

PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

HORSESHOE CRAB MANAGEMENT BOARD

**Crowne Plaza Hotel
Alexandria, Virginia
August 18, 2009**

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1. **Approval of Agenda, by Consent** (Page 1).
2. **Approval of Proceedings of May 4, 2009**, by Consent (Page 1).
3. **Move to extend Addendum V measures for one year (through October 31st, 2010) as authorized in the plan** (Page 3). Motion by Mr. Cole; second by Mr. Augustine. Motion carried (Page 4).
4. **Motion to adjourn, by consent.** (Page 4).

ATTENDANCE

Board Members

Terry Stockwell, ME, proxy for G.Lapointe (AA)	Gina Hunt, MD, proxy for T. O'Connell, MD (AA)
Sen. Dennis Damon, ME (LA)	Russell Dize, MD, proxy for Sen. Colburn (LA)
Doug Grout, NH (AA)	Bill Goldsborough, MD (GA)
G. Ritchie White, NH (GA)	Jack Travelstead, VA, proxy for S. Bowman (AA)
Rep. Dennis Abbott, NH (LA)	Catherine Davenport, VA (GA)
Dan McKiernan, MA, proxy for P Diodati (AA)	Ernest Bowden, VA, proxy for Del. Lewis (LA)
Bill Adler, MA (GA)	Willard Cole, NC (GA)
Rep. Sarah Peake, MA (LA)	Louis Daniel, NC (AA)
David Simpson, CT (AA)	Robert Boyles, SC (LA)
James Gilmore, NY (AA)	John Frampton, SC (AA)
Pat Augustine, NY (GA)	Malcolm Rhodes, SC (GA)
Brian Culhane, NY, proxy for Sen. Johnson (LA)	Spud Woodward, GA (AA)
Peter Himchak, NJ, proxy for D. Chanda (AA)	John Duren, GA (GA)
Tom Fote, NJ (GA)	Rep. Bob Lane, GA (LA)
Craig Shirey, DE, Chair, proxy for P. Emory (AA)	Jessica McCawley, FL (AA)
Roy Miller, DE (GA)	Brian Hooker, NMFS
Bernie Pankowski, DE, proxy for Sen. Venables (LA)	Jaime Geiger, USFWS

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

Ex-Officio Members

ASMFC Staff

Bob Beal	Brad Spear
Vince O'Shea	Toni Kerns

Guests

Sign-In sheet not circulated to the attending public

The Horseshoe Crab Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel Old Town, Alexandria, Virginia, August 18, 2009, and was called to order at 5:32 o'clock p.m. by Chairman Robert H. Boyles, Jr.

CALL TO ORDER

CHAIRMAN ROBERT H. BOYLES, JR.: Good evening. My name is Robert Boyles. I would like to call the meeting to order of the Horseshoe Crab Management Board.

APPROVAL OF AGENDA

CHAIRMAN ROBERT H. BOYLES, JR.: The first item on the agenda is seeking consent for the agenda. Are there any additions to the agenda? Seeing none, the agenda stands adopted by consensus.

APPROVAL OF PROCEEDINGS

CHAIRMAN ROBERT H. BOYLES, JR.: Secondly, we need to approve the proceedings from May 4th, 2009, the last Horseshoe Crab Management Board Meeting in this very room. Any additions to the minutes, deletions or corrections? Seeing none, those minutes will stand approved by consensus.

PUBLIC COMMENT

CHAIRMAN ROBERT H. BOYLES, JR.: Now we come to the time on the agenda for public comment particularly for items that are not on the agenda. So far no one from the public has indicated an interest in addressing the board. Dr. Daniel.

DR. LOUIS DANIEL: Did I miss changes to the agenda?

CHAIRMAN BOYLES: You did.

DR. DANIEL: I'm sorry; I'd like to just have a moment in other business to discuss North Carolina's quota, please.

CHAIRMAN BOYLES: Okay, seeing no objection to that, Louis, we will get to you under other business. There was some public comment submitted for consideration by the Horseshoe Crab Management Board by Mr. Chew. This was included on your Briefing CD. Next we will go into Technical Updates. Brad Spear is going to give us an update on the stock assessment process.

UPDATE ON THE STOCK ASSESSMENT PROCESS

MR. BRADDOCK SPEAR: This is in reference to the horseshoe crab-only stock assessment. We also have the adaptive resource management, which is the multispecies shorebird/horseshoe crab modeling effort. Again, this is the horseshoe crab only. The stock assessment subcommittee is currently writing and conducting an analysis for the report.

We're holding our final web call on September 17th, and the technical committee is scheduled for October 1st to make any revisions to the stock assessment report and hopefully accepted. The final report is due to ASMFC by October 16th, which gives a month of review time for the peer reviewers, which is scheduled November 17th.

CHAIRMAN BOYLES: Any questions or comments for Brad? Okay, seeing none we'll move right on to Conor McGowan to talk about Adaptive Resource Management Model.

ADAPTIVE RESOURCE MANAGEMENT MODEL UPDATE

DR. CONOR MCGOWAN: I guess I was asked to come and give an update on the adaptive management progress and what we've been working on since the May meeting. A real brief summary would be that we haven't done too much mainly because of the shorebird migration season and because of the horseshoe crab season it has been hard to get everybody together for meetings.

We have made some progress on a few fronts. We are in the final stages of coding the model in the computer programs and debugging that model, so we are just about ready to progress with the optimization analysis. The ARM team has agreed upon initial model weights. If you remember, we have three models in our decision analysis. We need to set confidence values on each of those models in order to come up with our optimal harvest policies from that analysis.

We have come up with a set of weights for those models, and we're planning on taking that to the technical committees at the meeting on October 2nd and getting their approval on those model weights and our process for coming up with that. Pretty much everything that I'm talking about we actually have to run through the joint technical committee on October 2nd, so I'm mainly just telling you before I tell them.

We worked on laying out a monitoring plan or at least recommendations for monitoring the system. In adaptive management monitoring takes – the way we’re envisioning it monitoring has three primary roles. One is to annually assess the state of the system so we can look at our optimization analysis and figure out what the best policy is given the current state of the system.

Second is to update model weights, so we start out with an initial set of weights. We use the models to make predictions about how the system will react to management actions. We use the monitoring data to empirically evaluate the system and see how closely it matched our model predictions and we can update our confidence in each of those models based on the observed data.

Then, lastly, to continually improve our models and the parameters that go into that model, we would like to continually update the models and improve their performance, and so we need to come up with monitoring recommendations to assist in all three of these realms. We’re going to be recommending to the joint technical committees various ways of trying to address the system state variables of abundance.

We’re going to be relying pretty heavily on the offshore trawl for horseshoe crabs and are going to maintain the spawning survey for horseshoe crabs. We’re going to be recommending red knot monitoring efforts based on mark recapture rather than aerial surveys. We think that those will be more useful and more informative for our management needs.

We’ve also, in addition to all this monitoring planning, been continuing to work on our mark recapture-based survival analyses. We’ve finally, as of yesterday, came to what we consider the results of that analysis, and we are just in the very beginning stages of writing that up, so I can’t really discuss the results yet because I haven’t even showed them to the various co-authors and other people on the project. I can say that we have found a relationship between weight at the end of the Delaware Bay season and probability of survival, and we have found a relationship between horseshoe crab spawning abundance and the probability of gaining weight in the Delaware Bay. Those were so far some very exciting and interesting results that we’re going to present to the technical committees in October.

My fourth point here is that we are having a joint technical committee meeting in October, so I think I’ve driven that home pretty hard. Mainly what

we’re trying to do at this stage is to prepare for the peer review process which is taking place the week of November 16th. We are writing a draft final report to give to the technical committees.

They hopefully will give their approval and we can move that report right on over to the peer review process. That is really what we’re focused on now. Once the peer review is completed, we will return to present the report to this board and give a presentation here in February, I believe is the schedule. That’s all I have today.

CHAIRMAN BOYLES: Conor, thank you for that update. Any questions or comments from the board? Mr. Augustine.

MR. PATRICK AUGUSTINE: When will your work be peer reviewed; will it be after you come back to the technical committee, the technical committee has a chance to work with you on it and then it will go out to peer review? I’ve been reading this and it is very, very interesting.

Dr. McGowan: The plan is to bring our draft report to the technical committee. I think we’re going to give it to them in the middle of September. Then we will meet with the technical committees and get their feedback on the draft report October 2nd and then have about two weeks to revise – based on their feedback from the technical committees, revise it and get it out to the peer review panel by October 16th for a peer review on November 16th or 17th.

CHAIRMAN BOYLES: Any other questions? Conor, again, thank you for that update. Greg, do you want to tell us a little bit about the shorebird survey.

SHOREBIRD SURVEYS UPDATE

MR. GREGORY BREESE: I don’t have any analysis of what happened in this past spring completed for you. This is all anecdotal, but anecdotally, based on our observations while we were out monitoring shorebirds this season, spawning was good for horseshoe crabs. Eggs seemed to be abundant and the birds seemed to be gaining weight.

My guess would be that the weight index will be a lot higher than it was last year. The only other thing I can say is weather really confounded the aerial surveys for the birds, so this year’s aerial survey will probably be not something that you can have a lot of confidence in helping to show a trend. The season

was really good for the birds it appeared in Delaware Bay. Thanks.

CHAIRMAN BOYLES: Greg, thank you. Questions or comments? Seeing none, we will move on, Brad, to consideration of extension of Addendum V, Commercial Measures.

CONSIDERATION OF EXTENSION OF ADDENDUM V COMMERCIAL MEASURES

MR. SPEAR: To preface this agenda item, the current measures of Addendum V are set to expire on October 31st of this year. If you recall that addendum, the board built in the ability to extend the measures by a period of a year through a vote. Just to refresh every one of the measures in Addendum V, New Jersey and Delaware have the same provisions. Horseshoe crab harvest and landing, male and female, is prohibited from January 1st to June 7th. Female harvest and landing is prohibited from June 8th through December 31st. The quota of 100,000 crabs is a male-only harvest and that is per state.

In Maryland all horseshoe crab harvest and landing is prohibited from January 1st to June 7th. Just for reference, through Addendum III Maryland's quota is set at a little over 170,000 crabs, male or female.

Addendum V Virginia measures, all harvest and landing of crabs from federal waters is prohibited from January 1st to June 7th. No more than 40 percent of Virginia's annual quota can be harvested from east of the COL REGS Line. There is also the requirement that there is a minimum of two-to-one male-to-female ratio of that harvest east of the COL REGS Line. For reference, through Addendum I Virginia's quota is set at a little over 150,000 crabs.

At this point the options before the board are to vote to extend the addendum from November 1st of this year through October 31st of next year or to allow Addendum V to expire on October 31st of this year. Just to go through what would happen if Addendum V was allowed to expire, Delaware and New Jersey provisions, harvest and landing would be prohibited from May 1st to June 7th instead of January 1st to June 7th. The annual state quotas for each state would be 150,000 crabs, and that is male or female.

In Maryland harvest and landing would be prohibited just from May 1st to June 7th. In Virginia there would be no closed season and no sex ratio restrictions, and their quota would remain the same. That's it.

CHAIRMAN BOYLES: Any questions for Brad? Mr. Cole.

MR. BILL COLE: Mr. Chairman, **due to the late hour I'm going to move Option 1, the extension of the addendum for one year as provided in the plan.**

CHAIRMAN BOYLES: Motion by Mr. Cole; Mr. Augustine seconds. Any discussion? Pete.

MR. PETER HIMCHAK: Mr. Chairman, I'll make this brief. As you recall the New Jersey Division of Fish and Wildlife did not vote in favor of any of the provisions in Addendum V. We felt that there should be more restrictive management measures. I'm put in a very difficult position here insofar as I have to vote against the motion although I'm confident it will pass.

I hope it will pass because the downfall is to go – we're not going to revisit the measures of Addendum V today, obviously. The backstop of going back to Addendum III is even less restrictive than Addendum V. I'm confident that this motion will pass, but I will vote against it.

CHAIRMAN BOYLES: Pat, you did second that?

MR. AUGUSTINE: Yes, I did, Mr. Chairman, and I call the question.

CHAIRMAN BOYLES: Pete, from my perspective I understand the situation that you find yourself in. Roy.

MR. ROY MILLER: Mr. Chairman, to clarify the intent of the motion, by one year does the maker of the motion specifically mean to cover the period November 1st, 2009, through October 31st, 2010?

MR. COLE: I want it extended so that we don't have to go through the lengthy debate of trying to reconstruct another addendum this afternoon, to put it in place, et cetera, et cetera. I do not have a copy of it in front of me so I'm going to have to ask staff's indulgence. The plan has a one-year extension and whatever dates are associated with the plan's extension provisions is my intent.

CHAIRMAN BOYLES: Mr. Cole, I understand according to the addendum the dates are in fact October 31st, 2010. **To clarify, the motion would be extend Addendum V measures for one year – if you want parentheses – through October 31st, 2010.** Is that your intent, Bill?

MR. COLE: If that is what in the plan, yes, sir.

CHAIRMAN BOYLES: Pat, as the seconder? Okay. Any other questions, comments or discussion? All those in favor of the motion signify by raising your hand; all opposed; abstentions; null votes. **The motion carries 14 for, 1 against.** That takes us down to other business, Dr. Daniel.

OTHER BUSINESS

DR. DANIEL: It is late and I just want to bring up an issue that we're having in North Carolina. Our Horseshoe Crab Fishery is primarily a bycatch fishery in our Flounder Trawl Fishery and some in our Flounder Gillnet Fishery. What has happened is our – I think it's about 24,000 crabs, so it is not a huge number.

What is happening is we're going over – we went over about 8,000 crabs a year. Well, now we've gotten to the point where we don't have any left and we're closing the season early, so this bycatch allowance is not going to be allowed for the remainder of this year. I just want to be able to tell my folks, because I just issued the proclamation last week, what are my options to try to get a little bit more quota for this North Carolina Fishery or am I stuck at 24,000 crabs forever?

I know it is primarily a Delaware Bay issue. There has been some discussion there, but I would like to be able to go back and say something about what my options are to try to address this closure. Once we get crabs next year, we'll probably run into – it's probably going to be a cycle for us and we tend to end up about 8 to 10,000 crabs over each year.

CHAIRMAN BOYLES: Louis, according to Brad, the quotas were established with Addendum I, so any changes in the quotas would have to be initiated via an addendum process. Pete.

MR. HIMCHAK: Mr. Chairman, having lived through this, Addendum II does allow for state-to-state quota transfers with the approval of the technical committee.

DR. DANIEL: That's helpful, thank you.

EXECUTIVE DIRECTOR JOHN V. O'SHEA: Mr. Chairman, the other thing here is you're expecting assessment results in February; and then typically after that or with that you'll get management advice, and you'll be in the process of crafting perhaps a response to that assessment. The next window of

opportunity, the cycle could be starting after you all get the assessment in February of 2010.

DR. DANIEL: That's helpful, but, seriously, if there is anybody that's got any left-over crabs, let me know because I could sure use them this fall for this fishery that usually happens around November.

MR. HIMCHAK: Louis, just look at the table and look at the reference period landings, the quota is the next column and see who has got some. There are a few states that might help you out.

MR. BRIAN HOOKER: I just wanted to update the board that the Service has issued the EFP to the Shuster Reserve from the Labs this week. That's it.

ADJOURNMENT

CHAIRMAN BOYLES: Thank you for that. Any other business to come before the Horseshoe Crab Board? Seeing none, we are adjourned.

(Whereupon, the meeting was adjourned at 5:53 o'clock p.m., August 18, 2009.)