

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

**February 22, 2006
Doubletree Hotel
Arlington, Virginia**

ATTENDANCE

Board Members

George Lapointe, Maine DMR	Bob Sodzinski, proxy for Howard King (MD)
Dennis Damon, Maine	Bruno Vasta, Maryland
G. Ritchie White, New Hampshire	Eugene Kray, Chair , PA
John Nelson, New Hampshire FGD	Jack Travelstead, Virginia MRC
Peter Whelan, proxy for Dennis Abbott, NH	Kelly Place, proxy for Sen. Chichester (VA)
Paul Diodati, Massachusetts DMF	Cathy Davenport, Virginia
William Adler, Massachusetts	Preston Pate, North Carolina DMF
Vito Calomo, proxy for A. Verga (MA)	Jimmy Johnson, proxy for William Wainwright (NC)
Eric Smith, Connecticut DEP	Mel Bell, South Carolina DNR
Lance Stewart, Connecticut	Robert Boyles, South Carolina
Pat Augustine, New York Gov. Apptee.	Malcolm Rhodes, South Carolina
Tom McCloy, New Jersey DFG&W	John Duren, Georgia
Erling Berg, New Jersey	Gil McRae, Florida FWC
Leroy Young, Pennsylvania FBC	April Price, Florida
Frank Cozzo, proxy for Rep. Schroeder (PA)	Steve Meyers, NMFS
Roy Miller, Delaware DFW	Wilson Laney, USFWS
Bernard Pankowski, Delaware	

Ex-Officio Members

ASMFC Staff

Lydia Munger	Vince O'Shea
Bob Beal	Julie Nygard

Technical Committee Representatives

Mike Hendricks, TC Chair, PA FBC
Pete Himchak, Shorebirds Technical Committee Liason, NJ DFW

Guests

Bennie Williams
Maddy Sigrist
Howard Townsend
Derek Orner

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

TABLE OF CONTENTS

WELCOME & INTRODUCTIONS.....	3
BOARD CONSENT.....	3
PUBLIC COMMENT.....	3
TECHNICAL COMMITTEE REPORT.....	3
ANNUAL REPORTS.....	4
ADVISORY PANEL NOMINATIONS.....	12
ELECTION OF VICE CHAIR.....	13
OTHER BUSINESS/ADJOURN	14

MOTIONS

DR. NELSON: Thank you, Mr. Chairman. I think we need to approve de minimis status requests for New Hampshire, Maine and Massachusetts and so I would so move for '06 that they be granted de minimis status.	8
DR. NELSON: Yes, it's the commercial de minimis status for New Hampshire, Maine and Massachusetts. <i>Motion by George Lapointe. Second by Bill Alder.</i>	8
MR. LEROY YOUNG: Yes, Mr. Chairman, I'd like to nominate Mike Burton for the Shad and River Herring Advisory Panel. Mike is an avid recreational angler, both inland as well as marine. He is very familiar with our agency.....	12
DR. NELSON: Thank you, Mr. Chairman. I would like to nominate Paul Diodati as the vice chair.....	13

ATLANTIC STATES MARINE

FISHERIES COMMISSION

WINTER MEETING

SHAD AND RIVER HERRING

MANAGEMENT BOARD

**DoubleTree Hotel Crystal City
Arlington, Virginia
February 22, 2006**

- - -

The meeting of the Shad and River Herring Management Board of the Atlantic States Marine Fisheries Commission convened in the Washington Ballroom of the DoubleTree Hotel Crystal City, Arlington, Virginia, on Wednesday, February 22, 2006, and the meeting was called to order at 5:45 o'clock, p.m., by Eugene Kray.

WELCOME & INTRODUCTIONS

CHAIRMAN EUGENE KRAY: Welcome to the Shad and River Herring Management Board meeting. You have the agenda in front of you. Are there, it looks like there are about at least four action items. Any changes, additions to the agenda? Okay, **the agenda stands as written.**

BOARD CONSENT

The proceedings of the November 2, 2005, board meeting, you've received those in your, in the CD. I'll entertain a motion. Any objections on acceptance of the minutes? All right, the **minutes are accepted.**

PUBLIC COMMENT

There will be one addition to the agenda and that will be an update on the stock assessment. Is there any public comment at this time for the Shad and River Herring Management Board? Seeing none, we move on. Technical committee report, Mike Hendricks. Go ahead, Mike.

TECHNICAL COMMITTEE REPORT

DR. MICHAEL HENDRICKS: Thank you, Mr. Chairman. Okay, the technical committee was asked or tasked by the management board to meet and discuss the VMRC bycatch proposal for 2006. We met by conference call on the 17th of February. That was last Friday.

Bear with us for a moment. That's the wrong presentation. All right. Thank you. Some regulations highlights. These are regulations I believe already approved by VMRC and our thanks to Rob O'Reilly of VMRC for supplying us with this information.

Fishers must apply for a VMRC American shad bycatch permit. The possession limit is ten. An equal number of spot, croaker, bluefish, catfish, striped bass or white perch must be landed. It applies to anchored and staked gillnets only. It applies to the James, York, and Rappahannock Rivers above the first bridge.

Reporting is required once weekly via the commission's interactive voice response system including name, registration number, number of fishing trips taken, water body fished, number of nets set, number of American shad caught and number retained. And the additional mandatory monthly

reporting remains in effect. These are just the highlights that I highlighted. There are some other requirements as well.

This is a sample of the VIMS questionnaire to be answered by fishermen before receiving their bycatch permits. And I'll let you read that. It includes name and address, where they intend to fish, what their nets are going to be like, time period.

Again supplied by VMRC this is the mandatory weekly report for the American shad bycatch permit. I don't know if you folks can see that in the back. I see shaking heads no. It includes date reported, number of trips taken, number of nets set, water body fished, number of shad caught and number of shad retained.

And then the lower half of the slide, monthly mandatory reporting data requested for commercial fishermen. Again this is by VMRC. It includes the year fished, the months fished, the day fished, the hours fished, gear, gear length, species, pounds, water and port.

This is a map provided by VMRC. The fishery would occur in the James, York River system and the Rappahannock. And the white areas are the areas where the fishery would be permitted.

VIMS is going to monitor the bycatch. They're going to do it with two or three fishers on each river. VIMS will buy their entire catch one to two times per week, including American shad over and above the ten fish bycatch limit so they get a complete census of what is actually harvested and what is caught over and above what is permitted to be harvested.

Biological data will be collected on all fish including otolith tag analysis to determine

hatchery contribution. Catch harvest and effort data will be collected by VMRC by their reporting requirements. And VIMS and VMRC will provide the data to the technical committee at the fall 2006 meeting.

As I said, VIMS and VMRC will report the catch, harvest and biological data to the technical committee at our fall 2006 meeting. With that in mind our action was to decide to re-evaluate the VMRC proposal for 2007 at that time.

It didn't make much sense for us to evaluate the bycatch proposal now based on old data when we could wait seven or eight months and evaluate it based on what actually happened in 2006.

And one final note about the process, many of the technical committee members expressed concern that the technical committee was bypassed in the handling of this issue in that the technical committee had no opportunity to consider the VMRC request, at least the current version of it, prior to board approval. And that's all I have, Mr. Chairman.

CHAIRMAN KRAY: Are there any questions of Mike on the VMRC bycatch proposal? Seeing none we'll move on. Mike, river herring.

ANNUAL REPORTS

DR. HENDRICKS: Okay, the board tasked the technical committee to review the status of river herring stocks at our fall meeting in 2005 and come up with any recommendations that could be immediately implemented with regard to river herring stocks.

We asked each state to provide us a report on what the current regulations were for that

state and what they could determine about the status of the stocks. And let me just summarize. In general the spawning stocks appear to be declining coast-wide. In a few rivers such as the Androscoggin River in Maine adults appear to be increasing in abundance.

In terms of recruitment, recruitment failure is occurring in North Carolina and Virginia. In Maine, New York, New Jersey, Maryland and the Potomac River young of the year indices have varied widely but no consistent downward trend is discernible.

We do have a single recent updated stock assessment for the Albemarle Sound herring management area and that stock assessment determined that mortality rates have increased. It is characterized by decreased recruitment, reduced spawning stock biomass, a decline in the number of year classes in the harvest, a decline in the percentage of repeat spawners, and a decline in mean length at age.

Stocks of river herring and American shad appear to be declining while stocks of hickory shad appear to be expanding. Migrations of hickory shad appear to keep them closer to shore than other alosines.

There have been several anecdotal reports of American shad and river herring observed in markets for sale as bait. With these issues in mind it suggests that bycatch in offshore fisheries may be impacting river herring and American shad stocks.

Actions. The technical committee will take steps to gather and analyze data already collected by NOAA. The technical committee requests that the management board intercede with NOAA and/or the appropriate fishery management council to prioritize alosines for bycatch monitoring,

either in the onboard observer program or some other shore-based program.

The TC also noted reports of water quality problems reducing out migration of river herring in New Hampshire and recommends that fishery management agencies work closely with water quality agencies to ensure that habitat is supportive of all life stages of alosines.

The technical committee also recommends that states with shared boundary waters work closely with one another to standardize regulations. Here is the punch line. It's the consensus of the technical committee that until a river herring stock assessment is completed there is not enough data to recommend specific actions by states such as fishery closures or quotas.

The technical committee does support ongoing independent actions by the states to regulate fisheries within their jurisdictions. And that concludes the technical committee report.

CHAIRMAN KRAY: Are there any questions of Mike on the river herring? John.

DR. JOHN I. NELSON, JR.: Not a questions, Mr. Chairman, just a comment. The water quality issues that we found were, we have unfortunately dams on all of our coastal rivers and what we found on a number of them in the summer with low flow is that the DO levels are becoming very, very low and therefore were much lower than what the young river herring or shad, for that matter, could survive in for out migration.

So those are things that we've been looking at and we're trying to adjust the flowage from one dam to another and try to maintain

some flowage through those areas rather than just having stagnant waters.

CHAIRMAN KRAY: Any other comments or questions of Mike? Okay, we'll move on. The annual reports, Lydia.

MS. LYDIA MUNGER: Thank you, Mr. Chairman. Staff is currently passing around copies of both the 2005 PRT report on state compliance as well as the 2005 review of the fishery management plan. For the board's benefit I'll walk through a brief presentation detailing the content of these documents.

The 2005 FMP review covers a number of topics and I'll just run through those briefly for the board. Status of the stocks, the FMP review points out that the board is awaiting the results of the American shad stock assessment.

For status of the fisheries the FMP review lists commercial and recreational landings and a characterization of landings for all four species coast-wide. Stocking information and fish passage counts are listed under status of research and monitoring.

And the status of management measures notes that there has been no change to management of the shad and river herring in the past year. The prioritized research needs were prioritized as they are every year by the technical committee.

And then the last section of the FMP review is implementation of compliance requirements and PRT recommendations and I'm going to save this part for last as I go through the PRT report as well.

In the, and I apologize, this should say 2005 review of state compliance, the PRT recommendations actually haven't changed

that much from the previous year. There was a recommendation regarding the Potomac River spawning stock survey.

The technical committee recommends an inter-jurisdictional effort, noting that the District of Columbia alone is not obtaining adequate samples to complete the Potomac River spawning stock survey and requests, the technical committee requests that the monitoring requirement be reassigned to an inter-jurisdictional group.

This has not yet been addressed because the thought was that it would be addressed under an addendum or an amendment which would only be undertaken after the stock assessment is complete.

CHAIRMAN KRAY: Questions of Lydia. You're not done yet, okay.

MS. MUNGER: Also under the 2005 review of state compliance the plan review team recommendations regarding ocean bycatch, now that the ocean fishery has been phased out as of January 1, 2005, bycatch from the ocean fishery, from other ocean fisheries is a potentially significant source of mortality.

The current bycatch definition is that the state must document that landings did not, that landings of American shad did not exceed 5 percent in pounds per trip and the state must document this and also must sub-sample bycatch unless the state is de minimis for the commercial sector.

And with that ocean bycatch definition again the plan review team recommends re-evaluation of that definition the next time a change in management action is undertaken.

And also under the review of state compliance three states have requested and

qualified for de minimis status for the 2006 fishing year and those states are: New Hampshire, Maine and Massachusetts. They all qualify for and request de minimis status based on the commercial sector of their fisheries.

And then the final issue under the review of state compliance has to do with the state of New York. The plan review team points out that a portion of the trips reporting ocean fishery landings in 2004 exceed the 5 percent bycatch definition that I mentioned a moment ago so 5 percent in pounds per trip. And also the PRT points out that New York did not sub-sample ocean bycatch in 2004.

The plan review team also points out under this issue that the technical committee does plan to review the bycatch definition and may make recommendations to the board for modification in the future.

Also, the plan review team notes that New York experienced delays in bycatch sub-sampling primarily due to fiscal concerns within New York. And the last point that the PRT makes under this issue is that the resolution of data reported in the other state reports didn't allow a similar review of the magnitude of ocean bycatch in other states.

So, in other words, New York is actually reporting more information than all the other states with regard to the bycatch component of the fishery. That concludes the presentation and I'll open the floor to questions.

CHAIRMAN KRAY: Pat Augustine.

MR. PATRICK AUGUSTINE: Thank you, Mr. Chair. In response to your concern about New York and the items you put up there, the last comment indicated that New York is reporting more than others.

And the comment that Gordon had made to me and I jotted down was he noted that not all states refer to VTR reports. And if you did I think you would show a substantial difference in your reporting numbers.

And, finally, I can't respond to any of the specific issues that you noted up there, however, Gordon assured me that he would respond to those by letter at his earliest convenience and that will probably be next week. Thank you, Mr. Chairman.

CHAIRMAN KRAY: Thank you, Pat. Other questions of Lydia. Vince.

EXECUTIVE DIRECTOR JOHN V. O'SHEA: Thanks, Mr. Chairman. Actually I don't have a question of Lydia. It maybe is more for Dr. Hendricks on the prioritized research needs. Would this be a good time to ask that question?

CHAIRMAN KRAY: Sure.

EXECUTIVE DIRECTOR O'SHEA: I was looking through the high priority issues and it strikes me that most of this appears to be work by the technical folks as opposed to collection of data.

And I'm wondering, does that sort of mean that the greater concern here is for the labor to do the scientific crunching of existing data and that we probably have sufficient data but we need to put more effort in processing it or the maybe medium priorities include collection of more data that in turn could help support the high priority things?

DR. HENDRICKS: I think I'd have to take that back to the technical committee and get some more feedback for you on that.

EXECUTIVE DIRECTOR O'SHEA: Just a

thought, Mr. Chairman. I mean the reason I'm asking is that you know we have a number of different data collection programs out there including ACCSP as well as different cooperative research programs.

And the commission is trying to direct some funding at shad research. And again it would be helpful to know whether we need to be collecting samples or whether we need to be trying to get more help to the technical committee to get the scientific time to do this. That's why I asked the question. A follow up offline would be great. Thank you very much.

CHAIRMAN KRAY: Thank you. Any other questions or comments? John.

DR. NELSON: Thank you, Mr. Chairman. I think we need to approve de minimis status requests for New Hampshire, Maine and Massachusetts and so I would so move for '06 that they be granted de minimis status.

CHAIRMAN KRAY: Motion by John Nelson. Second by George Lapointe for de minimis status. We'll take them in two different motions. If you can change that motion, be sure it applies to the commercial sector.

DR. NELSON: Yes, it's the commercial de minimis status for New Hampshire, Maine and Massachusetts. Motion by George Lapointe. Second by Bill Alder.

CHAIRMAN KRAY: Discussion on the motion.

DR. NELSON: I just want to get Maine up in there, too. I don't want to forget them.

CHAIRMAN KRAY: Discussion on the motion. Seeing none, all those in favor

signify by raising your right hand; opposed; abstentions; null votes. The motion carries. We need another motion to approve the FMP review or the PRT review, isn't it?

MS. MUNGER: FMP Review.

CHAIRMAN KRAY: FMP review.

MR. GEORGE LAPPOINTE: **So moved.**

CHAIRMAN KRAY: Motion by George Lapointe. Second by Bill Alder. Discussion on the motion. Paul.

MR. PAUL DIODATI: Just a quick question, Dr. Hendricks, you mentioned that hickory shad seemed to be increasing in abundance. I wasn't clear where that evidence is. Is it Mid-Atlantic or along the whole coast, you know, that sort of thing?

And I'm surprised we don't see, given that that would be an interesting piece of information given the declines we're seeing it might help identify why these other stocks are declining, as you pointed out, but I don't see that as a research priority anywhere in here.

DR. HENDRICKS: I think there is a lot of anecdotal reports that hickory shad are increasing all up and down the coast and also expanding into new areas. What was the second part of your question again?

MR. DIODATI: Well, I don't see as a research priority anything relative to that issue to study that perhaps a little bit more. Maybe there is something in this list that's indirectly related to that but I guess it would have to be something in the area of bycatch, trying to identify bycatch levels in fisheries for river herring.

DR. HENDRICKS: Yes, and I think in

general the technical committee has assigned a lower level of priority to hickory shad. There is certainly not a lot known about hickory shad and their life history.

There isn't a lot of published research out there on hickory shad. Given the fact that they appear to be increasing in abundance they're kind of getting short-shrifted in terms of research priorities.

MR. DIODATI: Yes, believe me, I wasn't interested in hickory shad either but I guess it just struck me that they are increasing in abundance at a time when river herring and perhaps shad, too, are decreasing.

They seem to have different distribution patterns. And I think that is a critical point. And if the distribution patterns suggest that bycatch at sea is, you know, a primary factor in the decline for river herring and perhaps shad, then I thought it would be a research priority in here but apparently it's not. And I guess we'll deal with it. Okay.

CHAIRMAN KRAY: Yes, Vince.

EXECUTIVE DIRECTOR O'SHEA: Well, I mean actually this is the recommendation from the technical committee and the PRT as to what the research priorities are for approval by the policy board, you know, by a policy body.

So I suppose that if there is concerns about that I think it would be the prerogative of the board to adjust that which would still leave you okay, you know, to live with it but I think you'd have the flexibility to make a comment on that before you approve this, Mr. Chairman.

CHAIRMAN KRAY: Paul, do you want to take that any further?

MR. DIODATI: Not really, only because I'm not sure at this point what we would have to do to improve our understanding of the situation other than you know it seems like there might be a glimmer of information here.

And I don't see anything in this list of priorities that suggests that we are going to encourage an increased effort on monitoring for bycatch in fisheries that may discard river herring. I don't see that anywhere in the list. But given that hickory shad seems to be increasing now it's becoming more of a potential factor in the decline of these stocks.

So I guess if there was one bullet here -- and I personally would like to see it as a high priority -- it would be to increase bycatch or I guess encourage increased levels of bycatch monitoring in fisheries that have the potential to discard river herring.

CHAIRMAN KRAY: I have Roy Miller next.

MR. ROY MILLER: Mr. Chairman, didn't we bring up the point of our relative lack of knowledge of hickory shad and the perception among many board members that hickory shad were increasing in abundance at the previous board meeting?

I may have recalled a groan or two from the technical committee in that regard but I thought we had requested that they attempt to assemble additional information on the subject of hickory shad, to follow up on Paul's suggestion. Thank you.

CHAIRMAN KRAY: I think that was, Lydia is telling me that was river herring not hickory shad.

MR. MILLER: I thought -- maybe my

memory is incomplete. I thought we talked about hickory shad as well.

CHAIRMAN KRAY: George.

MR. LAPOINTE: First I want to second Paul's motion but in the technical committee PowerPoint presentation there was a recommendation about bycatch and can we put up the technical committee report again because I thought the language was a little stronger. Paul, the second bullet. It strikes me that, I mean it would be good to put it on their list but put it on ours as well. Do we want to combine the two?

MR. DIODATI: If we could, yes.

MR. LAPOINTE: Now can we, sorry, can we go back to the other one? I just think one of them is board action, working with the councils and NOAA on bycatch monitoring because I've had discussions with a number of people about that but I guess we could do one or the other. That's a little stronger recommendation isn't it?

MR. DIODATI: This appears like perhaps there would be a letter from the board to NOAA Fisheries requesting increased vigilance, I guess.

MR. LAPOINTE: I'm sorry. The first one is, we might want to hold the second action until later. The first one is amending the FMP review to reprioritize. And then the second one is related but we should probably do it under other business? Yes, I saw Vince getting twitchy on us.

CHAIRMAN KRAY: I have John Nelson.

DR. NELSON: Thanks, Mr. Chairman, to the motion, looking at the prioritized research needs on, well, there is no page number but it's under Roman Numeral V,

the item, the first bullet under medium priority is determine which stocks are impacted by mixed stock fisheries, including bycatch fisheries.

And it seems to me that that's basically what Paul was looking for is understanding what bycatch activities were taking place out there. And you know he can certainly speak for himself but if we move that up to the high priority versus medium priority I didn't know if that would just solve this particular issue and you didn't have to go through the gyrations of the motion, Mr. Chairman.

I don't know if you heard me, my full comment. Under Roman Numeral V under medium priority the first bullet looks like that could be just moved up to high priority and that might solve the issue that Paul had raised.

CHAIRMAN KRAY: That could be done. Lydia has a comment.

MS. MUNGER: Thank you, Mr. Chairman. I just want to point out as well that one of the terms of reference for the current stock assessment that is being conducted is to look at the discard or the bycatch of river herring in other fisheries so that's also being addressed by the stock assessment subcommittee.

CHAIRMAN KRAY: But that doesn't address the issue of moving the first bullet under medium priority to high priority. Paul.

MR. DIODATI: I would certainly support moving that first bullet up into a high priority in place of this motion. And then we could also send a letter from the board to NOAA Fisheries.

CHAIRMAN KRAY: Vince.

EXECUTIVE DIRECTOR O'SHEA: Just one question, I thought, Mr. Chairman, I thought one of the points of Mr. Diodati's comment was that he hadn't seen the reference to river herring and I don't know how important that is. So in moving that priority up are you satisfied without mentioning the river herring? Or I thought river herring was one of your points.

MR. DIODATI: It is. And if we can make that change that would be that much better.

CHAIRMAN KRAY: I think that could be done. Mike, could we do that?

DR. HENDRICKS: Yes, we'll just add it.

CHAIRMAN KRAY: We'll just add the words river herring into the wording of the medium priority and move it up to high. Any objections to that from the board? Eric, you have a comment.

MR. ERIC SMITH: Yes, this maybe water over the dam now. It seems like we're in an odd process here. We've got a plan review by a group who is charged to review the plan. And we have some board views on what we ought to do based on that review.

I don't know that I've ever recalled boards amending the plan review. It seems to me we ought to accept the plan review and say there are some things based on that that we would like to do differently, either we charge the technical committee to do something or we charge the states or we ask NOAA to do something.

But am I alone here in wondering that you know we're basically amending a document that was prepared by a group that was supposed to give us a status of the plan and then we have some things we'd like to do

based on that? Those seem like two separate actions. And we wouldn't amend a stock assessment, for example, if it was presented to us, I mean, to use a different example.

CHAIRMAN KRAY: Wilson.

DR. WILSON LANEY: I think Eric's point is well taken, Mr. Chairman, and I'll pick up on something that George said earlier. I was going to ask. It appeared to me that with regard to the recommendations for river herring stocks from the technical committee we just sort of skipped over that.

If silence can be taken as consent, then perhaps we just endorsed them all without saying so. But I would like to at least see us endorse formally, if need be, the recommendations regarding the river herring stocks that they made that were on the screen up there.

And George I think intends to go back and at least pick up one of those. I think we ought to address all of them and either accept them or decide not to do anything on them at this point in time.

CHAIRMAN KRAY: George. The motion that's up there, is that adequate? Paul.

MR. DIODATI: I'm willing to withdraw this motion. I think the later hour -- I'm willing to withdraw this motion so we can move forward with accepting or return to the original motion which was to accept the PRT report.

CHAIRMAN KRAY: George, is that all right with you? The motion is withdrawn and we'll go back to the original motion. Any discussion? All in favor raise your right hand; opposed; abstentions; null votes. The motion carries. Moving on to the review and anticipated approval of

nominations to the advisory panel. I believe we have one.

DR. NELSON: Mr. Chairman. Mr. Chairman, I'm sorry but before you do that there are, under the 2005 review of the compliance reports there were under the general comments and recommendations there actually were two recommendations to start an addendum.

And I guess I'd like to ask staff was the intent to have that addendum initiated this year? Were there funds provided to do an addendum on the, for the shad and river herring? That's the first question.

MS. MUNGER: The board's intent the last time the recommendations were made was to wait for the stock assessment to be completed to pursue an addendum to address those issues. And as such an addendum for these issues was not included in the action plan for this year so that's the information I have for the board.

DR. NELSON: But they have the -- make sure I understand this because this is the first time I've been able to read this anyways, so.

Under Number 3 and Number 5 on Page 2 of the general comments and recommendations there was recommend an addendum to remove the monitoring requirement from the District of Columbia and reassign it to the appropriate entity or group of entities and then under Number 5 that they consider an addendum to Amendment 1 to modify the bycatch definition and related sub-sampling requirement. So is that what you're saying? We should still wait on doing those?

MS. MUNGER: If the board thinks it's an important enough issue to pursue in the interim before the stock assessment, that's

something the board will have to discuss, but that's just the PRT's recommendation for whenever the next addendum is initiated that those issues be included.

DR. NELSON: All right. I just thank you for the clarification. I don't mind waiting until the stock assessment is completed. I just want to make sure that we don't lose the recommendations you know in papers somewhere along the line. I know I would. You're going to come back for that next year, is that what you said?

CHAIRMAN KRAY: All right now, John?

DR. NELSON: Yes, thank you.

CHAIRMAN KRAY: Okay, the approval of nominations to the advisory panel. We have one. Staff has handed out the recommendation for Mike Burton. Leroy Young from Pennsylvania, do you want to address this?

ADVISORY PANEL NOMINATIONS

MR. LEROY YOUNG: Yes, Mr. Chairman, I'd like to nominate Mike Burton for the Shad and River Herring Advisory Panel. Mike is an avid recreational angler, both inland as well as marine. He is very familiar with our agency.

He has served on various advisory panels for our agency and he has an interest in the resources of the state and represented anglers in local, regional, and state-wide activities. He is a member of the BASS, Pennsylvania Bass Federation, Chesapeake Bay Alliance and also a local sportsmen's club. Thank you.

CHAIRMAN KRAY: That's a form of a motion, I guess. And seconded by George Lapointe to accept Mike Burton as a

member of the advisory panel. Any discussion? All states in favor signify by raising your hand; opposed; abstentions; null votes. The motion carries. Update on stock assessment, Lydia.

MS. MUNGER: Thank you, Mr. Chairman. I prepared a very brief presentation to update the board on the progress of the draft timeline for the current stock assessment.

Staff is in the process of discussing this timeline with the stock assessment subcommittee but I wanted to just point out the current iteration of the timeline for the coast-wide stock assessment for American shad.

If you remember in the past the stock assessment was going to be divided into four regions. That's been changed to three regions so the Northeast Region, the Mid-Atlantic and the Southeast.

And this draft timeline has assessment workshops beginning in March of 2006 with technical committee review of each region report beginning in, final technical committee review taking place in summer 2006.

Interim review is taking place throughout the process. And then the peer review of this assessment is taking place in fall 2006 with potential board review of assessment and peer review at the annual meeting.

CHAIRMAN KRAY: Questions. A.C.

MR. A.C. CARPENTER: Lydia, the stock assessment that has it by region but within the region will there be sub-reports for each river system or major river system where the data can support it?

MS. MUNGER: Yes.

MR. CARPENTER: Thank you.

CHAIRMAN KRAY: Other questions. Comments. Moving on, the next item is the election of a vice chair. John Nelson.

ELECTION OF VICE CHAIR

DR. NELSON: Thank you, Mr. Chairman. I would like to nominate Paul Diodati as the vice chair.

CHAIRMAN KRAY: Is there a second to that motion? Second by A.C. Carpenter. Are there any other nominations? All those in favor signify by raising your right hand; opposed; abstentions; null votes. Okay, congratulations, Paul.

Before we go on to other business and adjourn I, too, want to add my congratulations to Lydia on her new position. She and I have had a couple of discussions about it. I almost remember when I was as young as she was and was able to move and make my, follow my dreams, so-to-speak.

But in my short stay here as the chairman she has been extremely helpful to me. I don't know what I'm going to do without her but --

MR. LAPOINTE: The board recommends crying.

CHAIRMAN KRAY: But on behalf of the board I want to thank you, Lydia, for all you've done for us. Paul Diodati.

MR. DIODATI: We had mentioned that a letter should perhaps be sent from the board to NOAA Fisheries requesting a more intensive sampling for bycatch of river herring. Is a motion needed for that or can we just do that by a consensus? Thank you.

CHAIRMAN KRAY: We'll just do it by consensus.

MR. DIODATI: Okay.

CHAIRMAN KRAY: Is there any other business to be brought before the board?
A.C.

MR. CARPENTER: Mr. Chairman, since you now have a vice chairman you can pull a Gordon and just disappear at any time

during a meeting.

OTHER BUSINESS/ADJOURN

CHAIRMAN KRAY: Any other business?
Do I have a **motion to adjourn**? So moved.
Less than an hour. Much less than an hour.

(Whereupon, the meeting adjourned on
Wednesday, February 22, 2006, at 6:30
o'clock, p.m.)

- - -