



Mid-Atlantic Fishery Management Council

PRESS RELEASE

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MPA Designations Moving Forward Council Addresses Joint (ASMFC) Specification Setting Process

The Mid-Atlantic Fishery Management Council (Council) met in Ocean City, Maryland on October 13 and 14, 2009. The Council reviewed its proposed nominations for Marine Protected Area (MPA) designations and solicited input from the public regarding them. The meeting also served as a forum for a number of Executive Committee meetings and meetings of its Law Enforcement, Protected Resources, and Surfclam / Ocean Quahog Committees.

Following the swearing in of four new Council members, the Council held its yearly election of officers and re-elected Richard B. Robins, Jr. of Virginia as its Chairman and Dr. Lee G. Anderson of Delaware as its Vice-Chairman. The newly appointed members are: Dr. Peter L. deFur, of Richmond who will fill the obligatory seat for the state of Virginia; Christopher J. Zeman, of River Vale, who will fill the obligatory seat for the state of New Jersey; Preston Pate of Newport, who will fill an At-large seat for North Carolina; and, Steven F. Schafer, of New York City, who will fill an At-large seat for the state of New York.

The public was invited to provide comments regarding the Council's proposed sites for MPA designations. The Council is nominating the following gear restricted areas (GRA) for MPA designation: Scup Northern GRA; Scup Southern GRA; Tilefish GRA in Oceanographer and Lydonia Canyon; Tilefish GRA in Veatch Canyon; and, Tilefish GRA in Norfolk Canyon. No objections to these nominations were received from the public at this meeting. At its December 2009 meeting, these nominations will again be subject to public review and comment after which the Council will vote on them for submission to NMFS for inclusion in the National System of MPAs.

Jointly, with the leadership of the Atlantic States Marine Fisheries Commission (ASMFC) and the leadership of Council's Scientific and Statistical Committee (SSC), the Council's Executive Committee met to review and address the roles and responsibilities of the Council's SSC and the Council's and ASMFC's species Monitoring Committees (MC) during the annual specifications setting process for jointly managed species (summer flounder, scup, black sea bass, bluefish, and dogfish). It was acknowledged that the Magnuson-Stevens Reauthorization Act of 2006 specifically tasked the Council's SSC with the responsibility to provide fishing level recommendations (Acceptable Biological Catch [ABC]) to the Council. It was also noted that the reauthorized Magnuson-Stevens Act (MSA) directed the Councils to not exceed its SSC's fishing level recommendations during its annual specification setting process. It was further recognized that prior to these statutory changes to the MSA, the Council's and the Commission's Monitoring Committees had the same responsibility the SSC now has by statute. Given this new circumstance, it was agreed by all participating parties that a joint non-decisional meeting or virtual, web-enabled meeting of the SSC and MCs be convened at the initiation of the Council's annual specification setting process to share available data and relevant information regarding each jointly managed species and then meet as separate entities with the SSC meeting first to address scientific uncertainty and the MC meeting following the SSC meeting so as to address management uncertainty. Both committees would then provide their advice and recommendations to the Council and Commission for annual specification setting purposes. A joint memorandum of understanding will be developed to describe how each management authority will be moving forward to implement this agreement.

The Council's Executive Committee met with leadership of the Council's SSC to review and address methods to develop the Council's risk policy as contemplated in the Secretarial Guidelines regarding MSA National Standard 1 (i.e., the ABC Control Rule). It was concluded that the Omnibus ACL/AM Fishery Management Action Team (FMAT) should draft risk policy options for the Council to consider which incorporate both stock status as well as

the level and quality of information available through the stock assessments. The SSC envisions four tiers of information availability ranging from ideal to data-poor assessments. Therefore, as part of the ABC control rule, risk policy options will be developed in a manner consistent with these tiers.

The Council also voted to reaffirm its published control date of May 20, 2003 for the *Illex* squid fishery. This action serves as a clarification of the Council's August 2009 meeting action when it reaffirmed the published control date of May 20, 2003 for only the *Loligo* squid fishery. The recently initiated Amendment 14 to the Squid, Mackerel, and Butterfish FMP is considering possible development of a "catch shares" program for both of these fisheries and the selection of and possible use of this control date may be an important factor in the adoption of such a program.

The Council also agreed to write a letter to NMFS requesting that it consider re-opening Area 2 to directed herring fishing in December. The directed herring fishery (a New England Council managed species) was closed in April this year based on projections, yet about 1,800 metric tons are available against the existing quota. This re-opening would help ensure that herring discards in the mackerel fishery (a Mid-Atlantic Council managed species) that operates in Area 2 during December could be retained as landings.

The Council also decided to write a letter to the South Atlantic Fishery Management Council in support of its action regarding Amendment 18 to its Snapper-Grouper FMP. The South Atlantic Council indicated that it would specify allocation by sectors for each species and/or fishery governed by that Plan, and a portion of the ACL/ACT for each species and/or fishery would be allocated to a northern zone with separate allocations for the Mid-Atlantic (and New England Council) areas. The Mid-Atlantic Council could then specify management measures to limit total mortality to the ACL/ACT specified for its area. Moreover, the actions specified by the Mid-Atlantic Council would not have to be reviewed and/or approved by the South Atlantic Council.

The Law Enforcement Committee selected a recipient for the Council's 2009 Fisheries achievement Award (FAA). The recipient will be notified shortly and receive the recognition at the Council's December meeting. Likewise, the Executive Committee selected a recipient for the Council's Rick E Savage award and the recipient of this award will be notified shortly and receives the recognition at the Council's December meeting. The Protected Resources Committee provided an update on NMFS' Bottle Nose Dolphin (BND) Take Reduction Team (TRT) activities and actions. The Surfclam and Ocean Quahog Committee selected preferred alternatives for inclusion in Amendment 15 to the Surfclam / Ocean Quahog FMP. Following are the preferred alternatives to be included in Amendment 15: 1.) For the EEZ EFH update - the Council should use 95% relative abundance for the survey years 1980 through 2008; 2.) For state water EFH - the Council should use the 95% relative abundance from the New Jersey and New York surveys and that the Gulf of Maine EFH be identified for surfclams as sandy areas from the beach to 70 meters and ocean quahogs EFH occur from 60 to 100 meters; 3.) For fishing gear impacts - the Council should adopt its prior determination that hydraulic dredges may adversely impact EFH but that the impacts are temporary and minimal and that because of the small Maine quota and limited distribution of that fishery, that the non-hydraulic dredge gear used there would also have only temporary and minimal impacts; and, 4.) For biological reference points - the Council should use an $F_{\text{threshold}}$ equal to 45% of maximum spawning potential, an F_{target} set the same way as it is for surfclams, and a $B_{\text{threshold}}$ increased from 25% to 40% virgin biomass.

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