuss Strategic Plan; encouraging legislator participation, update on state legislative activities
- 4:00 p.m. - 6:00 p.m.   Administrative Oversight Committee  
- consider changes to the ISFMP Charter

**Tuesday, August 3, 1999**

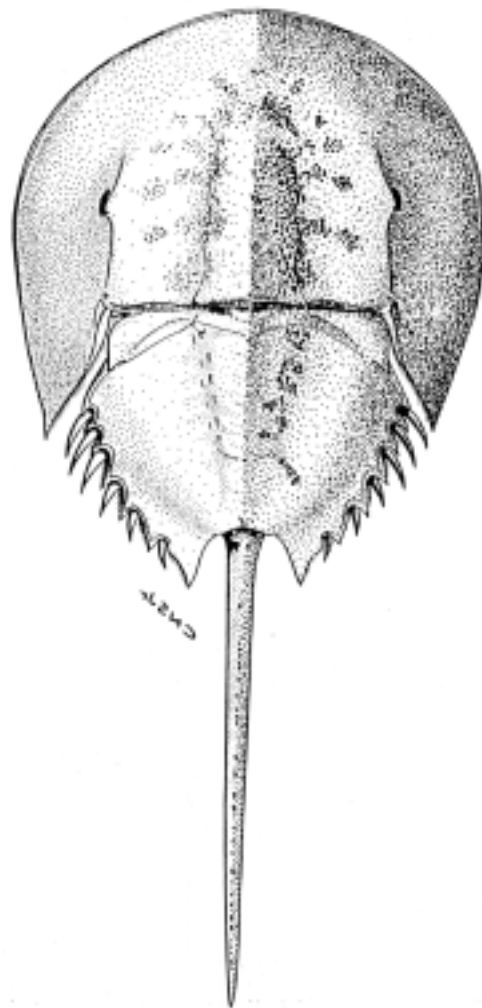
- 8:30 a.m. - 3:00 p.m.   American Eel Management Board  
- review public hearing comments; approve measures for inclusion in final Fishery Management Plan
- 3:00 p.m. - 4:00 p.m.   Northern Shrimp Section  
- discuss possible gear allowances
- 3:00 p.m. - 5:00 p.m.   Sport Fish Restoration Committee
- 4:00 p.m. - 7:00 p.m.   American Lobster Management Board  
- review and approve Addendum I

**Wednesday, August 4, 1999**

- 8:30 a.m. - 11:30 a.m.   Horseshoe Crab Management Board  
- approve state management proposals
- 1:00 p.m. - 3:00 p.m.   Shad & River Herring Management Board  
- address shad restoration by watershed plans
- 3:00 p.m. - 5:00 p.m.   Spiny Dogfish and Shark Management Board  
- initial organizational meeting

**Thursday, August 5, 1999**

- 8:00 a.m. - 10:00 a.m.   Weakfish Management Board  
- review state compliance reports; update on stock assessment
- 10:00 a.m. - noon       Striped Bass Management Board  
- update on stock assessment
- 1:00 p.m. - 3:00 p.m.   Joint Tautog Management Board & Advisory Panel  
- review and approve Addendum 2 to the FMP; update on coastwide stock assessment



*\* Horseshoe crab illustration courtesy of Dr. Carl Shuster, Jr., Virginia Institute of Marine Science, College of William and Mary.*

# *Atlantic Coastal News Bites*



**Regional Council Appointments.** On June 25, 1999, Secretary of Commerce William Daley announced the appointment of 22 members to eight regional fishery management councils. Appointments to the three East Coast Councils include: New England Council at-large seats (**Vito J. Calomo**, Gloucester Fisheries Commission, **Thomas R. Hill** of Gloucester, MA, **John C. Williamson** of Kennebunk, ME, **Anthony Fernandes, III** of Kittery, ME); Mid-Atlantic Council obligatory and at-large\* seats (**Ricks E. Savage** of Wallace and Associates, Cambridge, MD, **Anthony D. DiLernia**, Kingsborough Community College, Manhattan Beach, NY, **Edward J. Mesunas** of Penn Fishing Tackle Manufacturing Co., Philadelphia, PA, **James A. Ruhle, Sr.** of Wanchese City, NC, and **Dusty Rhodes\*** of Howell, NJ); and South Atlantic Council at-large seats (**John M. Dean**, University of South Carolina, Columbia, SC, and **Edward B. LeMaster III** of Ponte Vedra Beach, FL). [NOAA press release]

**North Carolina Saltwater Recreational Fishing License.** On June 22, 1999, the North Carolina House Committee on Environment and Natural Resources held a public hearing on proposed controversial legislation to create a state saltwater recreational fishing license. On June 23, 1999, the Committee approved the bill that would create a recreational saltwater fishing license. [Associated Press, Raleigh News & Observer]

**Saltonstall-Kennedy Grants.** On June 21, 1999, the National Marine Fisheries Service requested proposals for 1999 Saltonstall-Kennedy Grants for the commercial fishing industry. Grants are to focus on (1) eliminating and preventing overfishing and overcapitalization, (2) attaining economic sustainability in fishing communities, and (3) developing environmentally and economically sound marine aquaculture. [Federal Register]

**Georges Bank Scallops.** On June 8, 1999, the National Marine Fisheries Service (NMFS) announced that a southern portion of Closed Area II of Georges Bank, where fishing has been prohibited for six years, would be opened to scallop harvesting on June 15, 1999. NMFS set a quota of about 9.4 million pounds of scallops from the Georges Bank area with a trip limit of 10,000 pounds, but scallop harvesting will cease if the incidental bycatch of yellowtail flounder exceeds 850,000 pounds. Regulations for the scallop opening on Georges Bank were published in the Federal Register on June 10, 1999. [Reuters, Associated Press, NOAA press release, Federal Register]

**New England Groundfish.** On June 8, 1999, Secretary of Commerce William Daley announced that Massachusetts, Maine, and New Hampshire commercial fishermen would be paid as much as five million dollars to compensate for lost fishing after areas were closed to protect depressed cod stocks. Individual fishermen may qualify for as much as \$1,500 for each day of fishing lost if they can prove they previously had caught fish from areas of the Gulf of Maine closed to fishing this past spring. In return for this assistance, fishermen will perform as many days of biological survey work to assess status of cod, haddock, and flounder stocks. Details of the proposal were published in the Federal Register on June 11, 1999, with public comment accepted through June 28, 1999. On June 23, 1999, the Massachusetts Fisheries Recovery Commission announced its science plan and blueprint for cooperation between fishermen and scientists to recover groundfish. The plan proposes (1) tagging cod to determine if Gulf of Maine and Georges Bank stocks are separate, (2) research into gear modification to minimize bycatch, and (3) survey work using scientists aboard fishing vessels. [Boston Herald, personal communication, Associated Press, NOAA press release, Federal Register]

**New Jersey Dolphin Safe Zone.** On June 8, 1999, the Wildwood Crest (New Jersey) Environmental Commission enacted a "dolphin-safe zone" extending 200 feet from the water's edge, where gillnet fishing and boat/personal watercraft speeding is prohibited when dolphins are present. [Associated Press, Philadelphia Inquirer]

**Northern Right Whales.** On June 1, 1999, the National Marine Fisheries Service announced the availability of revised whale watch guidelines for vessel operations off New England. These guidelines provide vessel speed recommendations, decrease the number of vessels that should be near whales, and recommend using lookouts near known whale aggregation areas. On June 25, 1999, the Coast Guard Integrated Support Command Boston hosted a public presentation on the Mandatory Ship Reporting (MSR) system to reduce the threat of shipping to northern right whales. The MSR system will be implemented on July 1, 1999, through a mandatory call-in system that alerts vessel captains to nearby whale movements and gives collision avoidance procedures. This system will operate year-round for two areas off New England and from November 15 through April 15 for a calving area near the Georgia/Florida border. [Boston Globe, Boston Herald, Providence Journal, Federal Register, personal communication, NOAA press release]

*The above information was downloaded from HDRFISH@listserv.tamu.edu, a service of the Human Dimensions in Recreational Fisheries Committee of Texas A&M University, Wildlife and Fisheries Department.*

## NMFS Awards Contract for Marine Recreational Fishing Survey

On June 24, 1999, the National Marine Fisheries Service (NMFS) announced awarding Macro International Inc. of Calverton, Maryland with a contract worth over three million dollars over the next three years to conduct surveys that track the fishing effort of recreational saltwater anglers throughout the country.

Macro International will conduct the 1999 marine recreational fishing telephone survey as a component of NMFS's annual Marine Recreational Fisheries Statistics Survey. The agency estimates that more than 887,000 telephone interviews with coastal county households along the Atlantic, Gulf and Pacific coasts will be conducted over the three-year period.

The Marine Recreational Fisheries Statistics Survey has been conducted since 1979 and allows the agency to manage the nation's fisheries resources and assess the impact recreational fishing has on the nation's economy. The recreational survey is comprised of two independent surveys: (1) a telephone survey

of households to collect data on the number of saltwater-angling trips taken, and (2) a field survey of anglers' catch information. Management goals of the Magnuson-Stevens Fishery Conservation and Management Act make it necessary for NMFS to collect data on marine recreational fishery catches.

Macro International is a professional and technical services firm focused on survey research, training, management consulting and information technology. NMFS awarded Macro International the intercept contract for the 1999-2001 survey in September 1998, and with this award of the telephone component, they will be the contractor for both components of the Marine Recreational Fisheries Statistics Survey. The telephone component of the survey will be managed from Macro's office in Burlington, Vermont.

For more details on the recreational survey, please contact Maury Osborn, NMFS, Office of Science and Technology, Room 12455, 1315 East-West Highway, Silver Spring, MD 20910.

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## New Ship Reporting System to Prevent Collisions with Endangered Right Whales

On June 25, 1999, U.S. Commerce and Transportation Secretaries William M. Daley and Rodney E. Slater teamed with the International Fund for Animal Welfare and shipping groups to announce a new program designed to help prevent collisions between commercial ships and the world's most endangered whale species.

Starting July 1, large ships entering two important feeding and nursing grounds of the highly endangered North Atlantic right whale will employ new efforts to save the last 300 whales through a mandatory call-in system that alerts vessel captains to nearby right whale movements and gives collision avoidance procedures. The mandatory ship reporting system will run year-round in a 6,700 square mile feeding area off of Cape Cod, Massachusetts, that includes all 842 square miles of the National Oceanic and Atmospheric Administration's (NOAA) Stellwagen Bank National Marine Sanctuary, and from November 15 through April 15 in a 2,500 square mile nursery area near the Georgia/Florida border.

"Today, we take a step to ensure the survival of these majestic but endangered creatures. Our action demonstrates that, working in partnership with industry and the conservation community, we can restore and protect our precious oceans and the magnificent diversity of life they sustain," said President Bill Clinton.

In April 1998, President Clinton authorized the U.S. government to seek international approval of the mandatory ship reporting system by the United Nations International Maritime Organization (IMO). The IMO voted unanimously in December 1998 for implementation of the system by July 1, 1999. The system was developed over a two-year period by the Commerce Department's NOAA, and the Transportation Department's U.S. Coast Guard, with technical assistance from the International Fund for Animal Welfare (IFAW). It was built and implemented by Performance Engineering Corporation, a high-tech firm headquartered in Fairfax, Virginia.

"The ship reporting system is essential to the survival of the endangered right whale. This conservation tool will significantly improve protection for these slow-moving whales, and give mariners important information to avoid right whales that may be found in shipping lanes near East Coast ports," Secretary Daley said. "This effort reflects an innovative partnership needed to develop new ways to address this problem, and will complement other ongoing measures being taken to help recover the species."

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# American Lobster Stock Assessment Peer Review Postponed

The Commission's external Peer Review for the American Lobster Stock Assessment, which was scheduled for July 26 - 28 at the Providence Biltmore Hotel in Providence, Rhode Island, has been postponed until later this summer.

The American Lobster Stock Assessment and Technical Committees are completing the assessment report for peer review and need more time to develop a quality document that addresses all the relevant technical issues. The peer review is extremely important to the management process for American lobster and a quality report is needed to provide the peer review panel with all the necessary information. New dates for the peer review will be set upon completion of the stock assessment report.

As in any Commission external peer review, a review panel, composed of experts in stock assessment methodology, population dynamics, and/or lobster biology, will be established. Additionally, terms of reference have been developed to guide evaluation of the stock assessment. They are as follows:

1. Review and evaluate assessment methodologies and models, including, but not limited to --
  - Quantity and quality of input data for models, especially size structure of catch and population
  - Validity and utility of length cohort analysis and DeLury models, including model assumptions and parameter estimation techniques
  - Validity and utility of new simulation model (Mark model) developed for this assessment
  - Characterization of uncertainty associated with model results, reference points estimation, and sensitivity to model parameters
2. Evaluate the status of American lobster stocks, trends in abundance, and trends in fishing mortality, including model-based and alternative indices



3. Evaluate methods used to estimate the overfishing definition (F10%) for American lobster and evaluate possible revisions to the overfishing definition
4. Review management and research recommendations and identify any additional research that is needed to improve the stock assessment process.

The Commission will send out a meeting notice on the American Lobster Peer Review once the meeting dates have been finalized. If you are interested in receiving a copy of this information, please contact Vanessa Jones, Administrative Assistant, at (202)289-6400, ext. 324 or at [vjones@asmfc.org](mailto:vjones@asmfc.org). For more information on the peer review, please contact Dr. Lisa L. Kline, Director of Research & Statistics, at (202)289-6400, ext. 305 or [lkline@asmfc.org](mailto:lkline@asmfc.org).

## ASMFC Comings & Goings

**Jeanette Braxton** -- Jeanette first came to the Commission in January 1999 as a temporary assistant, providing administrative assistance to the Interstate Fisheries Management Program (ISFMP). Because of the quality of her work, Jeanette was hired as a full-time employee in May to provide administrative assistance to both the ISFMP and the Finance and Administration Departments. We are very happy to have Jeanette on board!

**Laura Huggins** -- In a repeat performance, Laura Huggins rejoined the Commission staff this June as a summer intern. In her position, Laura will be assisting Commission staff with a number of administrative tasks, including fully revamping the filing system for the Interstate Fisheries Management Program. Over the last year, Laura began her freshman year at Boston University studying biochemistry with the eventual goal of becoming a doctor. We are very pleased to have Laura back on staff. Her sunny disposition and enthusiasm have helped to brighten everyone's day, as well as lighten our ever increasing workload!

**Robin Peuser** -- From the outside, Robin's role with the Commission will remain unchanged; she will still be assisting Dianne Stephan, ASMFC Habitat Coordinator, in developing habitat policy and working on submerged aquatic vegetation issues. Internally, however, Robin will be leaving the Commission as a permanent employee, and will work with the Commission on a contractual basis. Although we'll miss Robin's constant presence in the office, we know we can expect the same level of commitment and quality of work from her as we do now. And, she will be just a phone call or email away; you can still

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## New Ship Reporting System to Prevent Collisions with Endangered Right Whales (continued from page 8)

Secretary Slater said, "Because these whales do not recognize or avoid the hazards our shipping poses to them, we must take special measures to avoid injuring these rare creatures. This reporting system demonstrates President Clinton's and Vice President Gore's leadership in establishing partnerships between the government, environmental organizations and industry to protect our natural environment."

"IFAW is delighted to be working with the Departments of Commerce and Transportation on this vital initiative. A whale once hunted to the brink of extinction is safer today because of this partnership. Together we are making a difference for these critically endangered animals," said Fred O'Regan, IFAW President.

For unexplained reasons, right whales either do not detect oncoming ships, or do not perceive them as threats and do not move to avoid collisions. Ship strikes account for almost 90 percent of known, human-caused right whale deaths, with

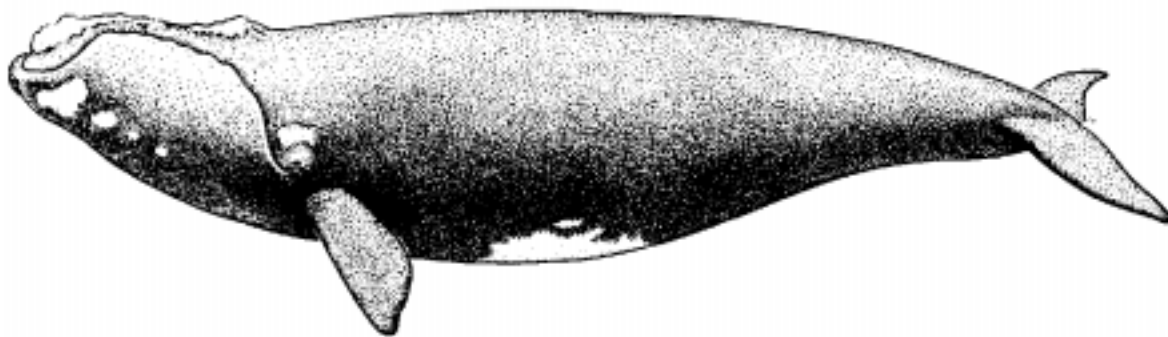
about two fatal collisions occurring each year. Under the ship reporting system, all commercial ships 300 gross tons and greater that enter the two areas will contact a Coast Guard-operated shore station to report course, speed, location, destination and route. In return, a ship will receive the latest information about right whale sightings and avoidance procedures that may prevent a collision. The information will be transmitted in minutes by satellite to the ship's bridge computer. The reporting system will affect no other aspect of vessel operations and there is no cost to the mariner.

In addition, officials expect the ship reporting system to yield data on the number of ships and the routes taken through right whale habitat that will be useful in identifying other possible measures to reduce future ship strikes. The entire program will be reviewed in three to five years to assess its effectiveness, and to introduce advances in ship communication technologies that have become available.

Legislation that provided the Coast Guard with the authority to implement the system came from an effort spearheaded by Congressman William Delahunt (Mass). NOAA's National Marine Fisheries Service (NMFS), the Coast Guard and IFAW equally shared the funding for system development and imple-

mentation. Ongoing communication costs will be shared by the Coast Guard and NMFS.

The National Marine Sanctuary Program, NMFS and the Coast Guard have taken several steps to protect right whales, including establishing federally designated critical habitats and updating nautical charts to show right whale habitat, as well as modifying other navigational publications and providing educational materials. For example, an aircraft survey system, jointly funded by NMFS, the Coast Guard and the Commonwealth of Massachusetts, has been implemented off Massachusetts for the past two years in cooperation with the state. Biologists in boats and aircraft go out several times a week to survey waters



that are shipping lanes for commercial traffic and feeding grounds for right whales. When they locate right whales, NMFS-led teams forward the information to the Coast Guard so whale alerts can be broadcast to mariners via radio, faxes and Internet postings.

While ship strikes are known to kill individuals of nearly every species of large whale, right whales appear especially susceptible. Their feeding and calving areas and migratory corridors are near several designated shipping lanes. Right whales also spend much of their time at the surface, feeding, resting, mating and nursing. Particularly vulnerable are calves, which must remain near the surface due to their undeveloped diving capabilities. At the surface, right whales appear focused on what they are doing and make little effort to move from the path of oncoming ships. Right whales are difficult to spot because of their dark color and low profile in the water. In some cases, ships may hit right whales without ever knowing a collision occurred.

The Northern Atlantic right whale was listed as endangered throughout its range in 1970. Several thousand right whales

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## ASMFC Comings & Goings (continued from page 9)

reach her at the Commission (202)289-6400 (and email [rpeuser@asmfc](mailto:rpeuser@asmfc)) or via her email at [rpeuser@prodigy.net](mailto:rpeuser@prodigy.net). We wish Robin luck and look forward to continuing to work with her.

**Heather Stirratt** -- On June 21, Heather Stirratt joined the Commission staff as Fisheries Management Plan Coordinator for American eel, Atlantic sturgeon, and shad & river herring. Heather received a Master of Arts in Marine Affairs from the University of Rhode Island in 1998; her master's thesis was on "Managing Marine Mammals and Fisheries Interactions Effectively."

Prior to coming to the Commission, Heather worked for the State of Connecticut Department of Environmental Protection. While there, she worked on Connecticut's Sea Sampling Program and was a member of its Trawl Survey Team that provides stock assessment data for Long Island Sound fisheries.

Heather's personality and background are ideally suited to work in the Commission's Interstate Fisheries Management Program. We are very glad to have her on board!

## Interstate Artificial Reef Planning Guide Available

In August 1998, the Atlantic, Gulf, and Pacific States Marine Fisheries Commissions completed a three-year effort to develop recommendations for revision of the National Artificial Reef Plan of 1985. The recommendations were submitted to the Secretary of Commerce through the National Marine Fisheries Service (NMFS) Office of Intergovernmental and Recreational Fisheries on November 18, 1998. This began a process of internal review of state recommendations coordinated by the three commissions. These recommendations represent the collective policy of the commissions on state developed artificial reefs, and also contain recommendations for pertinent federal agencies.

Concurrent with the NMFS internal review, staffs of the Atlantic and Gulf States Marine Fisheries Commissions have translated these recommendations into a technical planning document entitled *Coastal Artificial Reef Planning Guide* published December 1998. This document is available as a downloadable PDF file from the Gulf States Marine Fisheries Commission web site at <http://www.gsmfc.org> in their Sport Fish Restoration Publications link. Reference in this document is made to the *Guidelines for Marine Artificial Reef Material. No. 38. January 1997* also available at this site. These companion documents are to be considered working documents that will be updated as new information becomes available.

Federal review of the interstate recommendations for revision of the National Artificial Reef Plan is still in progress. NMFS has completed their internal review and will soon coordinate review by other federal agencies including the Departments of Interior, Defense, Transportation, and the Environmental Protection Agency. Once this is completed, NMFS will prepare a notice for the Federal Register to solicit public comments.

For additional information, please contact Richard Christian, Sport Fish Restoration Coordinator at (202)289-6400.

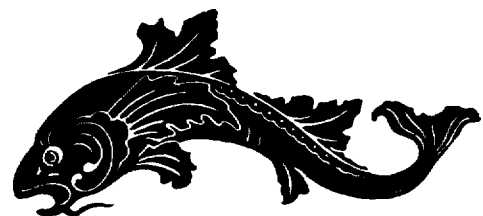
## Whale Disentanglement Video Available

The following information was reprinted, with permission, from the National Marine Fisheries Service's *MMPA Bulletin*, Issue No. 13. The article originally appeared in the November 1998 issue of "Right Whale News."

A new video, "Whales and Fishermen: A Plan for Reducing Entanglements," seeks to enlist fishermen in the plan to reduce the incidental take of large whales in fishing gear. The 11-minute video includes footage of the four large whales frequently seen in the Gulf of Maine: humpback, fin, minke and right whales. Saying "you are the eyes of the ocean," the video asks fishermen to help scientists collect accurate information about entangled whales. Field identification characters for the four species are provided, along with instructions about what to do when encountering an entangled whale. Some information is also provided on interim gear regulations and efforts to find out what works and what doesn't, again encouraging fishermen to participate.

Supplementing the video are two flyers, "Marine mammals & commercial fisheries: Understanding incidental take reduction efforts" and "Whale sightings and science: how you can help." The video was produced by the Maine/New Hampshire Sea Grant College Program and the Department of Public Affairs of the University of Maine. Funding was provided by the National Marine Fisheries Service, the Center for Coastal Studies and the New England Aquarium.

Copies of the video and flyers can be obtained for \$15.00 from Sea Grant Extension, University of Maine, 5715 Coburn Hall, #22, Orono, ME 04469-5715; (207) 581-1440.



# **New Ship Reporting System to Prevent Collisions with Endangered Right Whales**

**(continued from page 10)**

once existed in the North Atlantic Ocean. Years of commercial whale hunting at the turn of the century severely depleted the stocks. Whalers considered the animal the "right whale" to hunt because they were slow moving, migrated close to shore, and stayed afloat after being killed. Today, despite more than 60 years of protection, right whales have not fully recovered.

The northern right whale is a medium-sized baleen whale. Adults are 45 to 55 feet long. Distinctive features include: lack of a dorsal fin, a large head, narrow upper jaw, and a strongly bowed lower jaw. Right whales reach sexual maturity at five to nine years, with females giving birth to a calf every three to five years. Calving occurs in the winter along the southeast coast of the United States. Calves nurse for at least nine months.

For more information, please contact any of the following individuals: Gwen Keenan (USCG) at (202)267-0932, Susan Bennett (IFAW) at (703)518-5170, or Jennifer Ferguson-Mitchell (IFAW) at (508)744-2076.

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***Return Service Requested***