

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

**Crowne Plaza  
Old Town Alexandria, Virginia  
March 22, 2011**

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2. **Motion to approve proceedings of August, 2010 by Consent** (Page 1).
3. **Move to nominate Russ Allen as Vice Chair of the Weakfish Board** (Page 1). Motion by Thomas O'Connell; second by Pat Augustine. Motion approved by Consent (Page 1).
4. **Motion to approve the Fishery Management Review by Consent** (Page 8)
5. **Move that the board approve the de minimis requests from Massachusetts, Connecticut, Georgia and Florida.** (Page 8). Motion by Pat Augustine.; second by Michelle Duval. Motion carried (Page 8).
6. **Move that the technical committee and the SASC be presented with the work completed by Dr. Jiao.** Motion carried (Page 9). Motion by Louis Daniel; second by Rob O'Reilly. Motion carried (Page 9).
7. **Motion to adjourn by consent** (Page 10).

## ATTENDANCE

### Board Members

David Pierce, MA, proxy for P. Diodati (AA)	Bill Goldsborough, MD (GA)
Ben Martens, MA, proxy for Rep. Peake (LA)	Russell Dize, MD, proxy for Sen. Colburn (LA)
Mark Gibson, RI, Administrative Proxy	Steve Bowman, VA (AA)
Rick Bellavance, RI, proxy for Rep. Martin (LA)	Jack Travelstead, VA, Administrative Proxy
David Simpson, CT (AA)	Catherine Davenport, VA (GA)
Lance Stewart, CT (GA)	Michelle Duval, NC, proxy for L. Daniel (AA)
Rep. Craig Miner, CT (LA)	Robert Boyles, SC (LA)
Pat Augustine, NY (GA)	Bill Cole, NC (GA)
James Gilmore, NY (AA)	Mike Johnson, NC, proxy for Rep. Wainwright (LA)
Russ Allen, NJ, proxy for D. Chanda (AA)	Spud Woodward, GA (AA)
Tom Fote, NJ (GA)	John Duren, GA (GA)
Adam Nowalsky, NJ, proxy for Asm. Albano (LA)	Jessica McCawley, FL (AA)
Craig Shirey, DE, proxy for P. Emory (AA)	Steve Meyers, NMFS
Roy Miller, DE (GA)	Jaime Geiger, USFWS
Bernie Pankowski, DE, proxy for Sen. Venables (LA)	A.C. Carpenter, PRFC
Tom O'Connell, MD (AA)	

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

### Ex-Officio Members

Lee Paramore, Technical Committee Chair

### Staff

Vince O'Shea	Toni Kerns
Bob Beal	Mike Waine

### Guests

Rob O'Reilly, VMRC	Karyl-Brewster-Geisz, NMFS
Ross Self, SC	Dick Brame, CCA
John Tulik, MA Envir. Police	Wesley Patrick, NOAA
Eric Braun, EHFAC, NY	Margo Schulze-Haugen, NMFS
Lewis Gillingham, VMRC	Jennifer Cudney, NMFS
Denise Ortiz, NMFS	Wilson Laney, MSFWS

The Weakfish Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crowne Plaza Hotel Old Town, Alexandria, Virginia, March 21, 2011, and was called to order at 2:40 o'clock p.m. by Chairman James Gilmore.

### **CALL TO ORDER**

CHAIRMAN JAMES GILMORE: Good afternoon, everybody. My name is Jim Gilmore. I'm the administrative commissioner for New York and I'm chairing the Weakfish Board Meeting today. I'd like to call the board to order.

### **APPROVAL OF AGENDA**

The first agenda topic we have is the approval of the agenda. Any changes to the agenda? Seeing none, we'll accept the agenda. Yes.

MR. ROB O'REILLY: I just wanted to make sure under other business I would like to have a motion at that time, just to give you advance notice, concerning future information for the technical committee and stock assessment subcommittee.

CHAIRMAN GILMORE: Okay, thanks. Any other changes to the agenda?

### **APPROVAL OF PROCEEDINGS**

Next we have approval of the minutes from the August meeting. Are there any changes to those minutes? Seeing none, we'll adopt those by consensus.

### **PUBLIC COMMENT**

At each meeting we have a time period for public comment. Is there any public comment right now on things that are not on the agenda?

If you're in the audience and you'd like to make a comment, please raise your hand. Seeing none, we'll move into the agenda.

### **ELECTION OF VICE CHAIRMAN**

Our first order of business is to elect a vice-chair. I assumed the chairmanship in January of this year after fine leadership from Roy Miller. We'd like to thank Roy for his efforts and leadership the last couple of years in getting us through some interesting times and fixing the weakfish fishery so I have nothing to do right now. Anyway, the floor is open

and we need to nominate a vice-chair. Tom, go ahead.

MR. THOMAS O'CONNELL: **I would like to nominate Russ Allen.**

CHAIRMAN GILMORE: Do I have a second to the motion; Pat Augustine.

MR. PATRICK AUGUSTINE: **I second the motion and move we cast one ballot after we close nominations.** Congratulations!

CHAIRMAN GILMORE: Congratulations, Russ, welcome aboard and we're just glad that you've finally moved up from the technical ranks into the fun table.

MR. RUSS ALLEN: I would like to thank the powers that be that saw "sucker" written across my head when I walked in the doors yesterday. It's nice to know that the board can just put a newbie up there, but the technical committees have problems doing that.

CHAIRMAN GILMORE: Well, I expect big things from you. Don't worry, I'm healthy so I'm going to be around for a while so you should be okay for at least another meeting. Next we're going to go the technical committee report and Lee Paramore and is going to give us an update on the weakfish stock indicators.

### **TECHNICAL COMMITTEE REPORT**

MR. LEE PARAMORE: The Weakfish Technical Committee met on February 15<sup>th</sup> via conference call. We had two charges from the board from our last meeting, and those were to look at potential stock indicators and also to look at trends and landings from 2005-2009. For the stock indicators, essentially the idea was to come up with some indicators that the board could use as the stock increases to kind of help you guys with management and adjusting things like the trip limit.

The potential stock indicators that were put forward by the technical committee included percent of trips that maximizes the harvest limit, some adult indices that were used in the last stock assessments – termed relative biomass indices here – some proportional stock densities, which we'll talk about in a couple of slides and I'll explain a little better.

Relative F; if you're familiar with relative F; that is the measure that was used in the last stock

assessment to help determine the status of weakfish; and then juvenile indices. There are several juvenile indices up and down the coast and we've put those together for you to look at. As far as monitoring trips that maximize out the harvest limits, this is really limited to states that actually have trip limit data they can get at this level of information.

In particular we have North Carolina, Virginia and Maryland. There is probably also some other federally permitted dealers from other states that could provide this sort of information. The idea here is that states that have this information could provide information for like when you have the hundred pound trip limit that's currently in place for weakfish we could look at the number of trips that actually are maximizing out the hundred pound trip limit just to get an idea if there is a potential that discards could be problem in the fisheries.

Some of the problems with this is that really there is no baseline data to go on currently since these rules just went into place last year, so we're going to need a little bit of time to develop some trends and to see how things play out. Then, also, sometimes it's really difficult to distinguish if you see shifts in these sorts of patterns whether it's actually due to changes in the stock or just changes in fishing behavior and the way the fishermen are operating.

This is certainly information that states could provide probably in about a two- to three-month period after the actual landings take place. Other stock indicators include the relative biomass indices. These are essentially three of the adult indices that were used in the last peer-reviewed stock assessment.

They include a recreational CPUE which is an age one-plus index of catch. It includes both the harvested and released fish from the Marine Recreational Fishing Statistics Survey divided by the effort. The effort here is all trips made by private and boat rentals. This index was used extensively in the last peer-reviewed stock assessment.

There is also a trawl survey from Delaware that's an age-aggregated survey of age one-plus fish that gives us a CPUE index. And then New Jersey has a trawl survey, and for that we used the proportion of positive trawls from the August cruise. The next slide will show you the distribution of where these surveys take place. You can see that they cover mostly the core range of where weakfish occur in the Mid-Atlantic.

Delaware Bay, obviously, their survey is up in Delaware Bay; New Jersey is from the mouth of Delaware Bay and along the New Jersey coast; and then the recreational CPUE really is our largest survey. It covers the widest geographic range and covers most of the Mid-Atlantic, which is the entire core region for weakfish, so we get good coverage with the recreational CPUE.

All three of these indices track really well with each other. As you can see in the 1980's to the early 1990's we saw a pretty steep decline in the abundance from these indices. Things really bottomed out in the early nineties. We had Amendment 2 and Amendment 3 to the weakfish plans. We saw an initial positive response to weakfish. Things were looking really good in the mid-1990's.

Since then we've really had a precipitous decline in weakfish biomass, which is to our current state of which is our all-time low abundance level for weakfish. All these indices were standardized and you're seeing all the indices here in the same unit so everything has been standardized. Current values are very low, really close to zero at the current time.

Another potential stock indicator is proportional stock densities. This is something that was used in the last stock assessment, also. This is essentially a standardized index of size structure and it's easily calculated. It's calculated using both the Delaware and New Jersey trawls. Essentially what it does is it quantifies the length frequencies of fish in a population.

By that, what I mean is you can look at different size fish and you can determine what proportion of the fish in the population are of a certain size, whether you're wanting a certain size to be fish that are capable of spawning and or mature versus all the fish in the population so you can get an idea of basically the quality of fish that are available in the population.

Length-frequency analysis integrates maturity, growth and mortality, and it's not really biased by some of the aging problems we've had with weakfish in the past. It's also a good reflection of population dynamics and fishery performance. For an example of proportional stock densities that are given here, essentially, like I said, it's calculated as proportion numbers of fish of various size fishes in the sample.

The example we give here is basically what we call quality-plus proportional stock density. It's the

number of fish 340 millimeters and larger divided by the number of fish in the population that were 205 millimeters and larger. Basically, it's just looking at the proportion of fish that what we consider are quality fish in the population.

By looking at this, essentially we can see the periods where these values are high or periods when we had good quality of fish in the population. This does track really well with past history of when the stock was at high abundance.

You can see in the periods from the seventies and early eighties that we had PSDs for these two surveys, and then you see that same period from 1994 to the early 2000's where the stock was in really good shape, the PSDs were pretty high. The thing that is really interesting here is that the PSDs have really bottomed out and represent a continuous four-time year low for the last four years in the survey, so really the quality of the fish and the stock right now is really at an all-time low.

We've got a lot of small fish in the population in addition to the fact that we have really low abundance. Some implications from this just really quickly is that with small fish in the population, there is always the idea that these fish aren't quite as fecund, they don't produce as many eggs, they don't spawn as many times, so this is a concern. We haven't seen this translate completely to our juvenile indices, which I'll talk about in a minute but that is a cause for concern moving forward.

PSDs do track really well with some of other dependent measures. Here we see the PSDs from the Delaware Trawl Survey correlated with the total commercial pounds' landings and they also correlate really well with the recreational landings. The R values from the correlations are around 0.94 for the commercial and 0.87 for the recreational, so there is really a strong relationship in the fact that when landings increase both in the recreational and commercial fishery, we see a better quality of fish in the population.

The next stock indicator that we'll talk about is for relative F. If you're familiar with relative F, this is the primary determinant that was used for stock status in our most recent stock assessment. Basically relative F is calculated – it's based on the index of abundance from the Marine Recreational Fishing Statistics Survey divided by the total removals.

One of the problems moving forward with relative F that probably you should be aware of is that now that we've taken a lot of what was harvested and turned that into discards with our recent regulations with the hundred pound trip limits and the 10 percent bycatch allowance that's in place, we really don't have good information on discards.

In order to calculate an accurate relative F we really need to know what the total removals are, so any assumptions we make about total removals, not just harvest but discards, that's going to put a bias in the relative F that we calculate moving forward. We're going to need new information on discards in the future in order to keep relative F to be an accurate measure of what is going on.

As you also know, relative F was converged with the VPA as a scaler so that the F that we got out of the relative F is actually meaningful to weakfish, and we can actually track the F rates of weakfish over time. Some of the advantages of relative F is it does not require the assumptions that we know what M is as we do in a lot of the modeling techniques that we do, and it can be calculated from observed quantities of catch and relative abundance indices as we mention here.

If you just want to look at the trends and relative F, as we've said in the past, weakfish are not experiencing overfishing at this time and have not been for a while. You can see that the measures that went into place in the early 1990's, through some of the amendments of the plan, really got a handle on F and has been at a relatively low level since that period of time.

We have actually seen a decreasing trend in the relative F over time. It doesn't appear that F is really a driving force in the low abundance of weakfish at this time. We still attribute most of the decline in weakfish to natural mortality. There is some issue now that because some of the indices particularly the catch-per-unit effort from the MRFSS index has gotten so low that not as much information can be gleaned from relative F at the time because there is as much noise in the index as there actually is signal, if that makes a lot of sense.

That's getting to be a problem just because weakfish are at such a low abundance. Here we just see the abundance of weakfish in numbers calculated from the relative F. As you can see, as you would expect to see, we've seen a precipitous decline in the abundance of weakfish over time. The blue line at the bottom is essentially the total removals from the

population, so you can see the total removals were quite a bit higher in the 1980's; dropped in about the 1990's; and we've seen a sharp decline in the removals of weakfish as well as a decline in the abundance of weakfish overall.

This graph is a little bit busy but these are our juvenile indices. I think there is a total of 8 state-specific juvenile indices for weakfish here. These are age zero fish. If you look at the dashed line that runs across – right around the Y-axis at 2, that's the long-term average for juvenile indices so you can see we're still getting a lot of values above and below the long-term average.

The red line that kind of moves up and down as you go across, those are the annual average for all the indices – for each state indices combined. What I see when I look at this is we saw increasing trends up until about year 2000; and if you look at the period to current we see a slight decreasing trend in the juvenile indices so a lot of spawning stock biomass has decreased considerably. We're essentially around 3 percent spawning stock biomass/

We haven't quite seen that dramatic of a decrease in our juvenile indices, which is really a good thing. If conditions change, we're still getting good recruitment, but we're not seeing a lot of this good recruitment pass through into the adult stocks. There seems to be some sort of a bottleneck effect that is not allowing these fish to grow up and spawn.

We continue to see this. Hopefully, we'll continue to see good spawning up and to the point that the conditions for weakfish improve in terms of the natural mortality, but that doesn't seem to be case so far. We haven't seen that trend change to much. Just a quick summary slide for some of the stock indicators, most of these stock indicators are fairly easily calculated.

The one difficult thing here is with the relative F. It requires us to have estimates of the discards in the commercial fishery, and that can be sort of time-consuming and hard to work up. We don't always have the best observer data. That has already been a problem in the past with weakfish, and we certainly need better information on discards to make that better.

All indicators do show a decline in weakfish abundance, and also with the proportional stock densities you can see there has been a decline in the overall size of the weakfish available to fishermen.

We did talk some about targets or if you want to call them reference points of what would be adequate.

We didn't speak specifically to triggers. We couldn't get information on triggers from the technical committee, but most felt especially with the relative biomass indices, that to get the relative biomass indices back up to the levels they were in the mid-1990's when the population was in good shape, then that would be a good target for us to shoot for with this population outside of just doing another stock assessment, a full benchmark stock assessment. I've got just a few more slides I'll go over really quickly.

I don't think any of this will be news to you, but these are landings' trends both in the commercial and recreational fishery since 2005. If this graph extended back to 2000 or even 1998, it would just look just as steep. We've seen this precipitous decline in landings for the last ten years or so, and it continues on. It's a little bit alarming.

Landings are at an all-time low. We now see some years that the recreational fishery actually exceeds the commercial fishery which traditionally that was not the case. Some of the shifts in the recreational harvest, the blue line on the bottom that starts out kind of small and gets larger, that's North Carolina, so North Carolina's proportion of the recreational harvest has increased dramatically in the last couple of years.

The brownish kind of tan line that's the largest at the first couple of years, that's New Jersey, and their contribution to the recreational harvest has decreased significantly over the last five or six years. We've actually seen a shift in recreational landings more from the Mid-Atlantic down towards the southeast. The southeast actually makes up the majority of the recreational harvest.

The same type of slide for the commercial fishery; North Carolina, Virginia and New Jersey have traditionally been the largest harvesters of commercial harvest and we still see that trend today. It does vary some year by year. North Carolina has traditionally been the largest harvester in recent years. We see Virginia has some large years. They're there in white. New Jersey is in the green.

Up in the black you see is New York. They had a really big year in 2009. That was mostly from their trawl fishery. This is just essentially a breakdown across states by gear. We've really seen a shift from some gears in different states towards gill nets. I



know in North Carolina we've moved away from winter trawls towards gill nets; and only just towards gill nets but towards estuarine gill nets versus ocean gill nets.

Our estuarine fishery has actually overtaken our ocean fishery which only happened in the last few years. Traditionally our ocean fishery has been far and away our largest fishery. Virginia I believe has seen a shift away from some of their pound nets to gill nets. Those are just some of the basic trends in landings that have occurred over time. That was a really quick rundown of this information, but I'll be glad to answer any questions.

CHAIRMAN GILMORE: Thanks, Lee, great presentation. Are there any questions for Lee on his presentation? Yes, Rob.

MR. O'REILLY: Lee, I have a couple of really questions but some comments, too. You indicated for the trip-level data, I think you showed Virginia, Maryland and North Carolina – and if there is anyone from the ACCSP here, my understanding is that can be extended to the federal landings and that there are certain states that have some ability to also access that information on a very close to real-time basis.

I think coming up with the next migration at least, by the fall migration it will be important to look at those trips, especially from states with a trawl fishery to see how that is going now that we have the hundred pounds. The SAFIS seems to be a possibility and maybe that can just be followed up on by you, Lee, to ask about that.

The other thing I wanted to comment on was you have that Mid-Atlantic CPUE. Of course, there are two dilemmas. One is that the harvest is reduced to one fish and the discards are estimates so that may render the Mid-Atlantic CPUE a little less stable than it has been in the past, but also at the same time with what you showed on your shifts on the recreational fishery, maybe it's also – although it has been at a lesser magnitude over the years – important to look at the South Atlantic CPUE and get some information there.

However, on top of all that what we're seeing with a lot of the fisheries is the number of intercepts has reduced or has been reduced for a lot of the fisheries over the years; and especially states that don't add on, it can be a small amount of intercepts, so I would ask the technical committee to perhaps just ask their state representatives to maybe compile just a list for

the next time we meet of the intercepts that are taken across the states because I think that's important,

It would be good if it could be done in just, say, five years ago versus current year so we can get a look at that. We've looked at this with summer flounder as a situation, and I think we should look at weakfish. The other thing about the recreational fishery, it may or may not be a good time and technical committee may at least be able to make a recommendation.

I don't know where the funding comes from, but now that we're down to a one-fish limit recreationally, the discard mortality for that fishery becomes very important. There is quite a history here to where it has gone from 33 percent to 20 percent to an average of 10 percent, but in general not with the type of studies that really you would want to see, so it might be good just to see if there is some initiative.

Again, this might be something ACCSP in some funding cycle might have an interest in, but I think it's very important to best characterize the discard mortality in the recreational fishery. We know the problems with the commercial fishery. We know the assessment had to assume a hundred percent for the most part and how difficult it would be to undergo such a study as that, but a recreational study might be feasible.

The ultimate study is still in the Mid-Atlantic, warm water conditions at depth. That's the ultimate study that has never been done. My last comment is in regard to your recruitment or your JAI plot. I think years ago, probably in 1998, there was a recommendation coming out of the SARC that there was a core area for recruitment, and at that time it was listed as New Jersey to North Carolina.

I mean, I don't think you do much either way by including juvenile indices throughout the coast. I think you can still get the pattern; but as we heard with menhaden earlier today, maybe there is some importance to look at these recruitment indices rather than on the composite but also to look at them individually; so look at the individual indices, the time series, and sort of put the microscope to that as well because this is certainly the time where the more information we can gain on this recruitment and this perhaps what has been called I guess a bottleneck from the recruitment to the age ones, probably the better off we would be.

I guess that's just a recommendation. if any other board member has any comments on that, but I think

those are things the technical committee can talking, compile fairly easily since they have the data already without it being a lot of expense of time, and I hope there is some concurrence there.

CHAIRMAN GILMORE: Thanks, Rob. Any other questions for Lee? Okay, the work of the technical committee was because at the August 2010 meeting we had charged them to develop some indicators for possible management use, and that was a result of that. Is it the desire of the board to actually have the technical committee analyze any of these indicators on an annual basis? Roy.

MR. ROY MILLER: If I heard Lee correctly, he said these indicators could be calculated fairly easily and fairly rapidly. Is there any reason not to do them all each year?

MR. PARAMORE: Absolutely, we could do them all, and I think each one has its own merit. To look at them in combination is I think very useful. The PSDs tell you something about the size of the fish. The relative indices abundance tells you something about the magnitude of the fish. I don't see any problem with maybe giving them to you once a year.

This was really a squeeze to get them to you in March because we included a lot of 2010 data. We had to use a preliminary data, so maybe something just a month or two later would be a lot more feasible. It's not a huge undertaking for us to provide these.

MR. MILLER: Just to follow up on that, Mr. Chairman, it sounds like if we go back to the four times a year format, then maybe perhaps May. If we stick to a three-meeting-a-year format, then I'm thinking August. Would that be reasonable, Lee?

MR. PARAMORE: Yes.

MR. O'REILLY: I was going to affirm that it was good to produce those and hope that the technical committee will also look at some of the other suggestions as it comes to them.

MR. AUGUSTINE: Mr. Chairman, can we do it then by consensus and agree that's what the technical committee will do in the future? Good, thank you.

CHAIRMAN GILMORE: Okay, great, any other comments on that. It sounds like it's a pretty easy one. Okay, the next agenda item is Toni, and she is

going to talk to us about state compliance reports; Toni.

## 2010 FMP REVIEW AND STATE COMPLIANCE REPORTS

MS. TONI KERNS: Since Lee just went over all of the commercial and recreational landings, Meredith, if you could slip to the slide that says management issues de minimis, this is going to be a pared-down FMP Overview. This is the 2010 FMP Review of the 2009 weakfish fishery. I'm just going to just include the core issues to review. The document was put on the supplemental materials.

The following states of Massachusetts, Connecticut, Georgia and Florida requested de minimis. They all qualify. Their two-year landings are less than 1 percent of the coast-wide average. We did not meet any of the triggers. All states are in compliance with the regulatory portion of the FMP, but states of Rhode Island, New York, Delaware and North Carolina have not met their sampling requirements.

Rhode Island did not collect any otoliths or lengths. New York was 72 samples shy of their otolith collection and 121 of their lengths. The state of Delaware did not collect any of the otoliths or lengths. North Carolina was 92 samples shy of their otolith collection. Addendum I specifies that if the board determines that a state has not successfully implemented the required biological sampling program, that state would be prohibited from harvesting weakfish until it develops and the board approves a plan to collect the required samples.

The PRT recommended that the board consider the de minimis requests for the four states that requested it. They also considered the compliance with the monitoring for the states that did not meet their sampling requirements. Those are due to either funding, staff limitations as well as limited landings in the state.

The PRT also recommends that the technical committee and the stock assessment subcommittee explore alternative assessment techniques for the next benchmark and continue to compile input data for interim models should an update be requested. The PRT also requested that the board task the technical committee and the stock assessment subcommittee to review the recreational sampling requirements of the FMP to establish the data needs for the stock assessment.

The sampling requirement in the addendum for the recreational fishery states that there should be maintenance of at least the 2005 level of recreational sampling of individual lengths through the Marine Recreational Fishery Statistics Survey. As we see a decline in harvest for the recreational fishery, that means there will be less intercepts – with potentially less intercepted weakfish.

We want to make sure that this requirement is going to actually provide the information that we need to do a stock assessment; and if this requirement doesn't do that, then what is the minimum requirement of sampling of the recreational fishery that is needed to complete a stock assessment? That's it.

**CHAIRMAN GILMORE:** Questions for Toni? Tom Fote.

**MR. THOMAS FOTE:** I was just looking at New Jersey's 2010 catch and we went from 1.3 million fish back in 2003 to this year we're catching 1,800 pounds a whole recreational fishery. The commercial fishery is 12,000 pounds. If you look at that, we're not going to get much sampling out of that small amount of fish.

I mean, if you think about it, our whole fishery now is a full bycatch that North Carolina can bring at a thousand pound bycatch is a whole recreational and commercial fishery now in New Jersey, so I guess next year we'll be applying for de minimis status since our numbers have – or it might be everybody is so low that we're still above 1 percent at 14,000 pounds of fish. I mean, it's going to be very hard to get data when you're basically catching that little fish.

**MR. CRAIG SHIREY:** I never thought I'd hear myself say that we tried but we couldn't intercept any weakfish from our commercial landings, but it was sort of like a shell game last year. We heard somebody caught a couple of fish one night. We'd go there the next. They didn't get any, but somebody else down the beach got one. We have taken steps to try to change that. We've allowed the guys who are doing the collecting of the samples to tap Mac for some cash; and that way if they run into a fisherman who has one, they can offer him cash money on the spot for it. We hope to get 17 maybe even 18 fish come next year.

**MR. O'REILLY:** I have mixed feelings about this idea of sampling because I understand that things have changed in terms of the landings. However, if

there is a possibility that we continue any type of catch-at-age information for the future or for assessments, we do have to try to obtain these samples even if it means arranging beforehand finding fishermen and finding buyers who are going to provide the fish.

I think we do need to have the technical committee and the stock assessment subcommittee perhaps look at the future of the assessments, but I think they would say that there needs to be some base level of sampling. Mr. Chairman, you were the one, when the moratorium was not passed but the hundred pound limit was passed, that you indicated that it was sampling consideration back when that was passed.

I think a lot of us felt that we would still continue to get the samples. Maybe it's time to also ask the technical committee to look at a regional approach; so, for example, where might there be regions that if one state is having more ability to gain some samples and another is not, then that data can be spread a little bit to the neighboring states. I don't think we're ready to abandon the collection of age-and-length data. I think we have to be pretty creative.

**MS. KERNS:** And, Rob, the PRT's suggestion of reviewing that requirement isn't to get rid of the requirement but to make sure that what we have in the books as the requirement will be sufficient to complete an assessment because that's what we're worried about is that we won't have sufficient samples to complete an assessment, especially on the recreational fishery.

**CHAIRMAN GILMORE:** Rob, actually a general question for everyone that didn't meet their numbers, including New York, we didn't get to paying the fishermen on the beach yet, but we're probably getting close to that, and this year – I had checked back with our guys and they had really ramped up trying to get out with the commercial guys and try to get those fish and they just couldn't get them. Is that the general consensus of the guys that are under the numbers?

I think we're at the point where we've tried everything and we're just not going to get the fish. I think you're right, we need to continue trying, but we're going to have to come up with an alternative and maybe the regional approach is the next step to do. Rob.

**MR. O'REILLY:** Yes, that's what I was going to say. Even back in the nineties when assessments

were done, there was often this borrowed data and it can lead to some difficulties depending on how far you borrow for your age-length key. For example, even Rhode Island at one point was using Virginia pound net data to supplement its age-length key. I don't think we necessarily have to go that far, but I think there are ways to try and look at it, and that's what it's going to take.

DR. MICHELLE DUVAL: Mr. Chairman, just to note that North Carolina was short of meeting its otolith requirement for 2009, that was again a result of landings, but Lee has assured me that we've redoubled our efforts to try to find fish and so we're okay for 2010.

MR. AUGUSTINE: Mr. Chairman, I think what we're going to have to do is task the technical committee as to the management recommendation was made. Toni, if you want to put it, if you ready for some motions, I would like to make a couple of motions. One would be as recommended task the technical committee and SASC to review the recreational –

CHAIRMAN GILMORE: Pat, I don't think we need to do a motion on this. I think we can –

MR. AUGUSTINE: We can do it by consensus?

CHAIRMAN GILMORE: We can essentially accept it by consensus.

MR. AUGUSTINE: Consensus with de minimis, also.

MS. KERNS: Pat, we would need to approve those states that the board desires to approve for de minimis and then accept the report.

MR. AUGUSTINE: That's what I was going to try to do, but I thought we end the debate who would do what first by making a motion for the technical committee and SASC to do something, but **if you would like to have a motion that the board consider the de minimis requests from Massachusetts, Connecticut, Georgia and Florida, that they be approved.**

CHAIRMAN GILMORE: Okay, a motion by Pat Augustine; second by Michelle. Tom Fote.

MR. FOTE: Yes, I'm looking at the 2010 figures and we're probably – almost all of us are going to be in the same boat as far as de minimis status next year.

I'm looking at why we're voting on de minimis status when we're almost all going to be there except for one or two states. How are we going to handle this in future, especially during this period of time when the catches have gotten so low? I'm just curious; does anybody have any idea?

MS. KERNS: The plan review team will review the de minimis requirements for the review of the 2010 fishery, which will be the first year that the bycatch allowance was put in place. Therefore, they'll have a report back to the board at the annual meeting when those reports are given.

MR. O'REILLY: I think you have to wait a little bit because May 1 was the timeline, so they are going to be even fisheries that had a substantial amount of landings before May 1 compared to after May 1. I don't know how you're going to reconcile that.

MR. FOTE: I'll let it go, but I'm just saying by next year or the year after we're going to have to look at how do we basically see de minimis in this fishery anymore with the catches being so low coastwide.

CHAIRMAN GILMORE: I hear you, Tom, I think we're all aware of that. I think we're just following the plan right now, but everybody understands we're going to be there. Any other comments or discussion on the motion? Is there any objection to the motion? **Okay, seeing none, we'll just approve that by consensus.** Pat.

MR. AUGUSTINE: On the issue of compliance, it is suggested that the board consider the compliance of Rhode Island, New York, Delaware and North Carolina with the monitoring requirements of 2009.

Well, listening to the reasons why those requirements weren't met, I find it kind of inconceivable to consider starting an action against each of those four states in view of the fact they're doing what they can do. I would suggest we hold in abeyance any action against them until the following year.

CHAIRMAN GILMORE: It sounds good, Pat, I figured you didn't want to an action against your own state.

MR. AUGUSTINE: No, I don't want to do that; just hold it off for a year.

CHAIRMAN GILMORE: **Okay, I think the only thing we need to do then is accept the management review report; so if you want to put**

**that up or do you just want to accept that by consensus? Do we have consensus on accepting the management report? Is there any objection to that? Seeing none, we will accept that as consensus.** Okay, there is nothing else on the agenda except for Rob's point that we brought up for other business. Rob, do you want to raise that.

## OTHER BUSINESS

MR. O'REILLY: A number of us affiliated with the ASMFC attended a workshop for weakfish in January at Virginia Tech, and this was hosted by the faculty at Virginia Tech, one of whom Yan Jiao has been working on some weakfish analyses for the last three years, part of which are an appendix to the assessment; but since she was in mid-term of her work, it couldn't be fully vetted by the time of the assessment.

However, Roy Miller was at the workshop, Lee Paramore. Also we had Katie Drew and we had several folks who were very interested in different directions for weakfish. I have a few things that I need to indicate, and that is how this might be looked at by the technical committee and the subcommittee.

**My motion is going end up that we recommend that the technical committee and subcommittee be treated to presentations by Dr. Jiao concerning her modeling.** One of her modeling papers is modeling non-stationary dynamics of Atlantic weakfish, models and management implications; in other words, a non-equilibrium approach.

The objective is to test the hypothesis of non-equilibrium dynamics of weakfish based on the evidence of life history, variation and population growth rate, natural mortality, recruitment and spatial distribution. Dr. Jiao has already developed a set of spatial and temporal Bayesian hierarchical growth models, which indicates that there are spatial and temporal dynamics with growth with weakfish.

The technical committee, specifically the subcommittee, I should say, has also looked at some of this information. Dr. Jiao will have three different papers. One has been put for publication now. Katie Drew, if she is still around, probably had a pretty good understanding from the stock assessment end if she wants to comment on how this work might dovetail into our process.

This was a three-year funding by the Marine Resources Commission's Recreational Saltwater License Fund, about the \$340,000. The Atlantic

States Marine Fisheries Commission was also a partner. Some of these techniques are different than the statistical approaches that may have been done before with the VPA.

But one thing that has been done, Dr. Jiao has also worked with statistical catch-at-age models, which was a recommendation that came out of the peer review. And in fact one of the more encouraging things I heard towards the wrap-up of this weakfish was that Dr. Patrick Sullivan, who presented all of us with a review from the peer review, a summary of all the findings, indicated that he thought this was an improvement on the current assessment.

I don't think we can let go of this opportunity to let Dr. Jiao, who is a member of the Weakfish Stock Assessment Subcommittee, work with her peers and bring some of this information forward. It is complicated. Some of these operational models are different than the types that have been used before.

It does have a lot of mathematical and statistical constructs that you really have to be on your toes. I wasn't completely on my toes to keep up with, **but I** would move that this can take place, if possible, if the board agrees, at some technical committee and stock assessment subcommittee meeting. I'm sure it would take a full day. Lee may have some ideas that he can share, too, since he was at the workshop as was Jeff Brust and also Pat Campfield. That's about it.

CHAIRMAN GILMORE: Thanks, Rob. We'll have to see if there is money to do that, but first we need a second to the motion. Roy Miller seconds. Discussion on the motion? Rob.

MR. O'REILLY: I don't think money is the situation. The projects have already been funded by the Virginia Marine Resources Commission and the ASMFC has chipped in. Dr. Jiao is on the subcommittee so it's just a matter of an agenda item, which would be a fairly complete day I think to do this.

CHAIRMAN GILMORE: Any other comments on that motion? Move that the technical committee and the SASC be presented with the work completed by Dr. Jiao. Motion by Mr. O'Reilly and seconded by Mr. Miller. Is there any objection to the motion? **Seeing none, we'll accept that motion.**

## **ADJOURNMENT**

Is there any other business to come before the Weakfish Board? I need a motion to adjourn. All right, thank you, everybody.

(Whereupon, the meeting was adjourned at 3:25 o'clock p.m., March 22, 2011.)