



ASMFC

# Fisheries *focus*

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## ASMFC to Recognize the Contributions of the late Senator John H. Chafee to Marine Fisheries Conservation and Management

### *Chairman's Award for Distinguished Meritorious Service to be Accepted by Son, Senator Lincoln D. Chafee, on Father's Behalf*

The Atlantic States Marine Fisheries Commission will recognize the contributions of the late Senator John H. Chafee to the conservation and management of our nation's marine fishery resources through the posthumous conferring of the Chairman's Award for Distinguished Meritorious Service. David V.D. Borden, Commission Chair and native Rhode Islander, will present the award to the late Senator Chafee's son, Senator Lincoln D. Chafee, at a Capitol Hill reception the evening of February 9, 2000.

"For over thirty years, Senator John H. Chafee honorably balanced the needs of both fishermen and fishery resources, not just in his native State of Rhode Island, but for the nation as a whole," stated Mr. Borden. "He sincerely believed that fisheries conservation and management could, and should, work for the resource and the fishermen alike, and he strove to pass federal legislation that would achieve this goal," continued Borden.

In his twenty-four year tenure in the U.S. Senate, John H. Chafee was instrumental in the development and passage of much important legislation focusing on the environment and natural resource management. These include the Magnuson-Stevens Fishery Conservation

and Management Act (1976), the Emergency Striped Bass Act (1979), Atlantic Striped Bass Conservation Act (1984), and the Atlantic Coastal Fisheries Cooperative Management Act (1993) – all of which have had a tremendous impact on the way fisheries are managed along the Atlantic coast.

Borden further expressed his admiration for the late senator by stating that "Senator John H. Chafee was a true friend of the environment, of coastal fisheries, and of the people who depend on them. His spirit and commitment will be missed

by all. His passion and dedication are to be admired and followed by us all."



*The late Senator John H. Chafee.*

The award was established in 1996 to uniquely recognize individuals who have made outstanding contributions to the conservation and management of fishery resources along the Atlantic coast, and has only been awarded one other time. The award will be presented at a reception on February 9, 2000 from 6:00 PM to 8:00 PM in the Environment and Public Works Committee Hearing Room, United States Senate Dirksen Building, Room 406. For more information, please contact Lori Goodwin, Special Assistant, at (202)289-6400 or [lgoodwin@asmfc.org](mailto:lgoodwin@asmfc.org).

***T***he 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

### ***2/7 - 10:***

ASMFC Meeting Week (ACCSP Coordinating Council, Administrative Oversight Committee, American Lobster Management Board, American Lobster Advisory Panel, Atlantic Menhaden Management Board, Atlantic Sturgeon Management Board, Committee on Economics and Social Sciences, Habitat Committee, Horseshoe Crab Management Board, ISFMP Policy Board, Law Enforcement Subcommittee, Shad & River Herring Management Board, Spiny Dogfish and Atlantic Coastal Shark Management Board, Striped Bass Management Board, Summer Flounder Management Board, Tautog Management Board, and Weakfish Management Board), Radisson Hotel Old Town Alexandria, 901 North Fairfax Street, Alexandria, Virginia; (703)683-6000.

### ***2/14 - 17:***

ACCSP Biological Review Panel and Discards Prioritization Committee, BWI Embassy Suites, Linthicum, Maryland.

### ***2/18:***

ACCSP Outreach Coordinator Workshop, St. Petersburg, Florida. For more information, contact Heidi Timer at (202)289-6400.

### ***2/26 & 27:***

20th Annual North Carolina Commercial Fishing Show, Crystal Coast Civic Center, Morehead City, North Carolina.

### ***3/2 - 4:***

Maine Fishermen's Forum, Samoset Resort, Rockport, Maine.

### ***3/6 - 10:***

South Atlantic Fishery Management Council, Tybee Island, Georgia.

### ***3/13 - 17:***

Fifth Marine and Estuarine Shallow Water Science and Management Conference, Atlantic City, New Jersey. For more information, contact either Ed Ambrogio at (215)814-2758, or Ralph Spagnolo at (215)814-2718 or spagnolo.ralph@epa.gov

### ***3/14 - 16:***

Mid-Atlantic Fishery Management Council, Wyndham Hotel, 173 Jennifer Road, Annapolis, Maryland; (410)266-3131.

### ***3/20 & 21:***

ASMFC Interstate Tagging Committee, Embassy Suites (formerly DoubleTree) BWI, 1300 Concourse Drive, Linthicum, Maryland; (410)850-0747.

Congress comes back to session this week for what should prove to be an interesting political year. It is a presidential election year; and the incumbent will not be on the ballot. In addition, the Republicans, at least in the House of Representatives, are widely regarded as being in some real danger of losing their majority status. And now the Congressional Budget Office is advising that the anticipated budget surplus may be dramatically larger over the next few years than we had all expected. Mix all of this together, and you cannot avoid the conclusion that this fall's elections will cast their shadow over the congressional agenda this year. Congressional leadership wants to try to portray itself as an effective, efficient majority, worthy of being given another two-year mandate. Their strategy seems to be to finish the legislative agenda by early or midsummer. Old hands in this town are likely to shake their heads, disbelieving (based on no small amount of historical and recent precedent) that the Congress has the capability of doing all of its budget and appropriations work, as well as dealing with substantive issues such as social security, on an expedited time schedule.

So what can this mean for us? All of the major pieces of fisheries legislation are due for reauthorization this year. The Atlantic Coastal Fisheries Cooperative Management Act, the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act), the Marine Mammal Protection Act, and as always it seems, the Endangered Species and Clean Water Acts. If the Congress is going to deal with these, it will indeed be a very busy, and probably not very short, legislative session.

Thus, it may be that Congress will not get to do much with these reauthorizations. However, on the chance that it does, I would like to offer a few ideas here about the Magnuson-Stevens and the state of the federal fishery management process. My approach is reluctant, since the Commission is largely concerned with interstate matters. However, the problems in the system for making and applying fisheries management decisions in the federal government are affecting the Atlantic coastal states in those areas where we attempt cooperative management, and are affecting the ability of state fisheries managers to work effectively within their states to support the federal programs.

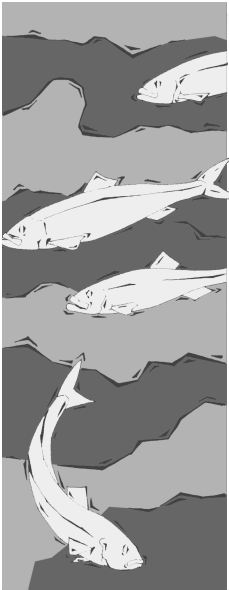
One place to begin is with the simple observation that federal fishery managers cannot get decisions made and implemented on time. The recent federal lobster rule took 44 months from the time the process started, and 22 months from the time that the states adopted Amendment 3. The Commission had moved on to the next set of management issues (trap limits) before the federal government promulgated its basic rule. It will be well into March

before the federal rule establishing the scup commercial quotas is final; but the quota is rapidly being taken, and the states have had to take unilateral action to reduce trip limits while we are waiting for the federal rules to catch up. It has been fifteen months since the Bluefish Fishery Management Plan amendment was first submitted for Secretarial review, and we are still waiting for the final rule. There are many other examples of how difficult it is for the federal agencies to wade through the process of getting rules promulgated and implemented. The system is broke.

No one knows this better than the individuals in the federal government and the regional fishery management councils who have the responsibility for trying to make all of this work. Although they are often on the point for receiving the criticisms and frustration, you don't have to talk to them long before realizing that they are as discouraged as anybody else.

Is all this process necessary? Each procedural requirement was certainly well-intentioned; but when added cumulatively on top of each other the requirements seem to form a net that virtually nothing can get through. All of this process is not necessary. Too much of the analysis to support a regulation is crafted after the decisions are made and never get the chance to effectively inform the decision makers. Rather than improving decisions, these procedural requirements make it difficult to understand who is making decisions, and why. The result is a decision making process that may soon collapse under its own weight, and has lost respect among the fishermen, the states, the regional councils, and I believe even the federal agency personnel.

So what can be done? First of all, we are trying to do too much. So far, Congress has not shown the inclination to provide the funding that would be required to effectively manage every important fishery resource. It would cost a lot more than we have available today. Second, we are trying to do too much with the information that supports decisions. We are pushing our assessments to give very specific, data point answers to questions when the information is not sufficient to support them. Third, its time that we allowed fishery managers to make decisions again. The Sustainable Fisheries Act was intended to "tighten up" regulations and force managers to make tough decisions. But what we have is a system of control rules and thresholds that create the illusion management. Effective fisheries management will always require the exercise of good judgement and discretion. We need to give that back to the managers, and create a system that expedites putting their decisions into place.



## ASMFC & NEFMC to Hold Scoping Hearings on Proposed Atlantic Herring Limited Entry Program

The Atlantic States Marine Fisheries Commission (Commission) and the New England Fishery Management Council (Council) will hold joint scoping hearings to gather public input on the issue of controlled access in the Atlantic herring fishery. Hearings are scheduled to be held in Maine, Massachusetts, Rhode Island, and New Jersey in mid to late February.

Currently, herring is managed in state waters under the Commission's Amendment 1 and in federal waters under the Council's Fishery Management Plan (FMP). Both plans contain complementary measures that establish total allowable catches (TACs) for each of the four Atlantic herring management areas as the primary control on fishing mortality. Since approval of the plans in 1999, however, managers and fishermen alike have become increasingly concerned about the potential for unlimited effort in the fishery. While the plans do include limits on vessel size, entry into the fishery remains unchecked. This series of scoping hearings is the first step on the part of the Commission and the Council to begin to gauge public sentiment on limiting access to the Atlantic herring fishery. The specific details of those hearings follow.

### **February 22, 2000 (7 – 9 PM)**

New Jersey Division of Fish, Game and Wildlife  
Cape May County Extension Office  
355 Courthouse – South Dennis Road  
Cape May Courthouse, New Jersey  
Contact: Bruce Freeman at (609) 292-2083

### **February 23, 2000 (1 – 4 PM)**

Maine Department of Marine Resources  
Trade Winds Hotel  
Two Park Drive  
Rockland, Maine  
Contact: Lew Flagg at (207) 624-6341

### **February 24, 2000 (3 – 5 PM)**

Rhode Island Dept. of Environmental Management  
Radisson Airport Hotel  
2081 Post Road  
Warwick, Rhode Island  
Contact: David Borden at (401) 222-6605

### **February 29, 2000 (3 – 5 PM)**

Massachusetts Division of Marine Fisheries  
King's Grant Inn  
Trask Road  
Route 128, Exit 21N  
Danvers, Massachusetts  
Contact: David Pierce at (617) 727-3193

Concern over increasing harvesting capacity and possible future overcapitalization, especially in the Gulf of Maine, has led to the discussion of developing a controlled access system for the Atlantic herring fishery. The TAC in the inshore Gulf of Maine (Management Area 1A) is only 60 percent of the reported landings that occurred in 1996 and 1997. Some fishermen believe that harvesting capacity in this area should be restricted to avoid problems that result from excess fishing capacity. One of these problems is a race to fish, or derby-style fishing, as increasing numbers of vessels try to catch their share of the TAC before the others. Besides being inefficient, the available TAC in Management Area 1A will likely be taken before the fishing year is over, disrupting the supply of herring to the various markets. In an uncontrolled system, as more vessels enter the fishery, more fishermen will fish for shorter and shorter periods of time in this area.

Recent Atlantic herring catches have not approached the proposed TACs in the other management areas. One objective of both the Commission's Amendment 1 and the Council's FMP is to distribute fishing effort to all management areas. Catches in Management Area 2, (Southern New England/Mid-Atlantic Region) have been relatively stable over recent years, while catches in Management Area 3 (Georges Bank) increased rapidly to 40 percent of the proposed TAC from 1997 to 1998. Both of these areas could absorb more fishing effort.

The Commission (through its Atlantic Herring Section) and Council are considering a wide range of options from continuing an open access fishery in all management areas to developing one of a variety of controlled access systems in one or more of the management areas. In a related action, the National Marine Fisheries Service, at the request of the Council and the concurrence of the Commission's Herring Section, established a September 16, 1999 control date for the Atlantic herring

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# New England & Mid-Atlantic Councils Recommend Management Measures for the 2000/2001 Spiny Dogfish Fishery

The following article has been reprinted with permission from the Winter 1999-2000 issue of *Mid-Atlantic Perspectives*, the newsletter of the Mid-Atlantic Fishery Management Council.

Fishermen have been landing spiny dogfish off the Northeastern coast of the United States since at least the 1800's. Due to low market demand, however, the species was lightly exploited during the late 19<sup>th</sup> and most of the 20<sup>th</sup> century. In recent years, with the decline of the more traditional resources such as groundfish and flatfish, there has been an increase in demand for dogfish. On the East Coast, the commercial fishery expanded dramatically from roughly 10 million pounds in 1989 to over 60 million pounds in 1996.

The lack of regulations pertaining to the harvest of spiny dogfish in the exclusive economic zone (EEZ), combined with the recent rapid expansion of the domestic fishery, led the Mid-Atlantic and New England Fishery Management Councils (Councils) to develop a joint fishery management plan (FMP) for the species. In addition, recent stock assessment analyses indicate the spiny dogfish stock is overfished. Councils are required under the Magnuson-Stevens Act to take remedial action on stocks designated as overfished which includes establishing targets and thresholds for stock size and fishing mortality rates.

In the spring of 1999, the Councils submitted the Spiny Dogfish FMP to the National Marine Fisheries Service (NMFS). On September 29, 1999, the plan was partially approved by the Northeast Regional Administrator. Although the biomass rebuilding target of 180,000 metric tons (mt) was disapproved, the following management measures were approved: an annual commercial quota based on a fishing mortality rate or  $F=0.20$  for the first year (remaining six months) of the rebuilding program and  $F=0.03$  for the remaining years of the rebuilding program; semiannual allocation of the quota; prohibition on finning; a framework adjustment process; establishment of a Monitoring Committee; and other permitting and reporting requirements. In addition, the approved measures include a provision for an annual FMP review process for establishing the quota and other management measures for the upcoming fishing year.

NMFS intention was to begin implementing the measures for the second half of year one of the management program (November 1, 1999 through April 30, 2000), however, the final rule is still pending. Although the final rule has not been published and no regulations are currently in effect for spiny dogfish, the FMP requires that the Councils annually review and recommend management measures that will insure the target fishing mortality rate is not exceeded.

In year one (May 1999 through April 2000), an exit fishery of 22 million pounds (10,000 mt) is slated to achieve a fishing mortality rate equal to 20 percent. The first year management measures will also in-

## Spiny Dogfish Update

Since initial publication of the accompanying article, the National Marine Fisheries Service has published the final rule implementing the Spiny Dogfish Fishery Management Plan (FMP). Specifically, the final rule will implement the following measures contained in the FMP:

- an annual commercial quota;
- a seasonal (semiannual) allocation of the commercial quota;
- a prohibition on "finning";
- new permit and reporting requirements for commercial vessels, operators, and dealers;
- a framework adjustment process;
- an annual review of the FMP; and
- the establishment of a Spiny Dogfish Monitoring Committee.

To obtain a copy of the Spiny Dogfish FMP, please contact Richard Seagraves, MAFMC Management Specialist, at (302)674-2331, ext. 14.

From the Commission's perspective, the Spiny Dogfish and Coastal Shark Management Board will be meeting on February 8, 2000. At this meeting, the Board will discuss interim management measures that the states can take to complement federal actions in the exclusive economic zone, while a Commission Spiny Dogfish Plan is developed. The Board will also consider interim measures that the states could implement to complement the Federal Highly Migratory Species FMP.

For more information, please contact Dr. Joseph Desfosse, Fisheries Management Plan Coordinator, at (202)289-6400, ext. 329.

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# New England & Mid-Atlantic Councils Recommend Management Measures for the 2000/2001 Spiny Dogfish Fishery (continued from page 5)

clude a semiannual allocation of 42.9 percent of the exit fishery to the second quota period (November 1999 - April 2000), or 9.45 million pounds.

The target fishing mortality rate in year two (May 2000 through April 2001) and subsequent rebuilding years is  $F=0.03$ . Annual management measures will include a commercial quota that can range from zero to the maximum allowed providing  $F$  does not exceed 0.03. In addition to the commercial quota, the Councils may also recommend minimum or maximum fish sizes, seasons, mesh size restrictions, trip limits and other gear restrictions on an annual basis.

During the New England Council meeting in November and the Mid-Atlantic Council meeting in December, both Councils approved management measures for the fishing year May 1, 2000 through April 30, 2001 (year 2 of the management program). The New England Council voted to accept another exit year fishery of 22 million pounds in 2000-2001. Trip limits of 7,000 pounds in quota period one (May-October) and up to 7,000 pounds in quota period two (November-April) were also approved. In contrast, the Mid-Atlantic Council approved a 2.9 million quota in 2000-2001 and a trip limit of 300 pounds for both quota periods. Both sets of recommendations from the Councils for 2000-2001 will be submitted to NMFS in the annual specifications. The Northeast Regional Administrator may choose from any of the measures not rejected by both Councils.

The action taken by the New England Council would allow the directed fishery to operate for another year, while the Mid-Atlantic Council recommendations for management measures for 2000-2001 would implement the FMP as approved by NMFS. The Mid-Atlantic Councils rationale for these recommendations was as follows:

- the total allowable catch (TAC) associated with an  $F=0.03$  in year two (as specified in the FMP) is 2.9 million pounds;
- a 300 pound trip limit was expected to produce, on average, the level of landings specified in the FMP during the rebuilding period (about 3 million pounds) to achieve an  $F=0.03$ ;

- the intent of the FMP was to close the directed fishery for adult female spiny dogfish after year one and allow for the landing of incidental bycatch of spiny dogfish only during the rebuilding period; and
- to prevent a derby fishery and allow for a more equitable distribution of landings in time and space.

The Councils also took action on the disapproved 180,000 mt adult female biomass rebuilding target. Both Councils voted to direct the Joint Dogfish Committee to begin to develop alternatives to the disapproved biomass rebuilding target. However, the New England Council voted to not support the rebuilding target of 200,000 mt which was recommended by the Council's Science and Statistical Committees as the biomass associated with maximum sustainable yield (MSY). The Mid-Atlantic Council, on the other hand, voted in favor of 200,000 mt rebuilding target. This issue will be resolved during the development of Amendment 1 to the Spiny Dogfish FMP during 2000.

## States Agree to Reduce Scup Trip Limit to 1,000 Pounds on February 6, 2000

The scup fishery is currently managed through a commercial quota and a recreational harvest limit. The commercial quota is divided into three quota periods, Winter I (January - April), Summer (May - October), and Winter II (November - December). The Winter I quota period is restrained by a 10,000 pound trip limit until 85 percent of the quota is landed, at which time the trip limit will be reduced to 1,000 pounds.

The scup quota for the Winter I period is 1,082,000 pounds which may be landed in the states from Massachusetts through North Carolina. As of January 22, 2000 the states had landed 542,448 pounds or 54.8 percent of the quota. This equates to a rate of 26,930 pounds per day. Based on this rate of landings, the Commission is projecting that 85 percent of the quota will be landed by February 5, 2000, therefore the states will be decreasing the trip limit to 1,000 pounds on February 6, 2000.

The Commission will continue to track the Winter I scup quota and notify the states when 100 percent of the quota is projected to be landed. Upon notification the commercial scup fishery will be closed coastwide until the next quota period begins on May 1, 2000. For more information, please contact: Robert Beal, Fisheries Management Plan Coordinator, at (202) 289-6400, ext. 318.



# ISFMP Policy Board to Consider Fishing Gear Impacts to Submerged Aquatic Vegetation

The Commission's interest in submerged aquatic vegetation (SAV) stems from the important role this habitat plays in critical life history stages of many Commission-managed species. Of the 24 species managed by the Commission, over half of them derive benefits from association with SAV (Laney 1997). To enhance protection of SAV, the Commission adopted an SAV Policy in 1997 with the goal of preserving SAV, and ultimately achieving a net gain in SAV distribution and abundance. The SAV Policy directs the Commission to develop technical guidelines and standards to objectively determine fishing gear impacts to SAV, and develop standard mitigation strategies.

The Commission appointed a work group to draft these guidelines and strategies. Commission staff, with assistance from the work group and additional technical experts, prepared this report, which was approved by the Commission's Management and Science Committee and Habitat Committee on November 2, 1999. The Interstate Fisheries Management Program (ISFMP) Policy Board will review this report at its February 9 meeting in Alexandria, Virginia. The rest of this article reviews the contents of the report.

As defined in the Commission's SAV policy (ASMFC 1997), SAV are "rooted, vascular, flowering plants (angiosperms) that, except for some flowering structures, live and grow below the water surface." This includes six species of marine seagrasses, as well as 20-30 species of freshwater macrophytes (brackish species) found in tidal freshwater and low salinity areas of all Atlantic coast states, with the exception of Georgia and South Carolina, where tidal amplitude and turbidity combine to inhibit their growth. Based on this definition, algae are not considered SAV. This report is limited in scope to tidal, estuarine, and marine ecosystems

The initial step of determining exactly what constitutes SAV in terms of spatial and temporal distribution — in other words, determining the boundaries of SAV habitat — is critical. The Commission's SAV policy supports the use of the national mapping protocol (Dobson et al. 1995). Patchy areas have been found to provide similar ecological functions as continuous cover SAV habitat, and evidence suggests that at least twice the amount of vegetated area is needed to maintain a patch of marine SAV. Defining SAV habitat boundaries in patchy cover presents a difficulty that is addressed in the report. The status of SAV mapping is reviewed for each state. Mapping is incomplete for New Hampshire, Rhode Island, New York, and North Carolina. Mapping was completed prior to 1990 in New Jersey.

Certain specific characteristics of SAV are reviewed in the document, since these characteristics may influence SAV sus-

ceptibility to damage or loss from fishing gear impacts. The importance of these features vary among species and geographic location. The characteristics of concern include light requirement, asexual reproductive structures (also called growing tips or meristems), reproductive structures (flowers and seeds), and ability to recover from disturbance or injury. An additional factor that can affect SAV susceptibility to physical damage is the substrate type in which the SAV is found.

Injuries that could result from fishing gear are categorized as physical disturbance to plants or increases in turbidity. Physical disturbances are of greatest concern, and are classified as leaf shearing, seed or flower shearing, uprooting, below ground impacts, or burial. Below ground impacts are identified as the disturbance of greatest concern since serious damage to roots, rhizomes and meristems can result. Cumulative impacts are also identified as a concern.

Sources of impact are identified as attributable directly to fishing gears, or as the result of fishery related shoreside activities or aquaculture. Fishing gear used in state estuarine waters and SAV are identified and described, including their potential impacts to SAV. Gears or fishing practices that could cause below ground impacts were identified as clam kicking, hydraulic clam dredging, bay scallop dredging (toothless, on soft bottom), bay scallop/oyster/mussel/etc. dredges (toothed), hand or vessel operated rakes or tongs, and trawls (depending upon size and bottom type).

Impacts that result in loss of SAV habitat are considered to be "impacts of significant concern" based on the goals of the Commission's SAV Policy. Below-ground impacts clearly cross the threshold of impact of significant concern. In addition, many above ground impacts will result in death for the marine species *Halophila*. Determination of impact significance for above-ground impacts to other species is extremely difficult to impossible with the data currently available. Factors to consider are outlined in the report.

Mitigation strategies are identified as avoidance, minimization, restoration and creation. Only the first two strategies are considered viable for SAV because of the status of research and poor success for SAV habitat restoration and creation. Year round closures to all gear and gear prohibitions are identified as options for avoiding impacts to SAV. Options for impact minimization include partial area closures and gear format restrictions or modifications. Current gear regulations for each state that may result in reduction of impacts to SAV habitat are identified.

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## ISFMP Policy Board to Consider Fishing Gear Impacts to Submerged Aquatic Vegetation (continued from page 7)

The final report section describes guidelines for applying the mitigation strategies identified, based on the postulates and conclusions that were derived in earlier sections. A decision tree graphically depicts guidance for applying mitigation strategies, as described below.

Significant impacts have been shown to result unequivocally from below-ground impacts to most SAV species, and above-ground disturbance for *Halophila* spp. Fishing gear that result in below-ground disturbances are identified in Table 5. This type of impact should be avoided at most, if not all costs, and mitigation activities listed under the "avoidance" strategy should be applied. Disturbance to sexual reproduction is the impact of next greatest concern. Impacts that interfere with flowering or seed setting can affect the amount of SAV present in the upcoming year. In most cases, partial area closures should be used to offset any seasonal impacts of concern. More risk-averse actions, such as full area closures, may also be used.

Impacts which do not fit into the three categories of impacts described above must be evaluated for degree of impact. As stated earlier in the report, the degree of impact determination is subjective since so little scientific research has occurred in this discipline. Factors which should be considered in this evaluation are described in the section of the report entitled "*Determining the Significance or Degree of Impact.*" If the degree of impact to SAV is considered to be high, then minimization strategies should be employed. If the degree of impact is low, then other environmental stresses should be taken into account when evaluating the need for mitigation. If there is little additional stress, then no action is required.

The ISFMP Policy Board will be reviewing the report at its February 9 meeting in Alexandria, Virginia. Prior to the ISFMP Policy Board meeting, the Habitat Committee will discuss options for implementing the report. For more information, please contact Robin Peuser at (703)998-8090 or robin.peuser@home.com.

## ASMFC Habitat & FMPs Committee Activities Update

The Commission's Habitat & Fishery Management Plans (FMPs) Committee will meet in conjunction with the Fifth Marine and Estuarine Shallow Water Science and Management Conference scheduled for March 12-16, 2000, in Atlantic City, New Jersey. The Committee is organizing a panel of speakers for the conference for *Session IX: Improving Fish Habitat*. The presentations represent success stories for fisheries habitat management. Additional information on the conference is available at [www.epa.gov/region/shallow\\_water](http://www.epa.gov/region/shallow_water).

The Habitat & FMPs Committee was formed to provide for the development of habitat sections in FMPs and source documents which are useful to the habitat manager. The Committee is under the purview of the Habitat Committee, and includes habitat managers from the Habitat Committee, as well as other state and federal habitat managers. Tasks of the Habitat & FMPs Committee include: resolving issues related to incorporation of habitat information into Commission FMPs, including periodically reviewing and updating "Guidance for the Development of ASMFC Fisheries Management Plan Habitat Sections and Source Documents"; identifying Plan Development Team members to author habitat sections; reviewing habitat sections; overseeing the Habitat Managers Database; and periodically reviewing the Committee's role. For 2000, issues include: development of one or more FMP and source document habitat sections; cooperative (with ISFMP) development of guidelines for identifying horseshoe crab spawning and juvenile habitat; and establishment of a mapping protocol for FMP habitat sections.

For more information about the Habitat & FMPs Committee meeting, please contact Robin Peuser at (703)998-8090 or robin.peuser@home.com. For more information about the Conference, please contact Ralph Spagnolo, Conference Coordinator, at (215)814-2718 or spagnolo.ralph@epa.gov.





## ACCSP Meetings Schedule

The following provides a brief overview of upcoming meetings of the Atlantic Coastal Cooperative Statistics Program (ACCSP) and the topics which will be discussed at the meetings:

- February 3**      **Rhode Island Implementation Meeting (Warwick, RI).** Rhode Island personnel will be given a “jump start” on their upcoming commercial trip ticket implementation, and will hear how the states of North Carolina and Georgia started their commercial trip reporting systems. Data management and field activities will be discussed also.
- February 8**      **ACCSP Coordinating Council (Alexandria, VA).** During the Commission’s Meeting Week, the Council will hear the Operations Committee recommendation for the ACCSP data management host site, approve the 2001 Operations Plan, approve the protocols for uploading of partner data sets into the ACCSP data management system, and receive an update on the Partner Press Workshop (see this a few lines down!).
- February 14 - 17**      **Biological Review Panel and Discard Prioritization Committee Meeting (BWI Embassy Suites, Linthicum, MD).** These meetings are back-to-back, with the biological session occurring first. Desired outcomes for these meetings will be a thorough examination of existing protocols and recommendations on ACCSP protocols. Processes to set target species and sampling levels will be discussed as well.
- February 18**      **ACCSP Partner Press Workshop (St. Petersburg, FL).** The Outreach Committee has spent a great deal of time to assemble the outreach and information/education representatives from each of the 23 partner agencies to participate in the workshop. The goal of the workshop is to educate and inform partner outreach personnel about the program, and garner their support in the promotion of the program.
- March 1& 2**      **ACCSP Computer Technical Committee (St. Petersburg, FL).** The Committee will discuss the status of the data management system and begin to draft standard operating procedures, in anticipation of the ‘go-live’ mode (set for fourth quarter 2000).

For more information, please contact either Joe Moran, ACCSP Program Manager, or Heidi Timer, ACCSP Administrative Assistant, at (202)289-6400, or by email at [jmoran@asmfc.org](mailto:jmoran@asmfc.org) or [htimer@asmfc.org](mailto:htimer@asmfc.org), respectively.

## Federal Aid Legislation Pending

Don Young (R-AK) Chairman of the House Natural Resources Committee is expected to introduce legislation this week (February 1, 2000) to “fix” problems with administration of the Federal Aid in Sport Fish and Wildlife Programs by the U.S. Fish and Wildlife Service (USFWS). The problems stem from what the General Accounting Office (GAO) has termed conditions that “have spawned a culture of permissive spending.” (See last month’s issue of *Fisheries Focus* for a detailed analysis of this issue.) Staffs of the Resources Committee have been working with program partners in drafting legislation to address Chairman Young’s concerns. Such partners include the legislated partners of the USFWS and the states, both individually and through representative organizations of the International Association of Fish and Wildlife Agencies (IAFWA) and the Atlantic, Gulf and Pacific States Marine Fisheries Commissions. Chairman Young’s staffs also have been diligent in working with non-governmental organizations representing the hunting, fishing and boating constituents of these programs. Draft legislation has not been available for review, however, broad programmatic changes are not anticipated. Instead, staff has been focusing on only that portion of the current laws dealing with funding allowances for program administration. The main interest has been to clarify what are and what are not allowable expenses for administration.

The Sport Fish and Wildlife Restoration programs currently are allowed a deduction of six and eight percent, respectively, for funding “administration and execution of necessary investigations” at the discretion of the Secretary of the Interior. The allowable deductions also have funded a number of other activities in addition to program administration. For example, both programs have provided funding for the five-year survey for National Hunting, Fishing and Associated Recreation, the Management Assistance Team

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## ASMFC & NEFMC to Hold Scoping Hearings on Proposed Atlantic Herring Limited Entry Program (continued from page 4)

fishery in federal waters. As a result of this action, participants who entered this fishery on or after this date may be treated differently than those with a history in the fishery prior to the control date.

More specific information and details on these issues can be found in the scoping document available from either the Council or Commission. A copy of the document can also be obtained from the Commission's webpage at [www.asafc.org](http://www.asafc.org) under Public Input. The public comment period for the scoping document extends until March 4, 2000. Comments should be forward to either:

Dr. Joseph Desfosse  
Atlantic Herring Fishery Management Plan Coordinator  
1444 Eye Street, NW, Sixth Floor  
Washington, DC 20005  
Phone: (202) 289-6400 FAX: (202) 289-6051

OR

Paul J. Howard, Executive Director  
New England Fishery Management Council  
50 Water Street, Mill 2  
Newburyport, MA 01950  
Phone: (978) 465-0492 FAX: (978) 465-3116

For more information, please contact Dr. Joseph Desfosse, ASMFC Atlantic Herring FMP Coordinator, at (202) 289-6400, or Tom Nies, NEFMC Fisheries Analyst, at (978) 465-0492.

## ASMFC Comings & Goings

**Phil Coates** -- For over two decades, ever since he became Director of the Massachusetts Division of Marine Fisheries, Phil has been an active member of the Commission. And, over that time, his participation has been characterized as no less than outstanding. Under Phil's direction and guidance as Chair of the Striped Bass Management Board from 1980 to 1995, striped bass stocks that were once seriously depleted have become fully restored, representing one of the greatest success stories in fisheries management. Phil brought the same steadfast dedication and clear dedication to his other Commission chairmanships, which included serving as Commission Chair from 1991 to 1993, and Chair to the Weak-

fish Management Board from 1996 to 1998. Probably what will be missed most about Phil, however, is the humor and clarity he brought to the most difficult and stressful situations. We wish Phil the very best of times in his retirement, for it was well earned, and hope that he does not become too much of a stranger.

**Paul Diodati** -- In late January, Paul was appointed the new Director of the Massachusetts Division of Marine Fisheries, and, as such, he also becomes Massachusetts' new Administrative Commissioner to the Commission. Paul, however, is certainly not new to the Commission nor the Commonwealth of Massachusetts. From the Commission's perspective Paul has been an active participant since the early 80s, serving as the Massachusetts' member on Technical Committees for Striped Bass and Northern Shrimp, as well as the Artificial Reef Committee. From the Commonwealth's perspective, Paul has been with the Division of Marine Fisheries since 1981, where he began as senior fisheries biologist. In 1995, Paul became the Sport Fish Program Director, leading the state's efforts to maintain and enhance its anadromous fishery resources and overseeing surveys and research projects needed for fisheries management. Paul also led the Commonwealth's evaluation of potential impacts on marine resources and habitat from industrial and residential development, oil or toxic waste spills, and other factors. We welcome Paul as Massachusetts newest Commissioner to the ASMFC, and look forward to working with him for the betterment of Atlantic coastal fishery resources.

**Dianne Stephan** -- After nine years of working for the Commission in various capacities, from Striped Bass and SEAMAP Coordinator to Habitat Coordinator, Dianne will be leaving to continue her habitat work with the National Marine Fisheries Service. As the Commission's first Striped Bass Coordinator, Dianne assisted the Management Board with the implementation of relaxed fisheries under Amendment 4, and even helped coin the phrase "addendum." In 1993, Dianne took the position of Habitat Coordinator, while also maintaining the role as SEAMAP Coordinator. Her position as Habitat Coordinator became full-time in 1995, when the Commission recognized that habitat issues along the Atlantic coast were not receiving the full attention that they deserved. As Habitat Coordinator, Dianne authored, coauthored or edited seven official publications of the Commission, including all five documents, comprising the ASMFC Habitat Management Series. Her greatest accomplishment was helping to establish the foundation of the Commission's Habitat Program. However, Dianne would add that, "Most importantly, I have benefited from relationships with colleagues and friends - relationships I plan to continue in my new position with NMFS." We wish Dianne the very best, and like her, we look forward to continuing to work with her on important habitat issues along the Atlantic coast.

## ASMFC Participates in Groundhog Job Shadow Day

On February 2, 2000, the Atlantic States Marine Fisheries Commission celebrated Groundhog Job Shadow Day, a day dedicated to giving young people across America job shadow experiences. Job shadowing enables high schoolers to shadow a workplace mentor as he or she goes through a normal day on the job, providing an up-close look at how the skills learned in school are put into action in the workplace. The program, sponsored by the American Society of Association Executives, America's Promise, Junior Achievement and the National School-to-Work Opportunities Office, had a goal of providing one million students across America with a chance to job shadow.



*From left: John H. Dunnigan (ASMFC Executive Director), Andriec King (student), Lisa Bethea (ASMFC Personnel & Benefits Administrator), Keith Aughtry (student), Darryll Givens (student), and Dr. Lisa Kline (ASMFC Director of Research & Statistics).*

The Commission staff spent four hours with three young students from Eastern High School in Washington, D.C. After an orientation session at which John H. Dunnigan explained what the Commission does, our students -- Keith Aughtry, Darryll Givens and Andriec King -- spent time with various staff members learning about what they do to contribute to the success of the Commission. Our students were bright, personable and inquisitive; they were interested in the work world and they asked many questions about college life! The four hours that Keith, Darryll and Andriec spent with us went very quickly, and it was as enjoyable for the Commission staff as it was for the students.

The timing of Groundhog Job Shadow Day was not convenient for the Commission staff, with February meeting week starting in a few days, but the overall consensus was that the

time helping to prepare the future workforce and demonstrating a tangible commitment to supporting the community was well-spent. The staff concluded that the opportunity to mentor a student is a worthwhile endeavor, and encourages everyone to take the time to invest in the future of our young people.

Please feel free to contact Laura C. Leach or Lisa Bethea (202/289-6400) to better understand what was involved in making the Commission's first Groundhog Job Shadow Day a success. If you or your organization would like to volunteer to be a shadow caster for Groundhog Job Shadow Day 2001, go to the website at [www.jobshadow.org](http://www.jobshadow.org) or call (800)633-7456.



*Clockwise from left: Keith Aughtry (student), Dr. Joseph Desfosse (ASMFC Fisheries Management Plan Coordinator), and John H. Dunnigan (ASMFC Executive Director).*

## Federal Aid Legislation Pending (continued from page 9)

(MAT), and the National Reference Service. The Federal Aid in Sport Fish Restoration Act also provides for support for an outreach and communications program and for aiding in the formulation, adaptation, or administration of any compact between two or more states for conservation and management of migratory fishes in marine and fresh waters. Although not mentioned specifically in the legislation for either program, administrative allowances also have funded a national administrative grants program for a number of years. This program has been conducted in partnership between the USFWS and the states as represented by the IAFWA.

However, USFWS Director terminated the program in 1998 due to added expense and difficulty in administering such a program in addition to the legislated responsibilities of the bigger state/federal program. The International has made clear its desire to have this program continued and clarified within the Chairman's proposed legislation. There has yet been a consensus reached among program partners on the question of who would administer such a program and how it would be administered.

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

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*Return Service Requested*