

2009 REPORT TO CONGRESS

ON APPORTIONMENT OF MEMBERSHIP

ON THE

REGIONAL FISHERY MANAGEMENT COUNCILS

PURSUANT TO SECTION 302(b)(2)(B) OF THE
MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT

PREPARED BY
U.S. DEPARTMENT OF COMMERCE
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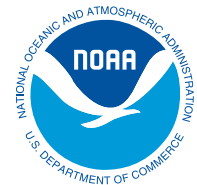


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A. BACKGROUND

Section 302(b)(2)(B) of the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) requires the Secretary of Commerce (Secretary) to report annually to Congress on the achievement, to the extent practicable, of a “fair and balanced apportionment,” on a rotating or other basis, of the active participants (or their representatives) in the commercial and recreational fisheries under the jurisdiction of each Regional Fishery Management Council (RFMC).

In total there are 114 voting members on the eight RFMCs. The voting members of each RFMC include the principal State official (or their designee) with marine fishery management responsibility and expertise in each constituent State who is appointed by the Governor, the regional director of the National Marine Fisheries Service (NFMS) for the geographic area concerned (or their designee), and members required to be appointed by the Secretary in accordance with Sections 302(b)(2) and (5). In addition, non-voting members represent the United States Coast Guard, U.S. Fish and Wildlife Service, U.S. Department of State, and the Marine Fisheries Commissions.

This report is the 18th in a series related to the status of voting members appointed to the RFMCs by the Secretary.¹ In addition to assessing the annual apportionment of RFMC membership, this report discusses significant fishery management issues and related actions either under development or pending for 2010.

B. FAIR AND BALANCED RFMC MEMBERSHIP

The consideration of balance and fairness between commercial and recreational fishing sectors is an important element in the Secretary’s appointments. An equally important consideration is the stewardship responsibilities of RFMCs and the appointment of individuals who can work collectively with members to achieve the conservation standards under the Magnuson-Stevens Act. Successful nominees, therefore, are those who not only are qualified in accordance with the provisions of 50 CFR 600.215, but who will also best contribute to the stewardship of marine fishery resources.²

Generally, the most qualified nominees are those whose records indicate they:

1. Have achieved a level of leadership in promoting stewardship of the marine fishery resources under the jurisdiction of the RFMCs to which they would be appointed; and
2. Participate in, or represent commercial fishermen participating in, one or more commercial fisheries under the RFMCs’ jurisdictions; or

¹The initial report assessed the RFMC membership in 1991 and 1992 and was submitted to Congress on September 1, 1992.

²The qualifications for appointment are derived from Section 302(b)(2)(A) of the Magnuson-Stevens Act and are also included in regulations contained at 50 CFR 600.215.

3. Participate in, or represent recreational fishermen participating in, one or more recreational fisheries under the RFMCs' jurisdictions; or
4. Are otherwise experienced and/or knowledgeable in leadership of organizations whose members participate in a fishery or in management and conservation of natural resources, or are representatives of consumers, teachers, journalists, writers, consultants, lawyers, or marine fishery researchers.

Standard for Apportionment

Before evaluating each RFMC with respect to fairness and balance, the Secretary must first have a standard for such judgments. Although clear as to intent, the amendments to the Magnuson-Stevens Act and legislative history do not provide specific guidance for judging whether the Secretary's appointments meet the statutory standard. The National Oceanic and Atmospheric Administration's (NOAA) National Marine Fisheries Service (NMFS) has addressed the requirement by reasoning that, in the ideal case, voting members should be individuals with prescribed qualifications related to commercial or to recreational fishing within the RFMC's area of jurisdiction, or individuals with qualifications in one of the "other" related fishing interest categories, who are personally committed to meeting the RFMC's trusteeship responsibilities for living marine resources. This continues to be the yardstick for judging whether an individual member of a RFMC will fulfill the paramount mandate—the conservation and management of fisheries resources.

Over the past decade, fishery management issues have become increasingly complex. Therefore, RFMC members who possess the necessary background and abilities to address current issues are critical to the ultimate success of the RFMCs. A significant consideration in appointing members is their specific knowledge of the conservation and management issues and fisheries in which each RFMC is expected to be involved. Also important is the level of nominees' participation in the fishery management process, and the support for the nominees from the fishing sector communities and other individuals, largely through endorsement letters to the Secretary.

For the purposes of this Report, three general fishing interest sectors are discussed: the commercial fishing sector, the recreational fishing sector, and an "other" sector. The "other" sector is made up of appointed members with knowledge of and experience in biological, economic, or social sciences; environmental or ecological matters; consumer affairs; and associated fields.

Nominees may be categorized as participating in more than one of the three general fishing interest sectors. In these cases, NMFS' determination about a nominee's primary interest sector is the result of NMFS' interpretation of: (1) supporting background information provided by the nominating governor; (2) background information provided by the nominee, reflecting the nominee's demonstrated principal participation; and (3) other supplemental information provided.

C. APPORTIONMENT OF RFMC MEMBERSHIP

RFMC members are appointed from among qualified individuals nominated by the governors of the RFMCs' constituent states and, in the case of tribal representation on the Pacific Fishery Management Council (PFMC), from among Indian representatives nominated by the appropriate Tribal Governments. Appointed members serve 3 year terms and can be reappointed to serve 3 consecutive terms. A major factor in meeting the requirement to balance membership is the cooperation of the governors of the constituent states in nominating qualified individuals who are knowledgeable regarding conservation and management or the commercial or recreational harvest of fishery resources. The process works best when governors provide the Secretary with a wide diversity of highly qualified nominees who meet the requirements of the Magnuson-Stevens Act.

For governor-nominated seats, the Secretary will select an appointee for an obligatory seat (state-specific) from the list of qualified nominees submitted by the governor of that state. In filling expiring at-large seats (regional), the Secretary will select an appointee from the list of all qualified candidates submitted by constituent state governors.

In 2009, the Secretary announced the appointment or reappointment of 30 voting obligatory and at-large RFMC members whose 3-year terms, having commenced on August 11, 2009, will expire on August 10, 2012. In addition, the Secretary announced the reappointment of one voting member on the PFMC whose 3-year term having commenced on November 2, 2009, will expire on August 10, 2012.

Table 1 shows the current totals in the distribution of Secretarially appointed RFMC voting members by interest sector for 2007, 2008, and 2009 (page 6). In 2009, fourteen members were appointed from the commercial fishing sector, nine members were appointed from the recreational fishing sector, and eight members were appointed from the "other" sector. The tribal representative on the PFMC for the purposes of this table is counted as a member of the "other" sector.

Because of the limited number of RFMC seats, not all sectors and localities can be represented on each RFMC. In addition, the Secretary's appointments are constrained by the nominations submitted by the governors. Within these parameters, the Secretary endeavors to select appointees who possess the breadth of knowledge and experience to collectively provide a balance on each RFMC, and who pursue their RFMC roles as stewards and trustees of living resources. To the extent practicable, the appointments also seek to rotate membership, thereby distributing participation among all sectors of the fisheries-specific actions. Adjustments to the distribution of representation on each RFMC are also made, where possible, to achieve a balance of interest sectors or needed experience to address changing priorities.

Where sector or gear components are not represented on a RFMC, membership on the various RFMC advisory panels and committees is also crucial to providing those sectors with representation during RFMC deliberations, as well as with a voice on specific issues of interest.

Women and Minority Representation

Six women currently serve on the RFMCs. Governors are encouraged to nominate qualified female and minority candidates.

D. RFMC MEMBERSHIP VACANCIES DURING 2010

Table 2, page 7 lists the 19 RFMC members whose terms will expire on August 10, 2010. Table 3, page 8, sorts the 19 RFMC members into the three general fishing sector categories.

The Magnuson-Stevens Act prohibits the reappointment of RFMC members to a fourth consecutive term. As a result, three of the 19 members whose terms expire in 2010 will be ineligible to be renominated at this time.

TABLE 1: APPOINTED RFMC MEMBERS SORTED NUMERICALLY BY FISHING SECTOR INTERESTS (2007-2009)

	Year	Commercial	Recreational	“Other”	Total
NEFMC	2007	7	4	1	12
	2008	7	3	2	12
	2009	7	3	2	12
MAFMC	2007	5	5	3	13
	2008	5	5	3	13
	2009	5	3	5	13
SAFMC	2007	3	4	1	8
	2008	3	4	1	8
	2009	3	4	1	8
GMFMC	2007	4	4	3	11
	2008	4	4	3	11
	2009	4	4	3	11
CFMC	2007	2	1	1	4
	2008	2	1	1	4
	2009	2	1	1	4
PFMC	2007	3	5	1	9
	2008	3	5	1	9
	2009	3	4	2	9
NPFMC	2007	6	1	0	7
	2008	6	13/ ³	0	7
	2009	6	1	0	7
WPFMC	2007	2	4	2	8
	2008	2	3	3	8
	2009	2	3	3	8
ALL RFMCs	2007	32	28	12	72
	2008	32	26	14	72
	2009	32	23	17	72

³/Robert E. Dersham was appointed to an out-of-cycle vacancy in 2008. The total number of members on the NPFMC representing the recreational sector remains the same.

TABLE 2: RFMC MEMBERS' TERMS EXPIRING AUGUST 10, 2010
GROUPED BY OBLIGATORY OR AT-LARGE APPOINTMENT

OBLIGATORY MEMBERS	APPT. DATE	CONSEC. TERMS SERVED	AT-LARGE MEMBERS	APPT. DATE	CONSEC. TERMS SERVED
<u>New England</u> NH: D. Goethel/C	2004	2	C. Cunningham Jr./MA (R) F. Blount Jr./RI (R)	2004 2007	2 1
<u>Mid-Atlantic</u> DE: L. Anderson/O	2007	1	R. Robins Jr./VA (C) E. Berg/NJ (C) L. Simms/MD (C)	2007 2007 2001	1 1 **3
<u>South Atlantic</u> NC: R. Merritt/C SC: T. Swatzel III/R	2004 2007	2 1	There are no at-large vacancies on the South Atlantic Council in 2010.		
<u>Gulf of Mexico</u> TX: M. Ray/O MS: H. K. Williams/C	2007 2007	1 1	J. Morris/FL (O)	2001	**3
<u>Caribbean</u> Terms of no obligatory seats on the Caribbean Council expire in 2010.			W. Ledee/USVI (C)	2007	1
<u>Pacific</u> ID: D. Ortmann/R	2002	*,**3	D. Wolford/CA (R)	2007	1
<u>North Pacific</u> AK: D. Fields/C AK: S. Cotten/C	2007 2007	1 1	There are no at-large seats on the North Pacific Council.		
<u>Western Pacific</u> Terms of no obligatory seats on the Western Pacific Council expire in 2010.			P. Young/HI (O) W. Sword/AmS (R)	2007 2007	1 1
10 At-Large Members					

*This member served a partial term during the initial 3-year appointment; therefore by law, a voting member's Council service of 18 months or more during a term of office will be counted as service for the entire 3-year term.

**These members have served three consecutive terms; therefore, they are ineligible by law for reappointment to a fourth consecutive term.

TABLE 3: RFMC MEMBERS' TERMS EXPIRING AUGUST 10, 2010
 GROUPED BY GENERAL FISHING SECTOR CATEGORIES

COMMERCIAL	RECREATIONAL	OTHER	TOTAL
<u>New England</u> David T. Goethel	Colin M. Cunningham Jr. Francis W. Blount Jr.		3
<u>Mid-Atlantic</u> Richard B. Robins Jr. Erling A. Berg Lawrence W. Simms		Lee G. Anderson	4
<u>South Atlantic</u> Rita G. Merritt	Thomas L. Swatzel III		2
<u>Gulf Council</u> Harolyn K. Williams		Michael S. Ray Julie K. Morris	3
<u>Caribbean</u> Winston J. Ledee			1
<u>Pacific</u>	David W. Ortmann Danny L. Wolford		2
<u>North Pacific</u> Duncan S. Fields Samuel R. Cotten			2
<u>Western Pacific</u>	Peter T. Young	William A. Sword	2
TOTAL	TOTAL	TOTAL	TOTAL
9	6	4	19

Removal of Members

On occasion, after appointments have been made, RFMC constituents have advised the Secretary of concerns about or indicated disagreement with some of the Secretarial appointment decisions. In some cases, constituents have called for the revocation of particular appointments. All such concerns are noted. However, in accordance with Section 302(b)(6) of the Magnuson-Stevens Act, the removal of a council member is limited to the following circumstances:

- a) The Secretary may remove for cause any Secretarially appointed RFMC member only when the RFMC concerned first recommends removal of the member by not less than two-thirds of the RFMC voting members, and the RFMC submits such removal recommendation to the Secretary in writing, together with a statement of the basis for the recommendation; or
- b) After notice and an opportunity for a hearing in accordance with Section 554 of Title 5, United States Code, the member is found by the Secretary to have committed an act prohibited by Section 307(1)(O) of the Magnuson-Stevens Act, which pertains to compliance with financial disclosure requirements.

The Reauthorized Magnuson-Stevens Act

In 2009, NMFS published two proposed rules in the Federal Register proposing regulatory changes to implement amendments to the reauthorized Magnuson-Stevens Act. The proposed regulatory changes would clarify timing in the Council member nomination process, clarify Council member nomination procedures, revise the security assurance procedures for nominees to and members of the Councils, and make technical and minor corrections to the regulations unrelated to the most recent Magnuson-Stevens Act amendments. NMFS will publish a final rule after consideration of all comments on both proposed rules.

E. THE SECRETARY'S 2009 APPOINTMENTS/2010 REPORT RECOMMENDATIONS

As a result of the annual appointments announced on June 25, 2009, 30 members were seated on August 11, 2009. One additional appointment was announced on September 25, 2009, and seated on November 2, 2009, for a total of 31 appointments.

The following sections update RFMC appointment rosters, specify apportionment totals for RFMC members, discuss fishery management issues and challenges being addressed by each RFMC, and make Secretarial recommendations for future nomination and appointment considerations. The latter reflects information included in letters sent to the constituent state governors requesting nominees, consistent with regulations at 50 CFR 600.215. The governors are required to submit their nominees by March 15 of each year.

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1. New England Fishery Management Council (NEFMC)

BACKGROUND SUMMARY:

Terms expired in 2009 for five NEFMC members. As a result of the 2009 appointments, the composition of fishing sector representatives remains unchanged at seven commercial, three recreational, and two “other.” The current geographical balance regarding the distribution of at-large seats on the NEFMC remains unchanged. The appointee and reappointees are as follows:

New Member/Fishing Sector

Rodney M. Avila/commercial
 David E. Preble/recreational
 Sally E. McGee/ “other”
 James A. Odlin/commercial
 Glen A. Libby/commercial

Outgoing Member/Fishing Sector

Reappointment
 Reappointment
 Reappointment
 Reappointment
 Dana B. Rice/commercial

The following table lists the Secretarial appointees currently on the NEFMC:

2009 NEW ENGLAND FISHERY MANAGEMENT COUNCIL (12 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	AVILA, RODNEY M.	MA	2012	C
O	PREBLE, DAVID E.	RI	2012	R
O	GOETHEL, DAVID T.	NH	2010	C
O	MCGEE, SALLY E.	CT	2012	O
O	ODLIN, JAMES A.	ME	2012	C
A	CUNNINGHAM, COLIN M. JR.	MA	2010	R
A	LEARY, MICHAEL P.	NH	2011	C
A	FAIR, JAMES J. JR.	MA	2011	O
A	PAPPALARDO, JOHN W.	MA	2011	C
A	LIBBY, GLEN A.	ME	2012	C
A	BLOUNT, FRANCIS W. JR.	RI	2010	R
A	NICKELL-TOOLEY, MARY BETH.	ME	2011	C

EXPIRING TERMS:

The following members’ terms will expire on August 10, 2010:

1. David T. Goethel – commercial fishing sector – New Hampshire’s obligatory seat

2. Colin M. Cunningham Jr. – recreational fishing sector – at-large seat (Massachusetts)
3. Francis W. Blount Jr. – recreational fishing sector – at-large seat (Rhode Island)

2010 REPORT RECOMMENDATIONS:

The stocks within the NEFMC's geographical area that are managed by the Council are primarily associated with commercial fisheries. Of the nine members whose terms do not expire in 2010, six are from the commercial harvesting sector, one is from the recreational fishing sector, and two are from the "other" sector. Members from the commercial harvesting sector have experience in the groundfish, scallop, herring, and monkfish fisheries, utilizing trawl, dredge, gillnet, purse seine, and longline gear. The recreational fishing sector members are rod-and-reel fishermen and/or involved in charter/party fishing.

The three upcoming vacancies include one outgoing member from the commercial sector, and two from the recreational sector. Presently, the NEFMC is weighed more heavily toward the commercial sector. In order to achieve a balance between the commercial and recreational sectors, the governors are encouraged to nominate qualified nominees from the recreational fishing sector. Also, governors are encouraged to nominate nominees from the "other" sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The NEFMC is responsible for six Fishery Management Plans (FMPs): Northeast (NE) Multispecies, Atlantic Sea Scallop, Atlantic Herring, Deep-sea Red Crab, Northeast Skates, and Atlantic Salmon. In addition, the NEFMC and Mid-Atlantic Fishery Management Council (MAFMC) are jointly responsible for two FMPs (Spiny Dogfish and Monkfish). The NEFMC has the lead responsibility for the Monkfish FMP, while the MAFMC has the lead responsibility for the Spiny Dogfish FMP.

The species managed by the NEFMC are primarily commercial; however, the multispecies fishery has an important recreational component (party/charter and private vessels). The Atlantic salmon fishery is considered recreational, although possession of Atlantic salmon is prohibited in the Exclusive Economic Zone (EEZ) under the Atlantic Salmon FMP, and there is no commercial or recreational fishery for Atlantic salmon in the EEZ. Management of all of the fisheries must take into consideration effects of the fisheries on habitat, and must consider ways to minimize bycatch. Fishing gear technology and selectivity are areas of great interest, to allow healthy stocks to be harvested at or near their optimum yields while protecting overfished and rebuilding stocks, particularly in the multispecies fishery. Also of concern are measures protecting marine mammals, threatened and endangered species.

In 2009, the Council's management actions included:

- **Northeast (NE) Multispecies**
The Council completed development of Amendment 16, which would make mid-course adjustments to the rebuilding plans for overfished groundfish stocks, authorize 17 new sectors, establish an ACL (annual catch limit)/AM (accountability measures) process, and address other management needs in the fishery. The Council also completed Framework 44, which proposes numerical ACLs for the 2010-2012 fishery, and additional measures to control common pool vessel effort.
- **Atlantic Sea Scallops**
The Council continued development of Amendment 15, which includes ACLs/AMs, capacity reduction measures, days-at-sea leasing, permit transfers, sectors, and revisions to overfishing definitions. The Council also completed Framework 21, to set fishery specifications for the 2010 fishing year.
- **Atlantic Herring**
The Council developed specifications for the 2010-2012 fishing years; continued development of Amendment 4, which will add ACLs/AMs to the FMP; and continued development of Amendment 5, which will address monitoring and bycatch issues in the fishery.
- **Monkfish**
The Council continued development of Amendment 5, which would add ACLs/AMs to the FMP and set specifications for the 2010-2013 fishing years.
- **Skates**
The Council completed Amendment 3 to rebuild overfished skate stocks, and to add ACLs/AMs to the FMP.
- **Deepsea Red Crab**
The Council developed specifications for the 2010 fishery.
- **Habitat**
The Council continued development of an omnibus habitat amendment, which will amend the essential fish habitat (EFH) designations in the Council's FMPs and provide additional measures to protect habitat. Phase I, to better define EFH, has been completed, and work on Phase II, to develop management measures to protect EFH, is continuing.

Council priorities for 2010 include:

- Continue work on Phase II of a two-part omnibus amendment to address issues regarding EFH across all of the Council's FMPs;
- Complete Scallop Amendment 15 to add ACLs/AMs to the FMP, address capacity in the fishery, revise overfishing definitions, and make other changes to the scallop management program;
- Complete Scallop Framework 22, to set specifications for fishing years 2011-2012;
- Initiate development of Scallop Amendment 16, to address transfer of ACL of yellowtail flounder between the multispecies and scallop fisheries;

- Complete Herring Amendment 4, to add ACLs/AMs to the FMP; and
- Complete Amendment 5 to the Monkfish FMP to add ACLs/AMs to the FMP, and to set specifications for fishing years 2011-2013;
- Initiate development of Amendment 6 to the Monkfish FMP to consider sectors and/or ITQs for the monkfish fishery;
- Continue development of Amendment 18 to the NE Multispecies FMP, to add ACLs/AMs for the small-mesh groundfish stocks, and to set specifications for fishing years 2011-2013;
- Continue development of NE Multispecies Amendment 17, to consider catch shares, area management, and other issues in the fishery;
- Complete Framework 45 to the NE Multispecies FMP, to modify the Georges Bank yellowtail flounder rebuilding schedule and issues regarding Transboundary Resource Assessment Committee quota-setting;
- Complete Deepsea Red Crab Amendment 3, to add ACLs/AMs to the FMP, and to set specifications for fishing years 2011-2013.

2. Mid-Atlantic Fishery Management Council (MAFMC)

BACKGROUND SUMMARY:

Terms expired in 2009 for four MAFMC members. As a result of the 2009 appointments, the composition of fishing sector representatives is five commercial, three recreational, and five “other,” which represents a change from five commercial, five recreational, and three “other.” The current geographical balance regarding the distribution of at-large seats on the MAFMC remains unchanged. The appointees are as follows:

New Member/Fishing Sector

Christopher J. Zeman/ “other”
 Peter L. deFur/ “other”
 Steven F. Schafer/commercial

Preston P. Pate Jr./ “other”

Outgoing Member/Fishing Sector

Edward L. Goldman/recreational
 Jeffrey D. Deem/recreational
 Laurie A. Nolan/commercial (ineligible, by law, for a fourth consecutive term)
 Dennis L. Spitsbergen/ “other” (ineligible, by law, for a fourth consecutive term)

The following table lists the Secretarial appointees currently on the MAFMC:

2009 MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (13 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	MCMURRAY, JOHN G.	NY	2011	R
O	ZEMAN, CHRISTOPHER J.	NJ	2012	O
O	KRAY, EUGENE J.	PA	2011	R
O	DEFUR, PETER L.	VA	2012	O
O	WHEATLY, JULE D.	NC	2011	C
O	KING, HOWARD J. III	MD	2011	O
O	ANDERSON, LEE G.	DE	2010	O
A	SCHAFFER, STEVEN F.	NY	2012	C
A	ROBINS, RICHARD B. JR.	VA	2010	C
A	BERG, ERLING A.	NJ	2010	C
A	SIMNS, LAWRENCE W.	MD	2010	C
A	PATE, PRESTON P.	NC	2012	O
A	AUGUSTINE, PATRICK H.	NY	2011	R

EXPIRING TERMS:

The following members’ terms will expire on August 10, 2010:

1. Lee G. Anderson – “other” – Delaware’s obligatory seat
2. Richard B. Robins Jr. – commercial fishing sector – at-large seat (Virginia)
3. Erling A. Berg – commercial fishing sector – at-large seat (New Jersey)
4. Lawrence W. Simms – commercial fishing sector – at-large seat (Maryland); by law, Mr. Simms, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.

2010 REPORT RECOMMENDATION(S):

Of the nine members whose terms do not expire in 2010, two are from the commercial sector, three are from the recreational sector, and four are from the “other” sector. The remaining commercial sector members’ experiences include harvesting, processing, and seafood marketing, while the recreational members are all rod-and-reel fishermen.

The four upcoming vacancies include three outgoing members from the commercial sector and one from the “other” sector. Governors are encouraged to nominate individuals from both the commercial sector and the recreational sector. Also, governors are encouraged to nominate individuals from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and their habitats, and ecosystem approaches to management.

DISCUSSION:

The MAFMC is exclusively responsible for five existing FMPs: Summer Flounder, Scup, and Black Sea Bass; Atlantic Mackerel, Squid, and Butterfish; Surfclam and Ocean Quahog; Tilefish; and Atlantic Bluefish. In addition, the MAFMC and the NEFMC are jointly responsible for two other FMPs (Spiny Dogfish and Monkfish). The MAFMC has the lead responsibility for the Spiny Dogfish FMP, and the NEFMC has the lead responsibility for the Monkfish FMP.

Some of these fisheries are primarily commercial (e.g., surfclam, ocean quahog, tilefish, spiny dogfish, monkfish, squid, Atlantic mackerel, and butterfish); others have significant recreational components (bluefish, summer flounder, scup, and black sea bass). Management of all fisheries must take into consideration effects of the fisheries on habitat, and must consider ways to minimize bycatch.

In 2009, the Council’s management actions included:

- **Summer Flounder/Scup/Black Sea Bass**

The Council developed annual specifications and recreational measures for these three fisheries for 2010.

- **Surfclams/Ocean Quahogs**

The Council continued development of Amendment 15 to the FMP to define excessive shares in the Individual Transferable Quota (ITQ) portion of the fishery, to develop a cost-recovery program for the ITQ fishery, and to update EFH.

- **Squid/Mackerel/Butterfish**

The Council developed annual specifications for these fisheries for 2010. The Council's Amendment 10 for these fisheries was approved in 2009, which establishes a rebuilding program for butterfish. The Council also continued development of Amendment 11, which would establish a limited access program for Atlantic mackerel, and initiated Amendment 14, which will consider catch shares for the squid fisheries and measures to reduce bycatch of river herring.

- **Spiny Dogfish**

The Council developed the 2010 specifications for this fishery, jointly with the New England Council. The Council also initiated Amendment 3 to consider a male-only fishery, timing issues in the management of the fishery, and other issues.

- **Tilefish**

The Council's Amendment 1 was approved and implemented in 2009. Among other measures, Amendment 1 established an ITQ program system for this fishery, and added measures to protect EFH.

- **Atlantic Bluefish**

The Council developed specifications for the 2010 recreational and commercial Atlantic bluefish fisheries.

- **Omnibus ACLs/AMs**

The Council continued development of an omnibus amendment to add ACLs/AMs to all of its FMPs, to comply with new requirements of the Magnuson-Stevens Act. Since none of the Council's fisheries are experiencing overfishing, these measures are not required until the 2011 fishing years.

Council priorities for 2010 include:

- Complete Amendment 11 to the Atlantic Mackerel/Squid/Butterfish FMP which will implement a limited access program for the Atlantic mackerel fishery.
- Continue development of Amendment 14 to the Atlantic Mackerel/Squid/Butterfish FMP, which will consider catch shares for the squid fisheries and measures to reduce bycatch of river herring;

- Complete Surfclam/Ocean Quahog Amendment 15, which will define excessive shares, provide a cost recovery system for the fishery, and update EFH;
- Complete Amendment 3 to the Spiny Dogfish FMP to consider a male-only fishery, timing issues in the management of the fishery, and other issues;
- Complete annual specifications for the summer flounder/scup/black sea bass (commercial and recreational), mackerel/squid/butterfish, spiny dogfish, surfclam and ocean quahog, and bluefish fisheries, including research set-asides, as warranted; and
- Complete an Omnibus Amendment to add ACLs/AMs to all MAFMC FMPs.

3. South Atlantic Fishery Management Council (SAFMC)

BACKGROUND SUMMARY:

Terms expired in 2009 for four SAFMC members. As a result of the 2009 appointments, the composition of fishing sector representatives remains unchanged at three commercial, four recreational, and one “other.” The current geographical balance regarding the distribution of at-large seats on the SAFMC remains unchanged. The appointees and reappointees are as follows:

New Member/Fishing Sector

Charles D. Harris/recreational
Benjamin C. Hartig, III/commercial

Benjamin M. Currin/recreational
Charles M. Phillips/commercial

Outgoing Member/Fishing Sector

Reappointment
Anthony L. Iarocci/commercial (ineligible, by law, for a fourth consecutive term)
Reappointment
John A. Wallace/commercial

The following table lists the Secretarial appointees currently on the SAFMC:

2009 SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL (8 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	HARRIS, CHARLES D.	GA	2012	R
O	HARTIG, BENJAMIN C. III	FL	2012	C
O	MERRITT, RITA G.	NC	2010	C
O	SWATZEL, THOMAS L. III	SC	2010	R
A	CURRIN, BENJAMIN M.	NC	2012	R
A	CUPKA, DAVID M.	SC	2011	O
A	GEIGER, GEORGE J.	FL	2011	R
A	PHILLIPS, CHARLES M.	GA	2012	C

EXPIRING TERMS:

The following members’ terms will expire on August 10, 2010:

1. Rita G. Merritt – commercial fishing sector – North Carolina’s obligatory seat
2. Thomas L. Swatzel III – recreational fishing sector – South Carolina’s obligatory seat

2010 REPORT RECOMMENDATIONS:

Of the six members whose terms do not expire in 2010, two are from the commercial sector, three are from the recreational sector, and one is from the “other” sector. The commercial members experience includes harvesting, while the recreational members are rod-and-reel fishermen. The governors of North Carolina and South Carolina are encouraged to nominate nominees from both the commercial and recreational sectors so the Secretary can achieve a balance between these two interest groups. While nominees to help balance the commercial and recreational sectors are important, the governors are also encouraged to nominate nominees from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The SAFMC has prepared fishery management plans and amendments for the following fisheries or living marine resources in the South Atlantic EEZ: Shrimp (penaeid and rock); coral, coral reef, and live/hard bottom habitats; golden crab; dolphin/wahoo; *Sargassum*; and the snapper-grouper species complex. The SAFMC and the Gulf of Mexico Fishery Management Council have prepared joint FMPs for spiny lobster and coastal migratory pelagic (CMP) species in the South Atlantic and Gulf of Mexico.

In 2009, the Council’s management actions included:

- **Snapper-Grouper**

Snapper-Grouper Amendment 14 to the Snapper Grouper FMP, which established eight marine protected areas from North Carolina to Florida.

Snapper-Grouper Amendment 15B to the Snapper Grouper FMP, which addressed the sale of bag limit caught snapper-grouper species, methods to reduce the effects of incidental hooking on sea turtles and smalltooth sawfish, commercial renewal periods and transferability requirements, a plan to monitor and assess bycatch, establishment of reference points for golden tilefish, and allocations for snowy grouper and red porgy.

Snapper-Grouper Amendment 16, which established measures to end overfishing of gag and vermilion snapper, addressed overfishing of black grouper and red grouper, protects shallow-water grouper species during their spring spawning season, established management reference points for gag and vermilion snapper, and reduces bycatch of snapper-grouper species in the South Atlantic.

Snapper-Grouper Amendment 17A, which would reduce bycatch of deepwater species, establish annual catch limits and accountability measures for nine snapper-grouper species experiencing overfishing.

Snapper-Grouper Amendment 17B, which would end red snapper overfishing, and rebuild red snapper.

Red Snapper Interim Rule, which temporarily reduces red snapper overfishing by prohibiting the harvest, possession and sale of red snapper for 180 days (with a possible 186-day extension) while the Council develops long-term measures to end overfishing and rebuild red snapper in Snapper-Grouper FMP Amendment 17A.

Snapper-Grouper Amendment 20 would update the individual transferable quota program and specify annual catch limits and accountability measures for wreckfish.

- **Coral**
Comprehensive Ecosystem-Based Amendment (CE-BA) I, which would amend the Coral FMP to establish deepwater Coral Habitat Areas of Particular Concern, create allowable fishing areas for deepwater shrimp and golden crab fisheries, and amend current FMPs to comply with the essential fish habitat EFH final rule.
- **Shrimp**
Amendment 7 to the Shrimp FMP, which addressed issues in the rock shrimp fishery.
- **Coastal Migratory Pelagics**
Coastal Migratory Pelagics Amendment 18; which would include ACLs and AMs for king mackerel, Spanish mackerel, and cobia.
- **Comprehensive ACL**
Comprehensive ACL Amendment, which would establish annual catch limits and accountability measures for species in FMPs that are not experiencing overfishing.
- **Comprehensive Ecosystem-Based Amendment**
Comprehensive Ecosystem-Based Amendment which would: Specify status determination criteria, annual catch limits and accountability measures for octocorals in the South Atlantic; modify the existing live rock aquaculture program to allow harvest of octocorals; add two species of encrusting gorgonians (*Erythropodium* sp. and *Briaerum* sp.) to the list of allowable octocorals; and amend Council FMPs as needed to designate new or modify existing essential fish habitat EFH and EFH-habitat of particular concern.
- **Spiny Lobster**
Spiny Lobster Spiny Lobster Amendment 10, which would: Modify the tailing permit; modify the federal 50 short rule that allow use of undersized spiny lobster as attractants; modify the two lobsters per person limit for commercial and recreational fishermen north of Florida; and specify annual catch limits and accountability measures.
- **Golden Crab**
Golden Crab Amendment 5, which would consider a limited access privilege program specify annual catch limits and accountability measures for golden crab.

- **Other Council Actions**

Administered and actively participated in the Southeast Data Assessment and Review (SEDAR) process for South Atlantic and Gulf of Mexico black grouper, South Atlantic red grouper, and South Atlantic red snapper.

- Continued to support NMFS by participating in activities of the International Commission for the Conservation of Atlantic Tunas Advisory Committee and the Highly Migratory Species (HMS) and Billfish Advisory Panels.

Council priorities for 2010 include:

- Implement red snapper interim rule;
- Implement CE-BA 1;
- Submit Amendment 17 to the Snapper Grouper FMP to the Secretary;
- Submit Amendment 17B to the Snapper Grouper FMP to the Secretary;
- Continue development of Snapper Grouper Amendment 18;
- Continue development of the Comprehensive Ecosystem Based Amendment II;
- Continue development of Coastal Migratory Pelagics Amendment 18;
- Continue development of Spiny Lobster Amendment 20;
- Continue development of Golden Crab Amendment 5; and
- Actively participate in the SEDAR process for South Atlantic and Gulf black grouper, South Atlantic red grouper, South Atlantic and Gulf spiny lobster (update), South Atlantic red snapper (update), South Atlantic Black sea bass (update) and South Atlantic snowy grouper (update).

4. Gulf of Mexico Fishery Management Council (GMFMC)

BACKGROUND SUMMARY:

Terms expired in 2009 for five GMFMC members. As a result of the 2009 appointments, the composition of fishing sector representatives remains unchanged at four commercial, four recreational, and three “other.” The current geographical balance regarding the distribution of at-large seats on the GMFMC remains unchanged. The appointees and reappointees are as follows:

New Member/Fishing Sector

Robert P. Gill/commercial
 Damon P. McKnight/recreational
 John R. Greene Jr./recreational

Harlon H. Pearce/commercial
 Thomas D. McIlwain/ “other”

Outgoing Member/Fishing Sector

Reappointment
 Susan S. Villere/recreational
 Bobbi M. Walker/recreational (ineligible, by law, for a fourth consecutive term)
 Reappointment
 Reappointment

The following table lists the Secretarial appointees currently on the GMFMC:

2009 GULF OF MEXICO FISHERY MANAGEMENT COUNCIL (11 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	RAY, MICHAEL S.	TX	2010	O
O	GILL, ROBERT P.	FL	2012	C
O	DAMON P. MCKNIGHT	LA	2012	R
O	WILLIAMS, HAROLYN K.	MS	2010	C
O	GREENE, JOHN R. JR.	AL	2012	R
A	SHIPP, ROBERT L.	AL	2011	R
A	SAPP, EDWARD W.	FL	2011	R
A	HENDRIX, JOSEPH P. JR.	TX	2011	C
A	MORRIS, JULIE K.	FL	2010	O
A	PEARCE, HARLON H.	LA	2012	C
A	MCILWAIN, THOMAS D.	MS	2012	O

EXPIRING TERMS:

The following members’ terms will expire on August 10, 2010:

1. Michael S. Ray – “other” sector – Texas’ obligatory seat
2. Harolyn K. Williams – commercial fishing sector – Mississippi’s obligatory seat

3. Julie K. Morris – “other sector” – at-large seat (Florida); by law, Ms. Morris, who is completing a third consecutive term, is ineligible for renomination to a fourth consecutive term.

2010 REPORT RECOMMENDATIONS:

Of the eight members whose terms do not expire in 2010, three are from the commercial sector, four are from the recreational sector, and one is from the “other” sector. The remaining commercial members’ experience includes harvesting, processing and seafood marketing, while the recreational members are all rod-and-reel fisherman.

The three council members whose terms expire in 2010 include one outgoing member from the commercial sector and two from the “other” sector. The reauthorized Magnuson-Stevens Act requires a governor of a state submitting a list of names of individuals for appointment by the Secretary to the GMFMC to include at least one nominee each from the commercial, recreational, and charter fishing sectors; and at least one other individual who is knowledgeable regarding the conservation and management of fisheries resources in the jurisdiction of the Council.

DISCUSSION:

The GMFMC has prepared fishery management plans and amendments for the following fisheries or living marine resources in the Gulf of Mexico EEZ reef fish, shrimp, coral and coral reefs, red drum, and stone crab. The GMFMC and the SAFMC have prepared joint FMPs for the spiny lobster fishery and coastal migratory pelagic species in the Gulf of Mexico and South Atlantic.

In 2009, the Council’s management actions included:

- **Spiny Lobster**
Finalization of Amendment 8 to the Spiny Lobster FMP, which established import restrictions on spiny lobster, in conjunction with the South Atlantic and Caribbean Councils. NMFS published a final rule on January 12, 2009.
- **Offshore Aquaculture**
Finalization of the Generic Offshore Aquaculture FMP, which would establish a rigorous and consistent permitting, monitoring, and reporting system for offshore aquaculture operations in the Gulf of Mexico. The Council approved this FMP for submission to the Secretary at its January 2009 meeting; in accordance with procedures of the Magnuson-Stevens Act, the FMP went into effect September 2, 2009.

- **Reef Fish**

Finalization of Amendment 30B to the Reef Fish FMP, which included measures to end overfishing of gag, adjust harvesting restrictions for gag and red grouper, and improve effectiveness of management measures. NMFS approved this amendment on January 23, 2009, and published the final rule on April 16, 2009, effective May 18, 2009. A supplemental final rule published June 24, 2009, which established regulations for a season-area closure.

Finalization of Amendment 29 to the Reef Fish FMP, which established a catch share program (Individual Fishing Quota - IFQ) for grouper and tilefish. The amendment was submitted to NMFS in on February 6, 2009. NMFS approved the amendment on July 2, 2009, and a final rule was published on August 31, 2009. The IFQ program is scheduled to be implemented on January 1, 2010.

Development and approval of Amendment 31 the Reef Fish FMP, which is intended to reduce the take of sea turtles by the bottom longline component of the reef fish fishery. The Council approved the amendment at its August 2009 meeting, and submitted the amendment to NMFS in September 2009. The amendment is currently under review by NMFS with a projected implementation date by May 2010. NMFS has implemented similar, interim regulations that are effective until Amendment 31 is approved and implemented.

- **Other Council Actions**

Participated in the National Scientific and Statistical Committee (SSC) meeting regarding ACLs and the new role of SSCs in accordance with the reauthorized Magnuson-Stevens Act.

Convened several meetings of the SSC in regard to developing ACLs and AMs for managed fisheries, as well as to review the SEDAR assessment update for gag and red grouper, and make recommendations for allowable biological catch for both species.

Participated in SEDAR black grouper benchmark assessment, gag and red grouper update assessment, and red snapper update assessment.

Council priorities for 2010 include:

- Initiate and finalize a regulatory amendment to the Reef Fish FMP to adjust harvesting restrictions for red snapper, with a possible mid-season 2010 implementation by NMFS;
- Initiate development of Amendment 18 to the Coastal Migratory Pelagic FMP, which would establish ACLs and AMs for coastal migratory species, in cooperation with the South Atlantic Council, with a 2011 target date for implementation;
- Initiate development of Amendment 10 to the Spiny Lobster FMP, which would establish ACLs and AMs for spiny and slipper lobsters, in cooperation with the South Atlantic Council, with a 2011 target date for implementation;
- Initiate development of a Comprehensive ACL/AM amendment for managed stocks that are not undergoing overfishing, with a 2011 target date for implementation;

- Initiate development of Amendment 32 to the Reef Fish FMP, which would adjust harvesting restrictions, ACLs, and AMs for gag and red grouper, and establish a rebuilding plan for the overfished gag grouper stock, with a target implementation date of late 2010;
- Initiate consideration of catch share amendments for the remaining reef fish species (Reef Fish Amendment 33) and coastal migratory pelagics (Coastal Migratory Pelagics Amendment 20);
- Investigate means to appropriately adjust allocations among sectors for managed species;
- Participate in a SEDAR yellowedge grouper/tilefish benchmark assessment, and a spiny lobster assessment and a greater amberjack update assessment.
- Participate in a SEDAR Procedural Workshop – Evaluating Assessment Uncertain.

5. Caribbean Fishery Management Council (CFMC)

BACKGROUND SUMMARY:

The term expired in 2009 for two CFMC members. As a result of the 2009 appointments, the composition of fishing sector representatives remains the same at two commercial, one recreational, and one “other.” The current geographical balance regarding the distribution of at-large seats on the CFMC remains unchanged. The appointee and reappointee are as follows:

New Member/Fishing Sector

Carlos F. Farchette/ “other”

Marcos R. Hanke/recreational

Outgoing Member/Fishing Sector

Viridin C. Brown/ “other” (ineligible, by law, for a fourth consecutive term)

Reappointment

The following table lists the Secretarial appointees currently on the CFMC:

2009 CARIBBEAN FISHERY MANAGEMENT COUNCIL (4 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	FARCHETTE, CARLOS F.	VI	2012	O
O	PIÑEIRO-SOLER, EUGENIO	PR	2011	C
A	HANKE, MARCOS R.	PR	2012	R
A	LEDEE, WINSTON J.	VI	2010	C

EXPIRING TERM:

The following member’s term will expire on August 10, 2010:

1. Winston J. Ledee – commercial fishing sector – U.S. Virgin Islands’ obligatory seat

2010 REPORT RECOMMENDATIONS:

Of the three members whose terms do not expire in 2010, one is from the commercial fishing sector, one is from the recreational fishing sector, and one is from the “other” sector. The one upcoming vacancy includes an outgoing member from the commercial fishing sector. The governors are encouraged to nominate nominees from both the commercial and recreational fishing sectors, as well as nominees from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION

The CFMC has prepared Fishery Management Plans and amendments for the following fisheries or living marine resources in the Caribbean EEZ: spiny lobster, reef fish, coral and reef associated plants and invertebrates, and queen conch.

In 2009, the Council's management actions included:

- **Queen Conch**

Development of an amendment for the Queen Conch FMP to establish ACLs and accountability measures for species considered to be undergoing overfishing.

- **Reef Fish**

Development of a regulatory amendment modifying seasonal management for Bajo de Sico off the west coast of Puerto Rico from a 3-month to a 6-month closure for Council managed species.

Development of an amendment for the Reef Fish FMPs to establish ACLs and accountability measures for species considered to be undergoing overfishing.

Development of an options paper for Amendment 4 to the Reef Fish FMP which would require escape vents in fish traps.

- **Spiny Lobster**

Implement Amendment 4 to the Spiny Lobster FMP regulating the import size of Caribbean spiny lobster to the U.S.

- **Other Council Actions**

Developed the scoping document and held two rounds of scoping meetings (in April and August 2009) for the ACL/AM amendment.

Supported several meetings of the Annual Catch Limit Working Group to gain advice on setting ACLs in data poor areas.

Held several informal workshops with commercial fishers on ACLs and AMs.

Participated in the workshops to improve data collection in the U.S. Caribbean, including a SEDAR Program Caribbean Data Evaluation Workshop.

Participated in an international Large Marine Ecosystem project.

Coordinated with the participation of NMFS Office of International Fisheries, and the Secretariat of Western Central Atlantic Fisheries Commission, the Nassau Grouper Workshop.

Participated in the development of a Marine Recreational Information Program for the U.S.

Continued, with the Coral Reef Conservation Program Grants, to provide the first characterization of seasonally closed areas (Abrir La Sierra off the west coast of Puerto Rico and the mutton snapper area off St. Croix).

Council priorities for 2010 include:

- Implementation of a regulatory amendment modifying seasonal management for Bajo de Sico off the west coast of Puerto Rico from a 3-month to a 6-month closure for Council managed species;
- Consult with local governments to develop compatible ACLs, AMs, closed seasons and gear restrictions to reduce fishing effort;
- Implementation of a Comprehensive ACL Amendment for managed species, which includes AMs when ACLs are exceeded;
- Determine the feasibility of a limited entry program for U.S. Virgin Islands fisheries;
- Begin development of an amendment to establish permits for commercial and charter boat fisheries in the U.S. Caribbean;
- Continue development of Amendment 4 to the Reef Fish FMP and Amendment 3 to the Spiny Lobster FMP requiring escape vents in traps;
- Review the EFH Generic Amendment to the FMPs and develop management alternatives if needed; and
- Revise the monitoring and research priorities pursuant of the fisheries management in place.

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6. Pacific Fishery Management Council (PFMC)

BACKGROUND SUMMARY:

Terms expired in 2009 for five PFMC members. As a result of the 2009 appointments, the composition of fishing sector representatives is three commercial, four recreational, one “other,” and one tribal representative, who is counted as a member of the “other” sector. This represents a change from three commercial, five recreational, and one tribal representative. The current geographical balance regarding the distribution of available at-large seats on the PFMC remains unchanged. The appointees and reappointees are as follows:

New Member/Fishing Sector

David M. Crabbe/commercial
 Dorothy M. Lowman/ “other”
 David B. Sones/Tribal Representative
 Dale D. Myer/commercial
 William L. Brizendine II/recreational

Outgoing Member/Fishing Sector

Kathleen A. Fosmark/commercial
 Frank R. Warrens/recreational
 Reappointment
 Reappointment
 Donald K. Hansen/recreational (ineligible, by law, for a fourth consecutive term)

The following table lists the Secretarial appointees currently on the PFMC:

2009 PACIFIC FISHERY MANAGEMENT COUNCIL (9 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	CEDERGREEN, MARK V.	WA	2011	R
O	ORTMANN, DAVID W.	ID	2010	R
O	CRABBE, DAVID M.	CA	2012	C
O	LOWMAN, DOROTHY M.	OR	2012	O
O	PFMC *TRIBAL SEAT (*T): SONES, DAVID B.	WA	2012	T
A	MYER, DALE D.	WA	2012	C
A	MOORE, RODNEY H.	OR	2011	C
A	BRIZENDINE, WILLIAM L. II	CA	2012	R
A	WOLFORD, DANNY L.	CA	2010	R

EXPIRING TERMS:

The following members’ terms will expire on August 10, 2010:

1. David W. Ortmann – recreational fishing sector – Idaho’s obligatory seat; by law, Mr. Ortmann, who is completing his third consecutive term, is ineligible for renomination to a fourth consecutive term.
2. Danny L. Wolford – recreational fishing sector – at-large seat (California)

2010 REPORT RECOMMENDATIONS:

Of the seven members whose terms do not expire in 2010, three are from the commercial sector (harvesters, seafood processors), two are from the recreational sector utilizing rod-and-reel and hook-and-line gear, and two are from the “other” sector.

The two upcoming vacancies in 2010 are from the recreational sector. The governors are encouraged to provide the Secretary with nominees from the commercial sector with expertise in all fisheries managed by the PFMC, as well as nominees from the recreational sector as a basis for maintaining a balance of both sector interests. Also, governors are encouraged to nominate nominees from the “other” sector, including people with knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The PFMC has prepared FMPs for: Pacific Coast groundfish, West Coast salmon, coastal pelagic species (CPS), and HMS fisheries.

The PFMC also has responsibility for recommending allocations of Pacific halibut among treaty Indian and non-Indian commercial and recreational users in Area 2A under the Northern Pacific Halibut Act.

In 2009, the Council’s management actions included:

- **Ecosystem Plan**
Began development of an Ecosystem Plan and appointed a Plan Development Team to initiate discussions on Council approved initial tasks.
- **Groundfish**
Adopted an initial range of optimum yields (OYs) and management measures for the 2011–2012 Groundfish Harvest Specifications.

Declared Petrale sole as overfished based on new stock assessment; lowered the Petrale OY for 2010 to promote rebuilding of the stock.

Adopted additional components of a groundfish trawl limited access privilege program, including fishing co-ops and published a Draft Environmental Impact

Statement; adopted recommendations for intersector allocations between the trawl- and non-trawl sectors to support the groundfish limited access privilege program.

Approved a final recommendation to limit the Open Access sector in the Groundfish fishery; Began development of Amendment 23 to the Groundfish FMP to incorporate new National Standard 1 guidelines to end overfishing, including ACLs and AMs.

- **Salmon**
For the 2009 salmon season, adopted ocean salmon seasons to protect Sacramento River and Lower Columbia River Chinook.
- **Pacific Whiting**
Establish final 2009 management specifications and measures for the Pacific whiting fishery.
- **Pacific Sardine**
Recommended that NMFS issue an exempted fish permit for an industry-sponsored Pacific sardine research survey in 2009 that included the use of aerial surveys.
- **Pacific Mackerel**
The Council adopted final 2009 management specifications and measures for the Pacific mackerel and sardine fisheries.
- **Highly Migratory Species**
Took final action to adopt the no-action alternative and not amend the Highly Migratory Species (HMS) Fishery Management Plan to authorize a shallow-set longline fishery seaward of the West Coast Exclusive Economic Zone in the Pacific Ocean.

Requested the Highly Migratory Species Management Team review a NMFS report examining potential management options for the albacore fishery and gather information to support formal consideration of a limited entry program at a future Council meeting.
- **International**
Provided input for tuna conservation measures to the General Advisory Committee to the U.S. Section of the Inter-American Tropical Tuna Commission and to the U.S. delegations of the Northern Committee and the Western and Central Pacific Fisheries Commission (WCPFC).

Council priorities for 2010 and beyond include:

- Initiate and conclude the process for developing groundfish harvest specifications and management measures for 2011–2012; these measures will also incorporate the new requirements for ACLs and AMs under Amendment 23;

- Complete the “deeming process” for a limited access privilege program for the groundfish trawl fishery and associated intersector allocations;
- Continue to address the challenge of providing opportunities for commercial, recreational, and treaty Indian fisheries in the ocean while protecting Endangered Species Act (ESA)-listed and other depressed salmon stocks;
- Continue efforts to develop an umbrella Ecosystem FMP;
- Consider changing the current control date for albacore limited entry; and
- Continue developing ACL amendments for the salmon, HMS and CPS FMPs.

7. **North Pacific Fishery Management Council (NPFMC)**

BACKGROUND SUMMARY:

Terms expired in 2009 for three NPFMC obligatory members. As a result of the 2009 appointments, the composition of fishing sector representatives on the NPFMC remains unchanged at six commercial and one recreational. There are no available at-large seats on the NPFMC. The appointee and reappointees are as follows:

<p>New Member/Fishing Sector David W. Benson/commercial Howard D. Hull/commercial Robert E. Dersham/recreational</p>	<p>Outgoing Member/Fishing Sector Reappointment Gerald P. Merrigan/commercial Reappointment</p>
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The following table lists the Secretarial appointees currently on the NPFMC:

2009 NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (7 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	BENSON DAVID W.	WA	2012	C
O	HENDERSCHIEDT, JOHN J.	WA	2011	C
O	HULL, HOWARD D.	AK	2012	C
O	FIELDS, DUNCAN S.	AK	2010	C
O	COTTEN, SAMUEL R.	AK	2010	C
O	OLSON, ERIC A.	AK	2011	C
O	DERSHAM, ROBERT E.	AK	2012	R

EXPIRING TERMS:

The following members' terms will expire on August 10, 2010:

1. Duncan S. Fields – commercial fishing sector – Alaska’s obligatory seat
2. Samuel R. Cotten – commercial fishing sector – Alaska’s obligatory seat

2010 REPORT RECOMMENDATIONS:

Of the five members whose terms do not expire in 2010, four are from the commercial sector with experience in processing and harvesting, and one is from the recreational fishing sector. The two upcoming vacancies include two outgoing members from the commercial sector. Although commercial fisheries are particularly important in this region, the governor of Alaska is encouraged to continue to nominate persons from the recreational fishing sector and from the “other” sector. “Other” sector nominees should include persons with backgrounds in academics,

fisheries management, environmental science, economics, or social science, and who have knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

The NPFMC has five Fishery Management Plans for: Gulf of Alaska (GOA) groundfish, Bering Sea and Aleutian Islands (BSAI) groundfish, salmon fisheries in the EEZ, BSAI king and Tanner crab, and scallop fisheries in the GOA and BSAI.

In 2009, the Council's management actions included:

- **Fishery Management Plans**

The Council recently adopted additional amendments to the groundfish FMPs, which have not yet been approved and implemented. Routine management of the fisheries under the salmon, scallop, and BSAI crab FMPs is deferred to the State of Alaska, while the Council retains oversight of major allocation, overfishing definition, and habitat management issues. In addition, under the Northern Pacific Halibut Act of 1982, the Council has authority over allocation issues affecting the Pacific halibut fishery in and off Alaska, while the International Pacific Halibut Commission retains responsibility for conservation management of this fishery.

- **Rebuilding Plans**

Of all fisheries managed under FMPs, only two species are under rebuilding plans currently. These species include the Pribilof Island blue king crab and Bering Sea snow crab. After NMFS determined that each of these stocks was overfished, the Council promptly developed rebuilding plans for these species, as required by the Magnuson-Stevens Act, and these plans have been approved by NMFS. Rebuilding plans were approved for Pribilof Island blue king crab in 2004 (FMP Amendment 17) and Bering Sea snow crab in 2001 (FMP Amendment 14). During 2009, the abundance of only Pribilof Island blue king crab continues to be below its minimum stock size threshold. Bering Sea snow crab failed to rebuild within 10 years and the Council and NMFS are in the process of developing a revised rebuilding plan.

Council priorities for 2010 include:

- Assist NMFS in finalizing the draft FMP-level Status Quo Biological Opinion for Steller sea lions, humpback whales, and sperm whales; developing alternatives for possible changes to Steller sea lion protection measures; and assisting with consultation under section 7 of the ESA and analysis on any changes to groundfish fisheries management;
- Development of a new catch share program for Central Gulf of Alaska rockfish fisheries;
- Restructuring of the Observer Program to monitor groundfish fisheries;
- Refinement of the Bering Sea and Aleutian Islands Crab Rationalization Program and other catch share programs developed by the Council and implemented by NMFS;
- Development of measures to address ongoing concerns about salmon bycatch in the Bering Sea pollock fishery; and
- Development of ACL amendments to all FMPs.

8. Western Pacific Fishery Management Council (WPFMC)

BACKGROUND SUMMARY:

Terms expired in 2009 for three WPFMC members. As a result of the 2009 appointments, the composition of fishing sector representatives on the WPFMC remains unchanged at two commercial, three recreational, and three “other.” The current geographical balance regarding the distribution of at-large seats on the WPFMC remains unchanged. The reappointees are as follows:

New Member/Fishing Sector	Outgoing Member/Fishing Sector
Manuel P. Duenas II/commercial	Reappointment
Stephen Haleck/recreational	Reappointment
Sean C. Martin/commercial	Reappointment

The following table lists the Secretarial appointees currently on the WPFMC:

2009 WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL (8 Members)				
Obligatory/ At-large	Appointed Members	State	Appt. Ends	Interest Sector
O	DUENAS, MANUEL P. II	GU	2012	C
O	HALECK, STEPHEN	AS	2012	R
O	SABLAN, BENIGNO M.	CNMI	2011	O
O	MARTIN, SEAN C.	HI	2012	C
A	YOUNG, PETER T.	HI	2010	O
A	DUERR, FREDERICK E.	HI	2011	R
A	ITANO, DAVID G.	HI	2011	O
A	SWORD, WILLIAM A.	AS	2010	R

EXPIRING TERMS:

The following members’ terms will expire on August 10, 2010:

1. Peter T. Young – “other” sector – at-large seat (Hawaii)
2. William A. Sword – recreational fishing sector – at-large seat (American Samoa)

2010 REPORT RECOMMENDATIONS:

Of the six appointed members who terms do not expire in 2010, two are from the commercial fishing sector with harvesting and processing experience, two are from the recreational fishing

sector, and two are from the “other” sector. The two upcoming vacancies include one from the recreational fishing sector and one from the “other” sector. To maintain sector balance on the WPFMC, the governors are encouraged to nominate representatives from the commercial fishing sector, the recreational fishing sector and from the “other” sector. “Other” sector nominees should include persons with backgrounds in academics, fisheries management, environmental science, economics, or social science, and who have knowledge and experience in the conservation and management of marine resources and habitat and ecosystem approaches to management.

DISCUSSION:

- **Fishery Ecosystem Plans (FEPs)**

In 2009, the Secretary of Commerce approved the re-organization of management provisions of the WPFMC’s five species-based FMPs and their associated regulations as four geographically-based FEPs – the American Samoa FEP; the Mariana Archipelago FEP; the Hawaii Archipelago FEP; and the US Pacific remote islands FEP, and a separate Pacific Pelagic FEP. The new FEPs consolidate fishery management actions so that marine resources and user groups are considered as integrated ecological components within archipelago-based units of management. This place-based ecosystem approach facilitates marine spatial planning across the western Pacific region, which is highly varied in terms of its natural, environmental and socio-political attributes.

- **Pacific Pelagic FMP**

NMFS approved and implemented WPFMC’s Amendment 18 to the Pacific Pelagic FMP which removed the annual limit on the number of fishing gear deployments (sets) for the shallow-set component of the Hawaii-based pelagic longline fishery. This action increases opportunities for fishermen to sustainably harvest swordfish and other fish species, without jeopardizing the continued existence of sea turtles and other protected resources. Since the introduction of circle hooks and a suite of other mitigation measures to the fishery in 2004, the number of interactions between the Hawaii shallow-set longline fishery and sea turtles decreased by approximately 90 percent. The north Pacific swordfish stock targeted by Hawaii’s longline fishery and other foreign fishing nations is healthy and harvested at approximately 65 percent of its estimated maximum sustainable yield.

- **Hawaiian Island Bottomfish**

As recommended by WPFMC, NMFS established a total allowable catch (TAC) limit of 254,050 pounds of main Hawaiian island bottomfish (seven deep water species) for the 2009-2010 fishing year. This TAC was five percent higher than the 2008-2009 TAC. NMFS scientists calculated a zero probability of overfishing the Hawaiian archipelagic bottomfish complex and a 25 percent chance of overfishing the portion of the stock complex in the main Hawaiian Islands.

- **Monument**

As authorized by Congress under the Consolidated Appropriations Act of 2008, NMFS compensated commercial lobster and bottomfish fishermen who were displaced by

fishery closures due to the establishment of the Papahānaumokuākea Marine National Monument. The WPFMC had previously recommended this action be taken by NMFS as part of an amendment to the Hawaii Archipelago and Pacific Pelagic FEPs on measures to limit fishing in the Northwestern Hawaiian Islands. A total of \$6.5 million were distributed in late 2009 and early 2010 to eligible fishery permit holders who voluntarily accepted compensation and relinquished their fishing permits in accordance with regulations promulgated by NMFS. Congress mandated that compensation be based on the economic value of the fishing permits.

- **Tuna Conservation**

With respect to sea turtle conservation efforts, the WPFMC continued to support nesting beach management work for endangered leatherback turtles nesting at Wermon Beach (Indonesia) and Huon Coast (Papua New Guinea). Conservation efforts for threatened loggerhead turtles occurred on nesting beaches in Japan and foraging areas in Baja California Sur, Mexico. Additionally, WPFMC supported the assessment of the state of coastal fisheries and sea turtle bycatch in Japan and also hosted a Technical Workshop on Mitigating Sea Turtle Bycatch in Coastal Net Fisheries in January 2009 in Honolulu, attended by participants from 17 countries. Turtle Research and Monitoring Database System, a WPFMC-supported database to standardize all turtle nesting, tagging and biological data across the Southeast Asia and Pacific Islands regions, was launched in February 2009 at the Annual Symposium on Sea Turtle Biology and Conservation in Brisbane, Australia.

Council priorities for 2010 include:

- **Annual Catch Limits and Accountability Measures**

WPFMC will amend its fishery ecosystem plans to establish mechanisms that specify ACLs and AMs for western Pacific management unit species.

- **Ecosystem Approaches to Fisheries Management**

WPFMC will focus on developing strategies for ocean zoning, identifying ecosystem-based indicators for management and establishing information collection systems to meet management demands consistent with marine spatial planning and catch shares initiatives.

- **Regional Fisheries Management Organizations**

The WPFMC will continue to work with NMFS and the WCPFC on the management of pelagic resources in the region, address impacts of international fishing on protected species such as sea turtles and marine mammals and assist in the development and implementation of conservation and management measures aimed at reducing fishing mortality on bigeye by and yellowfin tuna over the next three years and addressing regional shallow set swordfish gear, including circle hook provisions. The WPFMC will collaborate with NMFS to develop Inter-American Tropical Tuna Commission conservation and management measures for pelagic resources and to support the emerging regional fisheries management organization for the Protection of Vulnerable Marine Ecosystems and Sustainable Management of High Seas Bottom Fisheries in the North Pacific Ocean.

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F. Appendix – Statistical Fisheries Data

In addition to assessing the apportionment of membership on each RFMC, this report provides the following statistical information about the status of fisheries managed under each RFMC, and also identifies the number of RFMC members participating in those fisheries. The most recent data were compiled to show the volume of fisheries production and the related effort in each fishery managed under an FMP.^{4/}

^{4/}The Secretary also has management authority over HMS in the EEZ off the New England, Mid-Atlantic, South Atlantic, Caribbean, and Gulf of Mexico coasts. An additional table has been included with the following Appendix, which lists FMPs and other statistical data for Atlantic and Gulf HMS.

Appendix

This appendix provides statistical data required by Section 302(b)(2)(B)(i) of the Magnuson-Stevens Act. Unless otherwise indicated, the data are for the 2008–2009 fisheries listed by FMP. Reported landings are for catches throughout the entire range of a fishery managed under the FMP. Beginning from the leftmost column, the listed data are:

1. FMPs developed by each RFMC;
2. Type of fishery managed under each plan, i.e., commercial or recreational, or mixed (see below);
3. Species/species groups making up each fishery;
4. Weight of each species or species group in a fishery landed in 2008,
5. (or as otherwise indicated) showing both the landings for commercial and recreational fishermen, if recreational information is available;
6. Number of fishermen participating in the listed fisheries, if available; otherwise, the number of U.S. vessels either permitted or estimated to be operating in the fishery;
7. Gear and processing methods used in each fishery;
8. Range and seasonality of the fishery; and
9. Number of current RFMC members who are commercial or recreational sector participants in each fishery; or their representatives.^{5/}

LEGEND FOR TYPE FISHERIES

C - Commercial fishery: Eighty percent or more of the reported landings are by commercial fishermen.

c - Mainly commercial fishery: More than 60 percent but less than 80 percent of the reported landings are by commercial fishermen.

x - Mixed fishery: Sixty percent or less of the reported landings are by each group of commercial and of recreational fishermen.

r - Mainly recreational fishery: More than 60 percent but less than 80 percent of the reported landings are by recreational fishermen.

R - Recreational fishery: Eighty percent or more of the reported landings are by recreational fishermen.

^{5/}Vertical sums in the attached appendices may not match the sums entered for interest sectors in Table 1 on page 6. If one or more council member actively participated in more than one fishery, the vertical sum will exceed the number entered in the interest sector column. Also, if a Council member participated in a currently closed fishery, he or she is still listed as a representative of the fishery in the table because of the expertise they bring to the Council regarding the operation of the fishery.

A-i NEW ENGLAND FISHERY MANAGEMENT COUNCIL (NEFMC)

FISHERY MANAGEMENT PLAN	Type	Species/Species Group	Landings (metric tons) 2008	Vessels (permits) 2008	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2009	
								Comm.	Rec.
Northeast Multi-Species	C	Commercial Atlantic cod	7,419	3,190	trawl, dredge, longline, hook & gillnet, hook & line	FMP area/year round	gutted	8	3
		Haddock	5,609						
		Pollock	8,876						
		Hakes	7,584						
		Ocean perch (redfish)	1,193						
		Yellowtail flounder	1,670						
		American plaice	1,108						
		Winter flounder	2,357						
		Witch flounder	1,007						
		Winduppane flounder*	121						
		Atlantic halibut	25						
		Ocean pout	7						
	R	Recreational Cod	1,905	761	hook & line	FMP area/year round	gutted, filleted		
		Pollock	912						
		Winter flounder	181						
Atlantic Sea Scallops	C	Atlantic sea scallops	24,273	2,496	dredge & trawl	FMP area/year round	hand shucking and freezing	3	0
Atlantic Salmon	R	Atlantic salmon	0	none	none	none	none	0	0
Deep-sea Red Crab	C	Deep-sea red crab	1,245	1,732	Traps, trawl	FMP area/year round	whole, partially processed at sea	1	0
Atlantic Herring	C	Atlantic herring	78,432	2,512	Mid-water trawl; purse seines; weirs; otter trawl	FMP area/year round	fresh/canned shoreside/fresh bait	2	0
Monkfish	C	Monkfish	5,866	2,916	gillnets, trawls, dredges	FMP area/year round	fresh	8	0

NEFMC MEMBERSHIP

	Commercial 2009	Recreational 2009	Other 2009
	7	3	2

Commercial fisheries landings statistics were provided by the Northeast Region and are based on information in the Region's data base as of December 2008. Recreational fisheries information was obtained from the Office of Science and Technology at <http://www.st.nmfs.gov/stl/recreational/queries/index.html> and are based on the results of the 2007 Marine Recreational Fisheries Statistics Survey.

A-ii MID-ATLANTIC FISHERY MANAGEMENT COUNCIL (MAFMC)

FISHERY MANAGEMENT PLAN	Type	Species/Species Group	Landings (metric tons) 2008	Vessels (permits) 2008	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2009	
								Comm.	Rec.
Atlantic Mackerel, Squid & Butterfish	C	Commercial Atlantic mackerel	21,748	2,776	otter trawl, trap, gillnet	FMP area/year round	frozen, whole	2	1
	C	Squid, Loligo Squid, <u>Ilex</u> Butterfish	11,397 15,900 451	(Combine) 2,442	trawl; traps	FMP area/year round	at-sea & ashore, some mackerel fillets		
	R	Recreational Atlantic mackerel	691	829		FMP area/year round			
Atlantic Surf Clam & Ocean Quahogs	C	Atlantic surfclams Ocean quahogs	27,749 15,582	891 916	Dredge	FMP area/year round (ITQ mgmt.)	shucked shoreside	1	
	x	Commercial Recreational	4,140 3,594	976 903	hook & line, otter trawl, trap, gillnet	FMP area/year round	fillets ashore; fresh & frozen	3	3
Scup	x	Commercial Recreational	2,342 1,834	832 796					
	x	Commercial Recreational	854 1,022	872 868					
Tilefish	C	Golden Tilefish	677	2,421	longline, hook & line	FMP area/year round	fresh/frozen	1	
	X x	Commercial Recreational	2,582 8,717	3,184 941	hook & line; otter trawl; gillnet	FMP area/year round	fillets fresh/frozen	1	3
Spiny Dogfish	C	Commercial	4,081	3,019	Gillnet; trawl	FMP area/year round	fresh/frozen	5	1

MAFMC MEMBERSHIP

Commercial 2009	Recreational 2009	Other 2009
5	3	5

Commercial fisheries landings and permit statistics were provided by the Northeast Region and are based on information in the Region's data base as of November 2008. Recreational fisheries landings were obtained from the Office of Science and Technology at <http://www.st.nmfs.gov/stl/recreational/queries/index.html> and are based on the results of the 2007 Marine Recreational Fisheries Statistics Survey

A-iii SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL (SAFMC)

FISHERY MANAGEMENT PLAN	Type	Species/Species Group	Landings (metric tons) 2008	Vessels (permits: Federal or Florida (FL))	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2009	
								Comm.	Rec.
Golden Crab	C	Golden Crab	224	11	traps	FMP area/ year-round	Fresh		
Shapper/Grouper Fishery of the South Atlantic	x	Commercial Groupers Wreckfish Snappers Other Species	764 Confidential 996 994	748	rod and reel, bandit gear, longline, handline	FMP area/ prohibition on harvest and possession of Nassau grouper and Goliath grouper Year-round ² FMP area	at sea, gutted	3	4
		Recreational ⁵ Groupers Snappers Other Species	880 1,375 3,622	1,513 (for-hire)	handline, rod and reel, bandit gear, spear, powerhead				
Penaeid Shrimp Fishery of the South Atlantic Region	C	Commercial All Recreational White	10,294 n/a ³	567 (penaeid) 103 (rock)	trawls	FMP area/ year-round	shore-side processing	1	
Coral, Coral Reefs, and Live/Hard Bottom Habitat of the South Atlantic Region	C	Commercial-Octocoral ⁶ (2007 landings) (colonies) Recreational	38,719 colonies n/a ⁴	57 n/a ⁴	hand harvest	south FL/ year-round	Fresh		
Gulf of Mexico Spiny Lobster [Jointly managed with GMFMC]									
Coastal Migratory pelagics [Jointly managed with GMFMC]									

SAFMC MEMBERSHIP

Commercial 2009	Recreational 2009	Other 2009
3	4	1

Number of vessels with active permits on 12/10/2009. Commercial fishery for gag and black grouper closed during March and April. Commercial fishery for red porgy closed during January-April. Commercial fishery for greater amberjack closed during April. Fishing prohibited year-round in Oculina HAPC. Octocoral landings and number of persons harvesting octocoral provided by State of Florida. Federal permits are not required for octocoral harvest. Not applicable (No recreational fishery in the EEZ).

Sources: Commercial landings information was obtained from the Accumulated Landings System at the Southeast Fisheries Science Center (SEFSC), Miami, FL, and from the Florida Fish and Wildlife Conservation Commission's Marine Fisheries Information System. Recreational landing estimates were obtained from the SEFSC and include MRFSS and headboat landings data. NMFS Southeast Region, St. Petersburg, FL, provided the Federal permit information for 2009.

A-V CARIBBEAN FISHERY MANAGEMENT COUNCIL (CFMC)

FISHERY MANAGEMENT PLAN	Species/Species Group	Landings (metric tons) 2008	Vessel permits ¹	Gear	Fishing Areas/Seasons	Processing	Participants/Representatives in 2009	
							Comm.	Rec.
Spiny Lobster	Commercial Recreational	150 (PR) 29 (USVI) n/a ³	n/a n/a	trap/pot, dip net gillnet, snare dip net, trap, pot	year-round year-round	fresh, landed whole	2	1
Reef Fish (snappers, groupers, other reef species)	Commercial Recreational	783 (PR) 228 (USVI) 147 ² (PR) n/a ³ (USVI)	n/a n/a	longline, hook and line, trap, pot, dip net, handline, rod and reel, slurp gun, spear	area closures ¹ , seasonal closures for numerous snappers and groupers; prohibition on harvest and possession of Nassau and Goliath groupers	guttled at-sea, shore-side processing	2	1
Coral Reef Resources	Commercial Stony Corals Gorgonians Live Rock Other Invertebrates Algae Seagrasses Recreational	0 0 0 0 0 0 n/a ³	n/a n/a n/a n/a n/a n/a n/a	dip net, slurp gun, hand harvest dip net, slurp gun, hand harvest	year-round	live, fresh		1
Queen Conch	Commercial Recreational	38 (PR) 110 ² (USVI) n/a ³	n/a n/a	hand harvest (no hooka) hand harvest (no hooka)	closed year round (no harvest) in EZZ except east of St. Croix (portion of Lang Bank) where it is closed seasonally each year July through September	live, landed whole in shell, shore-side processing		

CFMC MEMBERSHIP

Commercial 2009	Recreational 2009	Other 2009
2	1	1

A-IV GULF OF MEXICO FISHERY MANAGEMENT COUNCIL

¹ Not applicable (no permits required).

² Recreational landings off only for Puerto Rico and are collected by the Marine Recreational Fisheries Statistics Survey.

³ Not available. Recreational landings in USVI are not collected.

⁴ Fishing with pots, traps, bottom longlines, gill nets, and trammel nets is prohibited year-round at Grammanik Bank and at various mutton snapper and red hind spawning aggregation sites. Fishing for any species is prohibited year-round within Hind Bank Marine Conservation District.

Sources: Puerto Rican and USVI Commercial landings were obtained from the Southeast Fisheries Science Center (SEFSC), Miami. Puerto Rico commercial landings are from the Accumulated Landings System at the Southeast Fisheries Science Center (SEFSC), Miami, FL.

A-iv GULF OF MEXICO FISHERY MANAGEMENT COUNCIL (GMFMC) FISHERY MANAGEMENT PLAN	Type	Fishery/Species, Species Group	Landings (metric tons) 2008	Vessels (permits: ¹ Federal or Florida (FL))	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2009	
								Comm.	Rec.
Stone Crab Fishery of the Gulf of Mexico	C	Commercial-Stone Crab Recreational	2,634 (claw weight) n/a ³	FL: n/a ² n/a ³	trap, pot trap, pot, hand harvest	FL West Coast/ Oct-Apr	at-sea, de-claw; shore-side processing	1	
Red Drum Fishery of the Gulf of Mexico	R	Commercial - Red Drum Recreational	13 6,800 ⁵	n/a ⁶ n/a ⁶	n/a ⁶ n/a ⁶	EEZ Closed n/a ⁶ EEZ Closed n/a ⁶	n/a ⁶ n/a ⁶	4	
Reef Fish Fishery of the Gulf of Mexico	X	Commercial Grouper Red Snapper Other snapper Other species ⁷ Recreational Grouper Red Snapper Other snappers Other species ⁷	3,974 1,127 1,594 517 2,030 1,707 1,615 1,006	913 (reef fish) 466 (red snapper) ⁸ n/a ³ (1,257 for-hire vessel permits)	longline, handline, bandit gear, rod and reel, buoy gear, spear, powerhead spear, powerhead, bandit gear, handline, rod and reel, cast net	FMP area/ Year round 9,10 FMP area/ Year round 4,3,	at-sea, gutted; shore-side processing	4	5
Shrimp Fishery of the Gulf of Mexico	C	Commercial-All Recreational	76,704 n/a ³	1,553 n/a ³	trawl, butterfly net, skimmer, cast net trawl	FMP area/ Year round; annual TX closure; seasonal FL closure FMP area/ Year round	tail separation at-sea; shore-side processing	1	
Spiny Lobster Fishery of the Gulf of Mexico & South Atlantic (shared w/SAFMC)	C	Commercial Recreational	1,578 481 ²	170 commercial 330 tailing FL: n/a ¹² n/a ³	trap, pot, dip net, bully net, hoop net, trawl, snare, hand harvest dip net, bully net, pot, trap, snare, hand harvest	Florida/ Aug-Apr FL / 2-day sport-season in July, Aug-Apr	tail separation at-sea; shore-side processing		
Coral & Coral Reefs of the Gulf of Mexico	C	Commercial Octocoral ² Recreational	3,773 colonies n/a ³	10 n/a ³	hand harvest hand harvest	South FL/ Year round	fresh	4	3
Coastal Migratory Pelagic Resources of the Gulf of Mexico & South Atlantic (shared w/SAFMC)	X	Commercial King mackerel Spanish mackerel Recreational King mackerel Spanish mackerel	3,005 1,393 2,922 2,175	1,467 1,584 n/a ³ n/a ³ (1,287 Gulf for-hire vessels)	gillnets, longline, bandit gear, handline, rod and reel, purse net bandit gear, handline, rod and reel, spear	Gulf & South Atlantic: Year round, commercial closures when quotas are reached	At-sea, gutted, Shore-side processing		1

A-iv GMFMC (continued) from preceding page:

- 1 Number of vessels with active permits on 12/10/2009.
- 2 Data from state of Florida.
- 3 Not Available (no federal permit or reporting requirements, except Gulf for-hire vessels).
- 4 Recreational fishery for red snapper was closed from January 1 to June 1 and from August 15 through December 31.
- 5 State landings only.
- 6 Not applicable (fishery closed in federal waters).
- 7 Includes greater amberjack, lesser amberjack, almaco jack, banded rudderfish, gray triggerfish, tilefishes, and hogfish.
- 8 Individual Fishing Quotas Program participants with active accounts.
- 9 Fishing prohibited year-round on Madison and Swanson sites and Steamboat Lumps. Commercial fishery for gag, red grouper, and black grouper was closed February 15 to March 15.
- 10 Commercial fishery for shallow- and deep-water grouper closes once their respective quotas are met.

GMFMC MEMBERSHIP

Commercial 2009	Recreational 2009	Other 2009
4	4	3

Sources: Commercial landings information was obtained from the Accumulated Landings System at the Southeast Fisheries Science Center (SEFSC), Miami, FL, and from the Florida Fish and Wildlife Conservation Commission's Marine Fisheries Information System. Recreational landing estimates were obtained from the SEFSC and include MRFSS, headboat, and TPWD landings data. NMFS Southeast Region, St. Petersburg, FL, provided the Federal permit information for 2009.

A-vii NORTH PACIFIC FISHERY MANAGEMENT COUNCIL (NPFMC)

FISHERY MANAGEMENT PLANS	Type	Species/Species Group	Tonnage (metric tons)*	Fishermen & Crew**	Gear	Fishing Areas and Seasons	Processing	Participants/Representatives in 2009***	
								Comm.	Rec.
Groundfish of the Gulf of Alaska (GOA)	C	Pollock Pacific cod Flatfish Rockfish Sablefish Atka mackerel Misc. species	42,355 52,278 41,882 13,675 10,933 2,222 6,694	1,300 Federal Fishing permits 1,676 LLP permits (some Interim)	trawl; pot; hook & line; jig	area/time closures adjusted in season LLP permits have gear and area endorsements	hand & machine fillet; headed/gutted; frozen; minced; meal & oil	4	
Groundfish of the Bering Sea and Aleutian Islands (BSAI)	C	Pollock Pacific cod Flatfish Rockfish Sablefish Atka mackerel Misc. species	812,248 172,040 226,373 19,419 1,982 72,807 27,754	560 Federal fishing permits 516 LLP permits (some Interim)	trawl; pot; hook & line; jig	area/time closures adjusted in season LLP permits have gear and area endorsements	hand & machine fillet; headed/gutted; frozen; minced; meal & oil	4	
Commercial King and Tanner Crab Fisheries in the BSAI	C	King Crab Red king crab Golden king crab Tanner Crab C. opilio (snow) C. bairdi	8,296 2,303 23,899 754	487 Quota Share holders for IFQ crab 347 LLP permits (some Interim)	pot	Deferred to State; generally November and winter months; LLP permits have fishery endorsements for minor crab species.	cooked; refrigerated; frozen	3	
Salmon fisheries in the EEZ off Alaska and adjacent state waters	C	Chinook salmon Coho salmon Pink salmon Sockeye salmon Chum salmon	1,094 4,228 112 7 1,284	2,016 permit holders (1,055 hand troll & 961 power troll).	troll****	Deferred to State; generally West area is closed; southeast area time area limits.	fresh; gutted & gilled; glazed; frozen; canned; smoked	1	
Scallop Fishery off Alaska	C	Weathered scallops (no directed fisheries occur for other scallop species listed in the FMP)	155	9 LLP permits	dredges	Deferred to State; Time and area openings are adjusted inseason	hand shucked and frozen or iced		

\$ In addition to these five FMPs, the NPFMC also is responsible for developing regulations governing Pacific halibut fisheries in and off of Alaska under authority of the Northern Pacific Halibut Act of 1982 (Halibut Act). These regulations, which are in addition to and not in conflict with regulations adopted by the International Pacific Halibut Commission, primarily allocate halibut fishing privileges among U.S. fishermen. Although the NPFMC develops halibut management regulations according to principles of the Magnuson-Stevens Act, no halibut FMP exists because the Magnuson-Stevens Act does not apply to management of the Pacific halibut fisheries. In 2009, the commercial fishing season for halibut in and off Alaska ran from March 21 through November 15. The total commercial catch of halibut under the Individual Fishing Quota (IFQ) and Community Development Quota (CDQ) Programs was 19,994 mt, net weight, about 97 percent of the available quota. The season ended November 15 with about 645 mt remaining in available quota. For Pacific halibut, 2,857 persons held IFQ Quota Share as of the end of 2009.

* 2009 salmon catch data are from the State of Alaska. These data represent only the southeast AK hand and power troll fisheries that are governed by the Salmon FMP and managed as one fishery, inside and outside State waters by the State of Alaska. The catch data for the BSAI crab fisheries are from the BSAI Crab Rationalization Program Report for Fishing Year 2008/2009 (July 1, 2008 through June 30, 2009), prepared by the Alaska Region, NMFS. Alaska scallop fishery catch data for the 2008/2009 season (July 1, 2008 to February 15, 2009) are from the State of Alaska. All other catch data are from the Alaska Region, NMFS, and reflect catch reports through November 21, 2009. NMFS catch data include retained and discarded catch amounts. Catch data for groundfish include harvests in State managed fisheries. Miscellaneous groundfish species includes squid, skates, sharks, octopus, and sculpin.

(Explanations for the asterisks and other notes are continued on the next page.)

A-vii NPFMC (continued) from preceding page:

**Data represent persons or vessels permitted to harvest fish, not the number of individuals actually involved in the operation of vessels, catching and processing fish. Permit data are as of December 7, 2009. The number of permits actually used to harvest fish is fewer than that indicated by the data. Participation in all FMP fisheries is governed by some form of limited access system. License Limitation Programs (LLP), initially effective in 2000, apply to all fisheries except crab fisheries brought under a new IFQ system in 2005, salmon (which is governed by the State of Alaska limited entry system), demersal shelf rockfish in the Southeast Gulf of Alaska, IFQ sablefish, and IFQ and CDQ halibut fisheries. In 2005, a new IFQ program replaced the LLP license requirement for most BSAI king and Tanner crab fisheries. A total of 489 distinct persons were initially issued one or more types of harvesting quota share for eight crab fisheries (managed as nine fisheries starting July 1, 2007); in the 2008/2009 crab year most IFQ crab was assigned to cooperatives; 112 distinct Hired Masters fished IFQ for 27 active permit holders (counting cooperatives, not members). Some LLP crab licenses were re-issued to authorize fishing not managed under the IFQ system. Of the approximate total 2,173 current LLP permits, most (1,826) authorized fishing for groundfish in the BSAI or GOA or both, and 347 still authorized fishing for BSAI crab species not under crab rationalization management; the remaining 9 were for scallop harvest. A number of permits were "interim" and will be revoked following final adjudication of claims.

Also, a total of 837 persons held QS to harvest sablefish as of December 7, 2009, with fixed gear in the GOA and BSAI under the IFQ Program. The salmon permit data are from the State of Alaska and represent the number of individual permit holders of hand and power troll permits in 2007. Not all permits holders landed fish in 2007.

***Secretarial appointed NPFMC membership in 2009: Commercial 6; Recreational 1; Other 0

*****Troll gear is the only gear authorized to be used in the EEZ under the salmon FMP, however, other gear types such as gill nets, and purse seines are authorized in other areas of the State to harvest salmon.**

A-vi PACIFIC FISHERY MANAGEMENT COUNCIL (PFMC)

FISHERY MANAGEMENT PLAN	Type	Species/Species Group	2008 Landings (salmon in # of fish, others in metric tons)	2008 Permits (Vessels) & Angler Trips	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2009*	
								Comm.	Rec.
Ocean Salmon Fisheries off the Coasts of Washington, Oregon, and California 2	x	Commercial Chinook salmon Coho salmon Pink salmon Recreational Chinook salmon Coho salmon Pink salmon	14,544 2,084 0	CA Troll 1,303 OR Troll 1,092 WA Troll 157 68,419 Angler Trips	Troll; hook and line,	WA, OR & CA/ variable dates by area	headed & gutted; fillets; fresh & frozen	0	3
Pacific Coast Groundfish 1	x	Pacific whiting Flatfish Rockfish Other groundfish Recreational Groundfish	247,797 17,274 4,451 2,242 1,952	Limited Entry: 399 Open Access: (1000E) 588,428 Boat Based Trips targeting groundfish	trawl; hook & line; pots; set nets	CA/year round OR/year round WA/year round	headed & gutted; fillets; surimi; fresh & frozen	3	3
Coastal Pelagic Species 3	c	Pacific sardine Pacific mackerel Jack mackerel Market squid Northern Anchovy	87,185 3,584 275 38,100 14,553	Limited Entry (S. CA) 65 Open Access North - ca 41	purse seine	CA - year round OR and WA - summer	human consumption bait meal and oil	1	
Highly Migratory Species 4	x	Northern albacore Other tunas Swordfish Sharks	11,124 97 366 9 115	1,646	Surface hook-and line Coastal purse seine Harpoon Drift gillnet High Seas longline	CA/year round OR/year round WA/year round	Fresh and frozen Human consumption		4

PFMC MEMBERSHIP

Commercial 2009	Recreational 2009	Other* 2009
Crabbe, Moore, Myer, 3	Ortman, Brizendine, 4 Cedeegreen, Wolford,	Lowman, Sones, 2

1 Salmon catch expressed as numbers of fish.
 2 = Not Applicable; permits not required for some species.
 * "Other" includes tribal representative
 ** Council Representatives may represent more than One FMP.
 1) Pacific Coast groundfish fishery data was extracted directly from the PacFin data system (commercial), RecFIN, and Final EIS for 2007-08 Pacific Groundfish Fishery (Recreational).
 2) "Review of 2008 Ocean Salmon Fisheries;" (February 2009; Pacific Fishery Management Council).
 3) SWR estimates from PacFIN.
 4) SWR estimates from PacFIN.

A-viii WESTERN PACIFIC FISHERY MANAGEMENT COUNCIL (WPFMC)

FISHERY ECOSYSTEM PLAN	Type	Species/Species Group	Landings (metric tons) 2008 ¹	Vessels (operators) ²	Gear	Fishing Areas/ Seasons	Processing	Participants/ Representatives in 2009	
								Comm.	Rec.
Hawaiian Archipelago (Including Midway Atoll)	C/R	Bottomfish and Seamount Groundfish	247	Est. 5,000 ³	handline, rod and reel	FEP Area/year round, except: a. Main Hawaiian Islands (MHI) upon reaching annual TAC b. Hancock Seamount (closed until August 2010)	fresh fish market	0	0
		Spiny and slipper lobster Kona crab deep-water shrimp	31	18	traps hand	FEP Area/year round, except: a. Northwestern Hawaiian Islands subject to zero catch limits to 31 September 2009 b. MHI (1/12/09 to 9/1/12/13)	flash frozen and live market	0	0
		Practious corals (all species combined)	Confidential	2	manned submersible, remote operated vessel, hand	FEP Area/year round, except for Makapu and Basu Beds which have 2 year fishing period that begins 7/1 and ends 6/30 2 years later	shaped/polished	0	0
Marina Archipelago (CNMI & Guam)	C/R	Currently harvested coral reef taka, Potentially harvested coral reef taka	481	0	hook and line, hand, net, trap, slurppun, spear	FEP Area/year round	fresh fish and aquarium markets		
		Bottomfish	13 (CNMI) 3 (Guam)	3	handline, rod and reel	FEP Area/year round	fresh fish market		
		Spiny and slipper lobster and deep-water shrimp	31 (CNMI) >1 (Guam)	0	traps hand	FEP Area/year round	fresh fish and live market		
American Samoa	C/R	Practious corals (all species combined)	0	0	manned submersible, remote operated vessel, hand	FEP Area/year round	shaped/polished	1	0
		Currently harvested coral reef taka, Potentially harvested coral reef taka	71 (CNMI) 60 (Guam)	0	hook and line, hand, net, trap, slurppun, spear	FEP Area/year round	fresh fish and aquarium markets		
		Bottomfish	14	No permits required	handline, rod and reel	FEP Area/year round	fresh fish market		
Pacific Remote Island Area (Howland, Baker and Jarvis Islands, Kingman Reef, and Wake and Palmyra Atolls)	C/R	Spiny and slipper lobster and deep-water shrimp	>1	0	traps hand	FEP Area/year round	fresh fish and live market		
		Practious corals (all species combined)	0	0	manned submersible, remote operated vessel, hand	FEP Area/year round	shaped/polished	0	2
		Currently harvested coral reef taka, Potentially harvested coral reef taka	20	0	hook and line, hand, net, trap, slurppun, spear	FEP Area/year round	fresh fish and aquarium markets		
Fetaleic	C/R	Bottomfish	n/a ⁴	0	handline, rod and reel	FEP Area/year round	fresh fish market		
		Spiny and slipper lobster and deep-water shrimp	n/a ⁴	2	traps hand	FEP Area/year round	fresh fish and live market		
		Practious corals (all species combined)	n/a ⁴	0	manned submersible, remote operated vessel, hand	FEP Area/year round	shaped/polished	0	0
Fetaleic	C/R	Currently harvested coral reef taka, Potentially harvested coral reef taka	n/a ⁴	0	hook and line, hand, net, trap, slurppun, spear	FEP Area/year round	fresh fish and aquarium markets		
		Commercial - Tunas - Swordfish - Other (inc. sharks) - Blue marlin - Mahimahi - Kingfish - Billifish - Mahoo Estimated Recreational (all species)	13,092 1,935 1,352 565 939 939 588 12,096 ⁵	194	trawl handline longline spear	FEP Area/year round, except for area closures around Hawaiian Archipelago, Guam and American Samoa	fresh fish and aquarium markets whole frozen for cannery	1	1

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	Commercial 2009	Recreational 2009	Other 2009
	2	3	3

¹ Landing information was obtained from NMFS Pacific Islands Fisheries Science Center, Western Pacific Fisheries Information Network databases at <http://www.pifsc.noaa.gov/wpacfin> and is primarily comprised of domestic commercial landings, but includes non-commercial (recreational and subsistence) landing, where indicated.

² Vessel information was obtained from NMFS Pacific Islands Region federal permit databases at http://www.fpir.noaa.gov/SFD/SFD_permits_index.html but also includes estimated number of vessels registered under local island vessel registration programs, where indicated.

³ The Hawaii bottomfish fishery is estimated to have approximately 380 active commercial vessels and up to 5,000 non-commercial vessels.

⁴No catches have been reported for this resource in the Pacific Remote Island Areas.

⁵Estimated recreational fisheries landing information was obtained from NMFS Office of Science and Technology at <http://www.st.nmfs.noaa.gov/st/recreational/queries/index.html>.

SECRETARIAL MANAGEMENT ACTIONS
A-ix HIGHLY MIGRATORY SPECIES

FISHERY MANAGEMENT PLAN	TYPE	SPECIES/ SPECIES GROUP	LANDINGS 2008 MT = METRIC TONS WW = WHOLE WEIGHT DW = DRESSED WEIGHT	2009 VESSELS (PERMITS)	GEAR ⁷	FISHING AREAS/SEASONS ⁸	PROCESSING	2009 REPRESENTATIVES ⁹				
								COMMERCIAL	RECREATIONAL	ACADEMIA/ ENVIROS	FMCs	IAC
Atlantic Billfishes ¹	R	White Marlin; Blue Marlin; Sailfish; Longbill Spearfish (prohibited)	56.7 mt ww ² (comm dead discards) 10.5 mt ww ² (rec)	Charter permits ⁵ Recreational permit ⁶	Rod & reel	Atlantic coast, Gulf of Mexico, Caribbean Sea; Calendar year	Sale prohibited	12	12	8	5	1
Atlantic Sharks ¹	X	Commercial/Recreational -Large coastal (11 spp) -Pelagics (3 spp) -Small coastal (4 spp) -Prohibited (19 spp)	Comm ³ 1,007 mt dw 618 LCS 106 Pel 283 SCS Rec ^{3,4} 155.7 45 LCS 2.8 Pel 107.9 SCS	LIMITED ACCESS ⁷ Commercial permits - 223 directed - 285 incidental Charter permits ⁵ Recreational permit ⁶	Longline; Gillnets; Rod & reel; Handline; Bandit Rod & reel; Handline	Atlantic coast, Gulf of Mexico, Caribbean Sea; Non-sandbar LCS regions: Atlantic and Gulf of Mexico; Calendar year Atlantic coast, Gulf of Mexico, Caribbean Sea; Calendar year	Fins exported; Carcasses/carcilage to U.S. market Sale Prohibited	12	12	8	5	1
Atlantic Swordfish ¹	X	Commercial	2,454.6 mt ww ² (includes discards)	LIMITED ACCESS Commercial permits - 187 directed - 153 incidental/ handgear	Longline; Buoy; Handline; Harpoon; Rod & reel; Bandit Ottertrawl (incidental)	North and South Atlantic, Caribbean Sea, and Gulf of Mexico; Calendar year; North Atlantic directed semi-annual seasons: 1/1-6/30; 7/1-12/31 Calendar year (East Coast of US)	Fresh/frozen U.S. market Sale prohibited	12	12	8	5	1
Atlantic Tunas ¹	X	Commercial Bluefin Yellowfin Bigeye Albacore Skipjack Recreational Bluefin Yellowfin Bigeye Albacore Skipjack	2,517.6 mt ww ² 2,584.5 1,374.1 417.6 122.9 18.5 1,630 mt ww ² 352.2 1,033.1 70.9 125.2 48.6	Charter permits ⁵ Recreational permit ⁶ Commercial permits - 259 Longline - 3,824 General - 23 Harpoon - 4 Trap - 3 Purse Seine (VTQ) Charter permits ⁵ Recreational permit ⁶	Rod & reel; Handline Rod & reel; Purse seine; Bandit gear; Longline; Handline; Harpoon; Trap; Greenstick Rod & reel; Handline; Speargun (non-BFT)	Northwest Atlantic, Gulf of Mexico (No Directed Fishing for Bluefin Tuna), and Caribbean Sea; Calendar year	Bluefin: fresh foreign and U.S. market. Other tunas: fresh/canned foreign and U.S. market Sale prohibited	12	12	8	5	1

1. 2006 Final Consolidated Atlantic Highly Migratory Species Fishery Management Plan.
2. Source: 2009 U.S. National Report submitted to ICCAT. Includes rod and reel recreational landings from the Caribbean
3. Source: 2009 Stock Assessment and Fishery Evaluation Report for Atlantic Highly Migratory Species.
4. Number of fish in thousands (not mt).
5. 4,150 Charter/headboat permits issued as of October, 2009. Required for all tuna, swordfish, shark, and billfish fishing. These permits are considered commercial for Atlantic tunas.
6. 25,506 recreational angling permits issued as of October, 2009. Required for all tuna, swordfish, shark, and billfish recreational fishing.
7. Certain gear types may have restrictions, including time/area closures and gear modifications.
8. Seasons may close when quota is reached.
9. HMS Advisory Panel includes representatives of commercial and recreational fishing groups, academic, and environmental organizations, and one each from the U.S. ICCAT Advisory Committee, Atlantic and Gulf States, and the New England, Mid-Atlantic, and Caribbean Fishery Management Councils. The numbers for tunas, swordfish, billfish, and sharks are not additive.