

PROCEEDINGS
of the
ATLANTIC STATES MARINE FISHERIES COMMISSION
ATLANTIC MENHADEN MANAGEMENT BOARD

July 17, 2001
Quality Hotel & Conference Center
Arlington, Virginia

Approved February 19, 2002

TABLE OF CONTENTS

ATTENDANCE ii
SUMMARY OF MOTIONS iii
CALL TO ORDER..... 1
WELCOME/INTRODUCTIONS..... 1
APPROVAL OF AGENDA 1
APPROVAL OF MINUTES 2
PUBLIC COMMENT 2
TECHNICAL COMMITTEE REPORT..... 2
APPROVAL OF STOCK ASSESSMENT SUBCOMMITTEE 10
APPROVAL OF ADVISORY PANEL..... 12
AMENDMENT 1 IMPLEMENTATION DATE 13

ATTENDANCE

Board Members

David Borden, RI DEM, Chair
Rep. David Etnier, ME Leg. Appte.
John Nelson, NH Fish & Game
Rep. Mary Ann Blanchard, NH Leg. Appte.
Vito Calomo, proxy for Rep. Verga, MA Leg. Appte.
Gil Pope, RI Gov. Appte.
Ernest Beckwith, CT DEP
Pat Augustine, NY Gov. Appte.
Brian Culhane, proxy for Sen. Johnson, NY Leg. Appte.
Assemblyman John Gibson, NJ Leg. Appte.
Jeff Tinsman, proxy for Mr. Manus, DE F&W
Howard King, proxy for Eric Schwaab, MD DNR
William Windley, proxy for Del. Guns, MD Leg. Appte.
Jack Travelstead, proxy for William Pruitt, VA MRC
Melvin Shepard, proxy for Rep. Redwine, NC Leg. Appte.
William Dukes, proxy for Sen. Drummond, SC Leg. Appte.
Bob Palmer, proxy for Ken Haddad, FL FWCC
Dr. David Perkins, proxy for Dr. Geiger, USFWS

Lew Flagg, ME DMR
Pat White, ME Gov. Appte.
Ritchie White, NH Gov. Appte.
Bill Adler, MA Gov. Appte.
Dr. David Pierce, MA DMF
Sen. G. Gunther, CT Leg. Appte.
Dr. Lance Stewart, CT Gov. Appte.
Gordon Colvin, NY DEC
Bruce Freeman, NJ DF&W
John Connell, NJ Gov. Appte.
Bill Goldsborough, MD Gov. Appte.
Preston Pate, Jr., NC DMF
David Cupka, SC Gov. Appte.
Susan Shipman, GA Coastal Res.
John Miglarese, SC DNR
Paul Perra, NMFS

Ex-Officio Members

Mike Bloxom, MD DNR, LEC Rep.

Ellen Cosby, VA MRC, TC Chair

ASMFC Staff

Dr. Joseph Desfosse
Dieter Busch
Carrie Selberg

John H. Dunnigan
Tina Berger
Robert Beal

Guests

Dr. John Merriner, NMFS
James Price, CBEF

Jerry Schill, NCFE

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

Atlantic Menhaden Management Board

July 17, 2001

SUMMARY OF MOTIONS

1. *Move to accept the minutes of the April 24, 2001 Board meeting.*

Motion by Mr. Adler, second by Mr. Augustine. The motion carries unanimously.

2. *Move to implement a moratorium on harvesting age-0 menhaden.*

Motion by Sen. Gunther, second by Mr. Augustine.

Move to table the motion, and refer the issue to the Technical Committee and that the Technical Committee will recommend a prioritized suite of actions.

Motion by Mr. Augustine, second by Mr. Calomo. Motion carries unanimously.

3. *Move to approve the Stock Assessment Subcommittee.*

Motion by Mr. Cupka, second by Mr. Augustine. Motion carries unanimously by voice vote.

4. *Move to approve the Advisory Panel nominations.*

Motion by Mr. Colvin, second by Mr. Connell. Motion carries unanimously by voice vote.

**ATLANTIC STATES MARINE
FISHERIES COMMISSION**

**ATLANTIC MENHADEN
MANAGEMENT BOARD**

**Quality Hotel & Conference Center
Arlington, Virginia**

July 17, 2001

CALL TO ORDER

The Atlantic Menhaden Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Room of the Quality Hotel and Conference Center, Arlington, Virginia, July 17, 2001, and was called to order at 3:35 o'clock p.m. by Chairman, David V.D. Borden.

WELCOME/INTRODUCTIONS

CHAIRMAN DAVID V.D. BORDEN: Everyone have a seat, please, I'd like to start the meeting. Welcome. My name is David Borden. I'm the Chairman of the new Menhaden Board.

Since this is the first meeting of the new Board, I'm going to kind of deviate from my normal procedures and start at one end of the table and start with Ernie Beckwith and just go around the table and ask everyone to simply identify themselves and the state from which they're from.

MR. ERNEST BECKWITH JR.: My name is Ernie Beckwith from the state of Connecticut.

MR. PRESTON PATE: Preston Pate, North Carolina.

MR. MELVIN SHEPARD: Melvin Shepard, North Carolina.

MS. SUSAN SHIPMAN: Susan Shipman, Georgia.

MR. LEWIS FLAGG: Lew Flagg, state of Maine.

MR. WILLIAM DUKE: Bill Duke, South Carolina.

MR. JOHN MIGLARESE: John Miglarese, South Carolina.

MR. DAVID CUPKA: David Cupka, South Carolina.

MR. JACK TRAVELSTEAD: Jack Travelstead,

Virginia.

CHAIRMAN BORDEN: David Borden, state of Rhode Island.

DR. JOSEPH DESFOSSE: Joe Desfosse, Atlantic States Commission.

MS. ELLEN COSBY: Ellen Cosby, Virginia.

MR. DAVID PERKINS: David Perkins, Fish and Wildlife Service.

MR. PAUL PERRA: Paul Perra, National Marine Fisheries Service.

MR. VITO CALOMO: Vito Calomo, Massachusetts.

DR. DAVID PIERCE: David Pierce, Massachusetts.

MR. WILLIAM A. ADLER: Bill Adler, Massachusetts.

ASSEMBLYMAN JACK GIBSON: Jack Gibson, New Jersey.

MR. JOHN CONNELL: John Connell, New Jersey.

MS. MARYANN BLANCHARD: Mary Ann Blanchard, New Hampshire.

MR. RITCHIE WHITE: Ritchie White, New Hampshire.

MR. JOHN NELSON: John Nelson, New Hampshire.

MR. BOB PALMER: Bob Palmer, Florida.

MR. WILLIAM T. WINDLEY, JR.: Bill Windley, Proxy for Delegate Guns, Maryland.

MR. WILLIAM GOLDSBOROUGH: Bill Goldsborough, Maryland.

MR. JERRY CARVALHO: Jerry Carvalho, Rhode Island.

MR. JEFF TINSMAN: Jeff Tinsman, Delaware.

MR. BRIAN CULHANE: Brian Culhane from New York.

MR. PATRICK AUGUSTINE: Pat Augustine, New York.

MR. GORDON COLVIN: Gordon Colvin, New York.

APPROVAL OF AGENDA

CHAIRMAN BORDEN: All right, welcome. We do have a quorum. As far as the agenda today, we have a revised agenda. I'd ask each of you to just pen in the changes. The agenda was distributed and these are the following changes that I have already and I'll ask for any additions or deletions.

Under item 6, instead of receive an advisory

report, we will actually appoint the advisors and provide a charge to that committee.

Item 7, we do not have an IWP application, as I understand it, so there will be no action taken there.

Item 8, there is not an FMP review that has been completed and so there is no action required there.

Under other business, we will discuss implementation dates for the plan. So my question now is are there any additional modifications to the agenda? Anyone in the audience? Seeing none, we'll take the items in which they appear.

APPROVAL OF MINUTES

We always start with the approval of the minutes. The minutes were included in the packet. Any comments, additions, deletions? We have a motion to accept by Bill Adler; seconded by Pat. Any discussion? All those in favor, signify by saying aye; opposed; abstentions. The motion carries unanimously.

PUBLIC COMMENT

We always afford the public an opportunity to comment. We have received a few letters. Jim Price sent us a letter which has been distributed. I will not read that into the record. Are there any members of the public that wish to speak at this point? We will take public comments throughout the meeting should the need arise. Anyone in the audience? Yes.

MR. JIM PRICE: My name is Jim Price, president of the Chesapeake Bay Ecological Foundation, and I'd just like to make a few quick comments about the letter that I sent in. The reason why -- one of the main concerns as to why I sent the letter was that the Board has in the past recommended that the reduction fishery avoid harvesting the small age-zero fish and based on the performance, however, that's not the case. And if you look at the letter that was just passed out, you'll see that last fall actually 34 percent of the harvest was age zeros. So I think it's important that we remember or it should be a record of the fact that they're not supposed to be targeting these fish. And the reason, other important point about these fish is these are the fish that come back in the following spring that are very important to supply the needs of striped bass up and down the coast and especially in the Chesapeake Bay.

So by catching these fish at age zeros, it reduces the forage the following spring which has created

what I consider somewhat of an unhealthy condition in the Chesapeake Bay because of the lack of forage in recent years.

And the other comment was that a lot of people are working hard in the Chesapeake Bay to restore other Chesapeake Bay programs and try to restore the estuary, and one of the things that we're even considering at this point is closing down sections of different tributaries from harvesting oysters. And the reason the scientists gave us is that we need more filtering capacity to reduce the excessive nutrients in the Chesapeake. Well, the same applies to Atlantic menhaden. And for that reason, harvesting these small fish is not a good idea based on all the science that we I think that we understand now about the process. So thank you.

CHAIRMAN BORDEN: Thank you, Jim. Any questions for Jim while he's got the microphone? Seeing none, thank you very much. The next item on the agenda is the Technical Committee report. Ellen Cosby.

TECHNICAL COMMITTEE REPORT

MS. COSBY: Thank you. The Atlantic Menhaden Technical Committee met in Richmond, Virginia, on May 30 to 31, to assess the current status of the Atlantic Menhaden for the focus on the new benchmarks in Amendment I, to review IWP applications, consider recent state management actions and formulate management recommendations to the Atlantic Menhaden Management Board.

The landings in the Atlantic menhaden reduction fishery during 2000 were 167,253 metric tons, and it continued on a declining trend in this fishery in recent years, which is primarily due to the decreased size in the fishing fleet and limited processing capacity of the two remaining plants. The National Marine Fisheries Service forecast for reduction landings in 2001 predicted similar levels of fishing effort in landings this year as occurred in 2000.

Concurrently as the reduction fishery fishing effort and landings decline, the Atlantic menhaden bait landings are becoming increasingly more important. On a coastwide basis bait landings accounted for approximately 16 percent of the total combined bait and reduction landings in 2000, up from 10 percent in recent years. As the bait fishery is taking a more significant portion of the Atlantic menhaden harvest, the importance of tracking and monitoring this segment of the fishery becomes a higher priority. More reliable landings data and

continuation and expansion of the biostatistical sampling program are needed for the menhaden bait fishery along the Atlantic coast.

Following the recent period of poor recruitment to age-one, which is below 2 billion for 1996 through 2000, based on the Murphy VPA approach applied to reduction data only, spawning stock biomass has decayed from recent high levels to below historical median. The concern about recent poor recruitment is further substantiated by investigations with state-based juvenile abundance indices and development of a coastwide index.

Recruitment of Atlantic menhaden has been low recently despite a high level of SSB. It appears that the recruitment was poor due to environmental conditions rather than the lack of SSB. Consequently, seeking to increase spawning stock biomass is not likely to improve the situation by itself.

One of the most important discussions that the Technical Committee handled was centered around the question of how to use the bait landings data which is available from 1985 through 2000. The entire Committee strongly supported utilizing a combination of reduction and bait fishery data for the Atlantic menhaden assessment analysis and to recommend revising the overfishing definition in Amendment 1 to reflect this action.

Because the bait fishery tends to harvest older and larger menhaden, the combined catch at age matrix implies that more older and larger fish were removed relative to the younger and smaller fish. By relying solely on the reduction fishery landings, the previous assessments appear to contain some level of bias. Since the older fish were under represented, the previous assessments under represented the abundance of older fish. Using the combined reduction and bait fishery data would remove any bias inherent in relying on the reduction fishery data only and provide a more accurate picture of the total menhaden population.

The benchmarks for fishing mortality F and SSB were reviewed with reduction data only and also with the incorporation of the bait data. With the addition of bait data to these analyses, the status of F and SSB in 2000 suggests that fishing mortality rate is well below the F target and SSB is well above the SSB target, either based on benchmarks from Amendment 1 or on the recalculated benchmarks.

However, only slight improvement is noted in recent estimates of recruits to age-one with the most recent estimates for 1999 and 2000 very low. With

recent low values for juvenile abundance indices from the Chesapeake Bay, this region appears to be the epicenter for poor survival to age-one.

There is no evidence that the recent low levels of recruitment were caused by overfishing. Only the occurrence of one or more moderate-to-strong recruitment year classes will prevent continuing deterioration from recent high levels of spawning stock biomass to lower levels.

There were no IWP requests so we didn't have to approve any. On state actions, New Jersey had some information about a bill that was being proposed and reviewed, and I just got recent information the other day that the New Jersey General Assembly passed Assembly Bill 3512 which prohibits the taking of menhaden in state waters for the purpose of reduction. The other state was Connecticut. In April of 2000 all purse seine fishing was prohibited in state waters for all species. None of the other states had any action for menhaden.

For management recommendations, the Technical Committee recommends to revise the overfishing definition in Amendment 1 to incorporate data from bait fisheries; and two, to approve the Stock Assessment Subcommittee membership and that membership would be: Michael Armstrong, Behzad Mahmoudi, Alexei Sharov, Joe Smith and Doug Vaughan. That's it.

CHAIRMAN BORDEN: Any questions on the report? Dave Pierce.

DR. PIERCE: Yes, your committee is asking the Board if we would like you to include bait landings in the analyses for a very good reason. They're larger fish, they need to be looked at. Is there any particular reason why we need to give you that guidance? I mean, does the plan specifically state that we will not look at bait landings?

It would seem to me that as soon as we have information regarding the amount and that age composition of any landings from anywhere, we would want to, and the scientists, the technical people would want to include that in the analysis. So, I don't understand why the request is being made and why doesn't the Technical Committee just do what makes sense?

CHAIRMAN BORDEN: Yes, I think it's a point well taken, David. Historically the bait landings have not been included in the assessment because the information simply wasn't available. **So this is essentially an improvement on the stock status report; and unless there is objection by somebody at the Board, my assumption is that is approved.**

Anyone object? No objection. Thank you. Any other questions? John.

MR. CONNELL: You indicate in your report declining trends relating to fleet size and reduction capacity. Do you have information as to what capacity the reduction facilities are operating under?

DR. DESFOSSE: I'm not sure that the Technical Committee has really looked at that information. They could. If that was the Board's wish, they could try to get some of that information from the companies.

MR. CONNELL: Well, I would think if we're considering as a major contributor the capacity of the plants being reduced, we should also have an idea of what level the plants are functioning at. If they're functioning at 100 percent, then it gives me some idea of what direction I want to go in terms of management.

CHAIRMAN BORDEN: Yes, I know we have some industry representatives in the room. Would they like to speak to this question, about the capacity reduction? Yes, sir, if you could use one of the microphones so we can all hear your comments, please.

MR. STEVE JONES: At Omega Protein we're currently fishing ten vessels. My name is Steve Jones with Omega Protein. We're currently fishing ten vessels. That's a drop from 1998 of 13 vessels with no intentions of increasing.

The plant capacity -- and I'll have to do this in thousands of fish instead of tons -- has been running about 300,000 fish per hour for the last probably four or five years. We've reduced that down now to about 250,000. The reason we did that is to make specialty products. With the drying equipment, we have to slow down to increase the digestibility, so we have basically reduced, I guess, let's see, about 15 percent. So we're probably operating between 80 and 85 percent of capacity. And I don't see that changing because the only way we can stay in the special markets is by reducing throughout our plants.

CHAIRMAN BORDEN: Any other questions on the report? Yes, Bill.

MR. GOLDSBOROUGH: Thank you, Mr. Chairman. At the last meeting, when we made the final decisions about the plan, there were several decisions made with respect to action or management actions that would have affected the harvest of juveniles, and we had elected at that time not to incorporate any of those measures or those tools, if you will, into the plan although some of that could be used in the future. I'm referring to minimum sizes --

meshes, not that they're necessarily advisable -- and closed areas. I think the PDT had recommended that seasonal coastal corridor approach to protect juveniles.

So we didn't take any of those actions at the time and I made the request that the Technical Committee be prepared to report on what in the plan that we've now adopted protects juveniles or speaks to the management of juveniles or minimizing the take of juveniles because that's clearly been shown to be desirable. And I don't know, with hindsight, whether the Technical Committee was the right entity to ask to report on that but that is what the record will show. Perhaps it's the PDT.

CHAIRMAN BORDEN: All right, any comments on that thought? Any objections? We're going to have another Technical Committee meeting at some point. Any objections to referring that issue back to the committee and asking for guidance? Joe.

DR. DESFOSSE: Just a quick answer to Bill's question. The measures that were adopted in the amendment do not address anything to do with reducing juvenile harvest, per se. It did not adopt any measures.

You put them in the toolbox to use at a later date. What has happened over the course of the last five years is you've had a 50 percent reduction in plant capacity and also harvesting capacity with the vessels moving to the Gulf. So, indirectly there has been a lessening in the harvest of menhaden through the fleet reduction.

CHAIRMAN BORDEN: And I think the question that's being asked is should the need arise to reduce the landings of juveniles, what suite of measures should we consider? Isn't that the point that you're raising?

MR. GOLDSBOROUGH: Yes.

CHAIRMAN BORDEN: So, I guess my question is any objection to asking the Technical Committee to do that? No objections. Yes.

SENATOR GEORGE L. GUNTHER: Mr. Chairman, I just heard the public announce that there was some 34 percent of last year's harvest were zero age. Now I heard no rebuttal to that man, nor no challenge to him at that time.

Now, all I can say is that year after year I hear this discussion on menhaden. I've heard how we're taking juveniles in that, and I know that a couple years ago they said -- the industry said, well, it was a rough day and we couldn't identify what we were hitting, but they were hitting the juvenile schools on zero age fish fairly heavy if I remember.

Now at some point if -- I know you're just -- I believe now you're talking about bringing this back to the committee and see about an action. I think we ought to be taking an action. I think the justification of taking zero age fish of this particular species is almost ridiculous.

And I think that we should take an action by this Board that we should call a moratorium; **and if it's in order I will make that motion that we should have a moratorium on the taking of zero age menhaden.**

CHAIRMAN BORDEN: Yes, I guess what I'm suggesting is that when this originally came up as part of the management program, there was a great deal of discussion about the different mechanisms that would be employed to actually reduce the take of zero age fish.

For instance, there was discussion about mesh size, the appropriateness of mesh size, whether or not that would work or whether it would end up increasing gilling in the fishery. There seemed to be a fair amount of discussion of pros and cons associated with those alternatives. The only thing that I'm suggesting is that I think that what we need to do is to continue that discussion in terms of the Technical Committee and have them come back with a list of prioritized options of whether or not the following measures should be employed in order to reduce the catch of zeros.

Part of that, I believe, should also be a discussion of the necessity for reducing the harvest of age-zeros. So, it would really be a two-prong assignment. Just strictly biologically is there a necessity for us to reduce harvest of age-zeros; and if so, what are the appropriate methods of doing that at this point. I'm not sure we're ready to take action on a proposal to start another amendment given the status of the discussions on that. Jack.

SENATOR GUNTHER: If I may --

CHAIRMAN BORDEN: Excuse me, Doc.

SENATOR GUNTHER: How many years do we go on without action? I don't think there has been any real action taken in this direction. And I can't for the life of me see how we can justify the taking of age-zero menhaden fish. I mean, even the industry, I think, ought to know that, and I'm not a marine biologist. But if I might, you know, there's a point at fishing or cutting bait, and I don't know what we do on this Commission when it comes to this area because it seems we get stalemated every time we get into anything.

We had the difficulty of getting our new Board

set up. And I know they only maybe had a year to get in gear, but I do think there's areas that I don't know how they can be controversial, frankly, just sitting here on the perimeter. But I think I'd like to press my motion to have a moratorium called on the catching of zero age fish of the menhaden species.

CHAIRMAN BORDEN: So that's a formal motion. Could we put it up on the screen, please. Is there a second to the motion?

MR. AUGUSTINE: **I'll second for discussion purposes.**

CHAIRMAN BORDEN: Okay, so we have a valid motion. State the motion and type it up on the screen so we're all clear on what's being proposed. Is that your motion, Doc?

SENATOR GUNTHER: Yes, Mr. Chairman.

CHAIRMAN BORDEN: All right, we have a number of hands up on this. I'll recognize Jack Travelstead. I'm going to take the Board first. We've got a few hands in the audience.

MR. TRAVELSTEAD: I had originally raised my hand to indicate that I supported your idea of taking this to the Technical Committee for further evaluation. We now have a rather drastic motion on the screen that more or less flies in the face of the advice from the Technical Committee, a Technical Committee that's now made up purely of scientists. The industry is off that committee.

I would just note in the way of rebuttal, if you look at Tables 2.3 and 2.5 in the Technical Committee report, you'll notice that the harvest of age zero menhaden from 1999 to 2000 dropped from 193 million to 77 million. So, clearly, industry is trying to do something to avoid the take of zeros. Table 2.5 shows that the population size of age-zero fish from 1999 to 2000 increased from 1.2 billion fish to 6 billion fish, so there are apparently a whole lot more age-zero fish out there in the population than we have seen in well over a decade.

I realize those are terminal numbers and those estimates may change in future years, but to adopt this motion now with no scientific support for it, no advice from our Technical Committee to do that just, quite frankly, doesn't make sense. I certainly don't object to the Technical Committee going back and looking at this and advising methods that we might use to implement should this become a serious problem, but right now it's just simply premature.

CHAIRMAN BORDEN: All right, thank you, Jack. Vito Calomo.

MR. CALOMO: Thank you, Mr. Chairman. I also think like Jack, refer it back to the Technical

Committee. I think that's the place where it should go. Also, the biomass is still high here. It isn't that it's hurting to a point of devastation, and that we have reduced -- reduction in areas for fishing for menhaden have been reduced greatly, and also the vessels that fish for reduction have been reduced greatly so I just don't know where we're going. And the amount of zeros that are taken is about 12 percent, which is not that great either. So I just don't support this motion. Thank you, Mr. Chairman.

CHAIRMAN BORDEN: Other Board members? Pat.

MR. AUGUSTINE: Thank you, Mr. Chairman. I supported the motion for discussion purposes. I supported it being put on the agenda last year when the Chesapeake group brought it up. In New York we've seen an emerging bait industry that are harvesting these little buggers, little zero age fish, by the bucketful. We're talking about a vessel going out there with a cast net, a 20-foot cast net, and taking 20 or 30 or 40 buckets in a matter of minutes.

Now we've seen at least four different sizes of bunker this year in our waters since we changed our reduction boat harvesting dates as to when they can come into Long Island Sound and New York marine waters.

And I see the emergence of another fishery that's destined to be in deep trouble in a short period of time. **I would suggest that maybe this either gets tabled**, but that the issue of addressing the zero age menhaden be put on the highest line of priority with the Technical Committee. I'm glad it was put on the table. I think it's time to take a hard look at it, look at the overall size or biomass of menhaden relative to where we got the reports of year or two years ago when we were at a 40-year low and we're at a low right now across the Board.

Yes, the peanut bunker are in very high numbers right now, but I really think that the priority of it being reviewed by the Technical Committee should be moved to the highest level. Thank you.

CHAIRMAN BORDEN: You suggested that we table the motion. **Is that a formal motion to table?**

MR. AUGUSTINE: **Yes, Mr. Chairman.**

MR. CALOMO: **I'll second it.**

CHAIRMAN BORDEN: All right, seconded by Vito Calomo. There's no discussion on a motion to table. If in fact the motion passes, it's my understanding that the intent is to refer the issue to the Technical Committee and ask them to answer those two questions. Is that everyone else's understanding? Affirmative, then, all right. Bruce.

MR. FREEMAN: I just need clarification. The motion here is to table and refer this to the Technical Committee. Is the intent, once that Technical Committee report is given, to raise the motion again or the motion simply dies?

CHAIRMAN BORDEN: No, the motion, as I just stated, if you table this motion, we will resort to what I recommended before which is to refer this issue to the Technical Committee, ask them whether or not it is a problem to be fishing on age-zeros and ask them to prepare a list of prioritized alternatives for dealing with the issue. All right, everyone clear on the motion? Does anyone need a caucus on this? Yes, Pat.

MR. AUGUSTINE: A point of information, Mr. Chairman. Could we make this a date certain for the Technical Committee to submit this report to us for our October meeting, so that if at that point in time it would be appropriate, based on that information, to move forward with this approach that Senator Gunther has made, it would be incumbent upon us to review it at that time.

CHAIRMAN BORDEN: Right.

MR. AUGUSTINE: So if we had a date certain on it.

CHAIRMAN BORDEN: Okay, I have one hand in the audience that was up before the motion to table went on. Niels.

MR. NIELS E. MOORE: Niels Moore, National Fish Meal and Oil Association. Thank you, Mr. Chairman. Just one clarification or correction, if you will, about the percentage of age-zeros in the harvest. It's not 34 percent, it's actually more like 13 percent, and that number is specifically derived from Table 2.3. For the 2000 year approximately 77.8 million fish were harvested of age-zero class in 2000 out of a total harvest of 657 (million), roughly 13 percent. Thank you, Mr. Chairman.

CHAIRMAN BORDEN: Thank you, Niels. We have a motion to table. And, sorry, Mr. Price, we're not going to get into that debate at this point. Yes, sir.

MR. HOWARD J. KING, III: Howard King from Maryland. Mr. Chairman, the motion as written does not perfectly reflect your words. I think it falls short of stating exactly what you said, that it would be referred to the Technical Committee with a response back by a date certain and that the Technical Committee would recommend a prioritized suite of actions.

CHAIRMAN BORDEN: Okay, we're going to call the vote. Anyone need a caucus on this? It's a

motion to table. It's non-debatable. Everyone clear on the motion? Okay, declare a two-minute caucus.

All right, are you ready for the vote? Let me see a show of hands of all those in favor of the motion to table, one vote per state, **16 in favor; any no votes; abstentions. The motion carries unanimously.** Dave Pierce.

DR. PIERCE: Yes, Mr. Chairman, I certainly have no problem having the Technical Committee take a look at this, but the motion is a bit interesting in that it does send a message to the industry that's not here for the most part that, indeed, their fears, their worst fears were realized in that the Board is reconstituted, industry is off the Board, and immediately a motion is made to put a moratorium on the age-zero fish.

Yes, it's going to go to the Technical Committee for review and that's fine, that's good. But I think there will be a negative reaction in the industry that will feel that in a sense they've been betrayed.

CHAIRMAN BORDEN: Paul Perra.

MR. PERRA: I agree with Dave's statement and I think that -- but I voted to table the motion in the interest of time because we don't really need to debate this any more. But what we need to do and I hope we would do is also work closely with the industry and the advisors that we just set up and promised that they would be part of the process. They haven't been part of the process today. So, hopefully, we can correct that.

CHAIRMAN BORDEN: Okay, any other comments? Yes, Bill.

MR. GOLDSBOROUGH: Thank you, Mr. Chairman. I think this whole discussion, of course, brings up the issues of the ecological side of the equation on menhaden. And at one point I know there had been some discussions and I know that I for one, among others, had recommended that there be some representation on the Technical Committee of people with ecological expertise to be able to speak to this issue and give advice to the Board on how to deal with these issues.

I don't know if that has transpired or not. I'm not sure, I haven't seen the list of the makeup of the Technical Committee, but I'd like to just put that on the record and ask that there be some attention to that point in the near future.

CHAIRMAN BORDEN: Okay. Any other comments? Yes, Niels.

MR. MOORE: Thank you, Mr. Chairman, just a clarification of the motion. As I read this, does this mean that the Technical Committee could come back

and report to this Board that it does not perceive the harvest of age-zero fish to be a problem, and, therefore, not have a list, a prioritized suite of actions, or is this saying that it is a problem and therefore we will have the Technical Committee make a prioritized suite of actions?

CHAIRMAN BORDEN: I would characterize it slightly differently. I think that they should have a debate about whether or not they view the current practices as being a problem. That would be one question that they should address.

And, whether or not either the current removal rates or some future, higher removal rate would cause a problem, and if they identify that as a potential problem, they should flesh out a list of alternatives to try to address it.

It seems to me that if you do that, then what you end up with is a range of opinions on it that the Board can systematically discuss and debate and look at those alternatives. Tom Fote.

MR. TOM FOTE: Tom Fote. When I've listened to the industry over the years they say, of the reduction boats, is they don't target the zeros because basically there's no oil and they're bad for fishmeal and they really want to get away from it. That's what they have repeatedly said on the Board over the years, especially Omega said it the last time around, that I remember. So, you know, who is really harvesting and what purpose are they harvesting the zeros for?

CHAIRMAN BORDEN: Anyone care to respond to that? Yes, sir, in the back. Another comment and then we're going to move on.

MR. JERRY SCHILL: Thank you, Mr. Chairman. Jerry Schill, North Carolina Fisheries Association. Since Brother Wheatly is not here to speak, I just feel compelled to say that Jule was right. Thank you.

CHAIRMAN BORDEN: Thank you, Jerry. I'd like to move on. Anything else to report under the stock status or status of the fishery report? Dave Pierce.

DR. PIERCE: Yes, Mr. Chairman, have we finished with the Technical Committee report? I see that there's a recommendation from the committee regarding the Management Board adopting new reference points. Since we have now decided to give them the go ahead to include bait landings in the analyses, the committee has said that that automatically then obligates us to take a look at the reference points that are shown on page 5, old and the new, and they are different, and by considerable

amounts, especially the target, the SSB.

Now, I'm not prepared at this time to vote to change the reference points, largely because I really don't understand exactly how the Technical Committee came to determine the differences here between the old and the new. I got a bit of the logic but the report is a bit scanty with regard to providing us with a good explanation as to why we now have to change these numbers. We debated long and hard over a series of meetings, you know, what the reference points should be, the targets and the thresholds for fishing mortality as well as spawning stock biomass so I don't care to move on that now.

I would suggest that consistent with what we've already done regarding the Technical Committee and referring some issues to them, we ask the Technical Committee to revisit this issue and not to change their mind, of course, but to provide us with a bit more rationale so that we can discuss this more. And, of course, the advisors, the Advisory Panel would meet as a well and they'd have an opportunity to look at this, too. Certainly, the advisors would have a difficult time understanding why the Technical Committee is making this suggestion. So I would say bounce it back to the Technical Committee and at our next meeting we can visit this issue.

CHAIRMAN BORDEN: Thank you, David. Joe, could you just provide a little background on the recommendation. And this was going to be the next issue that we were going to get into anyways, so I'm glad you raised it, David. Joe.

DR. DESFOSSE: Thank you. The old assessments were based only on the reduction data. The bait landings were -- they were less than 10 percent of the total coastwide landings, so they weren't included in the assessment, per se, and the stock assessment people were having problems incorporating accurate data into the assessment. What happened this past year, Doug Vaughan was finally able to include that data into the assessment.

It also reflects that the bait landings, the relative proportion has increased so they are more important coastwide compared to the reduction landings. The reduction landings have declined. So the assessment now is going to include both sets of data, bait and reduction landings.

The reference points that are in Amendment 1 are based only on the reduction data. These new reference points are calculated in the same manner as the reference points in Amendment 1 and the Technical Committee was just asking for the Board to adopt them. What manner that took, whether it be

an addendum or just through a motion, that needed to be fleshed out.

CHAIRMAN BORDEN: Now, let me just follow that up. It was my own view, in reading this that since we had gone through a very formal public process to adopt them, then in fact before we alter them, we should go through some kind of similar public process to alter those. And I actually think that that public process should start with our advisors. In other words, later on in the agenda we're going to approve an Advisory Panel, and what I would like to do is to task the Advisory Panel with reviewing a certain number of issues.

One of the issues I think they should start with is they should have a report of the Technical Committee and review the merits of the suggested changes and give us their opinion on them. So, I mean, that's why we have advisors. We should seek their guidance on the issue. Bruce Freeman.

MR. FREEMAN: I have a question concerning the executive summary on the first page. At the bottom of the fifth paragraph, it talks about the fact that there is more information on the bait fishery, and it refers to the fact that people are selecting for larger fish in the bait fishery, which certainly is true, and then indicates by using this, it reduces the inherent bias.

And I'm just curious, if in fact there is a directed effort for large fish, how do you actually determine what the true population is if in fact they essentially are not out there catching anything, but they're trying to catch the largest fish because they're the most valuable? And I'm just somewhat confused as to this use of the bias in either way.

CHAIRMAN BORDEN: Joe or Ellen, care to offer any comments?

DR. DESFOSSE: The only comment I have is I wish Doug was here right now to answer that question.

MR. FREEMAN: Well, I think there may be a rational explanation, I simply don't know what it is. What concerns is that indeed -- and it's documented by --

CHAIRMAN BORDEN: Bruce, John Merriner would like to offer you a response.

DR. JOHN MERRINER: Nowhere near the level of complexity or detail that Doug Vaughan may provide you. My name is John Merriner, Joe, with the National Marine Fisheries Service, Beaufort Lab.

The important part and to bear in mind is that all of the analyses that we've been doing with menhaden have been based upon measuring and accurately

accounting for the total removals. In essence by incorporating bait, we're getting a measure now as what has been removed by the bait sector. If we had the cast net catch by recreational fishermen or by commercial fishermen, as was alluded to from New York state, those, too, could be incorporated and blended in to come up with a composite catch at age matrix. And that's the fodder, if you would -- pardon me for putting terms in here that Doug Vaughan would never use -- that's the fodder that goes into the model of the VPA.

You take the total removals, the catch at age matrix that's there, and you come up with then what number of fish of such and such an age had to have been present last year, given natural mortality, to have had the removals of this many to give you this number that you've got now of that age-class.

So the concern is getting the numbers of removals accurately portrayed, as accurately portrayed and as completely as we possibly can for the fishery, whether it's reduction, reduction and bait.

And the rationale for using bait was that it does indeed represent, now, 20 percent or so of the landings. It's appreciable so that perhaps by using only the reduction fishery which is, as you say, not removing as many of the larger animals; a, it's geographically restricted to areas where the larger animals typically are not as abundant.

So we're getting a more accurate measure of what may well be in the population from the removal side of it. But if I may make, before that end of it, before I shut up or get nailed again or whatever it is, one other issue that was asked in terms of an ecological one that Bill asked here, and I think that on the Technical Committee we do have an individual who is ecologically aligned, has had a great deal of experience at looking at predator-prey and is in fact now looking at applying ECO-SIM and POP-SIM and those other models, trophic-dynamic kind of modeling, and that's Behzad.

He was working that on the west coast of Florida off of Tampa, looking at the complete structure of things. We have Mike Armstrong on our committee. He's talented in the same way, from Massachusetts. I think we have the representation there and I think the perspective of ecological importance of the resource is being covered as well by the present staff we have on the Technical Committee. If additional ones need to be appointed, I mean, that's your prerogative to appoint other people.

MR. FREEMAN: Thank you, I appreciate your comments, John. But, I've been involved in this

process for a long time and not too many years ago the fishery was prosecuted from Florida to Maine, and what concerns me now is if we don't fish in certain areas or we don't catch fish in certain areas, how good is the stock assessment?

And I asked this question several years ago. I know the Fisheries Service did a fishery independent survey of young of year fish along the coast and was told that was done for many years, and perhaps in the last 15 was not done because of funding problems.

And it was indicated that it was a very valuable tool but it's no longer being used because of other priorities. And my concern is that for us to make rational decisions, we really need to know the size of the population.

This issue we just discussed on young of year is really going to be predicated on what the size of the population is and whether in fact you can take a given number of juvenile fish. And my concern is do we really have a true understanding of what this population is?

DR. MERRINER: I believe we do based on removals that are there. The modeling approach that is undertaken is to construct the population based upon removals and the ages that are there, that have to be "X" number of fish the previous year to provide that number of young next year.

The fishery has contracted, yes. Plants are no longer active in the south side of things and there's no longer an active plant to the north. Bait fisheries do exist in several different areas, a broader range than the reduction fishery at the present time. As long as we're getting the good measure of an accurate measure and a comprehensive one of the age composition of removals from the population, the models can be run to give the other dynamics of the resource, from total population size, et cetera.

If you will look in the status of the resource report, there were two other approaches applied that are not just the straight catch at age matrices. So we are looking at other analyses. They are corroborative, if you would. They're tracking. They're trending similarly. One is a forward projecting model and another is a surplus production modeling approach, ASPIC, that Mike Prager applied. So we're not just sitting back on our laurels and saying that this is the only way we crunch numbers, no, sir. We are looking at a variety of approaches now trying to get the best information we can to come before the Board for coastal management.

MR. FREEMAN: Well, if I may, Mr. Chairman.

John, relative to the fishery independent young of year work that was done, are you indicating that that no longer is necessary?

DR. MERRINER: No, sir. An important part in running some of the models are tuning, as you are aware. There are indices now that are, again, in the report, the status of the resource report. We present information on several different young of year indices that have been compiled along the eastern seaboard. Some of them track; some of them don't track.

We have included them as tuning indices where we can, where they are coherent or consistent within themselves and we are applying them where we can. One of our recommendations -- or, excuse me, one of the Technical Committee's recommendations, since I'm not a member of the Technical Committee -- excuse me for running on -- is that we try to get a better handle on young of year indices, to have them adopted, that they are important and will be even more important in the years to come. As you get a longer time frame, the value in that tuning index increases with each year's additional information, as you're aware.

The other aspect about bait and why that was just coming in now, we now have 10 years of information, and the perception is that that may be a reasonable starting point for bringing it into the assessments. To have done it earlier would have perhaps been a misrepresentation or have been less valid an application of the data that we have. And there has been a herculean effort made by several states, complementing New Jersey, your own, for getting the bait fishery information off of Jersey.

That has been a real asset to the program. So we're busting the -- not busting at the seams with staff but we're doing the best we can with what we have and getting good cooperation from the states and gathering other information and trying to do the best analyses we can within the NMFS program.

CHAIRMAN BORDEN: All right, thank you, John. Ellen.

MS. COSBY: The Technical Committee spent quite a bit of time talking about the bait fisheries and how we could improve the information that we work with on these analyses.

Since the reduction fisheries are limited in scope to basically the Chesapeake Bay and fishing off New Jersey and North Carolina, they will no longer be fishing off of New Jersey now since that has been closed, but the concern was, was there representation of the stock coastwide; and by doing the biological

sampling that they're doing over at NOAA down in North Carolina, they're getting bait samples. They are sampling for length, weight, at age. They send in sub-samples of different catches from the different fisheries; pound nets, gillnets. We have technicians that are out collecting these and send them back to North Carolina.

We talked to Technical Committee members from all the states that we represented and everyone was in favor of trying to add to those collections from their states so we could increase the amount of sampling that's done along the coast and get a better idea of what's going on.

CHAIRMAN BORDEN: Any further discussion on this point? If not, I'd like to move on. Any further discussion on either the stock status report or the status of the fishery? It seems to me that it incorporates a couple of recommendations, one of which being this issue of revising the overfishing definitions, which I believe we have concurrence to ask the advisors for input on that.

One of the other recommendations is to approve the Technical Committee (*staff note: Stock Assessment Subcommittee*) and does anyone want to offer a comment on that? David.

APPROVAL OF STOCK ASSESSMENT SUBCOMMITTEE

MR. CUPKA: Thank you, Mr. Chairman. I'd just like to make a **motion that we approve the Stock Assessment Subcommittee recommended by the Technical Committee.**

CHAIRMAN BORDEN: Is there a second to that? **Seconded by Pat.** Any discussion? Anyone in the audience? Bruce Freeman.

MR. FREEMAN: This report essentially made a number of recommendations, one of which we essentially deferred.

CHAIRMAN BORDEN: Correct.

MR. FREEMAN: I would suggest that the Board simply accept that report just as a document for information, unless you're willing to accept all the recommendations.

CHAIRMAN BORDEN: Actually, Bruce, my original intent was to do just that, but given the discussion about the need to get some advice from our advisors on the issue, there's no necessity to accept the report at this meeting. We can solicit some input from the advisors and put it on the agenda for our next meeting, whenever that takes place.

Okay, so we have a motion. All right, so everyone is clear, we have a motion to approve the

Stock Assessment Subcommittee. I can see no reason, unless I see a hand, to have a caucus on this. All in favor signify by saying aye; opposed; abstentions. **The motion carries unanimously.**

Anything else under stock status or status of the fishery? Paul Perra and then Dave Pierce.

MR. PERRA: I'm not quite clear what our next step is because we're referring to the advisors some fairly technical information that really will have an impact on the targets in the plan.

And if you accept the new information, the status of the stock report is much rosier than if you do not accept that information. So it's a fairly important decision, and I just need to know where we're going to go with it and are we just delaying our decision.

Shouldn't we be preparing a technical addendum or a regular addendum to accept the new targets?

CHAIRMAN BORDEN: Well, we should, you're correct on that. But the sequence that I have envisioned here is, since we went through a very public process to adopt the previous standards that are incorporated into the document, and given the fact that these new recommendations can have fairly profound impacts in terms of how we define overfishing thresholds and targets, I think we have to go through some public process.

And I think where that starts is to ask the Technical Committee or a Technical Committee representative to meet with our advisors, get a recommendation, and then that would come back to us, and at that point we would take an action to formalize an addendum or technical adjustment, whichever is appropriate.

MR. PERRA: My concern is that we spent a long time convincing the states to try to get better information through the bait data. We finally got it. It has finally been included in an assessment. It has some real implications towards management if we do accept it.

Why can't we do what you said, but involve the Technical Committee and advisors, but right now decide that we're going to do a technical amendment or a regular addendum process, get the process rolling now rather than waiting for another meeting, or is that going to be done anyway? Is the staff going to be working on something like that? I just don't want this to sit for our next meeting, that's all.

CHAIRMAN BORDEN: Yes. Well, we could make that motion, Paul, but I guess my own personal hesitancy here to endorse that type of concept is I'm a little -- I mean, there were a lot of reservations about this process as a whole and the need to fully integrate

the input of our advisors, both recreational and commercial.

And personally I'm a little bit hesitant to start up the first meeting with an action to modify the plan without consulting with those advisors, and that's the reason I'm essentially giving the advice that I'm giving. I mean, we have advisors for a reason. We wanted their input. Now is the time to get it. Okay, so any other comments on stock status or status of the fishery? Yes, John.

DR. MERRINER: John Merriner, NMFS. Relative to the inclusion of bait or not to include bait, it's what you're getting down to at this point. As was alluded to earlier, we're trying to give the best available -- utilizing the best available data we have and all sectors that are appropriate. And in coming up with the combined catch at age matrix, running through now the same process, using the same rationale that was approved by the Board using reduction only, we simply used the combined catch at age matrix.

And when you turn the crank -- no guarantee what's going to come out the other end sometimes -- these are the numbers that came out, with that same rationale, that same approach, is your F targets and your biomass targets. Those are the ones that came out.

Now if it requires a technical amendment, addendum, amendment or whatever, I'm simply here representing Beaufort and a kibitzer on the Technical Committee to say that scientifically it's the best thing to do, to use those. It utilizes the maximum amount of information we have that is credible. The methods by which they were derived are exactly the same ones that were applied in deriving them for the reduction fishery only, and the only change is what the number is that comes out the end of the pipe.

Now what it takes administratively to get that into place, I leave to you. Technically that's where those numbers came from, out of that Technical Committee discussion, and the rationale for that is provided in the status of the stock report that was prepared by Doug Vaughan, Mike Prager, Eric Williams and Joe Smith.

CHAIRMAN BORDEN: Susan Shipman and then Tom Fote.

MS. SHIPMAN: Well, I agree with Paul and with John. I think the standards under which the program operates mandate that we use the best scientific information available, and it sounds to me that the Technical Committee is coming back to us with that. I don't disagree that we need to go back to

the advisors and I think the question is the pace with which we incorporate this latest scientific information. I think it's going to require an addendum.

The way we've set up a technical amendment, that's not what this format is for, to deal with new information like this. But, I would like to see us move forward to maybe have the Technical Committee make a presentation to the Advisory Panel similar to what was done with red drum recently -- I think that was an effective exchange of information -- and then come back to us with information from the Advisory Panel.

But as a Board, that we move forward at some point in time in the not too distant future to use the best scientific information available.

CHAIRMAN BORDEN: Okay, thank you, Susan. Tom.

MR. FOTE: Tom Fote. My concern if we use the bait catch right now, are we just sampling the few big bait houses that basically have the reported landings? A lot of what's in the bait industry is small landings that come from different areas that are not landed in the major bait houses, so what we're really having are the ones that are processed, like three ports of New Jersey that are shipped out of state and what goes on here. But I don't know what's going on. I don't know if NMFS records reflect what's being landed in Connecticut or Rhode Island or the other states for the bait industry.

Again, my concern has always been and we based the stock assessment on what the reduction catch was making. As we saw menhaden disappear from Maine, New Hampshire, Rhode Island, and a whole bunch of other places, the stocks were still said to be good and when we saw them disappear, when we saw the age classes drop down from nine to four years old, it was still not seen as a problem.

That's my concern. And before we put the bait in there, let the advisors discuss how we basically put it in, whether we're getting enough of the bait representation with the data that NMFS is collection. I mean, I always find when we basically go look at what NMFS is bringing in, it's sorely lacking and missing a lot of the areas. Thank you.

CHAIRMAN BORDEN: Pat.

MR. AUGUSTINE: Mr. Chairman, I have a question. Based on what Susan said and what John said in his presentation, are you both suggesting that this body should be accepting the combined reduction and bait fishery data that you have here?

And then my second question would be if we

were to wait, as Mr. Fote has suggested, there are a lot of areas that are not reported or being reported, or do we wait to a date certain, if you will, before we get new data, will that completely hold up the whole process?

So the first question is should we, based on the scientific information we have now, accept this change in reference points as the best data available? Will that help us move the process? And do we have to have advice from the Advisory Panel on that? I think not. So if someone wants to address that question, I'd appreciate it. Otherwise, I want to make a motion we move that and accept it.

CHAIRMAN BORDEN: I mean, the sequence that I would envision taking place is we do as the Chair suggested, basically, refer it to the advisors. They'd get a technical presentation. We would get a recommendation back. Hopefully that would take place at the fall meeting. We would get the same type of technical presentation. And then if the Board, which I am assuming they will, basically decide to go along with the technical advice on this, because I think it really is a technical issue, then at that point we would have a motion to do an addendum to incorporate the change.

All right, any objection to that course of action? Seeing none, we will move on. The next item I have on the agenda is the issue of advisors and I turn to Tina Berger.

APPROVAL OF ADVISORY PANEL

MS. TINA BERGER: Thank you, Mr. Chairman. Before you you have a suite of nominations to the Advisory Panel. Most of the names that are listed there have nomination forms with the exception of Maine, which I just got the Advisory Panel nomination today so I can forward that to you.

New Hampshire, John Nelson reminded me that I have a previous nomination form for Bill Hubbard, so I can forward that to you as well. We are missing a nomination form for Melissa Dearborn. I talked to her last week and she will be forwarding that to me, as well as the New Jersey nominees, Wayne Reichle and Tom Fote, I still need nomination forms for those. And we still await a nomination from Connecticut. I talked to Mr. Beckwith today and he will be forwarding me one next week. So, that's the suite of advisors that you have before you and for your approval.

CHAIRMAN BORDEN: My suggestion here to

the Board is that we discuss these generically, anyone wants to raise any concerns about any individuals, then we just have one motion presented. The states that have not submitted advisors at this point would have a couple more months to complete that task. Any objection to that course of action? If not, Gordon Colvin.

MR. COLVIN: Mr. Chairman, **I move approval of the Advisory Panel nominees.**

MR. CONNELL: **Second.**

CHAIRMAN BORDEN: All right, there's a second. Any discussion on it? Anyone in the audience? Do we need any type of caucus vote? All those in favor signify by saying aye; opposed; abstentions; null votes. **The motion carries unanimously.**

Okay, so we already have one charge to our new Advisory Panel. I guess the question for the Board is are there other issues? If we're going to assemble the advisors, are there other issues that we want to receive input on? Gil Pope.

MR. POPE: Thank you, David. The other thing we may want to consider is what we're starting to consider in a lot of other fisheries that we have is what size structure, what age structure we're looking for as far as planning, on what's the healthiest and longest-term sustainability of the resource, what catch at age sizes do we want to see.

I mean, that would be some other things that the Advisory Panel may want to think about is what size structures do we want to see, and that would be my recommendation.

CHAIRMAN BORDEN: All right, any comments on that? Any objections to that? Seeing no objections, other items that we want to refer to the advisors.

MR. SHEPARD: I guess this would be done, anyway, but it would seem to me with a new advisory group that we might ought to say to them what concerns do you have other than the ones we've detailed to you, and ask them to come forward with things that they would like to come forward with.

CHAIRMAN BORDEN: All right, any objections to that? Essentially an open question. They can provide us with any input that they deem appropriate. Any other issues you want to refer to the advisors? If not than the Advisory Panel has a charge. The next issue that I have on my list is the issue of implementation and due dates which, as I understand it, state plans have to be submitted for those states that have requirements on menhaden by August 1st; is that correct?

AMENDMENT 1 IMPLEMENTATION DATE

MR. DESFOSSE: That's correct.

CHAIRMAN BORDEN: And, Joe, can you just briefly outline the requirements for the states so that everyone is clear.

DR. DESFOSSE: The only requirement in Amendment 1 to the FMP was the reporting requirement for menhaden purse seine fisheries. So if a state has menhaden purse seine fisheries, they have to provide some sort of reporting mechanism for those fisheries. Existing requirements could be substituted for anything, if they're already reporting.

CHAIRMAN BORDEN: John Nelson.

MR. NELSON: Well, minimizing paperwork, if we could, so if you don't receive something, are you going to assume there was no fishery or do we have to submit something that says we do not have a fishery?

CHAIRMAN BORDEN: It should be a letter, John, an e-mail from you at the West Coast will suffice in this regard. All right, is everyone clear on the requirements? Any other business to come before us? If not, the meeting is adjourned. (Whereupon, the meeting was adjourned at 4:50 o'clock p.m., July 17, 2001.)

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