

**PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
ATLANTIC STURGEON MANAGEMENT BOARD**

**August 16, 2006
Arlington, Virginia**

ATTENDANCE

Board Members

Terry Stockwell, proxy for G. Lapointe (ME)	Bernie Pankowski, proxy for Sen. Venables (DE)
John Nelson, New Hampshire	Bruno Vasta, Maryland
Dennis Abbot, proxy for Rep. Blanchard (NH)	A.C. Carpenter, PRFC
Ritchie White, New Hampshire	Jack Travelstead, proxy for S. Bowman (VA)
Paul Diodati, Massachusetts	Kelly Place, proxy for Sen. Chichester (VA)
Gil Pope, proxy for Rep. Naughton (RI)	Preston Pate, North Carolina
Everett Petronio, Rhode Island	Jimmy Johnson, proxy for Rep. Wainwright (NC)
Eric Smith, Chair , Connecticut	John Frampton, South Carolina
Lance Stewart, Connecticut	Malcolm Rhodes, South Carolina
Gordon Colvin, New York	Robert Boyles, South Carolina
Pat Augustine, New York	Spud Woodward, proxy for S. Shipman (GA)
Tom McCloy, New Jersey	John Duren, Georgia
Dick Herb, proxy for Assm. Fisher (NJ)	Luiz Barbieri, proxy for G. McRae (FL)
Erling Berg, New Jersey	Bill Johnson, proxy for Rep. Needelman (FL)
Leroy Young, proxy for D. Austen (PA)	Tom Meyer, NMFS
Eugene Kray, Pennsylvania	Jaime Geiger, USFWS
Frank Cozzo, proxy for Rep. Schroeder (PA)	
Roy Miller, proxy for P. Emory (DE)	

ASMFC Staff

Vince O'Shea
Bob Beal
Brad Spear
Toni Kerns

Guests

Joseph Doll, LaPaz Group LLC
Chris Moore, NOAA Fisheries
Christian Hagar, VIMS, SeaGrant (VA)
Chris Moore, Chesapeake Bay Foundation

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

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MR. PRESTON P. PATE, JR.: Thank you, Mr. Chairman. We've been working with LaPaz and Mr. Doll through our own permitting process to approve his facility and are confident that the safeguards that he has in place are adequate to prevent any escapement of his stock from that facility so I would like to move that we move forward with the addendum that would add Supreme Sturgeon and Caviar to the source of suppliers for his operation.....8

**ATLANTIC STATES MARINE FISHERIES
COMMISSION
SUMMER MEETING**

STURGEON MANAGEMENT BOARD

DoubleTree Hotel Crystal City

Arlington, Virginia

August 16, 2006

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The meeting of the Atlantic Sturgeon Management Board of the Atlantic States Marine Fisheries Commission convened in the Washington Ballroom of the DoubleTree Crystal City, Arlington, Virginia, on Wednesday, August 16, 2006, and was called to order at 1:00 o'clock, p.m., by Chairman Eric Smith.

BOARD CONSENT

CHAIRMAN ERIC SMITH: If you will take your seats and if the extra conversations go outside we'll be eternally grateful to you. This is the meeting of the Atlantic Sturgeon Management Board. The welcome is the fact that I am your new chairman. My condolences to you all.

After Bob Beal's staunch support and service over the past few cycles no one is more relieved to not be chairman than Bob is. So I'm the chairman. Pat Augustine is the new vice chairman and we'll proceed forward from then.

Are there any other items to add to the agenda? We have three issues of other business so you can keep those in mind. There will be a handout of a bycatch report. The presentation that we got from Dr. Secor last February is now embodied in a written report and we'll have that at the end of the day.

We've been asked to provide the fisheries service, National Marine Fisheries Service has been asked, has asked us to provide a brief

summary of the status review for Atlantic sturgeon. We'll get that under other business.

And a summary, if you recall, Virginia has been engaged in a bycatch survey study and the Board in the past has asked them to keep us periodically updated and they have such an update for us today. So those will be the three items of other business. Seeing no other additions, Jaime.

DR. JAIME GEIGER: Yes, Mr. Chairman, I would like to have a brief moment at the end for other business.

CHAIRMAN SMITH: Subject.

DR. GEIGER: Subject, shortnosed sturgeon.

CHAIRMAN SMITH: Okay.

DR. GEIGER: Thank you.

CHAIRMAN SMITH: Okay, we'll add that. Other items? Okay, seeing none is there a motion to approve the proceedings from the February 20th meeting? Who is that? I don't see who is offering that motion.

MR. PATRICK AUGUSTINE: **So moved.**

CHAIRMAN SMITH: Oh, Mr. Augustine, thank you. Second, Gene Kray.

DR. EUGENE KRAY: Second.

**PROPOSAL TO MODIFY NORTH
CAROLINA AQUACULTURE PROPOSAL**

CHAIRMAN SMITH: Thank you. I knew. He knows I knew. Okay, moved and seconded. Without objection we'll take approval of the proceedings. Public comment now on topics that are not otherwise on the agenda.

Is there anything from the public unrelated to agenda items that you'd like to have the Board made aware of? Okay, seeing none, thank you. Item 5 is the proposal to modify the North Carolina aquaculture proposal.

There has been, there is some material on the CD that you received before the meeting on this subject but I'm going to ask Brad to summarize the issue so we're all aware of where we're heading on this particular issue. Brad.

MR. BRADDOCK J. SPEAR: Thank you, Mr. Chairman. You will recall the Board approved an addendum to allow for the exemption and possession of Atlantic sturgeon for a private company in North Carolina.

Since that time that company has been offered an opportunity to obtain sturgeon from another source, another company up in Canada that was not specified in the addendum. And they have since, the North Carolina company has since requested that the commission review this proposal and allow for another exemption.

Our process is set up such that this must occur through the addendum process. So, again, this would require another addendum to specify this new company. And the details of the request from LaPaz was included in the briefing CD packet. It was just a letter from the president, Joseph Doll, and he is here today to present the proposal verbally. And I would ask him to come to the mic.

MR. JOSEPH DOLL: Thanks, Mr. Chairman and Mr. Spear. My name last name is Doll, D-o-l-l. To begin with I have a few photos I'd like to share with you but Mr. Spear has suggested that I respond to a letter that he wrote me after your last meeting I think in February.

But, even before that I would like to start around something I'd like you folks to see and I'd like it back toward the end but I'll explain more about that but you can see the material, anyhow.

In your February meeting there were a couple issues brought up and I did respond to Mr. Spear. I think my response is on his computer. I didn't bring it so I'm just going to verbally go over two things.

I think that were some questions about release, intentional or unintentional, and what we had

done to alleviate the possibility of either. At the time that last May when Addendum II was approved we had said that water going away from our building would go into an effluent pond and then be pumped on agricultural properties.

Since then Dr. LaSort at North Carolina State University has come up with a BMP that suggests you use a dewatering process, a geo tube. That is the material that's coming around. We have employed that. All water exiting our facility—there are no valves in the first place that will let water exit without, we cannot drain a tank unless you intentionally do it.

You have to turn on a pump. You just can't accidentally open a valve and have water go out of our facility. There is water exiting that goes through the drum filter or sledge separators first.

It will go through this geo tube material and then, after that filter, will go on to the effluent pond. So that takes, that is how we have bettered our process as far as unintentional release.

As far as intentional release, I told Mr. Spear in my letter that LaPaz, the partners in LaPaz believe that any intentional release is a criminal matter and would and will to the utmost assist in any criminal prosecution. We understand that this is something that is quite often beyond anyone's control but we certainly see it as a criminal matter.

Okay, now I'll just briefly go through some photos that I brought that say what we have done since we did receive approval for Addendum II. This is a location of our facility. I'm not sure whether you can see a little red star. That is 400 or so miles from the coast of North Carolina.

We're in the mountains. We're pretty far away from the coast so we are at the headwaters of the Yadkin River which does flow through Eastern North Carolina and then down into South Carolina as the Pee Dee, an exits to the Atlantic. So we're pretty far inland, anyhow.

The next one, this is the construction that we've

done since last May. We have a metal building. You can see, yes, the mountains. We're in mountainous terrain. That is, the bottom left is the effluent pond, about a half-acre pond. From there it will be pumped onto agricultural fields. Next.

Again, just pictures of our facility, the building as it went up. That's, we had Dr. Jeff Hinshaw from Cold and Cool Water Fisheries, North Carolina State, and Dr. Tom LaSort up at the beginning of the month to see where we were and these pictures were from that time. Next photo.

This is the dewatering bag as installed. It's just a great big bag. It's 15 feet wide and 90 feet long and that in the foreground of the right picture is a sump pump. The water that does come from the drum filter or the particle separators is gravity fed into that sump which pressurizes and will pump it into this bag.

And then from there the water actually goes out into a gravel bed and there is another sump at the other end which pumps it into the effluent pond. So, very little is going to pass through that bag. It's just dewatering. It takes the water out. The solids sit there.

When you fill that bag up which we think is probably a year or two years from now we build another one right beside it. And you let that one dry, cut it open, haul it away for fertilizer and then put another bag on it when, another bag on that pit when you need to.

This whole BMP was sent to Brad. Maybe it has been disseminated to all you folks since. If not I'm sure he has copies or I'll be glad to, or you can get a hold of Dr. Tom LaSort at North Carolina State University, for further information about the process.

The inside of the facility, the left is the office space. And, although it's kitchen cabinets that's really laboratory cabinets. The top picture is the four tanks that we have for nursery at this point.

We have them up and running. We're ready to receive fish. And the right picture is the

remaining part of this building which will accept four 18,000 gallon tanks, which we are beginning construction on now.

The reason we have no fish, as Katrina exited New Brunswick last fall the fish farm there, Dr. Ceapa, facility, got struck pretty badly. We lost all of our stock. We now have, we did, he did spawn fish in July. Those fish will be shipped to us in, 5,000 fry will be shipped to us in mid-September. Next.

And just more pictures of the facility. The left picture is a sledge collector, just filtration, taking solids out. The top picture is the bio-sumps, the bio-filtration. Top right is the oxygenators and the bottom right, bottom to the right is just a source of water coming in, well water.

And that is all my pictures and that is enough so from there I will go on to my request for the day, if I can. I will just read the letter that I did send to Mr. Spear, Mr. Beal, Mr. Robertson, earlier at his request. And then I will just say a few points about why we're making this request. My letter goes:

"Gentlemen: Recently Dr. Hinshaw and I made a trip to St. John, New Brunswick, to visit Acadian Sturgeon and Caviar Company, the facility that will supply LaPaz with 5,000 Atlantic sturgeon larvae in the coming months.

"While in New Brunswick we had the opportunity to meet Don Breau, President of Supreme Sturgeon and Caviar at his facility in Penfield, New Brunswick. We learned that Mr. Breau had recently acquired approximately 1,200 Atlantic sturgeon from several year classes in a court auction proceeding along with a number of shortnosed sturgeon.

"Mr. Breau's interests lie in the shortnosed. He intends to market the larger Atlantics for meat and if he cannot find a buyer for the smaller fish he intends to destroy them. It is not in his plans to continue to raise them.

“LaPaz Group, LLC, requests authorization from Atlantic States Marine Fisheries Commission to purchase, transport and possess up to a total of 750 Atlantic sturgeon of year classes 2000, 2001, and 2002, from Supreme Sturgeon and Caviar.

“This request is a one-time transaction and Mr. Breau will be required to substantiate that these fish were spawned in a captive environment. Your timely attention to this request will be very much appreciated. Please contact me with any questions.”

Our request, therefore, asks that this Commission add Supreme Sturgeon to be a supplier for us and that we be allowed to make this purchase. Several things this does for us, our company, knowing that it takes some time, some great time for Atlantic sturgeon to mature acquiring cultured fish four to six year of age will greatly reduce the time that LaPaz is dependent on importing young Atlantic sturgeon from Canada or anywhere else.

We see that this gives us some independence from Canadian sources or other private hatcheries working with Atlantic sturgeon, which really there is only one in North America and that being Dr. Ceapa, as far as I know of, private, commercial hatcheries, anyhow.

The sturgeon would be available as a one-time opportunity and we see this as a, that we would gain some knowledge because these were hatched in captivity and they have some aquaculture experience.

So these fish are now at the Huntsman Marine Science Center and they were spawned originally through a government project to help with aquaculture business environment. So, I’ll take any questions. I’ve rushed right though that, I know. But I’ll try to answer any questions as they come up.

CHAIRMAN SMITH: Pat Augustine.

MR. AUGUSTINE: Thank you, Mr. Chairman. Mr. Doll, you said as a part of your presentation that based on Katrina or some other, I think it was Katrina, you lost your stock that you had. Could you give us an idea as to what that consisted of, how many? Do we have an idea of whether they just died or did they drift off into the ocean?

MR. DOLL: Actually, it was a power failure because of the storm. And I think Dr. Ceapa did not have backup systems in his oxygen. No, they did not go back into native waters or anything like that. It was just death by environment.

MR. AUGUSTINE: A follow-on, Mr. Chairman. I noticed in your letter you noted that this gentleman by court auction had acquired approximately 1,200 Atlantic sturgeon and went on to say that although his interest lies in shortnosed that you would end up with about 750 Atlantic sturgeon. So did he give you an idea of what would happen to the rest of them?

MR. DOLL: The larger ones will, the 1999, anything large enough that he can make more money selling to the meat market he will do that.

MR. AUGUSTINE: That will be the adults, in between 750 and 1,200?

MR. DOLL: Yes, sir.

MR. AUGUSTINE: Okay. Thank you.

CHAIRMAN SMITH: Pres Pate.

MR. PRESTON P. PATE, JR.: Thank you, Mr. Chairman. We’ve been working with LaPaz and Mr. Doll through our own permitting process to approve his facility and are confident that the safeguards that he has in place are adequate to prevent any escapement of his stock from that facility so I would like to move that we move forward with the addendum that would add Supreme Sturgeon and Caviar to the source of suppliers for his operation.

CHAIRMAN SMITH: Motion made. Second

by Paul Diodati. Comment on the motion. Okay, with your indulgence this is to start an addendum. Obviously time is something of the essence because fish grow.

And I would suggest that an abbreviated course of action that's still within our process is for Brad to put together the draft addendum, circulate it to us for a brief time to make sure we're satisfied. It is a brief subject so it doesn't, it's not a lot of complicated wording to read.

But in order to avoid the need to have Meeting Number 1 to look at a draft addendum and Meeting Number 2 to approve it, which would take us to February, if can agree to approve by a fax ballot the draft, do the public comment during the next two months and take final action as we see fit in October, that's about the most expedited process I can think of unless the Board is inclined to want to approve after a public comment period approve the final document also by a fax vote.

That's an issue for the Board to decide. The thing I would ask that we add to this addendum, though, you can just imagine that this will come up again where a new fortuitous source of fish becomes available.

It would be nice if we could amend in this addendum the process we use so that by an action of the Board we could review a new proposal for a new supplier and approve it without having to go through an addendum.

I think that would be fairly efficient and it would give us the due diligence that we really ought to have but North Carolina clearly is going to do the heavy lifting on the review and this Board is sort of a backstop to be consistent with our plan.

So we could economize on this process if the addendum that we ultimately approve says by an action by a vote of the Board we can add to the list of suppliers. If you're comfortable, if there is no objection to that I would direct Brad to have that in the addendum.

Okay, seeing no objection that will be included. Other comment on the motion. Seeing none

from the Board, comment from the audience. Seeing none, time to caucus? Does not appear to be any need for caucus time.

All those in favor of the motion raise your hand; all those opposed; chairmen of the commission don't get to vote twice, sorry; any null votes; any abstentions. **Okay, the motion carries.** That concludes that business and we'll all look for the addendum to be sent out soon.

MR. DOLL: Thanks, Chairman Smith. Thanks to everyone.

ATLANTIC STURGEON BYCATCH REPORT

CHAIRMAN SMITH: Thank you. We are now to other business. Brad, the bycatch report.

MR. SPEAR: As Mr. Chairman mentioned earlier, the Board received a presentation from Dr. Secor at the last meeting. It was just a PowerPoint presentation. What you're receiving now is the report from the bycatch workshop that was held in February.

There are some minor editorial changes to the document that have to be made. But the conclusions in the report are final. And it's, you know, for your use.

CHAIRMAN SMITH: All right, and again, we did see a PowerPoint presentation on this subject in February so you can see that summarized in the proceedings if you wish.

MR. SPEAR: And Dr. Secor wanted to be here but his boss from the Southeast Region came to visit him this week and that took priority over the meeting. I told him that was fine but he sent his wishes that he could be here.

STATUS REVIEW OF ATLANTIC STURGEON

CHAIRMAN SMITH: Okay, thanks. Status review on Atlantic sturgeon. And who is going to do that presentation? Is Damon Randal there? Thank you. You're going to come and join your cohorts here or there? Either way. Thanks.

MS. DAMON RANDAL: Thank you. The National Marine Fisheries Service has the lead on the status review. We've formed a Status Review Team which consists of U.S. Fish and Wildlife Service, U.S.G.S. and National Marine Fisheries Service representatives.

The team has met twice and drafted the status review report. The status review report was sent to regional representatives and to ASMFC through Mr. Spear a couple of months ago. Those comments and any additional information that we got from the regional representatives have been incorporated into the status review report which is now undergoing kind of a final review by the team.

Once that has been completed and any comments from the team have been incorporated it will be finalized and sent to the peer reviewers. And there are six peer reviewers that have been identified.

The peer reviewers will be given probably two weeks to a month to review the document and then get NMFS back any comments that they have. The team will then have to take into account those comments and consider how they want to address them in the status review report.

Once that has been done the status review report will be formally submitted to NMFS and a listing determination will be made sometime after that. And we expect the peer review to occur probably in the middle of September to the beginning of October.

And then we'll have the final review comments by the end of October and then that will then be taken into account by the team and then submitted to NMFS sometime probably in November.

VIRGINIA BYCATCH STUDY

CHAIRMAN SMITH: Questions. Seeing none, thank you. Virginia Bycatch Study, Kelly or Jack? Kelly.

MR. KELLY PLACE: As you all know, we

conducted a bycatch study on sturgeon the last two years in Virginia. We had a lot of different goals best I guess exemplified in the title. It's "Assessment of Sturgeon Bycatch, Bycatch Mortality and Other Regulatory Discard Mortality in Virginia's Winter and Spring Striped Bass and Other Gillnet Fisheries."

Our objectives, beyond what's implied in the title, were to essentially reduce and measure bycatch in all these fisheries and look for gear modifications to make the fisheries more environmentally ecologically sound.

In so doing we conducted an independent survey, a dependent survey and a reward program in Virginia's waters. We were in the ocean, the Bay, the York, James, and to a lesser extent the Rappahannock River.

We found quite a number of sturgeon since that is the focus of our thing. We put pit tags in a great number of them. I would say the majority also had external tags and certainly the majority we collected DNA from for various population analyses.

And we also took a number of spines for age and growth.

My co-investigator in this effort, Dr. Christian Hagar from VIMS, is with us and he is going to present to you a preliminary analysis of some of the bycatch and mortality issues and possibly some other things.

I believe we ended up with over 600 sturgeon, primarily in the spring and to a lesser extent in the fall of '05. With that I think if it's okay with the Board I'd call Dr. Hagar up.

CHAIRMAN SMITH: Yes, that's fine.

DR. CHRISTIAN HAGAR: How are you all doing today? The last time I presented I believe—Dr. Christian Hagar—we had right at about 100 fish. That was for the year 2005. We can add 500 fish gathered in the spring of 2006 to that.

So really the only thing that changes in the publication that you were just handed is that the

observer program actually managed to observe enough time on boats, to be on boats enough to actually get a dead fish coming up. And so that changes from zero to 17.

The only other things that change in there are just that the numbers go way up, the N goes way up. Instead of having N of 2 we've got N of 15. And that will all be corrected and sent out to you.

We did see an increase in catch per unit effort in the commercial fishery, just the observer program. We also saw an increase in the catch per unit effort in John Olney's program which is actually a state gillnet being run for American shad population assessment. It's actually the spawning populations.

Those nets have been run in the same spot for over ten years so we feel that there may be something going on as far as increases in catch. His numbers basically in N went from 26 to 41 and a CPUE, obviously, about doubled, too, because he runs it for the same amount of time each year, maybe a day or two off. So basically his CPUE doubled as well.

The only other thing that is unusual that has not been entered into the document that you are holding now is that we've retained 107 fish. And finally with getting that many fish retained for over four days at a time we got a 2 percent increase for long-term mortality.

So, that's something nobody has ever looked at is, you know, we know instantaneous mortality. We know if it's dead when you pull it up but how many of them die from the stress, etcetera, later on. And right now preliminary we think it's about 2 percent.

Of course that's a temperature-related topic which didn't get into the document but there is a great deal of work with Mark Collins and also now it's beginning to sort of show itself in our study that obviously net time in the water makes a difference because it's purely related to stress.

But temperature of the water, which is also related to stress, also increases mortality rate.

We're working on that a little bit more with some physiologists and we'll probably design something coming up to test that in the lab.

We also had a 5 percent mark recapture rate which is not as high as what Secor realized but these fish have not been out there but since January 2006. So we've had a 5 percent recapture since that time.

Secor allowed about two years for his amount of recaptures. He had an 8 percent recover rate so we're not sure if that says anything about hatchery-reared fish versus interactions with commercial gear versus wild-caught fish continuous interactions.

We've also had a number of studies that this has sort of branched into. It's become a multiple university effort. We've sent our aging information or rather our analysis up to VCU to be done by Greg Garman.

Also we have a toxicology research project being carried out by Dr. Hale on the morts that we have. He is going to be looking for various toxins that could be affecting reproduction and also growth rates.

We've also done some tracking, myself, Dr. Jack Musick and myself have done a great deal of tracking and side scan sonar work in the Upper James River attempting to identify hard bottom spawning habitats.

Our tracking so far has been unsuccessful. We don't know if that's because in the implantation of the internal transmitters we've somehow altered their movements or if we didn't capture these fish in time.

But we have identified suitable hard substrate bottom in the Upper James River that could be remnants of spawning habitat. That will be ground truthed later. We just finally found it on the side scan. We haven't gone to actually ground truth any of that.

And last but not least is these zooarcheology work that we are now doing with APVA, Colonial Williamsburg, at the Jamestown Dig

Site on all of the fish remains that they've pulled out of the well recently there.

We are trying to actually maybe use the pectoral spines and growth rates to get an analysis of comparison in water quality and growth rates between sturgeon in the 1600s versus sturgeon today.

We don't know where that's going to go but we're just trying to help them do as much as they can with the remains that they've found. So it's sort of interesting on the historical. And that's all I've got right now.

CHAIRMAN SMITH: Thank you. Questions for either Kelly or Dr. Hagar. Okay, seeing none, thank you both. We look forward to the next update. Shortnosed sturgeon review, Jaime Geiger.

SHORTNOSE STURGEON

DR. GEIGER: Thank you, Mr. Chairman. As we've heard, you know we have a considerable amount of work going on with Atlantic sturgeon coastwide. And certainly I think this Board has been very instrumental in encouraging this kind of research and monitoring and evaluation and focusing efforts to hopefully restore Atlantic sturgeon populations coastwide.

But also one thing that I think we also need to realize, there is another sturgeon out there and that's the shortnosed. As certainly most of you are aware, shortnosed sturgeon are listed under the Endangered Species Act by NOAA Fisheries.

If memory serves me correctly, this Board at one time voted, all right, to get clarification about the Sturgeon Management Board. And if memory, if my memory is indeed correct it was to include shortnosed sturgeon as part and parcel of the sturgeon management plan.

Some members of this Board may have better memories than I, but certainly somewhere I recall that we did make that motion, we did make that decision. Mr. Chairman, I would like to get clarification that is indeed shortnosed

sturgeon to be considered part and parcel of the Sturgeon Management Board roles and responsibilities? Thank you.

CHAIRMAN SMITH: I'm going to ask for the institutional memory guru to try and answer that, Mr. Beal. That would be Mr. Beal. Do you have any recollection of that? Or Gordon Colvin who chaired this board a while back? I don't. You do. Okay. Is Jaime correct?

MR. GORDON C. COLVIN: Yes, my recollection is that we did make an affirmative decision at one point that the scope of the board's purview would cover both Atlantic and shortnosed sturgeon.

We didn't and have not developed any affirmative agenda with respect to what we might do with shortnosed. At that time we were pretty much tracking the completion of the recovery plan, as I recall.

And I suspect that it might be incumbent on us at some point to review the recovery plan and ask ourselves, you know, whether as a board or a commission we should establish some affirmative action agenda for ourselves with respect to shortnosed, absolutely.

CHAIRMAN SMITH: Okay, if that's the case, then the first thing I would suggest is from now on, on our agendas we say "ASMFC Sturgeon Management Board" and start to focus ourselves on the fact that it's all species or at least two. Having heard that, now, Jaime.

DR. GEIGER: Thank you, Mr. Chairman. Again I think this Board has a real opportunity, again, to focus not only the continuing effort on Atlantic sturgeon but also follow up on some of the anecdotal information we're getting on shortnosed populations.

And, again, try to look at both species simultaneously. And, again I think there's real opportunity for this board to take some leadership on both of those species. And I would urge the board to, us, collectively, to get more involved in that.

And one of the first steps may, indeed, be to allow our National Marine Fisheries Service colleagues to give us an update on the status of the recovery plan, current estimates on status and trends of shortnosed, and to allow us to get a complete update of where the species is, what the projections are, how in line it is with the current recovery plan, and allow us to make some more informed decisions about how involved or how much involvement or overlap there may be between the two species and the ongoing research and development work and ongoing conservation efforts. Thank you, Mr. Chairman.

CHAIRMAN SMITH: Thank you. Gordon Colvin.

MR. COLVIN: I think that's a good idea. I would support what Jaime is proposing. Just another observation. Earlier this year National Marine Fisheries Service held the first ever nationwide meeting of state Section 6 coordinators.

And while not our state Section 6 coordinator I attended the meeting, partly out of curiosity and partly to cover for the fellow from our wildlife program who couldn't make it. And it was quite interesting.

During a substantial part of the meeting there was a division of the attendees into different groups. There was a fish group. There was a turtle group and there may have been a marine mammal group. I'm not even sure.

But I went and sat in on the discussions of the fish group and one of the things that I observed is that most of the Section 6 states now are East Coast states. That's us. And that there was not as strong a connection as I might have suspected between those working on the Section 6 programs, Endangered Species Programs, particularly at the federal level, and the management programs.

And I think it would be very useful to work on creating a stronger connection between the fishery management programs, the activities of the commission and this board in the case of

shortnosed and who knows, potentially Atlantic sturgeon upcoming, and the folks at National Marine Fisheries Service, Fish and Wildlife Service and other federal institutions that are working primarily on endangered species and are not as well plugged into the fisheries management program as we might think that they are.

And I really would hope we could do that. And I have had very brief conversations with Bob and with Chris Moore about this. And I think it's worth following up.

CHAIRMAN SMITH: Thank you. Good suggestion. Leroy.

MR. LEROY YOUNG: This is just an interesting note related to the shortnosed. I know there are 316(b) studies being done around the country right now related to the new rules.

And I just heard yesterday from our area fisheries manager, Mike Kaufmann, at the Delaware Estuary that 24 shortnosed were entrained at one of the plants in Pennsylvania. He just found. So I thought that was interesting. And I don't know how much more of that type of thing is going on but I just note that.

CHAIRMAN SMITH: Thanks. Pat Augustine.

MR. AUGUSTINE: Thank you, Mr. Chairman. I noticed in the report that we have put out by our folks in New York on the Atlantic sturgeon bycatch workshop I didn't see any indication of any of the other bycatch animals being shortnosed sturgeon.

I wonder if that was left out. They're not reported? Is there a report anywhere that would indicate some of the states have some data on what they have caught as bycatch? Are we aware of anything?

CHAIRMAN SMITH: At the risk of putting anyone on the spot, it occurs to me that some of these questions perhaps Kim or someone from the Fisheries Service could answer. I know it is putting them on the spot because they hadn't intended to but if any of those questions Kim or

anyone else have a ready answer, that would be helpful to us, but certainly not a demand. Thanks.

I think the general sense is Gordon is quite right, that we ought to—and Jaime—integrate these two species as much as possible in our thinking so that we stay tuned to both of them.

And I think we'll move forward in that regard if there is no objection. All right, thanks. Thank you, Jaime for that. That's the list of things we had as other business. Is there anything else board members? Roy.

MR. ROY MILLER: Thank you, Mr. Chairman. I just wanted to make a note that in the Delaware Estuary historically our agency has had difficulty capturing adult Atlantic sturgeon during our sturgeon monitoring program that we conducted in the early 1990s. And that was largely setting our own gillnets. And we just hadn't had any luck capturing adult sturgeon.

And Dr. Dwayne Fox at Delaware State University has recently undertaken a program using cooperating commercial gill netters. And he is, that program is bearing some fruit. And he's basically doing it on a reward basis.

As a gill netter captures a sturgeon they use their cell phone to call Dr. Fox or one of his graduate students. The sturgeon is tethered to the boat by the tail and the grad student or the professor goes out and tags the sturgeon and makes the necessary measurements. And it has borne some fruit.

And if anyone wants more details, Dr. Dwayne Fox can supply those details and one of his graduate students is now an ASMFC employee, Jessie, so maybe she knows a little bit more about it than perhaps I do as well. I just wanted to throw that in there for public information. Thank you.

CHAIRMAN SMITH: Jessie, I see—you don't have to waive violently but if you'd like to come forward and shed some light on this, feel free. Or are you just identifying yourself? Okay. Thank you. Thanks, Roy. Other items of other

business? Seeing none, is there a motion to adjourn? Well, Kim, were you moving to adjourn?

MS. KIM DAMON-RANDALL: I was just going to update you. NMFS is actually going to be undertaking a five-year status review for shortnosed sturgeon. And it should start sometime this fall so it might be a good time to try to coordinate all the efforts.

And then in answer to Mr. Augustine I think it was, his question about bycatch, we have tried to address that specifically with Maryland through their reward program by working with them to develop a habitat conservation plan under the ESA.

And that's still in the works. It got held up a little bit because they were trying to incorporate sea turtles into it as well. But that's one way that we're trying to address the bycatch issue. And the other way is through the Section 6 program and trying to get the states out there monitoring bycatch.

MR. AUGUSTINE: I thank you for that update.

CHAIRMAN SMITH: Thanks. Motion on the floor to adjourn. We're adjourned. Thank you.

(Whereupon, the Atlantic Sturgeon Management Board meeting adjourned on Wednesday, August 16, 2006, at 1:45 o'clock, p.m.)

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