

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

**Crowne Plaza Hotel
Alexandria, Virginia
May 5, 2008**

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4. **Move to approve the list of traditional stakeholders (Deborah Wilson, Dennis Smith, David Ellenton, Michael Blanchard, Jeffrey Reichle, Richard St. Pierre, William Richkus, Michelle Hollowell, Louis Ray Brown, Jr., Willard Cole, Jr., Thomas Larry Crowder, Jr., and Kevin L. Gladhill) to the Shad and River Herring AP** (Page 6). Motion made by Mr. Calomo, second by Mr. P. White. Motion carries (Page 6).
5. **Move to approve the two non-traditional stakeholders (Alison Bowden and Pam Lyons Gromen), as well as Byron Young (a traditional stakeholder from NY), to the Shad and River Herring AP** (Page 7). Motion made by Mr. Adler, second by Mr. P. White. Motion passes (Page 7).
6. **Motion to adjourn.** Page 11.

ATTENDANCE

Board Members

Terry Stockwell, ME, proxy for G. Lapointe (AA)	Craig Shirey, DE, proxy for P. Emory (AA)
Doug Grout, NH, proxy for J. Nelson (AA)	Timothy Targett, DE (GA)
Rep. Dennis Abbott, NH (LA)	Tom O'Connell, MD (AA)
Ritchie White, NH (GA)	Bill Goldsborough, MD (GA)
Paul Diodati, MA (AA), Chair	Russell Dize, MD, proxy for Sen. Colburn (LA)
William Adler, MA (GA)	Steve Bowman, VA (AA)
Vito Calomo, MA, proxy for Rep. Verga (LA)	Kyle Schick, VA, proxy for C. Davenport, VA (GA)
Mark Gibson, RI (AA)	Ernest Bowden, VA, proxy for Del. Lewis (LA)
Eric Smith, CT (AA)	Louis Daniel, NC (AA)
Dr. Lance Stewart, CT (GA)	Robert Boyles, SC (LA)
James Gilmore, NY (AA)	Malcolm Rhodes, SC (GA)
Pat Augustine, NY (GA)	April Price, FL (GA)
Brian Culhane, NY, proxy for Sen. Johnson (LA)	Bill Sharp, FL, proxy for G. McRae (AA)
Erling Berg, NJ (GA)	A.C. Carpenter, PRFC (AA)
Tom McCloy, NJ, proxy for D. Chanda (AA)	Steve Meyers, NMFS
Frank Cozzo, PA, proxy for Rep. Schroder (LA)	Wilson Laney, USFWS
Leroy Young, PA, proxy for D. Austen (AA)	

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

Ex-Officio Members

Bob Sadzinski,, Technical Committee Chair

Staff

Vince O'Shea
Nichola Meserve

Erika Robbins

Guests

Michelle Duval, NC DMF
Kelly Mahoney, RI Senate Policy Office
Roy Miller, DE DFW
David Simpson, CT DEP
Joe Mello, NMFS
Brian Gervelis, NMFS
Arnold Leo, Baymen's Assn.

Jeffrey Pierce, Alewives Harvester of ME
Brian Hooker, NMFS
Jessica Coakley, MAFMC
Christopher Holmes, NMFS
Pam Lyons Gromen, Nat'l Coalition for Marine
Conservation

The Shad and River Herring Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel Old Town, Alexandria, Virginia, May 5, 2008, and was called to order at 4:45 o'clock p.m. by Chairman Paul Diodati.

CALL TO ORDER

CHAIRMAN PAUL DIODATI: We are about to begin the Shad and River Herring Management Board meeting.

APPROVAL OF AGENDA

Do I have approval of the agenda? Any objections, changes, comments? Thank you, the agenda is approved.

APPROVAL OF PROCEEDINGS

Proceedings of the February 5th, 2008, Board meeting; any recommended changes or comments to the proceedings? Seeing none, they are approved.

PUBLIC COMMENT

Public comment, there will be opportunity during the meeting for other public comment, but I'll take public comment now if there is anyone in the audience that would like to address the Board.

MR. JEFFERY PIERCE: My name is Jeffery Pierce. I'm with the Alewife Harvesters of Maine. We've come down today to let the ASMFC know that we're an organization, and we're committed to the harvesting of alewives. We've got an aggressive scale-sampling program going this year with DMR out of the Department of Marine Fisheries in Maine. We're also tagging 10,000 fish. We're interested in, obviously, the river herring process. We just wanted the committee to know that we're here; and if we can do anything to help with any information, we'd be happy to provide it. Thank you.

CHAIRMAN DIODATI: Thank you, Mr. Pierce. Anyone else in the audience? Jeff.

MR. JEFF KAELIN: Thank you, Mr. Chairman. I'm Jeff Kaelin from Winterport, Maine. I work with the fishing vessel Providian. We are a part of the Sustainable Fisheries Coalition. We've talked with you before about that. The only reason I came to the microphone today, Mr. Chairman, is Dave Ellenton from Cape Seafoods, one of our members, couldn't be down here today.

This is on the issue of advisors. He was concerned that Massachusetts only has one advisor and wanted to suggest that in addition to Mr. Reichle from New Jersey, who might be added to the advisors today, Dave felt that there ought to be another person from Massachusetts. I just am passing that on, and I appreciate the opportunity to come to the microphone. Thank you.

CHAIRMAN DIODATI: Thank you, Jeff. We'll be taking that up a little later in the meeting, but to your point Massachusetts has added Mr. Ellenton as a nomination to the Advisory Panel. Anyone else from the public? Seeing none, we'll give you an opportunity later during the meeting. We do have a draft Public Information Document for Amendment 3, and I'll ask Erika to begin her presentation. I understand it's a bit long.

DRAFT PUBLIC INFORMATION DOCUMENT FOR AMENDMENT 3

MS. ERIKA ROBBINS: Thank you, Mr. Chairman. Before I begin, I'd like to let everyone know, in case you're following along with the actual document, I'm not going to present it in the order of the document. I think it might easier for the Board to understand what is in this document by comparing side-by-side current management and how this document would change such management.

The Board initiated the development of Amendment 3 for American shad following the stock assessment which was completed in August 2007. Currently we have two amendments in the development process. We have Amendment 2 which deals with river herring and Amendment 3 which deals with American shad.

The stock assessment found that populations of American shad have declined along with the commercial harvest coastwide. There were several recommendations within the stock assessment that were made by the Technical Committee, and the Board chose to take the top three according to the Technical Committee's priority of the recommendations and move forward with an amendment to implement those recommendations into the Fishery Management Plan.

Here is a figure of the coast-wide commercial landings from 1950 to 2006, of commercial landings from the National Marine Fisheries Service. To remind the Board of what this amendment will deal with, it deals with three recommendations from the stock assessment. The first is to incorporate the

benchmarks and restoration goals identified within the stock assessment.

The second is to limit directed fisheries for American shad, and the third is to restrict fisheries operating on stocks where total mortality or “Z” is increasing and relative abundance is decreasing. Before getting into the details of what the management issues are, I think it’s helpful to understand what the current fisheries are within each state and how they may change along the coast.

In Maine currently the commercial fishery is closed as far as the directed fishery goes, and there is a limited recreational fishery that operates in coastal rivers. In New Hampshire landings are minimal. They likely come from the EEZ where they’re bycatch, and they are allowed under Amendment 1 to land bycatch as long as it’s less than 5 percent per trip in poundage. The recreational limit is two fish per day. Here is a graph of commercial landings within Maine and in New Hampshire.

In Massachusetts there is currently a moratorium in state waters for harvest of American shad. Recreational fishing is allowed only by hook and line with a six-fish daily limit. In Rhode Island we have a closure of the commercial fishery, and recreational fishing is only permitted as catch and release. This is a graph of commercial fishing landings from Massachusetts and Rhode Island.

In Connecticut there is a spring gillnet fishery, which operates in state waters, and there is a hook-and-line fishery only for recreational fishing; six-fish daily creel limit and a closed season for the recreational fishery. In the Hudson River effort is restricted currently. This year they took an emergency action to restrict the number of days that commercial fishermen could harvest in the Hudson River. They also closed the recreational fishing to allow only catch-and-release fishing. These are emergency regulations only. This is a graph of Connecticut’s commercial landings and New York’s commercial landings from the Hudson River.

The Delaware River, we have an increase in recent commercial landings, but that is attributed, according to the stock assessment, to the initiation of mandatory reporting from that fishery. We’ve seen a peak in the recreational catch estimates in 1982 and we’ve seen a decline within the last two creel surveys. In the Susquehanna River the fishery was closed for the commercial fishery back in the eighties. Recreational fishing is permitted as catch and release.

This is a figure of Delaware River landings, New Jersey and Delaware states both combined; and the Susquehanna River commercial landings which go up until 1979. The fishery was closed in 1980. In the Upper Chesapeake Bay we have a moratorium on commercial and recreational fishing. In the Potomac River commercial landings are allowed as bycatch only. They have a permit to land a certain amount of fish as bycatch from the pound net fishery. The recreational fishery is closed.

These are Maryland landings up to 1980 when the fishery was closed; and Potomac River commercial landings, the most recent years being the bycatch that’s permitted from the pound net fisheries. Virginia, there is a bycatch fishery. Their fisheries were closed, but in the last several years they’ve brought before the Board and the Board has approved them to allow a bycatch fishery within their commercial fisheries that operate in the river. The recreational fishery is closed.

In North Carolina they’ve seen a decline in landings over the last several years in their commercial fishery. Their recreational fishery has a ten-fish limit, hook-and-line permit only. There is also a recreational commercial gear license in the state of North Carolina where an applicant, if he receives a license, is allowed to use commercial gear for personal harvest. This is a figure of commercial landings in Virginia and in North Carolina.

In South Carolina effort has declined in the commercial fishery, which is shown in the decline in landings. Recreational fishing is limited to ten fish per day with an exception of the Santee River, which has a twenty-fish creel limit. In Georgia there has been declining commercial landings throughout the state, and they currently have an eight-fish creel limit. This is a graph of South Carolina’s commercial landings and Georgia’s commercial landings.

In Florida the commercial fishery is currently inactive, and they have not had landings in recent years. There is a hook-and-line fishery on the St. Johns River. The daily creel limit is ten fish. Here is a figure of Florida’s commercial landings.

What we know about the status of the stocks, according to the most recent stock assessment, is that all stocks assessed along the coast are highly depressed. The stock assessment identified that stocks in Maine, New Hampshire, Rhode Island, Georgia, the Hudson River stock, Susquehanna stock, James and Edisto River stocks are all in decline.

Currently stocks are low but stable in Massachusetts, Connecticut, Delaware, Upper Chesapeake Bay, Florida and the Rappahannock River and some of the South Carolina stocks. There has been evidence in recent years of rebuilding in the Potomac River.

Now that we've had the background of the American shad fisheries and the stock status, I would like to go into the issues within the draft Public Information Document. Again, Issue 1 is to incorporate the benchmarks and restoration goals of the American shad stock assessment for peer review. Current management requests that fishing be constrained below F-30 as was identified for those stocks. There is a table I'll show you next with the stocks that we have an F-30 developed.

In other stocks we're to develop definitions of stock restoration, determine target mortality rates and specify rebuilding schedules as plans were developed for individual rivers. These are the current overfishing definitions for F-30s that we have within Amendment 1. These would be the proposed benchmarks according to the Shad Stock Assessment. If you notice, we're no longer looking at an F-30. We're looking at a Z-30.

The stock assessment was not able to parse out fishing mortality from natural mortality and was able to establish a Z-30 as a benchmark for New England, the Hudson River, the York River in Virginia, and Albemarle Sound in North Carolina.

The assessment also developed benchmarks and restoration goals for specific systems and regions. For New England it would be the Z-30 estimate. For the Pawcatuck River it would be fish passage greater or equal to 1,100 fish at the dam. For the Hudson River it's the Z-30. For the Delaware River it would be a population estimated to be greater than 750,000 fish for a two-year period and a minimum catch-per-unit effort of 30 fish per haul in the Lewis Haul Seine Fishery. It's a fishery that we have a long time series for.

In the Potomac River it would a pound net landings geometric mean of 31.1 pounds per net day. For the York River it would be an estimated catch rate – a geometric mean of 17.44 fish per day, an F-30 of 0.27; for the Native American Fishery, a Z-30 or 0.85. For the James River it would be a catch rate equal to 6.4; the Rappahannock River, a catch rate of 1.45; Albemarle Sound, a Z-30 established or found in the stock assessment; and for the St. Johns River, a catch rate of greater than one fish per hour.

The next is Issue 2, limit directed fisheries for American shad. As there could be many ways to do this, I'm just going to explain what the current amendment is. Currently we have closed the directed fisheries in the ocean for American shad. We're restricted to in-river fisheries with the exception of the bycatch allowance.

For the rivers specified in the table I showed you earlier, F-30 is not to be exceeded or the target F that's established for the fishery is not to be exceeded. All states were to implement a ten-fish aggregate recreational creel limit for American shad and hickory shad.

Issue 3, restrict fisheries operating on stocks where total mortality is increasing and relative abundance is decreasing. We have, as I said before, the current management, which is close the ocean intercept fishery; restrict fisheries to not exceed F-30 or target F; and establish a recreational creel limit of ten fish per day in aggregate for American shad and hickory shad.

CHAIRMAN DIODATI: Any questions for Erika? Okay, I have one. I see we're dealing specifically with shad in this timeline. I think it was Mr. Pierce that spoke earlier about his concerns that alewife is being prosecuted up in Maine. I'm wondering, as we get into the river herring portion of the management plan or program, are we going to be able to be discrete enough between bluebacks and alewives for those states that have fisheries that are somewhat discrete? Is it too early to be talking about that?

MS. ROBBINS: I think it's too early talking about that.

CHAIRMAN DIODATI: Okay. Any questions at all for Erika? Seeing none, do we have a motion to approve this PID? Go ahead, Eric.

MR. ERIC SMITH: I guess I didn't have questions of Erika, but I did have a few comments on the document before we have a motion, if I could. In the issues, Issues 2 and 3 in some respects seem redundant. I have to read my own notes here to explain it. The recommendation of number one of the assessment was do not increase directed fisheries. I think Issue 2 here really should say that, but it doesn't. It says "limit them" as opposed to "do not increase".

Issue 3 says "restrict fisheries where total mortality is increasing and abundance is decreasing". I think the

tone of number two really should change to either reflect the recommendation as it seems to go back to in the assessment; or, maybe just consolidate the two of them. Is that clear? Okay, so if I can recap that more quickly, I think Issue 2 ought to say “do not increase directed fisheries for American shad” and then go into these – that doesn’t even solve my problem.

I just saw a redundancy between Issue 2 and 3; and when I tried to go back to the recommendations of the assessment, they didn’t seem to track back and forth. I guess I was confused by it because I sure sound that way now.

CHAIRMAN DIODATI: I think Erika recognizes your confusion, and she is going to make a clarification. Without objection, she’ll go ahead and do that. Pat.

MR. PATRICK AUGUSTINE: Mr. Chairman, are you looking for a motion?

CHAIRMAN DIODATI: I think that would be the correct thing to do, Pat.

MR. AUGUSTINE: Okay, I move for approval of the draft Public Information Document for Amendment 3, American shad, for public comment.

CHAIRMAN DIODATI: Mr. Calomo seconds. Comments on this motion? Any need for discussion? Are you ready to vote? Did you have your hand up; go ahead.

MS. MICHELLE DUVAL: Just to clarify, so we are looking at making the change on Issue Number 2, do not increase as opposed to limit directed fisheries for American shad?

CHAIRMAN DIODATI: Correct.

MS. DUVAL: I guess the concern is that if there are states who do want to further restrict harvest within their states, that doesn’t seem to – “do not increase” doesn’t seem to provide the same hammer.

CHAIRMAN DIODATI: Do not increase as opposed to restrict?

MS. DUVAL: As opposed to limit, yes.

CHAIRMAN DIODATI: And you prefer to have the hammer. Eric.

MR. SMITH: If I may, that’s the reason that I tried to draw our attention to Issue 3 is that seems to be where you want to restrict your fisheries, “when Z is increasing and abundance is decreasing”. If I may, are you asking even when those conditions are not occurring, you still want to restrict the fishery?

MS. DUVAL: You might want to. I had some confusion about the two issues as well. It seemed that there was – when you said “consolidate those two”, I was in agreement with that because it seems like some of the options under Issue 3 you could incorporate under Issue 2.

MR. SMITH: I guess my view is the state can always be more conservative if they want to. I see the conditions of Issue 3 clearly suggest to me you would want to restrict your fisheries. The clarification, which, of course, we haven’t seen yet, might satisfy the concern on Issue 2, but I think if a state – like if Connecticut looked at the condition of our stock and Z wasn’t increasing and abundance – well, Z wasn’t increasing and abundance was okay and we might still want to regulate it, we wouldn’t necessarily need the Commission to tell us to do that for this kind of a fishery.

We would simply say our stocks need some additional attention beyond what the plan calls for. I guess I want one of these objectives to say when the conditions require it, you should restrict your fisheries, and I’m a little unclear about what Issue 2 ought to really say. It’s hard to vote for the motion.

MS. ROBBINS: The chairman has asked me to make a recommendation that the motion be amended to accept the document for public comment with the title that you would like for Issue 2 within the motion.

CHAIRMAN DIODATI: I guess what I’m trying to – we’re very close to accepting this document, and I don’t want you to take our word that the changes are going to be made and then you’ll see them afterwards. I’m looking for some way to make a reasonable change in the language right now that gives you the comfort that we could go ahead and approve this. Maybe we could even add some language pending further clarification or something to that effect. Go ahead, Eric.

MR. SMITH: This may not be a perfect solution, but I just scrolled back to the assessment recommendations and looked at the language that reminded me. I understand Michelle and I may have a little difference of opinion on the exact language.

Issue 3 tracks Recommendation 2, which says “restrict fisheries operating on stocks where total mortality is increasing and relative abundance is decreasing”. I think Issue 3 as it is in the document is fine.

Issue 2, the problem statement suggested what is the assessment recommendation one; “do not increase directed fisheries for American shad”. In other words, no matter where we looked in the assessment, the condition of shad stocks were such that even if the Connecticut were, you know, it’s low but stable. It’s not declining, the mortality rate isn’t going up, but it’s low historically, you want to say “do not increase directed fisheries”.

That’s your first level of response to your concern. Then if the indices start to go in the wrong direction, you want to actually do more. I would use the language of – in Issue 2 I would use the language from the assessment recommendation, “do not increase directed fisheries for American shad”. Then you need to tinker a little bit with your option language, but I’d leave that to the drafting.

CHAIRMAN DIODATI: Michelle, does that address your concern if we do that?

MS. DUVAL: You know, I guess my concern is that we’re trying to – from what the assessment says, we need to rebuild these stocks, so “do not increase directed fisheries for American shad” doesn’t seem to provide any impetus for actually moving forward with any management measures that would be rebuild. In other words, if you’re low but stable, do you have any motivation to actually improve the status of the stock?

CHAIRMAN DIODATI: Do not increase suggests status quo. Okay, Doug, do you have something to this point?

MR. DOUGLAS GROUT: Yes, Mr. Chairman. I agree with Eric that we just put in “do not increase” in this. I also feel that a state can be more restrictive if they want to. In fact, New Hampshire has been more restrictive. We have a two-fish creel limit at this point and have a non-directed fishery, yet our shad runs that are under restoration have not been responding despite these extremely conservative actions. I don’t know how much – the next step we’d have to take would be closing everything. I think a state can be more restrictive if they want to.

MS. DUVAL: I’m okay with that. I just wanted to make that point.

MR. SMITH: If we’re sort of in agreement on the title of Issue 2; are we also in agreement that Erika and staff can tinker with the way the words in the options ought to read. Right now Option 2 and Option 3 both say – “reduce effort” is Option 2 and Option 3 is “reduce effort and regulate bycatch”, so they’re very similar, and they ought to be tuned up for the way the issue now reads, but I couldn’t offer language right now.

CHAIRMAN DIODATI: I’m satisfied that Erika is going to be able to improve that. More discussion? A.C.

MR. A.C. CARPENTER: The Potomac was the only jurisdiction that was listed as showing an improvement, and we, quite willingly, are ready to establish the benchmark for the Potomac. Knowing how long it takes to get a plan amendment through here, where in this management plan or this amendment does it say that once you have met your benchmark that you can start fishing again?

CHAIRMAN DIODATI: Apparently it doesn’t say that anywhere, A.C., at this point, but it’s a fair point.

MR. CARPENTER: Well, I know a lot of people aren’t necessarily thinking that far ahead, but we are within striking distance. If conditions continue in the Potomac and we continue on a trend line that we are currently seeing, we can be there in a matter of a few years.

CHAIRMAN DIODATI: Which would require an addendum, I would say, at that point to address either the Potomac or any other state that sees an improvement in a system. I think that’s what we’d be talking about.

MS. ROBBINS: At this point we’re in the draft Public Information Document stage, and the full contents of the options have not been written as of yet. I would think that if that was your concern, it would be expeditious to include that within this amendment instead of waiting to add another addendum down the road.

MR. CARPENTER: Then I’d like to see an Issue 4 added to the document that essentially says once the benchmark or restoration goal has been met the jurisdiction has the ability to come back to the management Board to have a fishery plan approved. I think that does give everybody the satisfaction of knowing that there is a goal out there and there is an endpoint; and when you get there, you’re able to

come back to the Board and begin to liberalize your fishery in some approved fashion.

CHAIRMAN DIODATI: Is that okay with the makers of the motion, to accept the document with changes and additions as we've discussed so far?

MR. AUGUSTINE: Yes.

CHAIRMAN DIODATI: I think we have a record of all that. More discussion? Are we ready to vote? The motion is move to approve the PID for Amendment 3, American shad for public comment with changes and additions as discussed. Motion by Mr. Augustine; seconded by Mr. Adler. All in favor please raise your hand; all opposed same sign; abstentions; null. The motion carries.

ADVISORY PANEL NOMINATIONS

Okay, the next item on the agenda is to discuss Advisory Panel nominations; and, again, I'll leave this Erika.

MS. ROBBINS: Thank you, Mr. Chairman. The Board was apprised of the status of the Advisory Panel at the last meeting that because the panel had not met in ten years several members were no longer in participating in our process or were not able to participate. We asked for nominations from the states to the Advisory Panel. We have several state nominations.

There are some states that have chosen not to have any members on the Advisory Panel at this time. We have spoken with the Advisory Panel Oversight Committee today about the possibility of states having more than two representatives on the panel to provide the Advisory Panel with members who were representative of ideas or knowledge that currently weren't represented on the panel with their two members per state option and two non-traditional stakeholder option.

We have currently some states that have requested to have three members on the panel. Our current nominees are: Deborah Wilson, Dennis Smith, Dave Ellenton, Michael Blanchard, Jeffrey Reichle, Richard St. Pierre, William Richkus, Michelle Hollowell, Louis Ray Brown, Willard Cole, Jr., Thomas Larry Crowder, Jr., and Kevin L. Gladhill. These are the state nominations only. We'll go over the non-traditional stakeholders next.

CHAIRMAN DIODATI: I'm not sure what the pleasure of the Board is here, but I would entertain a motion to accept the whole slate.

MR. VITO CALOMO: So move.

CHAIRMAN DIODATI: Pat White seconded the motion.

MR. ROY MILLER: Question, Mr. Chairman; can we revisit this nomination at some time in the future if Delaware, for instance, finds someone that is willing to serve on this at a future meeting?

CHAIRMAN DIODATI: Absolutely.

MR. CARPENTER: Mr. Chairman, I was under the impression that the Potomac River had also submitted a recreational fisherman form to be added to this, and I don't see it listed.

CHAIRMAN DIODATI: I don't either. Is that Mr. Crowder?

MR. CARPENTER: No, he's the commercial representative.

CHAIRMAN DIODATI: Is it Mr. Gladhill; is it Kevin Gladhill from the PRFC?

MR. CARPENTER: Okay.

CHAIRMAN DIODATI: Okay, all in favor of this motion, raise your hand; opposed; abstentions. The motion passes. We have a second group. Jim.

MR. JAMES GILMORE: Thank you, Mr. Chairman. We were having difficulty getting a nomination, but I actually just got one this morning. We obviously will forward that information to you, but it's Byron Young, who was a former fisheries director at DEC. We're going to put his name forward, and we'll submit the appropriate information to you. Thank you.

MS. ROBBINS: The Advisory Panel Oversight Committee today reviewed the applications for non-traditional stakeholders and chosen two to recommend to the Board for the Advisory Panel. We have Alison Bowden from The Nature Conservancy and Pan Lyons Gromen from the National Coalition for Marine Conservation.

REPRESENTATIVE DENNIS ABBOTT: Thank you, Mr. Chairman. I would just like to comment that we did meet this noontime and we discussed –

we had 12 candidates, 12 very qualified candidates and we selected the two that you see before you. We also found that there are a number of other candidates who should be considered by the states and staff will be talking to the states about including those where there are vacancies available. There were several of them that very clearly would also fit the traditional advisors, so we'd like you to give those due consideration when you talk with the staff.

CHAIRMAN DIODATI: Okay, do we have a motion to accept the two non-traditional nominations we have right now? Actually, it would be appropriate at this point, to save Jim the work and us having to revisit this in the future, add Byron Young's name here. I think we all know Byron. He is a former employee of the state of New York. If there is no objection to that, we could expand the nomination to add Byron Young to this list. We have a motion from Dennis to accept this list; seconded by Mr. White. Any discussion? Go ahead, Bob.

MR. ROBERT E. BEAL: Just to be clear on the motion, there are two non-traditional stakeholders and then Byron would be the representative from New York as a – I guess we call them traditional stakeholders. Is that the intent?

CHAIRMAN DIODATI: It is the intent. Any other discussion?

MR. CALOMO: I heard Erika mention three from one state, one from one state, two from another state. Aren't the states equal in membership?

MS. ROBBINS: States have the opportunity to appoint two members to the Advisory Panel. Some states have chosen not to nominate any members. Other states have chosen to nominate one member. Excuse me, I am going to go to Tina. My memory doesn't serve me correctly.

MS. TINA BERGER: Yes, there were three states that requested that three members – that they have three representatives to broaden their representation.

That was Maine, North Carolina and Massachusetts. Those members were reflected in the earlier motion today.

MR. CALOMO: I'm all set, thank you.

CHAIRMAN DIODATI: Any other questions? Seeing none, all in favor raise your right hand; all opposed; abstentions. The motion passes. Other business, Board members? Craig.

MR. CRAIG SHIREY: Thank you, Mr. Chairman. Going through the Public Information Document and looking at Tables 2 and 3, which is a summary of the mandatory fisheries-dependent and independent monitoring programs, considering that the stock assessment has just been completed, I was wondering if this would be an opportune time for the Technical Committee to review the sampling programs and perhaps make new recommendations based on what was found to be useful in the assessment or maybe eliminate those programs that were required but were not found to be all that useful. What I was thinking of was some of the aging data that's required from especially mixed stock fisheries, which was not found to be very useful.

CHAIRMAN DIODATI: Yes, this would be the appropriate time. I guess without objection that sounds very reasonable for the Technical Committee to make those kinds of recommendations as we develop Amendment 3. I have noticed that a lot of fisheries have closed since the last amendment, and we probably still have requirements on the books to do monitoring in those systems as well. Thank you, Craig.

OTHER BUSINESS

ADJOURN

Any other business? We are now adjourned.

(Whereupon, the meeting was adjourned at 5:30 o'clock p.m., May 5, 2008.)