

Changing Tides



NOAA FISHERIES SERVICE

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NOAA

November, 2009

NOAA Closes Recreational Fishery for Black Sea Bass Landings Substantially Exceed Target Catch Level Set by Council

On October 5, NOAA Fisheries Service took emergency action and closed the black sea bass fishery for recreational fishing vessels holding federal permits for 180 days. Landings data through August indicated that the 2009 harvest level was exceeded by 70 percent.

The decision to close the fishery was not entered into lightly and the potential socio-economic impacts were not overlooked. However, the magnitude of the overage necessitated the closure to ensure that catch levels be managed consistent with scientific advice.

The regional fishery management councils are developing systems to comply with the mandates of the Magnuson Reauthorization Act by creating a process for their Scientific and Statistical Committees (SSCs) to provide acceptable biological catch limits that incorporates scientific uncertainty. The 2009 black sea bass catch level represents the first instance that the SSC had provided such a catch limit recommendation to the Mid-Atlantic Fishery Management Council. The Council, in turn, recommended to NOAA Fisheries Service landing limits for the recreational and commercial black sea bass fisheries based on the SSC advice.



Credit: Karen Roeder

Another Motivating Factor in Decision to Close the Fishery

While the stock was determined to be rebuilt, there is a great deal of uncertainty in the updated stock assessment. This is due in part to the limited amount of available information on the species' unique life history -- its reproductive rates and life span. As a result, both the independent panel of scientists that reviewed the assessment and the Council's SSC urged that management for this stock proceed cautiously.

Questions Raised About Quality of Data Used to Make Determination

Unlike commercial fisheries where there are comprehensive landings data collected from fishing vessels, the recreational fishery consists of private citizens and party/charter boats, only the latter of which are currently required to have licenses making it possible to keep track of their landings. Information on this fishery is thus collected through a random survey.

While the scientific data used to make this determination have their limitations, the amount by which the black sea bass harvest was exceeded is well beyond statistical variability of the estimated catch in the fishery.

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NOAA Partners with GMRI to Disperse Funds to Help Sectors Get Going

The Northeast Regional Office announced in September that it would be working with the Gulf of Maine Research Institute to distribute \$1.2 million to help sectors cover the cost of dockside monitors and \$320,000 for sector start up costs.

“We are pleased to be able to provide support to the fishing industry and to help cover these initial costs,” said Pat Kurkul, northeast region administrator, NOAA Fisheries Service. “We are grateful to GMRI for stepping into this role and making it possible to keep administrative costs low to provide this service to the industry, and to assist us with developing the infrastructure we need to manage under this new system.”

GMRI is ideally positioned to conduct the work due to its knowledge of the new management system, relationships within the fishing community and ability to create a fair and equitable method for distribution of funds.

An at-sea monitoring program, providing a minimum of 30 percent coverage level for all groundfish vessels (sector and common pool) will also be funded in 2010.

Sector Workshop IV Held

NOAA staff, fishing industry representatives, sector monitoring service providers, seafood dealers and sector managers met on October 14 and 15 to continue to refine the sector management weekly reporting process so sectors can successfully prepare for the 2010 fishing year.

Detailed discussions were held on topics such as trip hails, dockside and at-sea monitoring, dealer reporting, and quota monitoring to better define and clarify various responsibilities in the sector reporting process. A key outcome from the workshop was the formation of a multi-stakeholder work group to address questions concerning the sector manager’s weekly report.

Groundfish News: Amendment 16 Update

The Council recently submitted Amendment 16 to the Multispecies Fisheries Management Plan to the agency for review. The Amendment, which includes measures to address fishing mortality requirements resulting from the latest stock assessment, including rebuilding programs for five stocks newly classified as overfished, and authorizes 19 new or revised sectors, has been under development for the past four years and, if approved, will be implemented on May 1, 2010.

Sector Development

To ensure that sector vessels can begin fishing by the start of the new fishing year, sector proponents had to submit operations plans and associated analyses for each sector by September 1, 2009. Seventeen sectors submitted plans by the deadline. A total of 723 vessels signed up for sectors representing about 49 percent of eligible vessels permitted in the Northeast multispecies fishery. Based on preliminary analysis of landing history, these sectors would be allocated from 73 to 97 percent of the available quota for each stock.

Changes to Proposed Common Pool Measures for 2010

At its September meeting, the New England Fishery Management Council voted to adjust measures for vessels that chose not to join a sector in 2010 -- the common pool. If approved by NOAA Fisheries Service, these measures would become effective May 1, along with the initial Amendment 16 measures. They could include: further trip limit and differential DAS reductions for any groundfish stock.

The Council’s decision to modify the common pool measures was due to concern that the measures proposed in Amendment 16 would not sufficiently reduce the fishing pressure on some stocks. For instance, the proposed annual catch limit for pollock in fishing year 2010 for the directed groundfish fishery is 76 percent lower than the 2008 catch levels which was 11,370 metric tons; yet Amendment 16 does not

propose a pollock trip limit on common pool vessels. While sectors and common pool vessels are held separately accountable if they exceed their annual catch limits, a large overage by the common pool could ultimately harm the pollock stock and result in even lower annual catch limits for both sectors and the common pool in future years.

Another Chance to Sign up For A Sector

Because the regulations for the common pool vessels may change from those proposed in Amendment 16, NOAA Fisheries Service and the Council want to make the industry aware of other potential opportunities to join a sector.

Fishermen have two options. They can either 1) before December 1 contact one of the 17 sectors which already submitted operations plans to NOAA Fisheries Service and see if they are willing to reopen their rosters; or 2) contact representatives from the two other proposed sectors that did not submit an operations plan to see if they are planning to submit a plan for 2010.

In the first case, the reopening of rosters will not affect those vessels previously enrolled in a sector, but any vessel added to those sectors’ rosters may have a delay in the start of their fishing year if the addition requires a supplemental environmental analysis. In the second case, as new operations plans and environmental assessments will have to be approved before a sector will be allowed to fish, it is likely that participating vessels will not be able to start fishing until later in the 2010 fishing year.

Data Correction Request Deadline Extended

To provide the industry with more time to compile supporting documentation and submit landings history correction requests, NOAA has extended the deadline for submissions to December 31.

Saltwater Angler Registry to Come On-line Early Next Year

To comply with federal law, unless states have a marine license or other program that supplies NOAA Fisheries Service with an accurate count of marine anglers, most saltwater anglers will need to register with the National Saltwater Angler Registry beginning January 1, 2010.

The Registry is an important part of the Marine Recreational Information Program (MRIP) which has been initiated by NOAA Fisheries Service to improve estimates of recreational fishing activity.

Anyone who is angling or spear fishing for anadromous species (such as striped bass or American shad) in tidal waters or for any fish in federal waters (3 to 200 miles from shore for the U. S. east coast) will have to register.

Who Doesn't have to Register?

Anglers will NOT need to register if they

- Δ Are under 16;
- Δ Only fish on licensed charter, party or guide boats;
- Δ Hold a federal recreational Highly Migratory Species or subsistence fishing permit; or
- Δ Are fishing commercially under a commercial fishing license.

Charter/party vessels (commercial for-hire vessels who take anglers fishing or spear fishing) will only need to register federally if they do not already have another federal permit or license for their for-hire activities.

What does it Cost to Register?

NOAA will not charge a fee to register in 2010, but expects to charge about \$15 to \$25 in 2011.

Fees collected will go into the U. S. treasury. State license fees may be directed by the state to supplement state fisheries management programs.

Tilefish IFQ Goes Into Effect in November

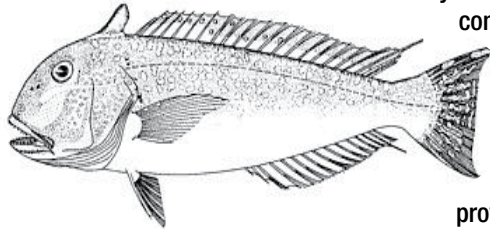
Amendment 1 to the Golden Tilefish Fishery Management Plan was fully implemented on November 1, 2009. This amendment, among other things, implements an Individual Fishing Quota (IFQ) program, establishes a charter/party vessel permit and recreational landing limit, [of eight golden tilefish per person per trip], improves monitoring of tilefish landings and imposes new measures to protect important tilefish habitat.

The goal of the IFQ system is to reduce overcapacity in the commercial fishery and to eliminate, to the extent possible, the problems associated with derby fishing, which rewards those who fish the fastest and buy larger vessels and more fishing gear to land more fish.

Four offshore canyons containing exposed clay outcroppings are being closed to bottom trawling to protect tilefish burrows.

Amendment 1 also created a tilefish charter/party permit, which will require reporting from owners or operators of vessels that take fishermen for hire.

When the original fishery management plan was implemented in 2001, the recreational component of the fishery was thought to be small. However anecdotal evidence suggests that in recent years, the recreational component of the fishery may have grown. The tilefish open access charter/party permit will provide NOAA Fisheries



Service with the ability to collect landings information on this component of the fishery in order to properly assess the health of the stock.

Vessels fishing for tilefish are now required to have both an IFQ allocation permit and an open access commercial tilefish and/or open access charter/party permit in order to possess, or land tilefish in or from the Exclusive Economic Zone.

The Amendment, which was prepared by the Mid-Atlantic Fishery Management Council, was approved by NOAA Fisheries Service on July 31, 2009. The final rule for Amendment 1 published on August 24, 2009.



Recreational fishing for black sea bass. Credit: Gary Shephard, NOAA

(Black Sea Bass Fishery Closure cont'd from page 1)

NOAA Fisheries Service is making a concerted effort to improve the quality of the data used to manage this and other recreational fisheries. Based on recommendations from the National Research Council, the agency is modifying the Marine Recreational Fisheries Statistics Survey (MRFSS) program. Among the improvements will be implementation of a National Angler Registry beginning in January 2010 (see related story to the left).



Northeast 2009 B-WET Grant Recipients for Hands-on Science Education

The Northeast Regional Office's new B-WET program (Bay Watershed and Education Training) has awarded \$160,000 to three New England grant recipients. NOAA B-WET is an environmental education program that promotes locally relevant, experiential learning for students in grades K-12.

"Our hope is that some students touched by the B-WET experience may be future marine scientists who will help ensure the sustainability of our valuable coastal and marine resources," said Pat Kurkul, northeast regional administrator.

One recipient is Soundwaters of Stamford, CT for its Long Island Sound Watershed Educational Experience. This is a comprehensive, innovative environmental education program providing 19 hours of hands-on science

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Kathi Rodrigues, northeast region B-WET coordinator and CT Congressman Jim Himes at the SoundWaters announcement and beach clean-up on Sept. 26. Credit: NOAA

NOAA Raises Concerns Over Potential Impacts of Proposed Tidal Dam

NOAA Fisheries Service has encouraged project proponents to address a number of concerns the agency has over a proposed tidal dam project that would permanently affect 880 acres of intertidal and subtidal habitat at the outlet to Half-Moon Cove in Eastport, ME.

The project consists of a 1,200 foot long, 31 foot high rock filled dam, an impoundment basin and a concrete powerhouse with two reversible turbines, which will generate 16 megawatts of electricity.

The project proponent, Tidewalkers, was issued a preliminary permit to evaluate the site conditions for project alternatives in April, 2007, and filed a Notice of Intent and Pre-Application Document (PAD) in March, 2009. NOAA Fisheries Service commented on the PAD, noting that the proposed tidal

dam has significant potential to alter the tidal patterns, water depths and limit use of the habitat by finfish and invertebrates species. The agency also is concerned that the project could affect water circulation patterns, water quality, nutrient resident time, turbidity, eelgrass seed dispersal, and light levels. A number of commercially and recreationally important marine species that may be impacted by these changes include Atlantic salmon, American shad, alewife, blueback herring, rainbow smelt, Atlantic tomcod, striped bass, American eel, sea lamprey, gray seals, harbor seals and harbor porpoise.

The Federal Energy Regulatory Commission, which is the federal agency that licenses hydroelectric dams, must consult with NOAA Fisheries before taking any action that might adversely affect federally managed resources, such as marine finfish and shellfish, marine mammals and their habitats.

Loggerhead Sea Turtle News

As part of a recent settlement agreement, NOAA Fisheries Service agreed to provide a response by no later than February 19, 2010 to a petition request filed by two environmental groups that asked for a listing change for loggerhead sea turtles under the Endangered Species Act. The petition was submitted by the Center for Biological Diversity and Oceana.

Currently, all loggerhead sea turtles around the world are grouped together and are considered "threatened." The petition seeks to list separately "distinct population segments" and to reclassify each segment as "endangered."

A status review for the loggerhead sea turtle was completed by the Biological Review Team and submitted to NOAA and Fish and Wildlife Service (FWS) in August 2009. The team identified nine distinct population segments -- North Pacific Ocean, South Pacific Ocean, North Indian Ocean, Southeast Indo-Pacific Ocean, Southwest Indian Ocean, Northwest Atlantic Ocean, Northeast Atlantic Ocean, Mediterranean, and South Atlantic Ocean. The team also evaluated the extinction risks for each of the distinct population segments. The next steps are for NOAA and FWS to evaluate the report and determine what, if any, action is appropriate under the Endangered Species Act. If any changes to the listing are ultimately proposed, the public would have an opportunity to comment before a final decision is made.

The loggerhead status review, and accompanying documents, can be found at: <http://www.nmfs.noaa.gov/pr/species/statusreviews.htm>



Loggerhead sea turtle nesting. Credit: NOAA

U.S. Proposes CITES Listings for Six Atlantic Shark Species and Supports Listing Atlantic Bluefin Tuna



Dusky shark. Credit: NOAA

In October 2009, the United States committed to two important international policies meant to conserve certain marine species with stock status threatened by international trade. The U.S. Fish and Wildlife Service (FWS) proposed that six species of shark be listed under Appendix II of the Convention of International Trade in Endangered Species of Wild Fauna and Flora (CITES). Further, NOAA Administrator Jane Lubchenco and Assistant Secretary of the Interior Tom Strickland announced support for Monaco's proposal to list Atlantic bluefin tuna under CITES Appendix I.

CITES is an international agreement between 175 governments focused on ensuring that international trade in wild animals and plants does not threaten their survival. The fifteenth meeting of the Conference of Parties is scheduled for March 13-25, 2010, in Doha, Qatar.

The species covered by CITES are listed in three Appendices based on the degree of protection needed. Appendix I affords the greatest protection and lists species threatened with extinction for which trade is permitted only in exceptional circumstances. Appendix II lists species for which trade must be controlled to avoid utilization incompatible with their survival. Appendix III includes species which are protected in at least one country.

FWS is the lead agency to CITES for the United States, and in conjunction with the island nation of Palau submitted a proposal to list six species of shark under Appendix II. The species are oceanic white tip (*Carcharhinus longimanus*), scalloped hammerhead (*Sphyrna lewinii*), great hammerhead (*Sphyrna mokarran*), smooth hammerhead (*Sphyrna zygaena*), dusky shark (*Carcharhinus plumbeus*), and sandbar shark (*Carcharhinus obscurus*). The fins of these species are the most valuable for the Asian soup fin market. Outside of the United States, there is little fishery management in place to regulate fisheries for these sharks. FWS worked closely with biologists and policy analysts from NOAA Fisheries Service to develop this proposal.

A proposal to list Atlantic bluefin tuna under Appendix I was submitted by Monaco and strongly supported by the United States in statements released by both FWS and NOAA on October 14, 2009. NOAA recognized that bluefin tuna is in "serious trouble" and informed the international community that the status quo for bluefin tuna management is unacceptable. NOAA's statement also identified that a lack of science-based management for the eastern stock resulted in the current situation, and called for strong and definitive action at the upcoming meeting of the International Commission for the Conservation of Atlantic Tunas (ICCAT) in Brazil in November. NOAA and FWS both indicated that the United States may reconsider support of the Monaco proposal if ICCAT adopts significantly strengthened management and compliance measures.

For further information contact Dianne Stephan 978-281-9397 or email her at Dianne.Stephan@noaa.gov.

More on Maryland and Virginia's Efforts to Rebuild and Sustain Blue Crab

Maryland and Virginia are developing complementary programs to rebuild the shared blue crab resource. The states received nearly \$15 million each in federal fishery disaster assistance in 2009. The funds were distributed following a September 2008 declaration by the Secretary of Commerce that the Chesapeake Bay soft and peeler blue crab fishery had suffered a commercial fishery failure.

Each state has received funds to conduct an updated blue crab stock assessment to clarify the condition of the resource and assist in its management. The two states will also conduct a license buyback program to alleviate impacts on the fishery, offer compensation for some fishers opting out of the fishery, and to control latent effort from inactive fishing permits.

The disaster assistance plans also utilize the commercial fishing infrastructure to clean up the bay through a directed derelict pot gear and marine debris removal program. This program will provide economic compensation for blue crab fishermen who are affected by the commercial fishery failure, while providing environmental benefits to the Bay and its fishery resources through the removal of derelict fishing gear and other debris.

Efforts are underway in both Virginia and Maryland to promote oyster aquaculture in the bay to revive this important industry and reduce pressure on struggling blue crab stocks. Through oyster bar habitat restoration initiatives, aquaculture training, cooperative research and grants programs, the Bay's states will assist fishermen in acquiring the knowledge and skills needed to refocus their efforts on a different sector of the fishing industry. Maryland also is improving its crab fishery data collection by implementing an electronic crab harvest logbook program to gather high quality fishery-dependent data

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Regional Snapshot: American Recovery and Reinvestment Act Projects (ARRA)

The American Recovery and Reinvestment Act of 2009 was signed into law by President Obama on February 17, 2009. In part, the Act contains measures to modernize our nation's infrastructure and to enhance energy independence. To this end, NOAA received \$230 million for habitat restoration, navigation projects, vessel maintenance, and other activities, \$430 million for the construction and repair of NOAA facilities, ships and equipment, improvements for weather forecasting and satellite development, and \$170 million for climate modeling activities, including supercomputing procurement and research into climate change. In the Northeast, 11 restoration projects received \$34.5 million in Recovery Act funding. Here's a look at two of these projects:

Restoring Two Important River Herring and Shad Runs in Rhode Island

The Rhode Island River Ecosystem Restoration Project, led by NOAA and the Rhode Island Coastal Resources Management Council, will restore the Ten Mile and Pawcatuck Rivers to enhance fish passage in these waterways.

The rise of American industry in the late 18th century led to the damming of many rivers and streams for industrial power; today approximately 700 dams remain in Rhode Island. The Ten Mile and Pawcatuck Rivers are two of the region's most important herring and shad spawning runs in the state.

This project will not only benefit fish

stocks but also support many jobs through its construction and demolition efforts, employing area engineers, construction crews, biologists and surveyors. Good news for a state with one of the highest unemployment rates in the country.

Starting in the fall of 2009 and throughout the next 18 months, this project will complete six high-priority fish passage projects that include dam removal and the installation of fish ladders. River herring and American shad as well as other fish species will soon be able to access an additional 13 miles to reach a total of 1,640 acres of potential spawning habitat in the two watersheds. For the Rhode Island Rivers Ecosystem Restoration project (a total



The Rhode Island River Ecosystem Restoration will remove the Lower Shannock Dam (above) on the upper Pawcatuck River. Credit: NOAA

six construction projects on the Ten Mile and Pawcatuck Rivers), NOAA is providing more than \$3 million toward the total cost of approximately \$8 million.

Winnicut Riverine and Intertidal Habitat to be Recovered



The Winnicut River Dam in the spring of 2009, before the project began. Credit: NOAA

For more information on these and our other projects, go to:

<http://www.noaa.gov/recovery/>

Work is underway to reconnect 39 miles of spawning and rearing habitat for migratory fish including river herring, smelt and American eel. The project, which will also recover riverine and intertidal habitat and eradicate Japanese knottweed, a highly invasive plant now covering 6,000 square feet of the stream bank, is part of a collaborative effort involving NOAA Fisheries Service and the New Hampshire Fish and Game Department.

The Winnicut River Dam and its attached Canadian "step weir" fish ladder were built in 1957 by New Hampshire Fish and Game to create habitat for waterfowl and provide fish passage to freshwater habitat. Unfortunately, the design of the fish ladder was not appropriate for coastal fish species native to the Winnicut River. After a comprehensive feasibility study was completed in 2006, New Hampshire Fish

and Game decided to remove the Dam and fish ladder.

A major concern is that once the dam is removed the water velocities will be too swift for many native fish to navigate. Construction of the Rte. 33 Bridge over the Winnicut River in 1959 resulted in a quarter-acre of fill in the river, which severely constricted the channel. To resolve these fish passage issues, an innovative concrete fish pass will channel the total volume of the river, including flood flows making it easier for fish to travel the river in low and high tides.

Of the total \$1.36 million cost of the Winnicut project, NOAA Recovery Act funds comprise \$500,000. NOAA is contributing an additional \$400,000 toward this project through directed congressional appropriations.

Wellfleet Oysterfest Highlights

Despite a double nor'easter storm, this year's 9th Annual Wellfleet Oysterfest attracted more than 10,000 people and provided a wonderful opportunity for NOAA Fisheries Service to share what we do. Not only did Dr. Steve Murawski, director of scientific programs, serve as one of the oyster shucking contest judges, but we were also a proud sponsor of this year's shell recycling effort.

NOAA Fisheries Service supplied recycling bins, signage and aprons for over 70 volunteers who collected the oyster and clam shells during the event. Agency staff teamed up with the Town of Wellfleet, local vendors and Massachusetts Audubon Society's Wellfleet Bay Wildlife Sanctuary to recycle the shells in support of a continuing reef restoration project in Wellfleet Bay that will provide habitat for native oysters and other marine invertebrates.

Oysters provide a number of ecological services; they serve as a vital component of a healthy functioning ecosystem, are an important commodity providing a cornerstone of fishers' livelihood in the region, they are a worldwide delicacy, and improve water quality through the filtering of nitrogen and other minerals.

The reclaimed shells will be set out in piles to weather and season, then half will be made available for town grant holders and the other half will be used by Audubon. Audubon, NOAA and many other partners have been working on restoring wild oyster reef habitat in the harbor for a couple of years.

In keeping with the theme of habitat conservation and restoration, NOAA Fisheries Service staff also organized and hosted a clean-up of Mayo Beach. Volunteers picked up trash, learned a little bit about the natural history of the area and about NOAA's important role in managing our coastal resources.

NOAA Fisheries Service staff also manned a general information booth which served as a platform for informing the public about our habitat conservation and restoration activities and conducted interactive demonstrations to teach children and their parents more about the impact of marine debris and marine mammal entanglement.

Members of our Northeast Regional office Seafood Inspection team also gave sched-

uled talks, "From Fish to Fishsticks" and described the process from harvesting to processing and distribution, complete with visuals from start (whole fish and vessels) to finish (prepared fish patties).



Visitors to NOAA booth (top photo). In bottom photo, David Bean (left), Northeast Regional Office, speaks to Oysterfest attendee. Credit: NOAA

(B-WET Northeast Award Recipients cont'd from page 4)

education to each of Stamford's 4,050 8th grade students from all five Stamford middle schools.

Another grant to Sturgis Charter High School in Hyannis, MA, will use estuaries as a natural laboratory to introduce students to the challenges in studying the environment and the Earth's systems. This is a three year project that will become a permanent offering in the school's curriculum.

The Gloucester Maritime Heritage Center also received \$65,000 to support a three year long partnership between the Heritage Center, Rockport Middle School, and the Massachusetts Audubon Society. The grant

provides funding for all Rockport Middle School 7th grade students to work with the Maritime Heritage Center and Mass Audubon staff to establish sustainable water quality and invasive species monitoring programs in Gloucester Harbor and the Saratoga Creek Saltmarsh.

"We're eager to explore the local watershed with Rockport students and we hope that through this program students will connect with the local marine environment and be motivated to protect it," says Mary Kay Taylor, education director at the Heritage Center.

(Blue crab cont'd from page 5)

for stock assessments. The state's fishing industry also will benefit from initiatives to strengthen the Chesapeake blue crab brand through a blue crab sustainability certification/seafood marketing program and improvements to the crabmeat processing infrastructure.



Maryland blue crab fisherman deploying traps from his boat. Credit: NOAA