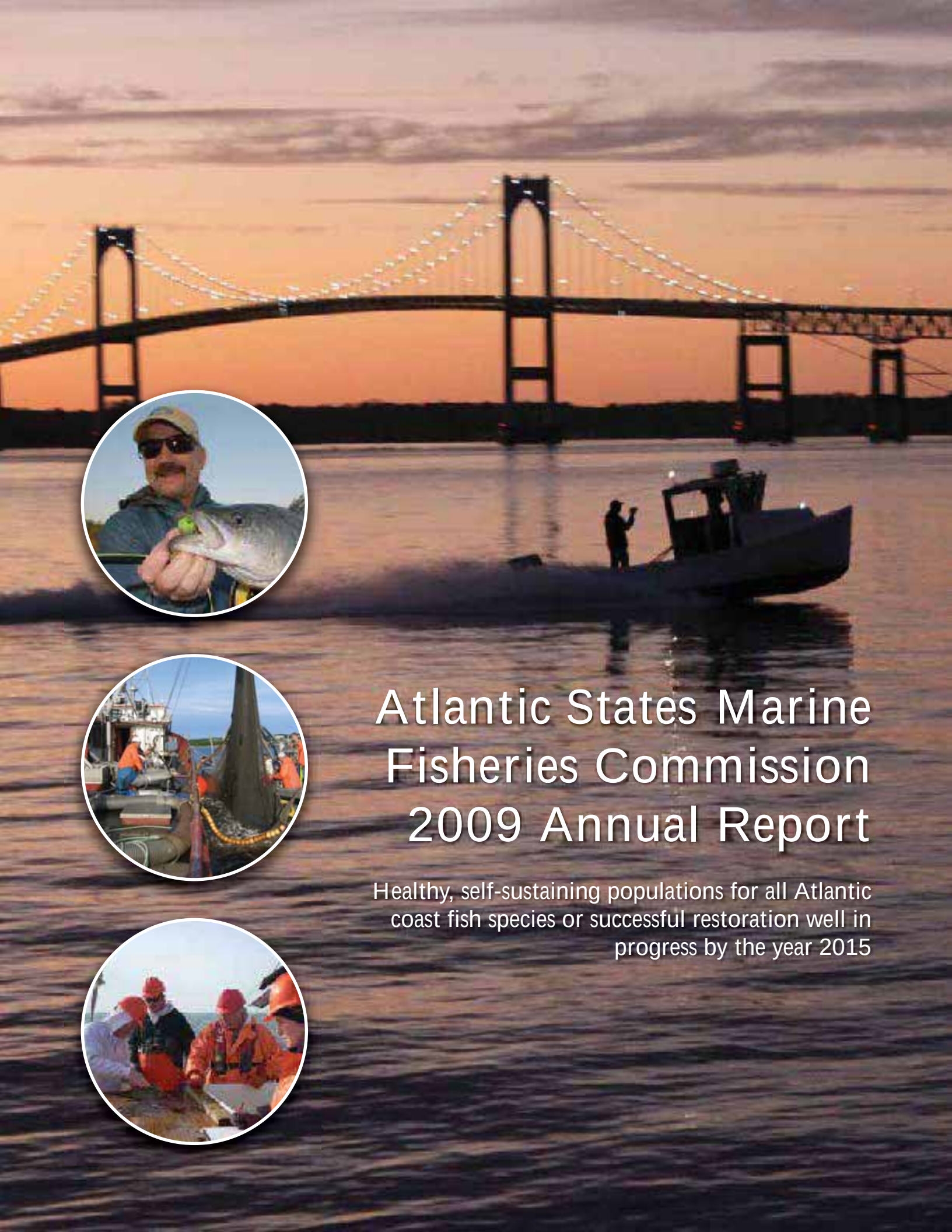

Atlantic States Marine Fisheries Commission 2009 Annual Report

Healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

68th ANNUAL REPORT of the ATLANTIC STATES MARINE FISHERIES COMMISSION

TO THE CONGRESS OF THE UNITED STATES
AND TO THE
GOVERNORS AND LEGISLATORS
OF THE
FIFTEEN COMPACTING STATES

2009

Presented in compliance with the terms of the Compact
and the state-enabling acts creating such Commission
and Public Law 539 - 77th Congress assenting thereto
(Chapter 283, Second Session, 77th Congress; 56 Stat. 267)
approved May 4, 1942, as amended by Public Law 721,
81st Congress, approved August 19, 1950

Atlantic States Marine Fisheries Commission
John V. O'Shea, Executive Director
1444 Eye Street, N.W.
Washington, D.C. 20005

Tina L. Berger, Editor

February 2010

List of Commonly Used Acronyms

ACFHP
Atlantic Coastal Fish Habitat Partnership

ACFCMA
Atlantic Coastal Fisheries Cooperative Management Act

AEI
Assessment of Existing Information

ARM
Adaptive Resource Management

ASMFC
Atlantic States Marine Fisheries Commission (also referred to as the Commission)

CPUE
Catch-per-unit-effort

DPS
Distinct population segments

ESA
Endangered Species Act

F
Fishing mortality

FMP
Fishery Management Plan

GARM
Groundfish Assessment Review Meeting

GBK
Georges Bank

GOM
Gulf of Maine

ITC
Interstate Tagging Committee

ITT PROGRAM
Individual Trap Transferable Program

LCMA
Lobster Conservation Management Area

MAFMC
Mid-Atlantic Fishery Management Council

MOU
Memorandum of Understanding

MSTC
Multispecies Technical Committee

MSVPA-X
Multispecies Virtual Population Analysis

MSY
Maximum sustainable yield

MT
Metric tons

NEAMAP
Northeast Area Monitoring and Assessment Program

NEFMC
New England Fishery Management Council

NEFSC
Northeast Fisheries Science Center

NFHAP
National Fish Habitat Action Plan

NMFS
National Marine Fisheries Service; also known as NOAA Fisheries Service

NOAA
National Oceanic and Atmospheric Administration

PRT
Plan Review Team

SAFMC
South Atlantic Fishery Management Council

SAW/SARC
Northeast Regional Stock Assessment Workshop and Stock Assessment Review Committee, respectively

SCS
Small coastal shark complex

SEAMAP
Southeast Area Monitoring and Assessment Program

SEDAR
SouthEast Data, Assessment, and Review Process

SNE
Southern New England

SNE/MA
Southern New England/ Mid-Atlantic

SPR
Spawning potential ratio

SRT
Status Review Team

SSB
Spawning stock biomass

SSC
Scientific and Statistical Committee

TAC
Total allowable catch

TAL
Total allowable landings

TRAC
Transboundary Resource Assessment Committee

USFWS
U.S. Fish and Wildlife Service

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Guiding Principles

MISSION

To promote cooperative management of fisheries – marine, shell, and diadromous – of the Atlantic coast of the United States by the protection and enhancement of such fisheries, and by the avoidance of physical waste of the fisheries from any cause

VISION

Healthy, self-sustaining fish populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015

GOALS

1. Rebuild and restore depleted Atlantic coastal fisheries, and maintain and fairly allocate recovered fisheries through cooperative regulatory planning
2. Strengthen cooperative research, data collection capabilities, and the scientific basis for stock assessments and fisheries management actions
3. Improve stakeholder compliance with Commission fishery management plans
4. Protect, restore, and enhance fish habitat and ecosystem health through partnerships, policy development, and education
5. Strengthen congressional, stakeholder, and public support for the Commission's Mission, Vision, and actions
6. Represent member states' collective interests at regional and national levels
7. Strengthen human resource management and enhance learning and growth within the Commission
8. Provide efficient administration of the Commission's business affairs and ensure the Commission's financial stability

COMMISSIONER VALUES

- Effective stewardship of the Atlantic coast's marine resources
- Work cooperatively with honesty and integrity
- Transparency and accountability in all Commission actions
- Courage to make difficult decisions
- Forging a vision for the future
- Support decisions of the Commission
- Ensure the long-term financial stability of the Commission
- Respect for everyone involved in the Commission process
- Dedication to growth and learning
- Freedom and flexibility to solve problems creatively
- Commitment to preparation for and participation in meetings

Commissioners

MAINE

George D. Lapointe
Marine Resources

Rep. Dennis S. Damon

Patten D. White
Governor's Appointee

NEW HAMPSHIRE

Douglas Grout
Marine Fisheries

Rep. Dennis Abbott

G. Ritchie White
Governor's Appointee

MASSACHUSETTS

Paul Diodati, Vice-Chair
Marine Fisheries

Rep. Sarah K. Peake

William A. Adler
Governor's Appointee

RHODE ISLAND

Robert Ballou
Natural Resources

Sen. V. Susan Sosnowski

CONNECTICUT

David Simpson
Marine Fisheries

Lance L. Stewart, Ph.D.
Governor's Appointee

NEW YORK

James Gilmore
Marine Resources

Sen. Owen H. Johnson

Patrick H. Augustine
Governor's Appointee

NEW JERSEY

David Chanda
Fish & Wildlife

Asm. Nelson T. Albano

Thomas Fote
Governor's Appointee

PENNSYLVANIA

Douglas J. Austen
Fish & Boat Commission

Rep. Curt Schroder

Loren W. Lustig
Governor's Appointee

DELAWARE

Patrick Emory
Fish & Wildlife

Sen. Robert L. Venables, Sr.

Roy Miller
Governor's Appointee

MARYLAND

Thomas O'Connell
Fisheries Service

Sen. Richard F. Colburn

William Goldsborough
Governor's Appointee

VIRGINIA

Steven G. Bowman
Marine Resources Commission

Del. Lynwood W. Lewis, Jr.

Catherine W. Davenport
Governor's Appointee

NORTH CAROLINA

Louis B. Daniel, III, Ph.D.
Marine Fisheries

Rep. William L. Wainwright

Willard Cole
Governor's Appointee

SOUTH CAROLINA

John E. Frampton
Natural Resources

Robert H. Boyles, Jr., Chair

Malcolm Rhodes, M.D.
Governor's Appointee

GEORGIA

Spud Woodward
Coastal Resources

Rep. Bob Lane

John Duren
Governor's Appointee

FLORIDA

Jessica McCawley
Marine Resources

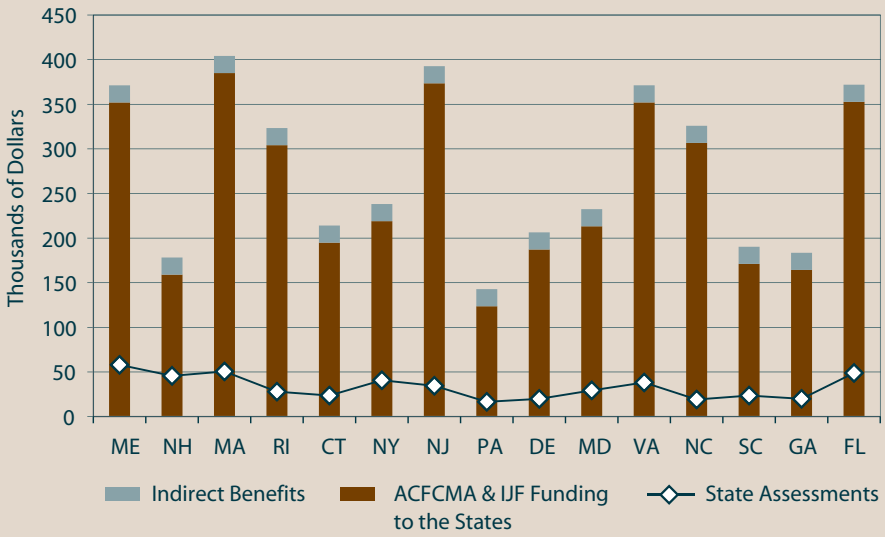
Sen. Andy Gardiner

William R. Orndorf
Governor's Appointee

Preface

The Atlantic States Marine Fisheries Commission (Commission) was formed 67 years ago by the 15 Atlantic coast states to assist in managing and conserving their shared coastal fishery resources. With the recognition that fish do not adhere to political boundaries, the states formed an Interstate Compact, which was approved by the U.S. Congress in 1942. The states have found that their mutual interest in sustaining healthy coastal fishery resources is best promoted by working together cooperatively, in collaboration with the federal government. With this approach, the states uphold their collective fisheries management responsibilities in a cost-effective, timely, and responsive fashion.

2009 Return on State Assessments to the Commission



*Indirect Benefits include travel and per diem for 6 people from each state to participate in Commission meetings. Please note that this figure does not include the collective benefits derived from the work of the FMP Coordinators and Science Specialists.

The Commission's current budget is $5 million. The base funding ($521,244) comes from the member states' appropriations, which are determined by the value of commercial fishing landings and saltwater recreational trips within each state. The bulk of the Commission's funding comes from a combination of state and federal grants, the largest being a line-item in the National Marine Fisheries Service (NMFS) budget appropriated to implement the Atlantic Coastal Fisheries Cooperative Management Act of 1993 (ACFCMA). The Commission also receives funds from NMFS to carry out the mandates of the Interjurisdictional Fisheries Act of 1986 (P.L. 99-659). The accompanying graph below illustrates the benefits that states receive from ACFCMA and the Interjurisdictional Fisheries Act.

The U.S. Fish and Wildlife Service also provides grant funding to the Commission through its Federal Aid in Sport Fish Restoration Program (Wallop/Breaux). Also, since 1999 the Commission has overseen the administration of the Atlantic Coastal Cooperative Statistics Program, a state and federal partnership for Atlantic coastal fisheries data collection and management. Funding for this program is provided by ACFCMA.

The Commission serves as a deliberative body of the Atlantic coastal states, coordinating the conservation and management of nearshore fishery resources, including marine, shell, and diadromous species. The 15 member states of the Commission are (from north to south): Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida. Each state is represented by three Commissioners: the director of the state's marine fisheries management agency, a state legislator, and an individual appointed by the state's governor to represent fishery interests. These Commissioners participate in deliberations in the Commission's main policy arenas: interstate fisheries management, fisheries science, habitat conservation, and law enforcement. Through these activities, the states collectively ensure the sound conservation and management of Atlantic coastal fishery resources and the resulting benefits that accrue to their fishing and non-fishing publics.

Report to Our Stakeholders

JOHN V. O'SHEA, EXECUTIVE DIRECTOR

We are delighted to present this Annual Report to you – the friends, colleagues, partners, overseers, and stakeholders of the Commission. It describes our activities and progress in carrying out our public trust responsibilities for the valuable marine fisheries resources under Commission stewardship. These resources generate billions of dollars in economic activity annually and provide tens of thousands of jobs within our coastal communities. This report includes historical records of biomass levels, along with a summary of management actions taken by our Commissioners this past year, providing a clear and transparent accounting of their progress in restoring and managing the stocks under their care.

It also fulfills our requirement to report to Congress on the use of the federal funds provided to the Commission. Our Commissioners recognize they have earned the trust and confidence of Congress through their successes in restoring fisheries and they remain committed to building on that record. We are grateful for the interest and support of our congressional delegations and their staffs.

Our professional staff continues to grow in experience and in their contributions to our states. I am delighted by their high energy, professionalism, and dedication to our states and the public we serve. Their performance reflects the strong wisdom, leadership, and loyalty of our staff directors who collectively represent decades of service to our Commission.

We hired an additional stock assessment scientist this past year, enabling the Commission to expand support to our states where their science staffs are struggling with shrinking budgets and increasing workloads. We continue to invest in people through our sponsorship of courses in fisheries stock assessment for Commissioners, staff, and state scientists. This reflects our Commissioners' strong commitment to enhance the skill and expertise of our scientific advisors. This investment will pay dividends for years to come by providing our Commissioners with the best scientific advice available.

This year we saw continued turnover of our Administrative Commissioners as they retire from state service, many with decades of experience with the Commission. Their replacements have brought new energy and expertise to our process. The majority of our Commissioners serve without pay. We are grateful for their willingness to sacrifice the time and energy required to carry out their public trust responsibilities.

Collectively, our Commissioners have committed to a common set of values, including the courage and wisdom to make decisions that are best for the long-term. They operate under the fundamental principle of the Commission – that the states can accomplish more by working cooperatively than they could by standing alone. Through this approach, our Commissioners are dedicated to ensuring they leave healthy and abundant marine fisheries for the next generation to enjoy.

Looking ahead, we face significant challenges related to a continuing operating environment of declining fiscal resources, increased demand from stakeholders for more fish, and the continued expense of legal challenges to the Commission's management plans. Our previous management successes have demonstrated the economic benefits and jobs that can result from abundant and healthy coastal fisheries. That lesson reinforces the relevance and importance of the Commission's vision today and in the years to come. Readers can track our activities and progress by visiting our website, www.asmfc.org.

To all of you who participate in and support the Commission's process, thank you for your efforts and commitment to help our states achieve their vision of healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015.

Report from the Chair

GEORGE D. LAPOINTE

As I complete my third year as Commission Chair, I want to recognize and thank everyone who worked so hard to support our process. I continue to be gratified and awed by our dedicated and talented staff. Under the leadership of Vince, Laura, Bob, and Pat, staff effectively frames the issues, prepares analyses, coordinates scientific advice, collects public input, plans our meetings, and carries out our decisions.

I am grateful for the efforts and expertise of state and federal scientists who serve on our technical committees and work so hard to provide us with the scientific advice we need to do our jobs as fisheries managers. It is evident that our issues have become more contentious and the demand for more frequent and detailed scientific analysis has increased, adding to the scientists' workload.

I also want to acknowledge and thank the contributions of our federal partners, both NOAA Fisheries and the U.S. Fish and Wildlife Service. They bring critical resources to our process in the areas of science, data collection, fiscal resources and, when they sit on our boards, management expertise. Collectively, we are fortunate to have a broad range of concerned and engaged stakeholders who serve on our advisory panels, attend our public meetings, and comment on our proposed actions. Their participation adds important elements of transparency and accountability to our deliberations and actions.

A quick glance at our 2009 Action Plan Report will indicate to you the volume and the importance of the issues we have dealt with over the past year. We saw the completion of major benchmark assessments for lobster, weakfish, and red drum. We also have another year of the NEAMAP cruises under our belt, bringing us closer to having a new and important source of fisheries-independent data for species of great importance to our Commission.

We should all be encouraged with the progress of our Habitat Program. The Atlantic Coastal Fish Habitat Partnership has been formally recognized under the National Fish Habitat Partnership, opening opportunities to compete for funds to support progress for restoring and protecting habitats along our coast.

With regard to our mission to manage and restore fisheries, we have taken actions in 2009 to respond to declining populations of river herring, winter flounder, and weakfish, while adding bluefish, scup, and black sea bass to the inventory of rebuilt stocks. These results should be encouragement to all of us regarding the importance and the value of our work.

Looking forward, I see a number of challenges before us. We have a new Administration in Washington along with new leadership in NOAA that brings fresh energy and perspectives to fisheries management. The Commission's rebuilding deadline of 2015 is now a year closer, adding urgency to rebuilding efforts for a number of our species. State governments continue to experience declining fiscal resources, impacting our staffs and reducing our abilities to respond to scientific and management challenges.

Requirements from the Magnuson-Stevens Reauthorization Act are making important changes to how the Councils do business - changes that directly impact our Commission process on joint plans. Allocation will remain a pressing issue and will likely become even more contentious in time. Underlying these issues is the ever-present need for more data and science.

The Commission is a proven forum for states to come together to air and resolve differences. We have earned credibility through our accomplishments and a management process proven to be effective and efficient. We have a dedicated and passionate staff, the envy of many agencies. Our greatest strength and asset, however, is our dedicated Commissioners. They bring valuable and diverse expertise and backgrounds

to our process. Their collective values of stewardship, integrity, transparency, accountability, courage, and respect have been the hallmarks of our Commission.

In closing, I would simply like to reflect back to 1942 when our states came together with the recognition of what could be accomplished by working together; that through cooperation, the states could accomplish more than operating on their own. That principle was true then and it holds true today, and it gives us confidence in our ability to successfully manage the challenges of the future.

Stock Status Overview

The Commission has continued to make progress toward its vision of "healthy, self-sustaining fish populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015" through the collaborative management of 24 interjurisdictional species groups.

In 2009, rebuilding progress was seen in scup, black sea bass, bluefish, northern shrimp, and spiny dogfish stocks. However, there is still substantial work ahead to fully rebuild valuable Atlantic coastal fishery resources such as winter flounder, weakfish, tautog, American shad, river herring, and American eel. In 2009, the Commission updated the management program for nine of its species (via amendments or addenda) to respond to emerging stock assessment information and changes in the fisheries.

Consideration of species interactions, habitat, and water quality, in addition to the more traditional considerations of stock rebuilding and the allocation of finite fisheries resources, continues to increase the complexity of the task of managing interjurisdictional resources. The Commission maintains its role as an honest broker and forum for the Atlantic coastal states to come together and discuss the biological,

socioeconomic, and environmental issues that are central to developing management programs for each species.

The following section provides a summary of the status of species managed by the Commission and highlights species management activities that occurred throughout 2009. For this summary, "overfishing" is defined as removing fish from the population at a rate that exceeds the target established in a plan, while the "overfished" determination is based on whether or not a stock biomass falls below the threshold established in the plan. The term "depleted" reflects low levels of abundance though it is unclear whether fishing mortality is the primary cause for reduced stock size. Improving these stocks while protecting healthy ones will require the continued commitment of the Commission, our partners, and stakeholders.

STATUS/ TRENDS	SPECIES		OVERFISHED	OVERFISHING	REBUILDING STATUS & SCHEDULE
✔	Atlantic Herring		N	N	Rebuilt
✔	Atlantic Menhaden		N	N	Rebuilt
✔	Atlantic Striped Bass		N	N	Rebuilt since 1995
✔	Black Sea Bass		N	N	Rebuilt
✔	Bluefish		N	N	Rebuilt
✔	Northern Shrimp		N	N	Rebuilt
✔	Scup		N	N	Rebuilt
✔	Spiny Dogfish		N	N	Determined to be rebuilt in 2008 based on current levels of stock abundance; peer review scheduled for early 2010
✔	American Lobster	Gulf of Maine (GOM)	N	N	Note: Based on new recommended reference points by Technical Committee GOM and GBK stocks rebuilt Rebuilding program for SNE stock established in 2007; to be rebuilt by 2022
✔		Georges Bank (GBK)	N	N	
▼		Southern New England (SNE)	Depleted	N	
✔	Atlantic Croaker	Mid-Atlantic	N	N	Mid-Atlantic stock component rebuilt; peer review scheduled for 2010
?		South Atlantic	Unknown	Unknown	
▲	Spanish Mackerel		Unknown	N	Status based on 2008 benchmark assessment; continuing to rebuild until stock biomass >B_{MSY}
▲	Summer Flounder		N	N	Based on SARC 47 results; to be rebuilt by 2013
◀ ▶	Tautog		Y	N	SSB and fishing mortality targets and thresholds established in 2007

✔ = Healthy ▲= Rebuilding ◀ ▶ = Stable/Unchanged ▼ = Depleted ? = Unknown

STATUS/ TRENDS	SPECIES		OVERFISHED	OVERFISHING	REBUILDING STATUS & SCHEDULE
◀ ▶	Red Drum	Northern Region	Unknown	N	SPR above target and threshold SPRs
		Southern Region	Unknown	N	SPR above threshold SPR
▼	American Shad		Depleted	Unknown	Management Board considering biological reference points based on 2007 assessment
▼	Weakfish		Depleted	N	6-year rebuilding period if spawning stock biomass < threshold level; Board has approved further harvest restrictions based on 2009 benchmark assessment
▼	Winter Flounder	Gulf of Maine	Y*	Y*	*While biological reference points were not approved by the 2008 GARM due to uncertainty, the model suggests it is likely that the stock is overfished with overfishing likely occurring
		South New England/ Mid-Atlantic	Y	Y	Current biomass at 9% of SSB target
✔ / ▼	Coastal Sharks		Varies by species & species complex		No rebuilding schedule
?	American Eel		Unknown	Unknown	No rebuilding schedule
?	Atlantic Sturgeon		Y	N	40+ year moratorium; to be rebuilt by ~2038
?	Horseshoe Crab		Unknown	Unknown	No rebuilding schedule; benchmark assessment to be presented to Board in early 2010
?	River Herring		Unknown	Unknown	Amendment 2 establishes 2012 moratorium unless sustainability can be documented; peer review scheduled for 2011
?	Spot		Unknown	Unknown	No rebuilding schedule
?	Spotted Seatrout		Unknown	Unknown	No rebuilding schedule

✔ = Healthy ▲= Rebuilding ◀ ▶ = Stable/Unchanged ▼ = Depleted ? = Unknown

Species Highlights

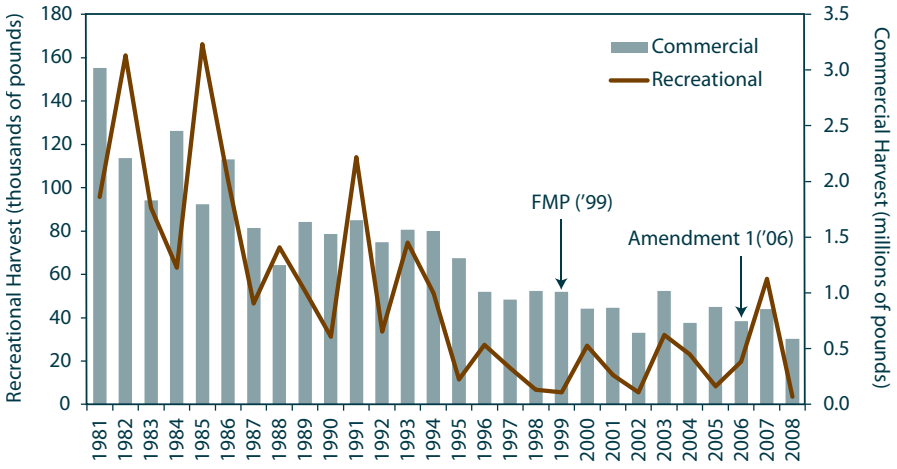
AMERICAN EEL

The American Eel Management Board approved Addendum II in 2008. The Addendum maintained status quo on state management measures, and placed increased emphasis on improving the upstream and downstream passage of American eel. The Public Hearing Draft of Addendum II considered a number of additional restrictions on eel harvest to facilitate escapement of adult American eels (also known as silver eel) on their spawning migration, with the intent of halting any further declines in juvenile recruitment and eel abundance. The Board chose to delay action on management measures in order to incorporate the results of a pending stock assessment in 2011, which will present new and updated information on American eel stock status, including the long-term young-of-the-year index being conducted by the states. Significant progress was made on the development of the benchmark stock assessment in 2009.

The most recent information on the status of the American eel stock is contained in the 2006 benchmark stock assessment, supplemental analyses, and the U.S. Fish and Wildlife Service's (USFWS) American Eel Status Review (2007). While USFWS

determined that "protecting the eel as an endangered or threatened species under the Endangered Species Act (ESA) is not warranted," the assessment indicated that the abundance of yellow eel (a juvenile life-stage of the American eel) is at or near historic low levels coastwide. Further, relative abundance is likely to continue to decline unless mortality decreases and/or recruitment increases.

American Eel Recreational and Commercial Harvest
Source: Personal communication NMFS Fisheries Statistics Division, Silver Spring, MD, 2009



For the last several years, landings of American eel have remained at low levels, with commercial and recreational fisheries harvesting 588,271 pounds and 3,485 pounds, respectively, in 2008.

The Commission also continued to work on the development and implementation of a Memorandum of Understanding (MOU) with the Great Lakes Fishery Commission and Canada to facilitate coordinated management of American eel throughout its international range. It is anticipated that the MOU will facilitate the involvement of Canadian scientists in the upcoming benchmark stock assessment.

AMERICAN LOBSTER

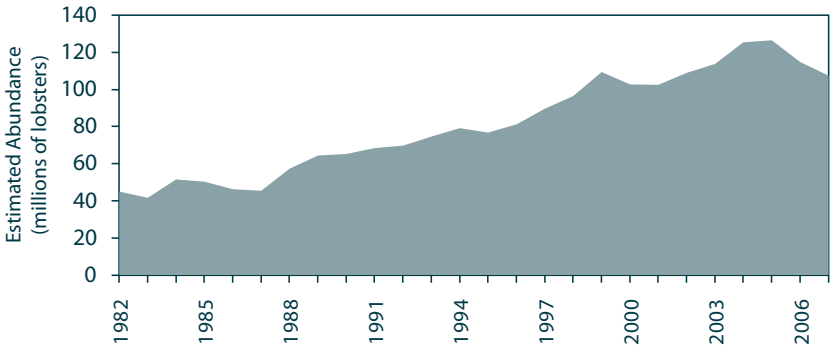
With an ex-vessel value of nearly $322 million in 2008, American lobster ranks as one of the top commercial fisheries along the Atlantic coast. The 2009 peer-reviewed benchmark stock assessment of this valuable resource presents a mixed picture of stock abundance throughout its U.S. range. The report indicated record high stock abundance and recruitment (number of lobsters entering the fishery) throughout most of the Gulf of Maine (GOM) and Georges Bank (GBK). The Southern New England (SNE) stock fared less well with continued low abundance and poor recruitment.

Despite current high levels of abundance and recruitment in GOM and GBK, the review panel recommended "that managers be particularly vigilant of recruitment patterns in these stocks and stand ready to impose substantial restrictions should recruitments decline." The panel cautioned that productivity has been much lower in the past. For example, landings in the GOM, which accounts for nearly 87% of the coastwide fishery since 2002, fluctuated without trend around 20 million pounds from 1930 – 1990, possibly due to low recruitment and production. Those levels are substantially lower than 72.8 million pounds, which has been the average annual landings from 2000 to 2007. The current levels of fishing effort and harvest will not be sustainable if the stock returns to lower recruitment and production levels. This is of particular concern to the panel because fishermen harvest approximately 50% of the available (i.e., legal-sized) lobster in the ocean. Biological information indicates that only 30% of the available lobster should be removed in order to maintain a healthy fishable population over the long-term.

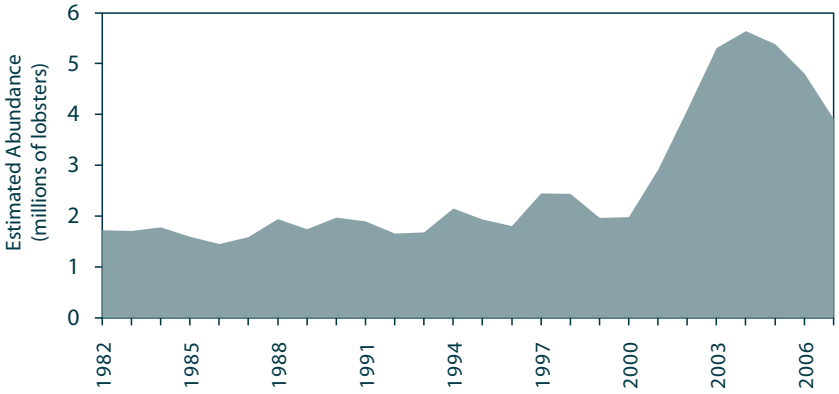
The lobster fishery has seen incredible expansion in effort and landings since the late 1940s and early 1950s, when landings varied around 25 million pounds. The last 16 years alone have seen dramatic increases in lobster landings, rising from 57 million pounds in 1993 and peaking in 2006 at 93 million pounds. Landings decreased slightly in 2008 with a harvest estimate of 86.6 million pounds. Approximately 90% of lobster are caught in state waters, with Maine and Massachusetts accounting for 77% and 13% of the commercial landings, respectively. Since 2003, 87 – 89% of the coastwide landings have come from GOM. SNE has the second largest portion of the catch, accounting for 7 – 8% of the catch over the last five years. GBK has the smallest portion, representing 5 – 6% of the total landings.

In 2009, the American Lobster Management Board approved three addenda to update the interstate management program for lobster. Addendum XII established protocols for the consistent application of individual trap transferability (ITT) programs for the plan's lobster conservation management

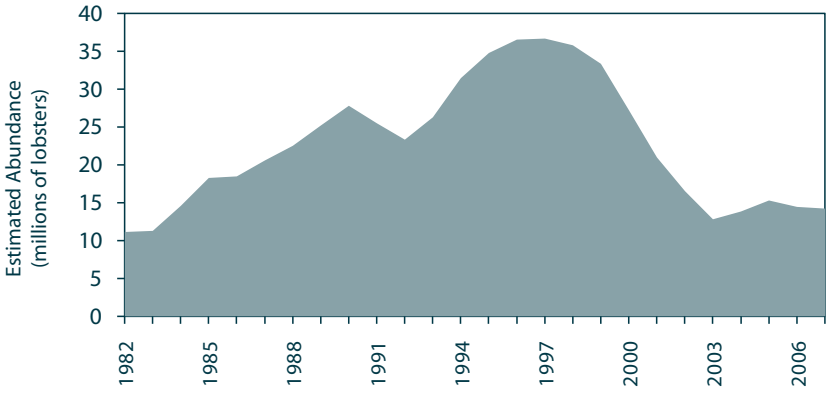
Estimated Abundance of American Lobster (>78mm) in the Gulf of Maine
Source: ASMFC American Lobster Stock Assessment, 2009



Estimated Abundance of American Lobster (>78mm) in Georges Bank
Source: ASMFC American Lobster Stock Assessment, 2009



Estimated Abundance of American Lobster (>78mm) in Southern New England
Source: ASMFC American Lobster Stock Assessment, 2009



Timeline of Management Actions: Amendment 3 (1997); Addendum I (1999); Addendum II (2001); Addendum III (2002); Addendum IV (2003); Addendum V (2004); Addenda VI & VII (2005); Addenda VIII & IX (2006); Addenda X & XL (2007); Addendum XIII (2008); Addenda XII, XIV & XV (2009)

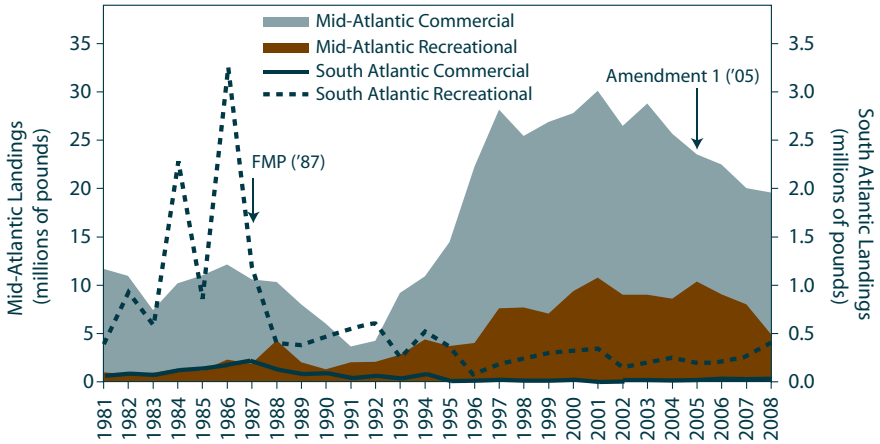
areas (LCMAs) that implement an ITT program. The measures allow for flexibility to the fishery, meet the conservation objectives of the plan, and ensure that effort does not increase as a result of trap allocation transfers.

Addendum XIV modifies the LCMA 3 trap transfer program, including changes to the conservation tax and trap cap. Given the competitive nature of the fishery in LCMA 3 (federal waters), it is expected that once transferability is implemented, all fishing entities will elect to fish the highest number of traps in order to remain competitive. There was concern the end result would be fewer participants in the fishery. The Board adopted the lower trap cap to keep more participants in the fishery as consolidation occurs, which maintains existing social and cultural features of the industry.

Addendum XV modifies the LCMA 1 – GOM permit process in federal waters in response to increasing lobster fishing effort in that area since 2000 (highest on record since 1981). The Addendum maintains the historic level of trap fishing effort (years 2004 – 2008) and curtails a potential influx of new federal lobster vessels in LCMA 1. It also limits entry of vessels which have not fished with traps in LCMA 1 in the past from fishing in that area in the future.

The Board also approved Draft Addendum XVI to consider establishment of new reference points for each of the three lobster stocks. Specific options include recommendations from the Technical Committee and the peer review panel from the 2009 stock assessment. The

Commercial and Recreational Landings of Atlantic Croaker by Region
Sources: 2009 State Compliance Reports; ACCSP, 2009; Personal communication NMFS Fisheries Statistics Division, Silver Spring, MD, 2009



Draft Addendum also proposes changes in the procedures by which stock status is determined and new reference points can be adopted.

ATLANTIC CROAKER

The Commission continues to monitor the status of the Atlantic croaker population, as required by Amendment 1. A series of triggers determine if a stock assessment update is warranted prior to the next scheduled assessment in 2010. The 2009 review of the triggers concluded that an assessment update was not necessary based on the 2008 recreational and commercial landings and their relative percent change from the previous two years' average landings. The Atlantic Croaker Technical Committee also monitored catch composition, mean size at age, catch-per-unit effort, and fishery-independent indices of abundance.

The most recent peer-reviewed stock assessment, conducted in 2004, indicated that Atlantic croaker abundance is high and fishing mortality is low in the Mid-Atlantic region (New Jersey to North Carolina). The 2004 estimates of spawning stock biomass (SSB) (201 million pounds) and fishing mortality (0.11) are well within the targets and thresholds established by Amendment 1. The stock status for the South Atlantic region (South Carolina to the southern tip of Florida) is unknown due to a lack of data. The management program for Atlantic croaker was not adjusted in 2009.

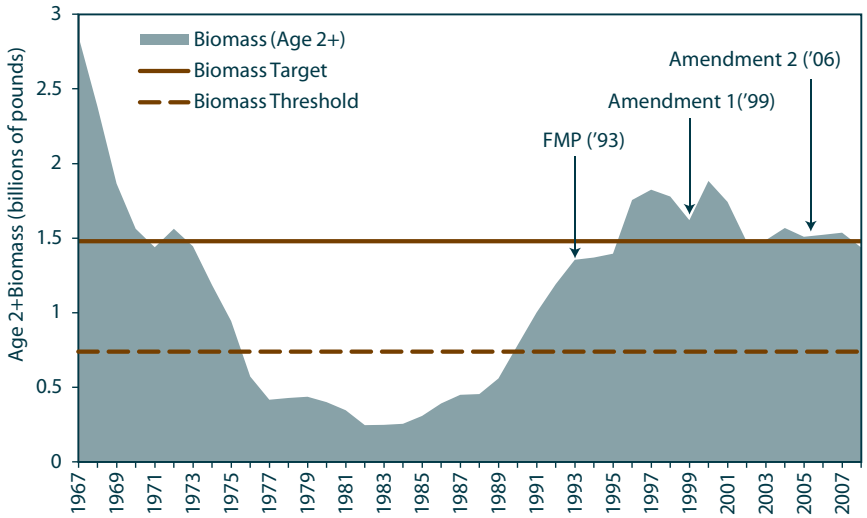
Atlantic coast commercial landings have exhibited a cyclical pattern, with low landings in the 1960s to early 1970s and the 1980s to early 1990s, and high landings in the mid- to late 1970s and the mid-1990s to the present. Commercial landings increased from a low of 3.7 million pounds in 1991 to 30.1 million pounds in 2001; however, landings have declined consistently since 2003 to 19.6 million pounds in 2008. Within the management unit, the majority of 2008 commercial landings came from Virginia (61%) and North Carolina (30%).

From 1981 – 2008, recreational landings from New Jersey through Florida have varied between 2.8 million fish (1.3 million pounds) and 13.2 million fish (11.1 million pounds), with landings generally increasing until 2001 before declining through 2008. Recreational harvest in 2008 is estimated at 9.2 million fish (5.3 million pounds). Virginia was responsible for 71% of the 2008 recreational harvest in numbers of fish, followed by Maryland (8%), and Florida (7%). The number of recreational releases has increased over the

time series. In 2008, anglers released 13.9 million fish, about 4.7 million more fish than they landed.

In 2009, significant progress was made on the upcoming benchmark stock assessment. Following the completion of this assessment, the results will be peer reviewed through the SouthEast Data, Assessment, and Review (SEDAR) process in 2010.

Atlantic Herring Biomass (Age 2+)
Source: Transboundary Resource Assessment Committee, 2009



ATLANTIC HERRING

In 2009, the Atlantic Herring Section approved Addendum I. The Addendum aims to control fishing effort within Area 1A (inshore GOM) by allowing the Section to employ bimonthly, trimester, or seasonal quotas and the flexibility to prohibit landings before June 1. The Addendum also restricts vessels from landing more than once per calendar day and requires fishermen to report through a weekly system in order to properly monitor and manage the quotas.

A seasonal quota allocation was employed for 2009 with no landings before June 1. Nearly three quarters of Area 1A total allowable catch were allocated for harvest from June – September with the remainder available from October – December. Maine, New Hampshire, and Massachusetts controlled the landings rate in Area 1A through the establishment of 'days out' which restricted the opportunity for fishermen to land herring.

The Transboundary Resource Assessment Committee (TRAC), a review body that addresses stock assessments for fisheries shared by the U.S. and Canada, updated the 2006 TRAC assessment. This update estimated 2008 biomass to be 1.44 billion pounds, slightly below the biomass target of 1.48 billion pounds. Fishing mortality (F) was estimated to be 0.14, which is below the F threshold of 0.27. The assessment methodology has a number of limitations, including a significant retrospective pattern that tends to overestimate herring biomass and an inability to estimate probabilities in F. These limitations and other sources of uncertainty have resulted in recommendations for substantially reduced quotas for 2010.

The Section also initiated Addenda II and III in 2009. Addendum II was initiated to mirror the New England Fishery Management Council's (NEFMC) Amendment 4 and proposes changes to definitions and acronyms contained in current Commission management documents. Addendum III proposes higher trip limits on a 'day out' and/or a separate quota for small mesh bottom trawl vessels. Both of these addenda are anticipated to be completed in 2010.

ATLANTIC MENHADEN

In 2009, the Atlantic Menhaden Management Board approved Addendum IV to extend the Chesapeake Bay reduction fishery harvest cap, established through Addendum III, for an additional three years (2011 – 2013). Harvest for reduction purposes is prohibited in the Chesapeake Bay when 100% of the cap is landed (109,020 metric tons). Over-harvest in any given year

shall be deducted from the next year's quota. The Addendum also includes a provision allowing under-harvest in one year to be credited only to the following year's harvest, not to exceed 122,740 metric tons (mt). With total reduction landings in 2009 estimated at 85,000 mt, well below the 109,020 mt cap, the Chesapeake Bay reduction harvest cap for 2010 was set at 122,740 mt.

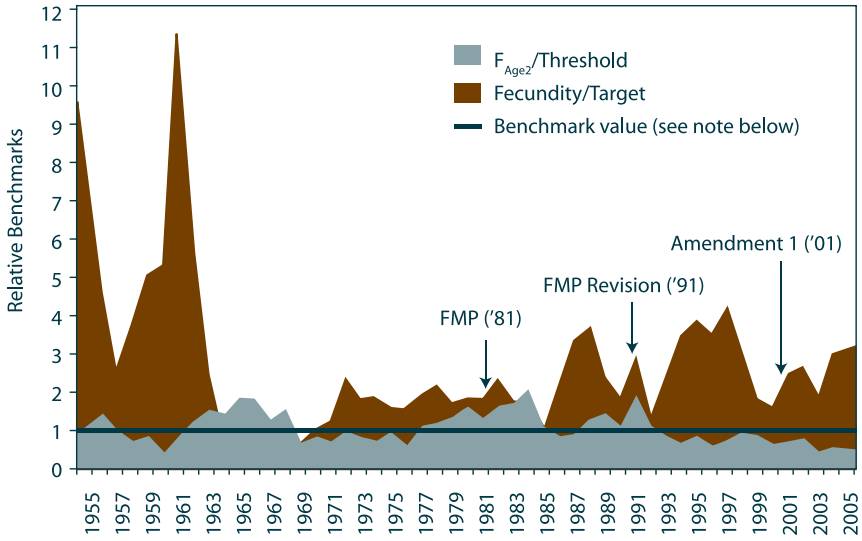
Under the Addendum, the Board will annually review measures to determine if they are appropriate given the most recent information available about the stock and fishery. At any future meeting, the Board can initiate development of additional or alternative management measures.

The most recent stock assessment update for Atlantic menhaden was completed in 2006 and includes landings and survey data through 2005. This update concluded that menhaden are not overfished and overfishing is not occurring on a coastwide basis. Given the lack of available data, the Technical Committee was not able to determine menhaden's status in the Chesapeake Bay. The Chesapeake Bay menhaden research effort, which was established in 2005 to determine the status of menhaden in the Bay, assess whether localized depletion is occurring, and support future menhaden management decisions, continued in 2009 with the support of federal and state resources.

In 2009, significant progress was also made on the next benchmark stock assessment. Following the completion of this assessment, the results will be peer reviewed through the SEDAR process in 2010.

Atlantic Menhaden Fishing Mortality Relative to Threshold Benchmark (F_{Age2}/Threshold) and Population Fecundity Relative to Target (FEC/Target) Age

Source: ASMFC Atlantic Menhaden Technical Committee, 2006



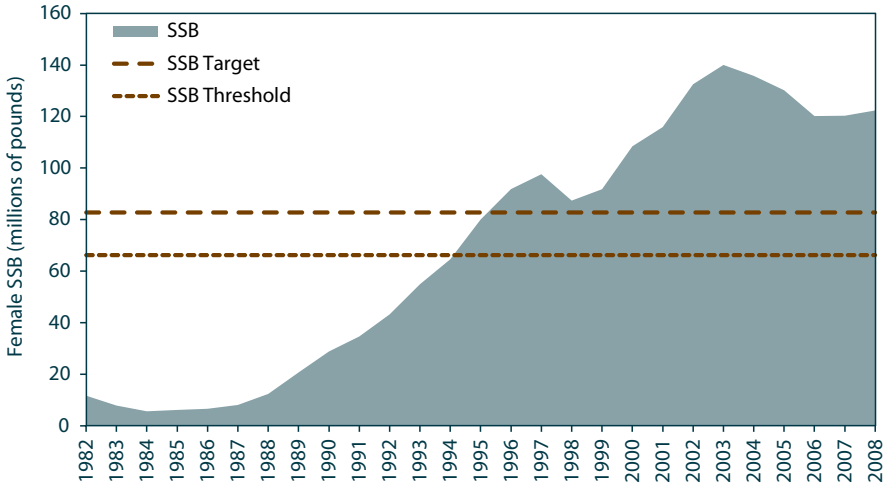
Note: The graph provides a relative index of fishing mortality versus its FMP threshold and fecundity (measured in the number of mature ova) versus its FMP target. Management action will be triggered when F_{Age2}/Threshold is above the relative benchmark value of 1 (as indicated by solid black line) or Fecundity/Target falls below the relative benchmark value of 1.

ATLANTIC STRIPED BASS

Since being declared rebuilt in 1995, Atlantic striped bass has served as a model for successful fisheries management, and the 2009 updated stock assessment indicates that this designation remains true. The stock assessment update indicates that the resource remains in good condition with female SSB 148% of the SSB target and 185% of the SSB threshold. Estimated F in 2008 is equal to or less than 0.21 and below the target (0.30) and threshold (0.34) rates. The striped bass stock complex is determined to be not overfished with overfishing not occurring. The assessment provides stock status for the combination of the three primary stocks (Hudson River, Delaware River, and Chesapeake and tributaries).

Although spawning stock and total biomass have remained relatively stable over the last several years, stock abundance declined from 2004 – 2007 with a small increase in 2008. The decrease in abundance is reflected in a decline in coastwide landings in 2007 and 2008. The decline is more prevalent in areas largely dependent on contributions from the Chesapeake stocks (such as Maine) than areas that are dominated by the Hudson stock (such as New York). The spawning stock has remained relatively stable due to the growth and maturation of the 2003 year class and the accumulation of spawning biomass from year classes prior to 1996.

Atlantic Striped Bass Female Spawning Stock Biomass (SSB)
Source: ASMFC Atlantic Striped Bass Stock Assessment Update, 2009



Timeline of Management Actions: Amendments 1 & 2 (1984); Amendment 3 (1985); Amendment 4 (1990); Amendment 5 (1995); Amendment 6 (2003)

Atlantic striped bass are one of the most recreationally-sought species along the Atlantic coast. In 2008, recreational anglers landed over 2.2 million striped bass weighing 27.1 million pounds. Coastwide landings in 2008 reflect a 17% decline from a high of 2.7 million fish in 2006. Changes in landings have varied by state, with Massachusetts, Connecticut and New York showing an increase in landings and the remaining states showing a 32% decrease on average. Recreational discard mortalities (assuming an 8% mortality of releases) in 2008 were 950,000 fish, a 64% decrease from a high of 2.1 million fish in 2006.

Landings from the commercial striped bass fishery have been consistently lower than the recreational catch. Landings increased from 138,915 pounds in 1987 to 5.9 million pounds in 1997 and have remained relatively steady due to quota restrictions. Landings in 2008 were 7.2 million pounds. Gillnets are the dominant commercial gear; other commercial fishing gears include hook and line, pound nets, seines, and trawls.

In 2009, the Atlantic Striped Bass Management Board considered Draft Addendum II to allow the rollover of unused coastal commercial quota. The Board did not approve the Addendum; therefore, unused commercial quota cannot be accessed in subsequent years.

ATLANTIC STURGEON

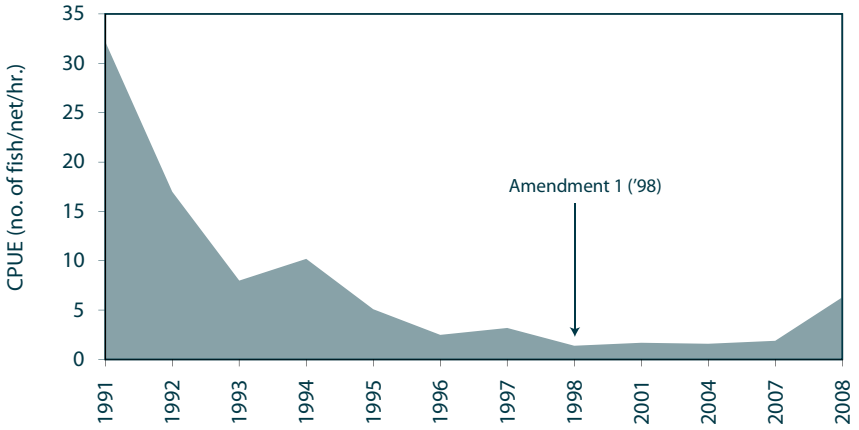
Amendment 1, adopted in 1998, requires the states to implement a 40 year moratorium on harvest to rebuild Atlantic sturgeon. Very little is known about the species' stock status. Reliable data are difficult to obtain because many river systems have few fish, and rivers with more fish are often not easily sampled.

In 1998, the Commission completed a peer-reviewed coastwide assessment of the population. The assessment was conducted for each river system where Atlantic sturgeon were found historically. All assessed systems held significantly less sturgeon than they did in the late 1800s and early 1900s, with very few signs of recovery detected.

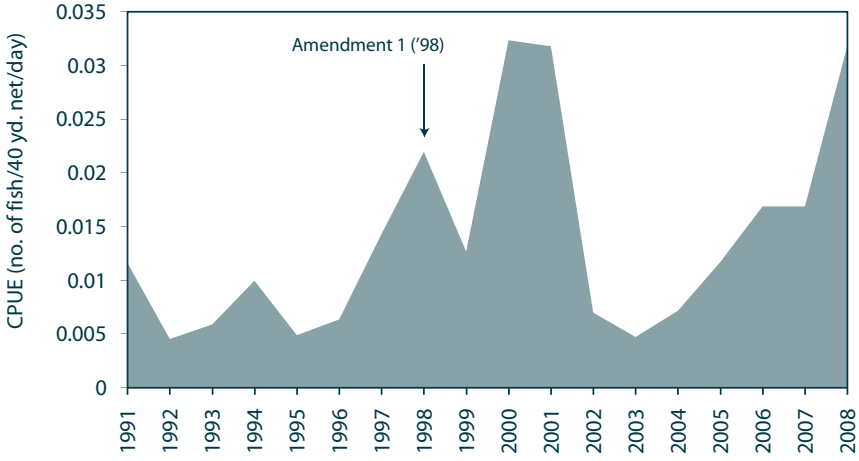
Bycatch mortality has been identified as a significant threat to the recovery of Atlantic sturgeon. In 2007, the Commission hosted an Atlantic sturgeon bycatch workshop with the purpose of examining the federal observer database and developing estimates of bycatch rates and mortality by fishery and region from 2000 – 2005. The workshop results highlighted the potential for sturgeon bycatch in the anchored gillnet and the monkfish fishery to negatively impact rebuilding.

In 2005, the National Marine Fisheries Service (NMFS) conducted a status review to evaluate whether this species required protection under the ESA. The Status Review Team (SRT) determined that Atlantic sturgeon should be broken down into five distinct population segments (DPS): (1) Gulf of Maine, (2) New York Bight, (3) Chesapeake Bay, (4) Carolina, and (5) South Atlantic. The SRT found that the Carolina, Chesapeake Bay, and New York Bight DPSs were likely (>50% chance) to become endangered in the next 20 years. NMFS is in the

Fishery-independent Catch Rates of Sub-adult Atlantic Sturgeon Taken in the Delaware River Tag-Recapture Program
Source: DE Fish & Wildlife Division, 2009

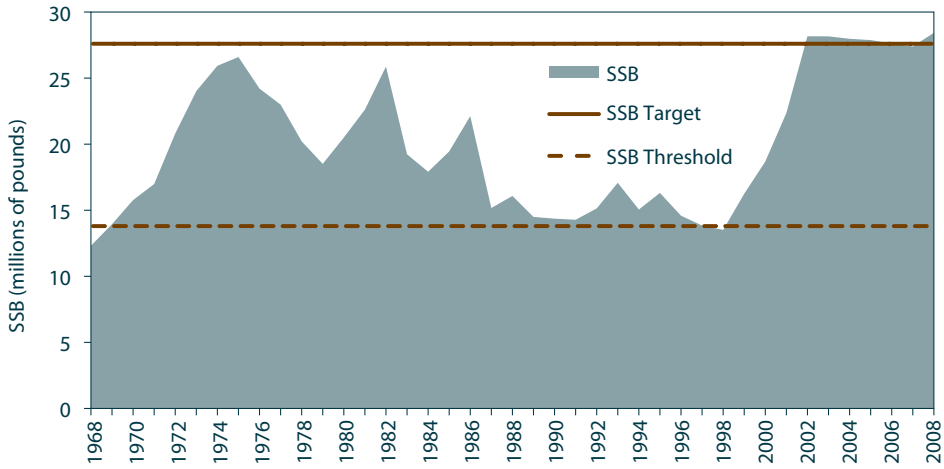


Fishery-independent Catch Rates of Juvenile Atlantic Sturgeon in Albemarle Sound
Source: NC Division of Marine Fisheries, 2009



process of reviewing a petition, submitted by the Natural Resources Defense Council, to list Atlantic sturgeon under the ESA. The petition was issued based on concern about Atlantic sturgeon's critical habitat needs and stock status. A determination is expected to be released in early 2010.

Black Sea Bass Spawning Stock Biomass (SSB)
Source: NEFSC Black Sea Bass Assessment Update, 2009



Timeline of Management Actions: FMP (1996); Amendment 10 (1997); Amendment 11 (1998); Amendment 12 (1999); Amendment 13 (2003)

BLACK SEA BASS

In 2009, the Commission maintained its joint management program for black sea bass with the Mid-Atlantic Fishery Management Council (MAFMC). This program, which focuses on the stock north of Cape Hatteras, North Carolina, has been in place since 1996. It includes quotas to restrict the commercial fishery, and possession limits and minimum sizes to control recreational landings.

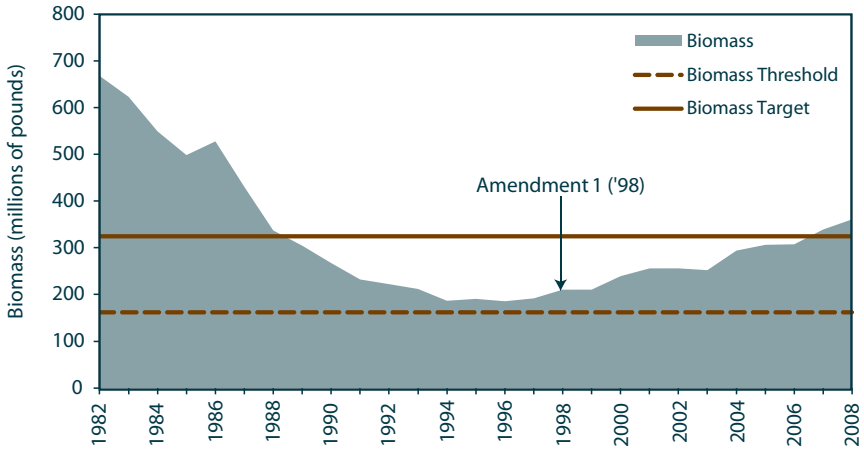
A new black sea bass stock assessment was developed in 2009 through the Northeast Fisheries Science Center's (NEFSC) Data Poor Workshop and Peer Review process. The peer review panel accepted the new assessment as the basis for biological reference points and status determination for black sea bass. The new reference points indicate that the stock is rebuilt (the population is at about 103% of its biomass target) and overfishing is not occurring. The panel recommended that managers use caution when setting specifications due to a number of uncertainties in the assessment model and concerns associated with managing a species that changes sex during its life span. Based on the advice of MAFMC's Scientific and Statistical Committee (SSC), both the Commission and Council maintained a 2.3 million pound total allowable landings limit (TAL) for 2010.

In 2009, the Summer Flounder, Scup, and Black Sea Bass Management Board approved Addendum XX to allow for the transfer of commercial quota for black sea bass managed under the Commission's plan. As a practical matter, states routinely under harvest or slightly overharvest their state-specific allocations due to delays in reporting, inconsistencies in the data collection processes, and unanticipated changes in catch rates. The management program requires that each state deduct overages from the following year's quota when they occur. Addendum XX establishes a process to reconcile quotas to address states' unintended minor overages through within-year transfers and end-of-year reconciliations.

BLUEFISH

The Commission and MAFMC jointly manage bluefish through Amendment 1 (1998). The Amendment includes commercial and recreational management programs, as well as a rebuilding schedule to achieve a fully restored biomass prior to the rebuilding deadline of 2010. The commercial fishery is controlled through state-specific quotas, while the recreational fishery is constrained by a maximum possession limit.

Estimated Bluefish Biomass
Source: ASMFC Bluefish Stock Assessemnt Subcommittee, 2009



In 2009, the bluefish stock assessment was updated by the Bluefish Technical Committee to incorporate 2008 landings and survey indices. The assessment indicated that the stock is not overfished and overfishing is not occurring. In 2008, biomass (361 million pounds) exceeded the biomass threshold of 162.1 million pounds and the biomass target of 324.2 million pounds. This biomass estimate indicates that the stock is fully rebuilt; however, the Technical Committee recommended that this estimate be viewed with caution due to weakness of some of the input data and the potential for retrospective bias in the biomass estimate. F was estimated to be 0.12, well below the target and threshold of 0.31 and 0.40, respectively. Abundance estimates peaked in 1982 at 163 million fish, declined to 58 million in the mid-1990s, and have since increased to 103 million fish.

Based on the uncertainty in the assessment update, the Commission slightly decreased the bluefish TAL to 29.26 million pounds for 2010, a 100,000 pound reduction from 2009.

COASTAL SHARKS

In 2009, the states worked to fully implement the Atlantic Coastal Sharks Fishery Management Plan (FMP). The FMP addresses the management of 40 species, including smooth dogfish, and establishes a suite of management measures for recreational and commercial shark fisheries in state waters (0 – 3 miles from shore). Table 1 provides a complete listing of the species included in the FMP.

Coordinated state and federal management is essential to establishing healthy, self-sustaining populations of Atlantic coastal sharks. Many species are depleted and vulnerable to collapse if fishing pressure continues as it has in recent years. Most of these sharks utilize coastal estuaries and bays in state waters as pupping grounds and nurseries. The FMP seeks to protect pregnant females when they are concentrated in these areas to give birth. Prior to the FMP, there was inconsistent application of shark regulations at the state level. Some states mirrored federal regulations while others had less

TABLE 1. ATLANTIC COASTAL SHARK SPECIES LISTED BY SPECIES GROUP

SPECIES GROUPS	SPECIES CONTAINED WITHIN GROUP
Prohibited	Sand tiger, bigeye sand tiger, whale, basking, white, dusky, bignose, Galapagos, night, reef, narrowtooth, Caribbean sharpnose, smalltail, Atlantic angel, longfin mako, bigeye thresher, sharpnose sevengill, bluntnose sixgill, and bigeye sixgill sharks
Research	Sandbar sharks
Small coastal	Atlantic sharpnose, finetooth, blacknose, and bonnethead sharks
Non-sandbar large coastal	Silky, tiger, blacktip, spinner, bull, lemon, nurse, scalloped hammerhead, great hammerhead, and smooth hammerhead sharks
Pelagic	Shortfin mako, porbeagle, common thresher, oceanic whitetip, and blue sharks
Smooth dogfish	Smooth dogfish

TABLE 2. STOCK STATUS OF ATLANTIC COASTAL SHARKS SPECIES AND SPECIES GROUPS

SPECIES OR COMPLEX NAME	STOCK STATUS		REFERENCES/COMMENTS
	OVERFISHED	OVERFISHING IS OCCURRING	
Porbeagle	Y	N	Stock Assessment Report on NAFO Subareas 3 - 6 Porbeagle Shark (2005)
Dusky	Y	Y	Stock Assessment of Dusky Shark in the U.S. Atlantic and Gulf of Mexico (2006) Duskies are a prohibited species.
Large Coastal Sharks	Unknown	Unknown	SEDAR 11 (2006) Assessing the LCS as a species complex is difficult due to various life history characteristics and lack of available data
Blacktip	Unknown	Unknown	SEDAR 11 (2006)
Sandbar	Y	Y	SEDAR 11 (2006)
Atlantic Sharpnose	N	N	SEDAR 13 (2006)
Blacknose	Y	Y	SEDAR 13 (2006)
Bonnethead	N	N	SEDAR 13 (2006)
Finetooth	N	N	SEDAR 13 (2006)
Smooth Dogfish	Unknown	Unknown	No Assessment

stringent provisions. Implementing the complementary plan will not only help the stocks rebuild by controlling fishing pressure but will also increase enforceability throughout the species management area.

The FMP establishes a seasonal closure to protect pregnant female sharks and a requirement that fins must remain attached through landings; these measures apply to both recreational and commercial fisheries. Recreational management measures include a prohibition on the harvest of severely depleted species, size limits, and authorized gear. Commercial management measures include species groupings (such as prohibited and research only); the opening and closing of fisheries concurrent with federal actions for small coastal, large coastal, and pelagic species groups; a smooth dogfish quota; seasons, landings restrictions, possession limits, gear restrictions and bycatch reduction measures; state commercial license/permit requirements; display and research permit exemptions; and federal dealer permit requirements.

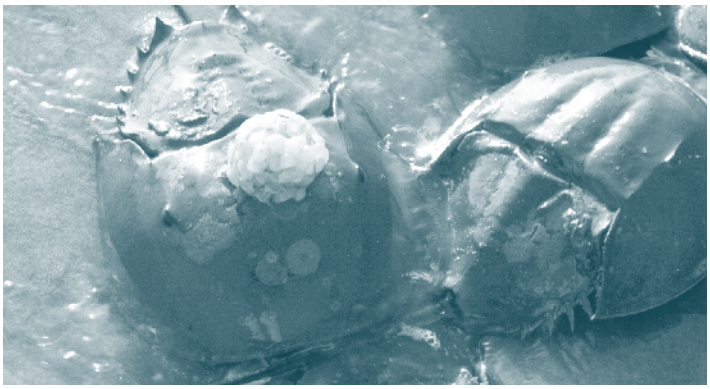
In 2007, an assessment of the small coastal shark (SCS) complex of species was conducted and reviewed using the SEDAR process. SEDAR 13 used data through 2005 and included the assessments of four species with similar life history characteristics, namely Atlantic sharpnose (*Rhizoprionodon terraenovae*), blacknose (*Carcharhinus acronotus*), bonnethead (*Sphyrna*

tiburo), and finetooth (*C. isodon*) sharks. These sharks range across the South Atlantic and the Gulf of Mexico. Status of the SCS complex in the last year of the assessment (2005) was determined to be not overfished and overfishing was not occurring. The complex as a whole appears to have experienced very little depletion with respect to virgin levels. An independent peer review panel supported the single-species assessment approach in place of the SCS complex assessment for use in providing scientific advice. Table 2 provides an overview of stock status by species group.

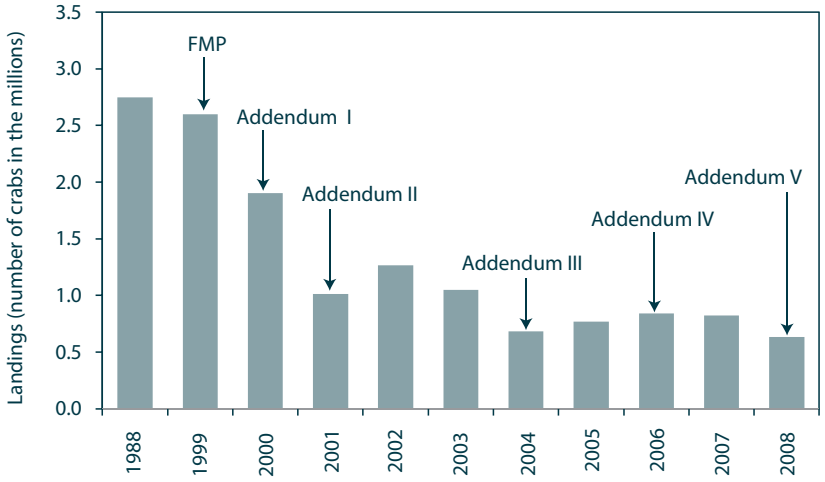
In 2009, the Spiny Dogfish and Coastal Shark Management Board approved Addendum I, modifying the finning and identification provision for the commercial smooth dogfish fishery and removing both smooth dogfish recreational possession limits and 2-hour net check requirement for commercial large mesh gillnet.

HORSESHOE CRAB

The management of horseshoe crab is an interesting case study of the increasing complexity of fisheries management along the East Coast. Horseshoe crabs play a vital ecological role in the migration of shorebirds along the entire Atlantic seaboard, as well as



Horseshoe Crab Coastwide Bait Landings
Source: ASMFC State Reports, 2009

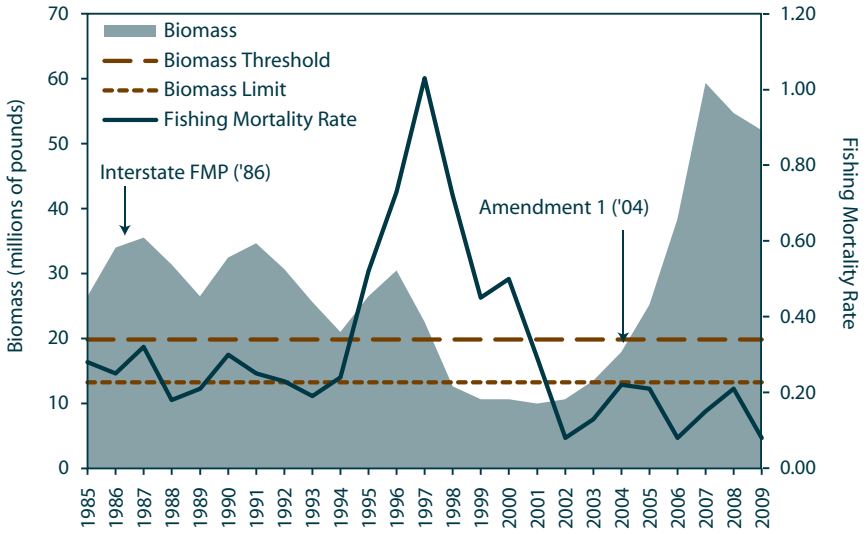


providing bait for commercial American eel and conch fisheries along the coast. Additionally, their unique blood is used by the biomedical industry to produce Limulus Amoebocyte Lysate, an important tool in the detection of contaminants in patients, drugs, and other medical supplies. The challenge for fisheries managers is to ensure that horseshoe crab stocks can meet all these diverse needs, while conserving the resource for its self-perpetuation.

In 2009, the Horseshoe Crab Management Board extended the provisions of Addendum V through the fall of 2010. The management measures in Addendum V seek to address the needs of the migratory shorebirds, particularly the red knot, while allowing a limited commercial bait fishery. The USFWS Shorebird Technical Committee has indicated that the red knot, one of many shorebird species that feed upon horseshoe crab eggs, remains stable at very low population levels. Red knots have shown no sign of recovery, despite a nearly 70% reduction in horseshoe crab landings since 1998.

The primary management measure under Addendum V is a delayed, male-only harvest in New Jersey and Delaware that prohibits the harvest and landing of male and female horseshoe crabs from January 1 through June 7 in the Delaware Bay, and restricts the annual harvest to 100,000 males per state from June 8 through December 31. As with all Commission plans, states have the prerogative to implement more

Gulf of Maine Northern Shrimp Total Stock Biomass
Source: ASMFC Northern Shrimp Technical Committee, 2009



conservative management measures. In the case of New Jersey, it implemented a moratorium on the harvest and landing of horseshoe crab.

Addendum V also includes a delayed harvest in Maryland, prohibiting horseshoe crab harvest and landings from January 1 through June 7. The Addendum further prohibits landing of horseshoe crabs in Virginia from federal waters from January 1 through June 7 for one year. No more than 40% of Virginia's quota may be landed from ocean waters and those landings must be comprised of a minimum male to female ratio of 2:1.

Information on the status of the horseshoe crab population is limited. The short time-series of horseshoe crab population data make it difficult to assess its status. However, based on four years of data, the important Delaware Bay population appears stable. In 2009, a benchmark stock assessment and adaptive resource management (ARM) model was completed and peer reviewed. The goal of the ARM model is to link the population assessments of horseshoe crabs and red knots. The results of this assessment and peer review will be presented to the Management Board in early 2010.

NORTHERN SHRIMP

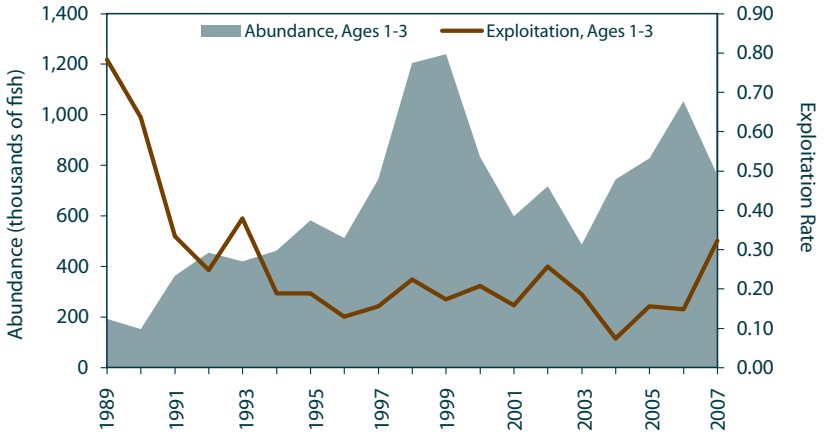
Valued at $5 million in 2008, northern shrimp continues to provide a small but valuable coastal fishery for Maine, New Hampshire, and Massachusetts fishermen. Throughout the early 2000s, there was concern for the status of the northern shrimp stock and the ability of the resource to sustain high harvest levels. This led to severe harvest reductions in the 2001 – 2005 fishing seasons. These reductions have resulted in a rebuilt stock, with biomass near an all time high. While the resource's favorable stock status has allowed managers to lengthen the fishing season and provide greater access to the resource, current market conditions continue to constrain effort and participation in the fishery.

Updated in 2009, the northern shrimp stock assessment indicates that the stock is not overfished and not experiencing overfishing. Exploitable biomass generally declined from approximately 27.7 million pounds in 1996 to a time series low of 9 million pounds in 2001. Since then, the biomass estimate has risen to 22.9 million pounds in 2005 (as a result of the appearance of the strong 2001 year class), and to 48.5 million pounds for the 2009 – 2010 season. Based on this estimated high abundance, the Northern Shrimp Section maintained a 180-day fishing season for the 2009 – 2010 northern shrimp fishery. This is consistent with the previous year's season. The moderate 2005 year class (assumed 5 year old females) will likely be a primary component of 2009 – 2010 landings. The 2006 year-class continues to be very weak, while the 2007 and 2008 year classes appear to be above average in size.

Landings in the GOM northern shrimp fishery declined after the mid-1990s, from a high of 20.2 million pounds in 1996 to a low of 934,920 pounds in 2002, the result of low abundances of shrimp and reductions in fishing effort. Since then, landings have

increased to 10.8 million pounds in the 152-day 2008 season, and then declined to 4.8 million pounds in the 180-day 2009 season. The 2009 season was characterized by high catch rates, poor price, high fuel prices, and market limitations. 2009 landings were comprised mostly of assumed 5-year old female shrimp from the strong 2004 year class.

Estimates of Abundance and Exploitation for the Northern Stock Component of Red Drum, Ages 1 - 3
Source: SEDAR 18 Atlantic Red Drum Stock Assessment Report, 2009

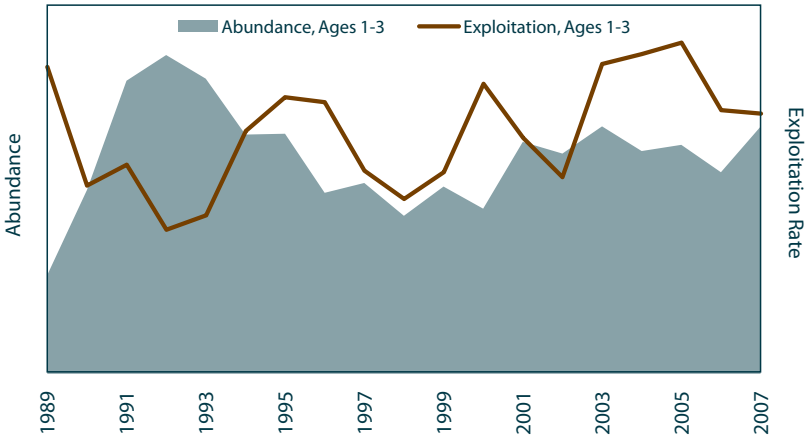


RED DRUM

Red drum is one of the most popularly sought recreational fish throughout the South Atlantic. Since the 1980s, recreational fishing has accounted for about 90% of all red drum landings. The recreational fishery is a nearshore fishery, targeting small "puppy drum" and large trophy fish.

Through successful joint management by the Commission and the South Atlantic Fishery Management Council (SAFMC), red drum populations have shown increases over the last ten years. In 2008, the management authority for red drum was transferred solely to the Commission while maintaining the harvest moratorium in federal waters. Also, an Executive Order was signed that prevents the commercial sale of red drum harvested from federal waters.

Trends in Abundance and Exploitation for the Southern Stock Component of Red Drum, Ages 1 - 3
Source: SEDAR 18 Atlantic Red Drum Stock Assessment Report, 2009



Timeline of Management Actions: FMP (1984); Amendment 1 (1991); Amendment 2 (2002)

In 2009, a comprehensive benchmark stock assessment and peer review was completed for red drum. The results indicate that abundance of young fish for both the northern (New Jersey to North Carolina) and southern (South Carolina to Florida) stock complexes have remained relatively stable since 2000. The stock assessment concluded that sufficient numbers of young fish are surviving to move offshore and join the adult spawning population, indicating that overfishing is likely not occurring.

Data limitations resulting from red drum's life history characteristics and management regime present unique challenges to scientists as they try to assess the status of the stock. Relatively little is known about the adult (spawning) population of red drum (ages 4 and older) as these fish are primarily found in offshore waters where fishing for red drum is prohibited under federal law. As such, there is little fishery-dependent information and limited fishery-independent data on the larger, reproductive fish. Existing data are largely for the juvenile component of the resource (ages 1 – 3)

found in inshore waters. Fishery-dependent data are constrained by the fisheries slot limit, which ranges anywhere from 15 to 27 inches (again limiting the amount of information about larger fish) and fishery-independent data are supplied by multiple state inshore surveys.

The end result of these limitations is a stock assessment that adequately describes abundance and exploitation rates for the pre-adult component of the population (ages 1 – 3), particularly for the northern region, but provides no reliable information on the adult component. The stock assessment model was considered to be informative only about the relative, not absolute, trends in age 1 – 3 abundance and exploitation for the southern region. Therefore, only general conclusions about trends in stock status could be provided for the southern region.

In the northern region, abundance of age 1 – 3 red drum increased during 1990 – 2000 after which it widely fluctuated. The initial increase in abundance of these age groups can be explained by the reduction in exploitation rates in the early part of the time series with relative stability since then. Fishing pressure appears to be stable, and there is a high probability that the stock is not subject to overfishing. It is likely that the fishing mortality rate is at or above its target.

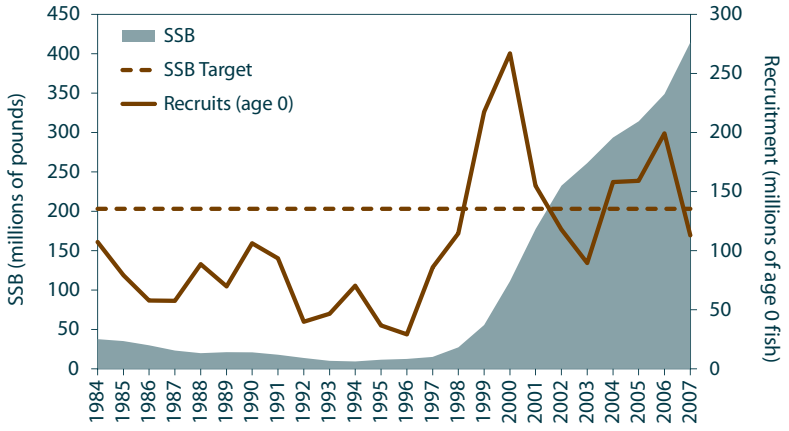
In the southern region, the relative trend in abundance of age 1 – 3 red drum increased during 1989 – 1992, declined during 1992 – 1998 and has fluctuated thereafter. As with the northern stock, the initial increase in abundance of these age groups can be explained by the reduction in exploitation rates in the early part of the time series. There appears to have been a slight increase in exploitation rates since 1990.

Given these findings, the South Atlantic State-Federal Fisheries Management Board did not initiate any changes to the management program in 2009.

SCUP

For over a decade, the Commission has jointly managed the scup resource with MAFMC. A new stock assessment was developed in 2009 through the NEFSC Data Poor Workshop and Peer Review process. The peer review panel accepted the revised stock assessment as the basis for biological reference points and status determination for scup. The new model of scup population dynamics and the recommended reference points represent a more stable approach for monitoring stock status and specifying the annual fishery regulations. The new reference points indicate that the stock is rebuilt (the population

Scup Spawning Stock Biomass (SSB) and Recruitment
Source: NEFSC Data Poor Stocks Working Group, 2009



Timeline of Management Actions: Amendment 8 (1996); Amendment 10 (1997); Amendment 11 (1998); Amendment 12 (1999); Amendment 13 (2003); Amendment 14 (2007)

is at 204% of its biomass target) and overfishing is not occurring. While the new long-term maximum sustainable yield (MSY) estimate appears reasonable given the historical evidence from the fishery, managers may consider a cautious approach in setting quotas. The peer review panel advised that "rapid increases in quota to meet the revised MSY would be unwarranted given uncertainties in recent recruitment. A more gradual increase in quotas is a preferred approach reflective of the uncertainty in the model estimates and stock status."

For the 2010 scup fishery, both the Commission and MAFMC set a TAL of 13.5 million pounds, which is an increase of 2.32 million pounds compared to 2009. The Commission took a precautionary approach in setting the scup TAL in light of the scientific uncertainty surrounding the new scup assessment model, which is a significant departure from previous scup assessment approaches.

In 2009, the Summer Flounder, Scup, and Black Sea Bass Management Board approved Addendum XX to allow for the transfer of summer-period (May 1-October 31) commercial quota for scup managed under the Commission's plan. As a practical matter, states routinely under harvest or slightly overharvest their state-specific allocations due to delays in reporting, inconsistencies in the data collection processes, and unanticipated changes in catch rates. The FMP requires that each state deduct overages from the following year's quota when they occur. Addendum XX establishes a process to reconcile quotas to address states' unintended minor overages through within-year transfers and end-of-year reconciliations.

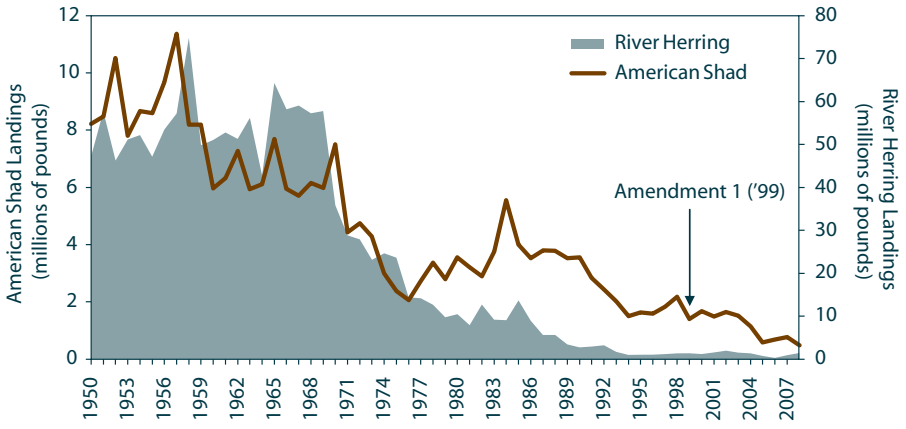
SHAD & RIVER HERRING

Shad and river herring species present a number of unique management challenges. Due to their broad geographic ranges, these species are susceptible to varied threats throughout their different life stages. The threats to future rebuilding of the stocks include direct harvest, predation by other species, bycatch in other fisheries, habitat degradation, and barriers to upstream and downstream migration.

American Shad

American shad are currently managed under Amendment 1 and Technical Addendum I. Amendment 1, adopted in 1999, required a total

American Shad & River Herring Commercial Landings
Source: Personal communication NMFS Fisheries Statistics Division, Silver Spring, MD, 2009



closure of the American shad ocean-intercept fishery by January 1, 2005. It also required the implementation of fishing mortality targets for in-river fisheries and an aggregate 10-fish daily creel limit in recreational fisheries for American and hickory shad.

In 2009, the Shad and River Herring Management Board approved for public comment Draft Amendment 3. Draft Amendment 3 proposes a suite of monitoring and management measures to protect, enhance, and restore American shad stocks to sustainable levels. Proposed management options range from reduced recreational and commercial harvests to closing fisheries with exceptions for systems with a sustainable fishery to a full coastwide moratorium.

Draft Amendment 3 was developed in response to the findings of the 2007 benchmark stock assessment for American shad, which indicates that American shad stocks are currently at all-time lows and do not appear to be recovering.

Recent declines of American shad were reported for Maine, New Hampshire, Rhode Island, and Georgia stocks, and for the Hudson (New York), Susquehanna (Pennsylvania), James (Virginia), and Edisto (South Carolina) Rivers. Low and stable stock abundance was indicated for Massachusetts, Connecticut, Delaware, Chesapeake Bay, the Rappahannock River (Virginia), and some South Carolina and Florida stocks. Stocks in the Potomac and York Rivers (Virginia) have shown some signs of rebounding in recent years. Data limitations and conflicting data precluded the report from indicating much about the current status or trend of many of the stocks from North or South Carolina.

The assessment identified the primary causes for the continued stock decline as a combination of excessive total mortality, habitat loss and degradation, and migration and habitat access impediments. Although improvement has been seen in a few stocks, many remain severely depressed compared to historic levels. It is anticipated that final action on the Draft Amendment will occur in 2010.

River Herring

In 2009, the Commission approved Amendment 2. The Amendment prohibits commercial and recreational river herring fisheries in state waters beginning January 1, 2012, unless a state or jurisdiction develops and submits for approval a sustainable management plan by January 1, 2010. The Amendment defines a sustainable fishery as "a commercial and/or recreational fishery that will not diminish the potential future stock reproduction and recruitment." Submitted plans must clearly demonstrate that the state or jurisdiction's river herring fisheries meet this new definition of sustainability through the development of sustainability targets which must be achieved and maintained. The plans are subject to Technical Committee review and Board approval prior to the fishing year beginning January 1, 2012.

The Board's action on Amendment 2 was taken in response to widespread concern regarding the decline of river herring stocks. While many populations of blueback herring and alewife, collectively known as river herring, are in decline or remain depressed at stable levels, lack of fishery-dependent and independent data makes it difficult to ascertain the status of river herring stocks coastwide. Between 1985 and 2008, commercial landings decreased by about 90% from 13.6 million pounds to 1.4 million pounds. In response to declining stocks within their own

waters, four states — Massachusetts, Rhode Island, Connecticut, and North Carolina — have closed their river herring fisheries.

River herring stocks are a multi-jurisdictional resource occurring in rivers and coastal and ocean waters. While oversight of river herring management in state waters lies with the Commission, river herring can be encountered in ocean fisheries beyond the states' jurisdiction. Bycatch of river herring in small mesh fisheries continues to be a significant concern. Preliminary analyses indicate that, in some years, the total bycatch of river herring by the Atlantic herring fleet alone could be equal to the total landings from the entire in-river directed fishery on the East Coast. The Commission requested that the Secretary of Commerce take emergency action with regard to implementing the bycatch monitoring measures recently under discussion by NEFMC.

SPANISH MACKEREL

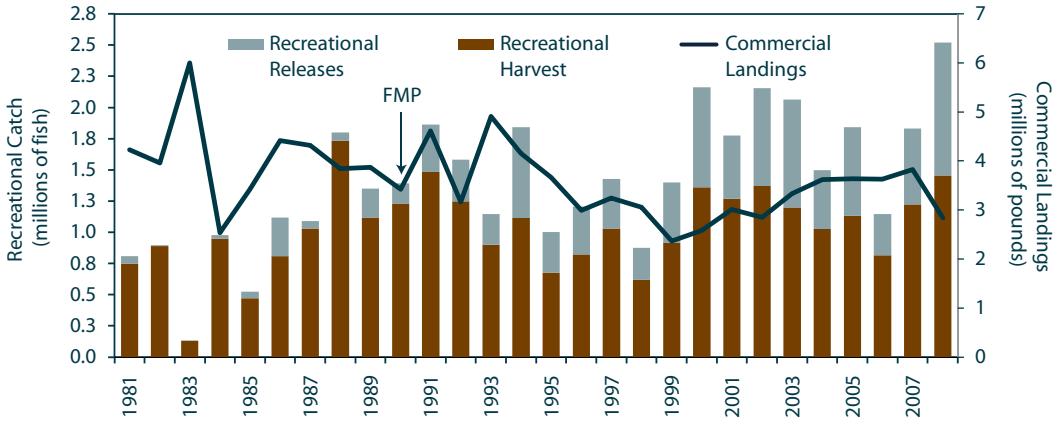
The Commission and SAFMC cooperatively manage Spanish mackerel. This species supports important recreational and commercial fisheries in the South Atlantic and is gaining importance in the Mid-Atlantic. Since adoption of the FMP in 1990, states from New York through Florida have implemented bag and size limits, or provisions for seasonal closures to complement SAFMC's measures implemented in federal waters.

A benchmark assessment and peer review was conducted in 2008. The peer review identified a number of concerns with the stock assessment. It

was determined that the stock was not experiencing overfishing; however, the model could not reliably determine whether the stock was overfished or not.

Total 2008 landings were 4.83 million pounds, with commercial and recreational fisheries harvesting approximately 71% and 29% of the resource, respectively. These values match the average contribution of each sector from 1981 – 2007. From 1960 – 2008, commercial landings ranged between 1.9 and 11.1 million pounds, although with the exception of peaks in 1977 and 1980, landings have averaged 3.63 million pounds (1981 – 2008). Coastwide commercial landings have been below 4 million pounds since 1995. Commercial landings in 2008 were 2.84 million pounds, of which 2.26 million pounds were landed in Florida (80% of the harvest).

Spanish Mackerel Commercial Harvest and Recreational Catch (Harvest and Alive Releases)
Source: Personal communication NMFS Fisheries Statistics Division, Silver Spring, MD, 2009



North Carolina and Virginia harvested 15% and 5% of the remaining landings. Primary commercial gears are gillnets (40%), cast nets (25%), and hook and line (25%).

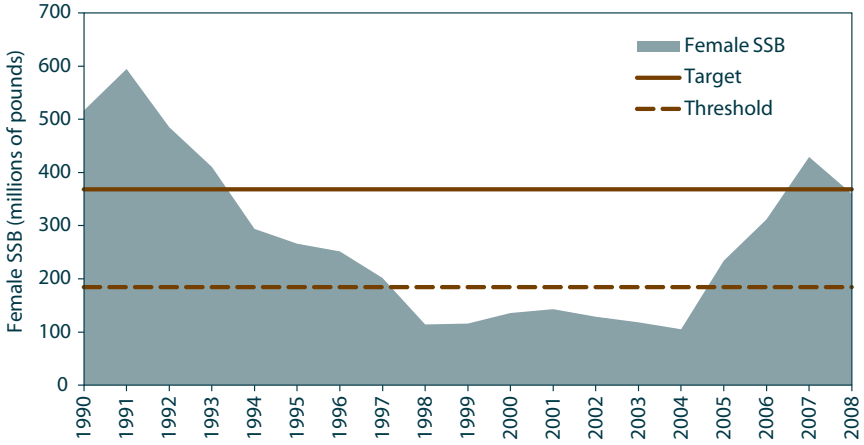
Recreational anglers harvested an estimated 1.43 million Spanish mackerel (1.99 million pounds) in 2008, about 5% more fish than in 2007. The number of recreationally harvested fish appears to show a cyclical trend, with low harvests in the early to mid-80s and mid- to late 90s, interspersed with higher harvests. Florida and North Carolina continue to account for the majority of recreational landings in both number and weight (86% by number since 1981). In 2008, Florida harvested 39% of the total number of fish and North Carolina 47%. The number of recreational releases of Spanish mackerel has generally increased over time, reaching a peak of over 1 million fish in 2008.

In 2009, the South Atlantic State-Federal Fisheries Management Board approved the Public Information Document (PID) for an Omnibus Amendment to the FMP for Spanish Mackerel, Spot, and Spotted Seatrout for public review and comment. The PID was initiated to update all three species FMPs to include compliance measures and other Commission standards that were developed in response to ACFCMA (e.g., adaptive management, de minimis criteria). In the case of Spanish mackerel, the PID will also address modifying the Commission's management program so that it is consistent with federal management in the exclusive economic zone (because the plan is intended to track federal Spanish mackerel measures).

SPINY DOGFISH

The Commission and MAFMC manage spiny dogfish through complementary management plans. During the 1990s, tremendous growth in the commercial fishery exceeded the availability of the resource, resulting in the implementation of stringent fishery management measures in state and federal waters.

Spiny Dogfish Female Spawning Stock Biomass (SSB) (>=80 cm)
Source: NEFSC Spiny Dogfish Stock Assessment Update, 2009



Timeline of Management Actions: Emergency Action (2000); FMP (2003); Addendum I (2005); Addendum II (2008)

In 2008, the Spiny Dogfish and Coastal Sharks Management Board approved Addendum II. Under the Addendum, the annual quota is divided regionally with 58% allocated to the states of Maine to Connecticut, 26% allocated to the states of New York to Virginia, and the remaining 16% allocated to North Carolina. The Board allocated a specific percentage to North Carolina because spiny dogfish are not available to its fishermen until late into the fishing season when most of the quota has already been harvested.

In 2009, the spiny dogfish stock assessment was updated based on the assessment methodology approved by peer review in 2006. The assessment update indicates that the spiny dogfish biomass is no longer overfished, with the 2009 SSB estimate of 359 million pounds slightly below the target biomass of 370 million pounds. Further, the most recent estimate of F for the spiny dogfish stock indicates that overfishing is not occurring. Total removals in 2008 were approximately 23.9 million pounds corresponding to an F of 0.117, well below the overfishing threshold of F = 0.39 and essentially equivalent to Frebuild = 0.11.

While the stock is considered rebuilt, the assessment update contains a number of caveats. After considering the assessment update and technical advice, the Board approved a 2009/2010 quota of 12 million pounds and provided the states with the flexibility to set their own trip limits (up to 3,000 pounds) to allow for small scale directed fisheries or maximize the utilization of dogfish caught incidental to other fisheries.

SPOT

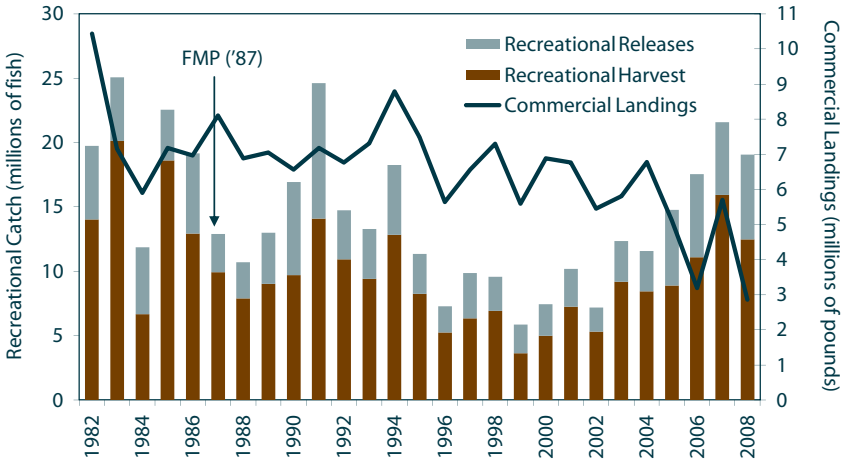
Spot occurs along the Atlantic coast in estuarine and coastal waters from the Gulf of Maine to Florida, although they are most abundant from Chesapeake Bay south to South Carolina. Spot supports important recreational and commercial fisheries in the South Atlantic. Total landings in 2008 were estimated at 7.38 million pounds, a decrease of 34% from 2007 and 21% from the previous ten year period average. For only the second time since 1981, the recreational fishery harvested more than the commercial fishery (61% to 39% respectively, by pounds).

Coastwide, the majority of commercially harvested spot are taken in gillnets (63% in 2008). Small spot are also a major component of the bycatch in haul seine and pound net fisheries in the Chesapeake Bay and in North Carolina, as well as a significant part of the bycatch of the South Atlantic shrimp trawl fishery. Virginia landed over 69% of the commercial harvest (by pounds) in 2008, followed by North Carolina with 26% of the harvest.

Recreational harvest along the Atlantic coast from 1981 to 2008 has varied between 3.6 and 20.1 million fish (1.7 and 6.9 million pounds). There was an increasing trend in the recreational harvest from the low of 3.6 million pounds in 1999 to a high of 15.9 million fish (5.5 million pounds) in 2007; however, harvest declined in 2008 to 12.5 million fish (4.5 million pounds). Virginia anglers were responsible for 41% of the total number of fish harvested in 2008, followed by anglers in North Carolina and South Carolina (19% each), and Maryland (18%). The estimated number of spot released annually by recreational anglers has varied between 2 and 6.4 million fish, with the exception of a few years. The number of fish released alive in 2008 is the fourth highest in the time series at 6.6 million fish.

In 2009, for the third year, the Spot Plan Review Team (PRT) compiled and analyzed available fishery-

Spot Commercial Landings and Recreational Catch (Harvest & Live Releases)
Source: Personal communication NMFS Fisheries Statistics Division, Silver Spring, MD, 2009



dependent and fishery-independent data. While some fishery-independent and dependent indices exhibited increases in 2007 and/or 2008, the PRT expressed concern about the status of spot given other declining index trends and the fact that spot is a short lived species (meaning that their abundance can change rapidly given poor environmental conditions amidst high fishing pressure). For this reason, the Board requested another year of monitoring reports in 2010. This would give the PRT time to compile and develop life history information on spot, which has not previously been reported by the PRT. Should the majority of index trends increase through 2009, the PRT may recommend monitoring the resource every 2 – 3 years, whereas if the majority of index trends decline through 2009, the PRT may recommend that a spot stock assessment be initiated.

In 2009, the South Atlantic State-Federal Fisheries Management Board approved the PID for an Omnibus Amendment to the FMP for Spanish Mackerel, Spot, and Spotted Seatrout for public review and comment. The PID was initiated to update all three species FMPs to include compliance measures and other Commission standards that were developed in response to ACFCMA (e.g., adaptive management, de minimis criteria).

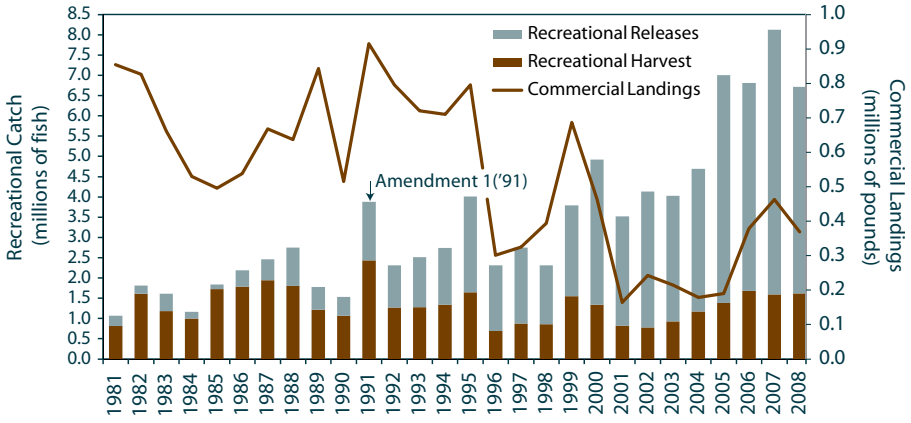
SPOTTED SEATROUT

Spotted seatrout support significant recreational fisheries throughout the Southeast, with 6.7 million fish harvested and released in 2008. In Florida alone, where the fish is highly accessible, spotted seatrout are often the most sought-after and exploited gamefish. The commercial fishery is just a fraction of the recreational catch, harvesting about 369,000 pounds in 2008, which represents a 20% decrease from the 2007 harvest. One of the biggest challenges for this species is that its life cycle depends on the same coastal areas that are highly populated by humans.

Spotted seatrout is managed under Amendment 1 (1991). All six states with an interest in this species (Maryland to Florida) have established a minimum size limit of at least 12 inches. In addition, each state has either initiated spotted seatrout data collection programs or modified other programs to gather the necessary information for a future coastwide stock assessment. Currently, there is no coastwide stock assessment for the species, and local assessments vary by state.

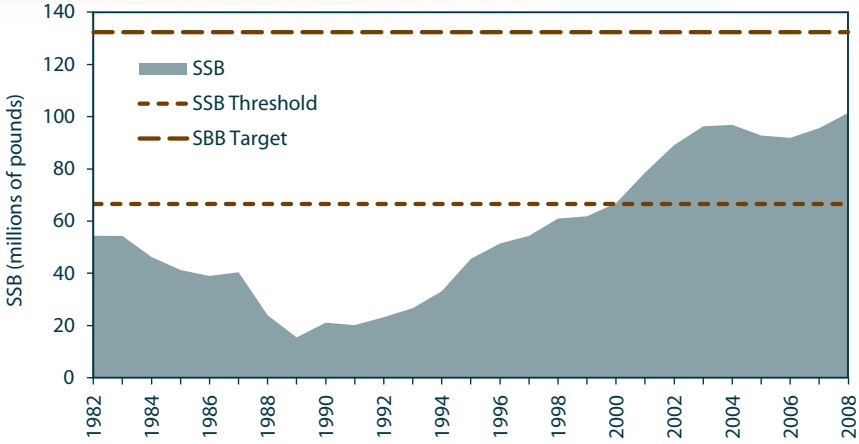
In 2009, the South Atlantic State-Federal Fisheries Management Board approved the PID for an Omnibus

Spotted Seatrout Commercial Harvest and Recreational Catch (Harvest & Live Releases)
Source: Personal communication NMFS Fisheries Statistics Division, Silver Spring, MD, 2009



Amendment to the FMP for Spanish Mackerel, Spot, and Spotted Seatrout for public review and comment. The PID was initiated to update all three species FMPs to include compliance measures and other Commission standards that were developed in response to ACFCMA (e.g., adaptive management, de minimis criteria).

Summer Flounder Spawning Stock Biomass (SSB)
Source: NMFS NEFSC Stock Assessment Summary, 2009



Timeline of Management Actions: FMP (1988); Amendment 1 (1991); Amendments 2-5 (1993); Amendment 6 (1994); Amendment 7 (1995); Amendment 8 & 9 (1996); Amendment 10 (1997); Amendment 11 (1998); Amendment 12 (1999); Amendment 13 (2003)

SUMMER FLOUNDER

The Commission and MAFMC have jointly managed summer flounder for more than 20 years. The population is demonstrating a positive response to the joint management program. In 2008, the Summer Flounder, Scup, and Black Sea Bass Management Board approved new peer-reviewed biological reference points. Owing to a new stock assessment model and related assumptions, the rebuilding target for summer flounder was reduced from a SSB target of 197.1 million pounds to 132.4 million pounds. This change in the biological reference points means that summer flounder are not overfished nor is overfishing occurring.

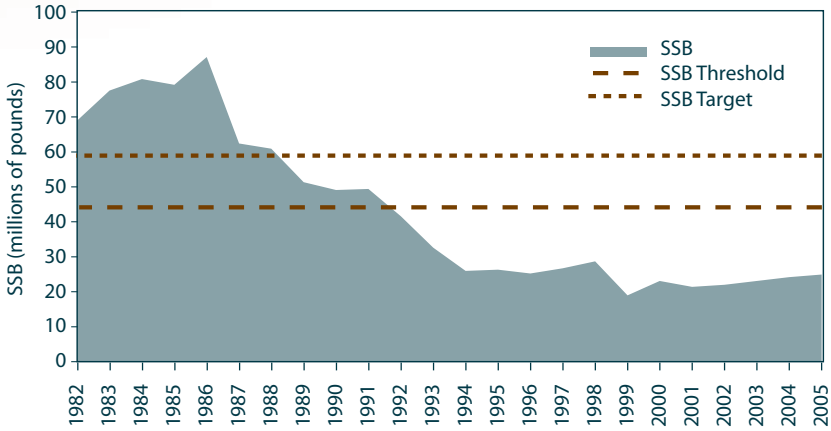
In 2009, the summer flounder stock assessment was updated and estimates that SSB is currently at 77% (101.5 million pounds) of the FMP target. Based on the 2009 stock estimates, the Commission and MAFMC voted to increase the 2010 summer flounder TAL by 3.68 million pounds to 22.13 million pounds. This action was consistent with the recommendations of the SSC and Monitoring Committee regarding acceptable biological catch.

TAUTOG

The Commission adopted the Tautog FMP in 1996. Following the approval of the original plan, a series of addenda have been developed to further reduce fishing mortality. Given the long-lived nature of the species, with individuals over 30 years old reported, the management program must be very conservative to rebuild the stock. There is emerging concern that fishing pressure on tautog may be increasing due to increased restrictions on other species.

In 2005, the tautog stock assessment was reviewed and approved by an independent peer review panel. In 2006, this assessment was updated to include the 2005 landings and survey indices. The assessment indicated that since the mid-1980s tautog has undergone a

Tautog Spawning Stock Biomass (SSB)
Source: ASMFC Tautog Stock Assessment Report, 2006



Timeline of Management Actions: FMP (1996); Addendum I (1997); Addendum II (1999); Addendum III (2002); Addenda IV & V (2007)

substantial decrease in biomass and remains at a low level of abundance. Total stock biomass has been generally stable since 1999.

The Tautog Management Board completed Addenda IV and V in 2007 in response to the 2006 stock assessment update. The addenda require that the states achieve a 25.6% reduction in exploitation through adjustments to their recreational and/or commercial fisheries. This reduction in overall fishing mortality is necessary to initiate rebuilding of the severely depressed tautog stock. Addendum IV established stock rebuilding goals to measure the success of the reductions in exploitation.

Addendum IV also established new biological reference points, setting a SSB target and threshold of 59.1 million pounds and 44.3 million pounds, respectively, and a rebuilding F of 0.20. Using these new reference points, the tautog stock is considered to be overfished and overfishing is occurring.

Recreational landings declined overall from 1986 to 1998, reaching a time series low of 1.48 million pounds in 1998. Since 1999, landings have ranged between 2.4 and 5.4 million pounds (3.5 million pound average per year). Recreational anglers harvested 3.6 million pounds in 2008, with New York (27%), Connecticut (22%) and New Jersey (16%) comprising 65% of the catch.

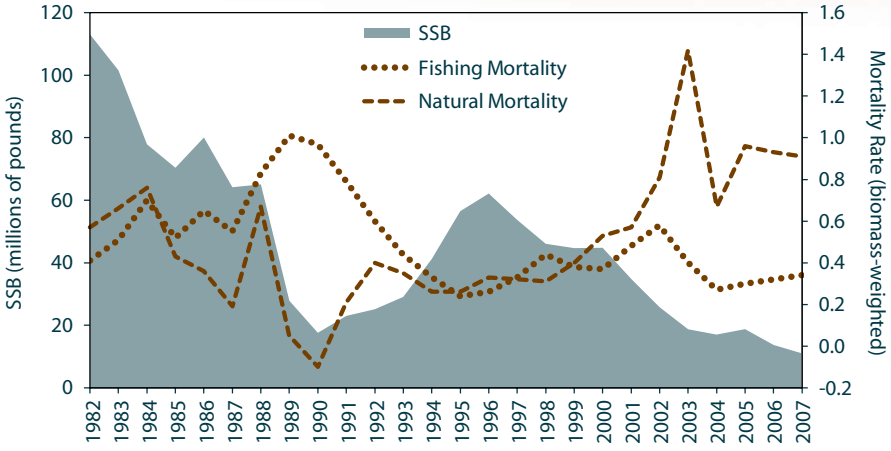
Commercial landings accounted for 8% of the total harvest in 2008. Commercial landings fluctuated without trend from 1950 – 1980, staying around 200,000 pounds. Landings began to increase in the early 1980s and reached a high of 1.2 million pounds in 1987. From 1986 – 1992 landings were around 1 million pounds. A decline in landings occurred between 1991 and 1999. Landings have increased slightly over the most recent five-year period. Commercial landings were 309,729 pounds in 2008, with the majority of landings coming from New York, Massachusetts, New Jersey and Rhode Island.

WEAKFISH

In 2009, an independent panel of scientists endorsed the benchmark weakfish stock assessment for management use. The review panel confirmed that stocks are at an all time low and current fishery removals are unsustainable under existing stock conditions. The panel agreed with the stock assessment's conclusions that weakfish abundance has declined markedly, total mortality is high, non-fishing mortality has recently increased, and the stock is currently in a depleted state.

The weakfish stock is depleted, with SSB estimated at 10.8 million pounds (compared to 62 million pounds

Estimates of January 1 Weakfish Spawning Stock Biomass (SSB), and Fishing and Natural Mortality Rates
Source: ASMFC Weakfish Technical Committee, 2009



Timeline of Management Actions: FMP (1985); Amendment 1 (1991); Amendment 2 (1995); Amendment 3 (1996), Amendment 4 (2002); Addendum I (2005); Addenda II & III (2007); Addendum IV (2009)

in 1996). Recent fishery removals (landings and dead discards combined) are estimated at 1.9 and 1.8 million pounds in 2007 and 2008, respectively. While the decline in the stock primarily results from a change in the natural mortality of weakfish in recent years, it is further exacerbated by continued removals by the commercial and recreational fisheries.

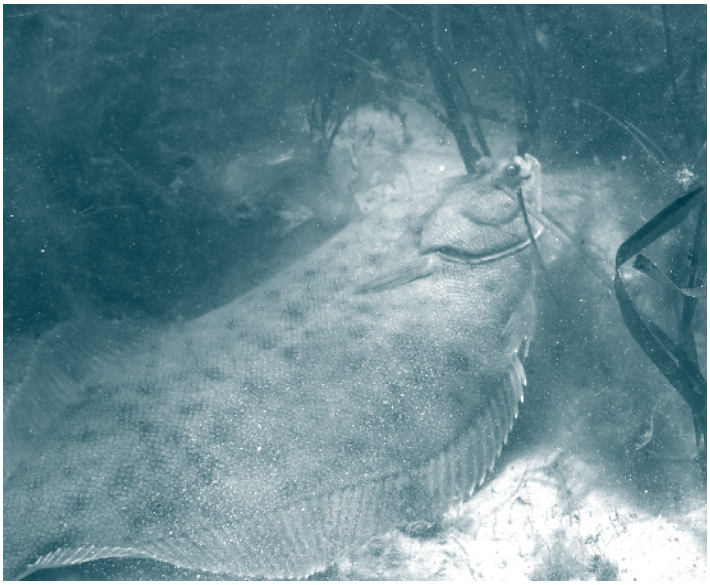
Natural mortality has risen substantially since 1995, with factors such as predation, competition, and changes in the environment having a stronger influence on recent weakfish stock dynamics than fishing mortality. Given current high natural mortality levels, stock projections indicate that the stock is unlikely to recover rapidly. In order to rebuild the stock, total mortality will need to be reduced, although this is unlikely to occur until natural mortality decreases to previous levels. On a positive note, juvenile abundance surveys indicate that young-of-the-year weakfish continued to be present in numbers similar to previous years, suggesting that recruitment at this point has not been severely limited in spite of low stock size.

In response to the stock status of weakfish, the Management Board approved Addendum IV. The Addendum includes measures to reduce exploitation by over 50% in both the recreational and commercial sectors. Addendum IV requires states to implement a 1 fish recreational creel limit, 100 pound commercial trip limit, 100 pound commercial bycatch limit during closed seasons, and 100 undersized fish per trip allowance for the finfish trawl fishery. All other management measures previously adopted to conserve the stock and reduce bycatch remain in effect.

WINTER FLOUNDER

In 2009, the Winter Flounder Management Board approved Addendum I. The Addendum establishes harvest reductions for both the GOM and Southern New England/Mid-Atlantic (SNE/MA) inshore stocks of winter flounder (0 – 3 miles). Its provisions are also intended to complement federal management measures on groundfish stocks under the final interim rule, which will significantly reduce fishing mortality on federally-managed groundfish stocks, including winter flounder, in offshore waters (3 – 200 miles).

This action is taken in response to the findings of the 2008 Groundfish Assessment Review Meeting (GARM III), which confirmed that both stock components are near all time lows. While the assessment indicated

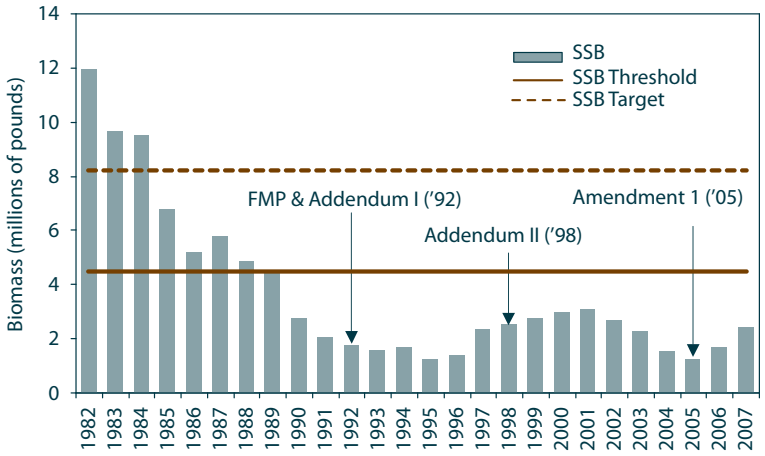


a high level of uncertainty on the status determination for the GOM stock complex, it suggested that it is likely that the stock is in an overfished condition and is probably experiencing overfishing. The SNE/MA stock complex was determined to be 9% of the target biomass (overfished) with overfishing occurring. F in 2007 was estimated at 0.649, over twice the F target of 0.248. Further, the 2006 year class of 3.6 million fish (age 1 in 2007) was estimated to be the smallest on record. The 2007 year class (age 1 in 2008) was estimated to be 8.8 million fish.

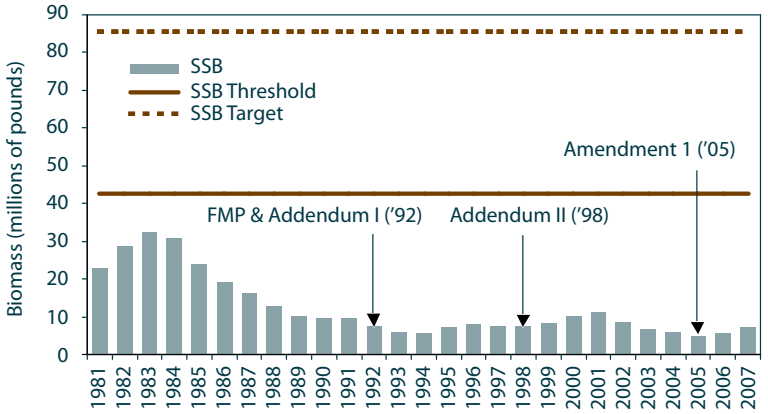
For the GOM, Addendum I requires an 11% reduction in fishing mortality for the recreational sector and a 250 pound possession limit for non-federally permitted commercial fishermen (estimated 31% reduction in harvest). Recreational reductions may be achieved by using possession limits, seasons, or other measures.

For the SNE/MA, the Addendum establishes a 2 fish recreational bag limit with current size limits and seasons maintained and a 50 pound possession limit for non-federally permitted commercial fishermen. Both measures will allow for the consistent application of management measures in state water fisheries and are intended to complement the federal interim rule which prohibits any take of SNE/MA winter flounder from offshore waters (an estimated 62% reduction in fishing mortality). The Board set bag and possession limits that are low enough to discourage directed fishing but allow fishermen to keep their winter flounder bycatch. The 2 fish recreational bag limit is estimated to achieve approximately a 50% reduction in harvest, while the 50 pound commercial possession limit is estimated to achieve approximately a 65% reduction in harvest.

Winter Flounder, GOM Spawning Stock Biomass (SSB)
Source: NEFSC Groundfish Assessment Review, 2008



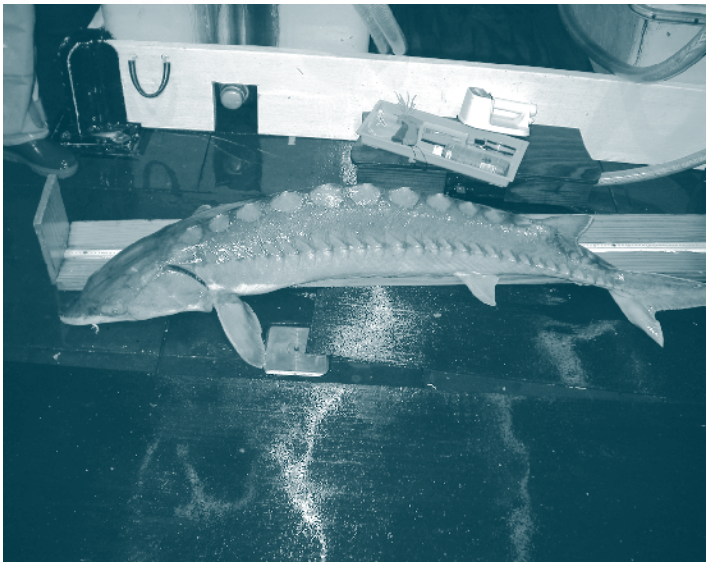
Winter Flounder, SNE/MA Spawning Stock Biomass (SSB)
Source: NEFSC Groundfish Assessment Review, 2008



Supporting Fisheries Management Through Science

FISHERIES-INDEPENDENT DATA COLLECTION

Fisheries-independent monitoring provides insight into the status of fish stocks without the biases inherent to commercial and recreational catch information. The Commission's Fisheries Science Program coordinates two primary Atlantic coast fisheries-independent data collection programs – the South Atlantic component of the Southeast Area Monitoring and Assessment Program (SEAMAP) and the Northeast Area Monitoring and Assessment Program (NEAMAP).



SEAMAP

SEAMAP is a cooperative program among state and federal agencies and universities to facilitate the collection, management, and dissemination of fishery-independent data and information in the Southeastern U.S. and Caribbean. Since 1982, SEAMAP has sponsored long-term standardized surveys that have become the backbone of fisheries and habitat management for its three regions – the South Atlantic, Gulf of Mexico, and Caribbean. In 2009, SEAMAP-South Atlantic surveys continued to collect data on the abundances and distributions of a variety of important commercial and recreational species, such as red drum, croaker, and striped bass, from North Carolina to Florida. The SEAMAP Data Management Work Group made progress on developing a database to better integrate and share information among the several fisheries-independent surveys under the SEAMAP umbrella. Progress was also made on a deepwater geographic information system regional database project describing the location and characteristics of hard bottom resources on the seafloor of the South Atlantic Bight.

NEAMAP

NEAMAP is a cooperative state/federal fisheries-independent research and data collection program established in 1998 for coastal waters from Maine to North Carolina. The program was developed in response to the lack of adequate survey coverage and coordination in the coastal waters of the Mid-Atlantic Bight. Its primary tool has been the Mid-Atlantic Nearshore Trawl Survey, which was piloted in 2006 and has completed nearly three full years of surveys in the spring and fall of each year. Due to the survey's ability to sample inshore waters from Cape Hatteras, North Carolina to Aquinnah, Massachusetts, its data can be used to supplement results from the NEFSC's trawl survey sampling in deeper, offshore waters.

In 2009, research scientists from the Virginia Institute of Marine Science (VIMS) completed spring and fall trawl surveys, working aboard the *F/V Darana R*, a commercial fishing vessel owned and operated by Captain James Ruhle.

Each survey in 2009 conducted tows at 160 locations in depths ranging from 3 to 25 fathoms. More than two million individual fishes and invertebrates were collected during the four full-scale surveys conducted through the spring of 2009. Collectively, these specimens weighed over 77,000 pounds and represented 173 species, including boreal, temperate,

and tropical fishes. Individual length measurements were recorded for more than 265,000 animals and laboratory processing is proceeding on the 17,000 stomach samples and 22,000 aging structures (ear bones, vertebrae, and spines) collected in the field. The NEAMAP Trawl Survey was successfully peer-reviewed, receiving very high marks. No major adjustments were needed to the survey methods, data collection, and analyses. Recommendations from the peer review were considered by the research team and the NEAMAP Board in 2009.

The 2009 NEAMAP Nearshore Trawl Surveys not only extend the time series of fish and invertebrate abundance estimates, but also provide important fish age data for striped bass, summer flounder, black sea bass, and other Commission-managed species. These data are vital to improving our ability to track year classes and understand changes in population age structure. With additional years of sampling, the Nearshore Trawl Survey will become an increasingly valuable source of fishery-independent data to support and improve stock assessments.

The majority of funds needed to complete surveys in the spring and fall of 2010 have been obtained, but there is no long-term funding source for this important survey.

RESEARCH INITIATIVES

The Commission continued several species-specific research initiatives in 2009 that were supported and funded by Congress as high priority issues for the Atlantic coastal states and their stakeholders. Information gathered from these research projects provides the scientific basis for Commission stock assessments and is fundamental to informing the fisheries management process about the health of fish populations.

American Lobster

As one of the Commission's highest priority species, increased funding was dedicated to support several lobster research initiatives. The first research project is a lobster port-sampling program of dealers in New Hampshire, Massachusetts, Rhode Island, and New York, designed to collect representative samples of lobster catches in federal and state waters. The project also continues New Hampshire's sea sampling operations to collect detailed catch, effort, and biological data representative of the state's fishery. In 2009, Maine continued to collect fisheries-dependent data on size composition and poundage of landed lobsters through a voluntary harvester logbook program. Lastly, a cooperative ventless lobster trap survey in Maine, New Hampshire, Massachusetts, Rhode Island, and New York continues to support the assessment of lobster abundance and recruitment throughout the Northeast and Mid-Atlantic regions.

Northern Shrimp

The 26th annual survey for northern shrimp in the western GOM was completed in 2009. The survey is conducted by NEFSC in cooperation with the Commission's Northern Shrimp Technical Committee. A total of 88 stations were sampled, with northern shrimp occurring at 73 stations. Information on shrimp numbers, sizes, gender, and maturity were collected to provide data for annual stock assessments and related analyses. The survey is a valuable tool for consistently evaluating the stock's condition. Results show that shrimp abundances have been at above average levels in the last several years, supporting commercial fisheries in Maine, New Hampshire, and Massachusetts.

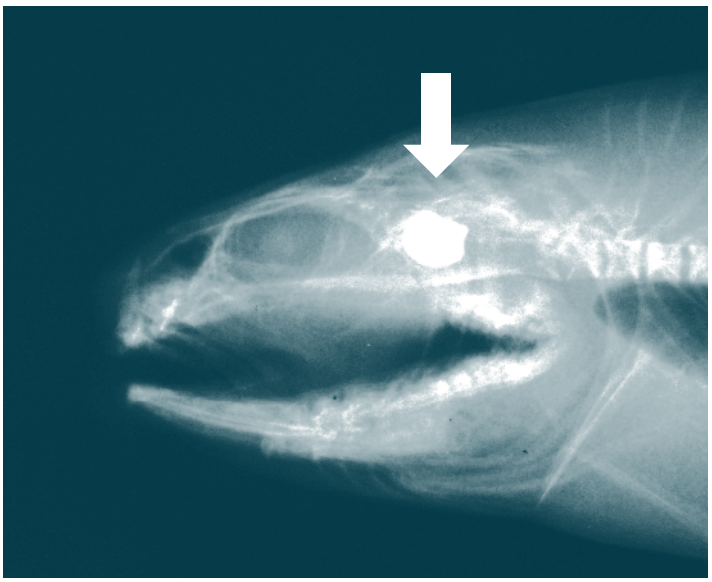
Red Drum

The Commission identified red drum as a priority species in need of research because the status of the adult portion of the population is not well known. With federally-dedicated research funds, state scientists from North Carolina, South Carolina, and Georgia conducted bottom longline surveys to provide a fisheries-independent index of adult red drum abundance. Many red drum encountered in the survey were tagged to provide information on migratory behavior and stock identification. Information was also collected on the presence of hatchery-origin fish in the offshore adult population, as well as sex ratios, maturity, and age structure of the population. All of this information is critical to determining the status of the red drum population, especially the adult portion of the population, and developing a successful red drum management program.

Fish Aging

Fish age and growth information are key inputs to stock assessment models and improve our understanding of species' population dynamics. Each year, age samples are collected, processed, and read by scientists at several institutions, and it is important to ensure that all agencies follow the same protocol. The Commission is developing a manual of standardized fish aging protocols through collaboration with state, federal, and academic experts. Protocols for each species will be available on-line, including new protocols developed during the recent Red Drum and Atlantic Croaker Aging Workshop. The Commission has also organized exchanges of fish aging samples to promote consistency between laboratories. Exchanges have been coordinated for striped bass, summer flounder, black sea bass, and winter flounder.

X-ray below shows the location of a red drum ear bone, which is used to age fish.



COOPERATIVE TAGGING

The Commission's Interstate Tagging Committee (ITC) was created in 1999 to improve the quality and utility of fish tagging data through the development and promotion of protocols for effective tagging programs. In 2009, the ITC focused its efforts on a major upgrade of the Cooperative Tagging Website and Registry. The new website provides information on coastwide tagging programs that allows anglers to search a database by fish species, tag type, and tag color in order to identify recovered tags. The website upgrade included restoring functionality of the database search engine, adding photos of tags and radio telemetry frequencies to the existing database, and improving the usability of the website. The ITC also continued the Commission's Tagging Program Certification process with a review of Delaware's weakfish tagging pilot study. The purpose of reviewing scientific and angler-based tagging programs is to recognize and promote collection of high quality tagging data. Tag and recapture data are valuable inputs to the stock assessments of several species managed by the Commission, including striped bass, red drum, sturgeon, weakfish, spiny dogfish, and coastal sharks.

MULTISPECIES MODELS AND ASSESSMENTS

The Commission recognizes the importance of ecological interactions, such as predator-prey relationships, in understanding the population dynamics of fishery resources. The Fisheries Science Program coordinates the Multispecies Technical Committee (MSTC), a group of state, federal, and university scientists tasked with evaluating relationships among species via a multispecies modeling framework, known as the extended multispecies virtual population analysis (MSVPA-X). The MSTC periodically performs updates to the model, evaluates the status of research recommendations from the 2005 model peer review, and works with the Assessment Science Committee to consider and evaluate alternative stock assessment models that incorporate ecosystem factors. In 2009, the MSVPA-X model was updated with the most recent years of data in preparation for the 2010 Atlantic menhaden stock assessment. Annual mortality-at-age estimates from the MSVPA-X are generated and used in the menhaden assessment model to account for changes in predation rates on menhaden over time.

STOCK ASSESSMENT PEER REVIEW

The Commission's species management boards rely on the scientific and technical information provided by stock assessment peer reviews to evaluate stock status and develop fisheries regulations using the best available science. In 2009, four benchmark stock assessments were evaluated through peer review processes. The American lobster and horseshoe crab stock assessments were conducted through the Commission's external review process. The weakfish stock assessment was reviewed through the NEFSC's Stock Assessment Review Committee (SARC), while the red drum assessment was evaluated through the SEDAR process. Information on the outcome of 2009 stock assessment peer reviews can be found in the species highlights section of this report.

STOCK ASSESSMENT TRAINING

The Commission's Fisheries Science Program organizes stock assessment training courses to provide instruction to fisheries professionals on the most progressive fisheries analysis methods available for use in stock assessments. In 2009, a comprehensive "Introduction to Stock Assessment" course was offered to fishery biologists interested in learning basic stock assessment principles and developing their quantitative skill sets. Another training course on "Standardizing Indices for Stock Assessments" was held to enhance state scientists' skills in generating indices of abundance when using fisheries landings and research survey data. Finally, a stock assessment seminar describing "Statistical Catch-at-Length Models" was provided to Commissioners to aid them in understanding the results of the 2009 American lobster stock assessment, and other length-based assessments. Stock assessment courses are provided each year to meet the specific training needs identified as critical to supporting coastwide assessments and to provide managers with a better understanding of assessment outcomes. The Commission also published the "ASMFC Guide to Fisheries Science and Stock Assessments," which describes in layman's terms how fish populations are monitored and assessed to inform fisheries management strategies and decisions. The Guide is available in print upon request and online at http://www.asmfc.org/stockAssessmentReports.htm.

HABITAT PROTECTION, RESTORATION, AND ENHANCEMENT

The Commission recognizes that protection, restoration, and enhancement of fish habitats are essential to promoting the sustainability of fisheries along the Atlantic coast. The Commission's Habitat Program is responsible for gathering technical information and developing guidance on the important role fish habitat plays in achieving the Commission's vision of "healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015." The Program successfully performed this role through several activities in 2009.

The Habitat Committee revised its 2009 – 2013 Habitat Program Strategic and Management Plan to address the habitat strategies included in the Commission's new Strategic Plan. The Committee also started to synthesize and prioritize Habitat Research Needs to complement the Commission's comprehensive list of fisheries research and management needs.

In 2009, the newly formed Fish Passage Working Group began its efforts on guiding Commission involvement in fish passage issues. Effective passage is critical to migratory fish, enabling adults to return to spawning grounds and young fish to migrate out to sea. The Working Group developed a Commission resolution on the Importance of Fish Habitat Connectivity to Commission-Managed Species, establishing the Commission's goals, targets, and strategies to achieve passage objectives over the next several years. Another valuable product in development is the distribution of a survey for fisheries and habitat managers to describe the types, distribution, and efficacy of fishways along the Atlantic coast. In 2010, survey results will be entered into a comprehensive database, mapped and analyzed, and distributed to guide research and management activities toward improving passage of migratory fish.

The Habitat Program also produced and distributed four issues of the *Habitat Hotline Atlantic* newsletter. The newsletter covers issues ranging from developments in migratory fish passage, to a new pollution reduction strategy in the Chesapeake Bay, to the recent achievements of the Atlantic Coastal Fish Habitat Partnership.

Atlantic Coastal Fish Habitat Partnership

Since 2006, the Commission has contributed to the establishment and growth of the Atlantic Coastal Fish Habitat Partnership (ACFHP), an assembly of state, federal, and non-governmental groups whose mission is to conserve habitat for Atlantic coast diadromous, estuarine-dependent, and coastal fish species. ACFHP addresses habitat threats with a broad and coordinated approach, leveraging resources from many agencies, organizations, and corporations to make a difference for fish habitat. The Atlantic Coastal Partnership, operating under the purview of the National Fish Habitat Action Plan (NFHAP), achieved several important milestones in 2009.

Demonstrating its ability to facilitate collaboration and leverage existing resources toward a common goal, the Partnership completed its first round of science projects, including the Species-Habitat Matrix and the Assessment of Existing Information (AEI). Developed and reviewed by a diversity of fish habitat experts, the Species-Habitat Matrix is a tool for evaluating the relative importance of different coastal, estuarine, and freshwater habitats with respect to their value as preferred habitats for various fish species. The AEI was completed in collaboration with the National Ocean Service's Center for Coastal Monitoring and Assessment. The AEI is a catalog of technical publications, datasets, and information portals on Atlantic coastal fish species and habitats which were evaluated for indicator, threat, and conservation action information.

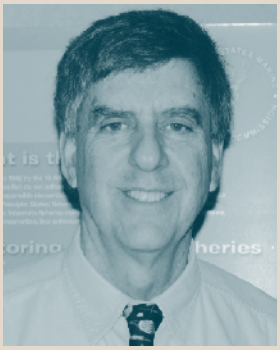
The Species-Habitat Matrix and AEI were used in developing the ACFHP Conservation Strategic Plan, ensuring that the Partnership's activities are grounded

in science and complementary to existing conservation activities. The Strategic Plan represents, for the first time, a collaborative coastwide approach to addressing fish habitat conservation needs. This Plan will enable the Partnership to strategically address habitat conservation and management to achieve measurable progress and success.

ACFHP capped off an exciting and productive year when it was officially recognized as a 'National Fish Habitat Partnership' in October by the NFHAP Board. This recognition opens the door for collaboration with other fish habitat partnerships throughout the nation and funding support for in-the-water/on-the-ground fish habitat projects within the Atlantic states and their waters.

Awards

During 2009, the Commission had the privilege of presenting awards to several deserving individuals who have directly contributed to furthering the Commission's vision of healthy, self-sustaining populations for all Atlantic coast fish species or successful restoration well in progress by the year 2015.



CAPTAIN DAVID H. HART AWARD

The Atlantic States Marine Fisheries Commission honored the contributions of the late **JOHN I. NELSON, JR.** to the conservation and management of Atlantic coastal fisheries by naming him the Captain David H. Hart Award recipient for 2009. John Nelson's wife, Sue, accepted the award at the Commission's 68th Annual Meeting in Newport, Rhode Island.

The Commission instituted the "Captain David H. Hart Award" in 1991 to recognize individuals who have made outstanding efforts to improve Atlantic coast marine fisheries. The award is named for one of the Commission's longest serving members, who was dedicated to the advancement and protection of marine fishery resources.

Mr. Nelson exemplified the ideals of the award throughout his career in fisheries management. For more than 20 years, he served as both an ASMFC Commissioner and a member of the New England Fishery Management Council (Council), making the protection of coastal and marine habitats a priority during his career. It was under his supervision that New Hampshire's Great Bay Estuary was designated as a National Estuarine Reserve site, protecting more than 3000 acres. Mr. Nelson's leadership aided the New Hampshire Fish and Game Department in the removal of dams to improve anadromous fish access to spawning grounds. As Council Habitat Committee Chair, Mr. Nelson spent many years guiding the development of the Council's Habitat Plans, addressing essential fish habitat as required under the reauthorization of the Magnuson-Stevens Act. He also worked diligently with both the Commission and the Council to maintain herring spawning closures and limit state fisheries for river herring and silversides.

Mr. Nelson worked closely with the Commission's Executive Director and other Commissioners to secure an increase in funding through the Atlantic Coastal Fisheries Cooperative Management Act, bringing the funds needed to begin the important NEAMAP survey as well as other programs. While working on the Executive Committee, he implemented programs to help guide new members of the Commission, ensuring a smooth transition as long-serving Commissioners retired. He also helped develop policies to improve the Commission's efficiency in its decision-making and public comment processes. Mr. Nelson devoted his career to the promotion of fisheries management and was highly dedicated to his work with the Commission. His wisdom, sound judgment, and exceptional ability to work constructively with others earned him the deep respect of his fellow Commissioners. His actions throughout his career exemplified the values and principles reflected in the Hart Award.

ANNUAL AWARDS OF EXCELLENCE

Mr. Roy Miller, Mr. Rick Robins, Dr. Dave Smith, and Mr. Wayne Hettenbach and the agents and officers of the Interstate Watershed Task Force were presented the Commission's Annual Awards of Excellence at its 2009 Spring Meeting in Alexandria, Virginia for their contributions to the success of fisheries management along the Atlantic coast. They received awards for their efforts in the areas of management and policy; scientific, technical, and advisory; and law enforcement, respectively.

The Commission established the Annual Awards of Excellence in 1998 to recognize the important contributions of individuals to the success of the organization. The awards are given in the areas of

Awards

law enforcement, legislation, management & policy, and scientific, technical & advisory contributions. Each year, the Commission honors the very best contributions in those areas.

Management and Policy

MR. ROY MILLER, of the Delaware Division of Fish & Wildlife, received the award for work in the area of management and policy. Mr. Miller has been involved in Commission activities since 1978. He served as a member of the Striped Bass Technical Committee during the highly controversial years of population decline, harvest moratoria, stock rebuilding, and controlled reopening of the fishery. His hard work and sound judgment enabled the Technical Committee to provide clear scientific advice to support the difficult decisions needed to bring about the Commission's premier fishery management restoration and success story. In 2002, he became the proxy for his state's Administrative Commissioner and has been a conscientious and thoughtful member of 14 species management boards. He led the Horseshoe Crab Management Board through the politically sensitive process of capping horseshoe crab harvest and diplomatically chaired the Weakfish Management Board as it grappled with the technical challenges of managing a species with limited harvest and conflicting abundance indices. His longstanding commitment to the Commission and its management process, along with the deep respect he has earned from his fellow Commissioners, make him an exceptional recipient of this award.

Scientific, Technical, and Advisory

MR. RICK ROBINS' work to bridge the gap between opposing viewpoints on the management and use of horseshoe crabs makes him the first of two recipients in this award category. He has

represented Virginia on the Horseshoe Crab Advisory Panel since 2000 and was instrumental in developing the male-only strategy as a key provision of Addendum IV to the Interstate Fishery Management Plan for Horseshoe Crabs. The strategy accommodates the science regarding horseshoe crab spawning and population dynamics, addresses the needs of migratory bird conservation, and allows management of the resource for multiple users. He worked with the bait and biomedical industries, advocate organizations, and state fishery managers to effectively build consensus on this difficult management issue, aiding the Commission in its ability to prioritize the needs of migratory birds while appropriately limiting commercial use of the horseshoe crab resource.

DR. DAVE SMITH, of the U.S. Geological Survey, is the second recipient in the Scientific, Technical and Advisory category. He has been a valuable asset to various Commission species technical and assessment committees for the past 20 years. He has made significant contributions to striped bass tagging, with his early work having formed the basis for current coastwide tagging efforts. He has also advanced the tools that are used to monitor horseshoe crabs. His work includes modifying both the Delaware Bay Horseshoe Crab Spawning Survey and the survey design for sampling horseshoe crab eggs. He has been at the forefront in modeling shorebird and horseshoe interactions to optimize horseshoe crab management decisions. Further, he is always willing to teach and share his knowledge with others.

Law Enforcement

MR. WAYNE HETTENBACH of Department of Justice's Environment and Natural Resources Division and the **AGENTS AND OFFICERS OF THE INTERSTATE WATERSHED TASK FORCE** from the U.S. Fish and Wildlife Service, Virginia Marine Police, and Maryland Natural Resources Police are recognized in the Law Enforcement category for the successful culmination in 2008 of their joint federal/state investigation of illegal striped bass harvest in the Potomac River and Chesapeake Bay. The investigation resulted in charges, ranging from fines to incarceration, for nine individuals and one corporation, with additional charges yet to come. During the course of the covert investigation, initiated by the U.S. Fish and Wildlife Service in 2002, Task Force members documented the illegal harvest, sale and purchase of more than 600,000 pounds of striped bass with an estimated value of more than three million dollars.

In August 2007, the Task Force coordinated a joint law enforcement operation and take-down. Seven law enforcement agencies and some 95 officers and agents, spanning three jurisdictions, searched two seafood businesses, five residences and other locations. Seven subpoenas were served and two boats, as well as a pickup truck, were seized. In early 2008, they began an overt operation including a detailed analysis of striped bass catch reporting and commercial business sales records from 2003 through 2007.

A widespread conspiracy to underreport striped bass harvests was uncovered. Because of the quality of the Task Force investigation and documentation, nearly all defendants have negotiated plea agreements with the Department of Justice. Perhaps more importantly, the investigation resulted in significant changes in striped bass tagging regulations. The Task Force and others involved in the investigation assisted Maryland in developing new regulations and tagging requirements, which will be effective this summer, to forestall efforts to profit on a large scale from this important East Coast fishery.

JONES & MCINTYRE & PLLC

CERTIFIED PUBLIC ACCOUNTANTS

Independent Auditors' Report

To the Executive Committee
Atlantic States Marine Fisheries Commission
Washington, D.C.

We have audited the accompanying statements of financial position of the Atlantic States Marine Fisheries Commission as of June 30, 2009 and 2008, and the related statements of activities and cash flows for the years then ended. These financial statements are the responsibility of the Commission's management. Our responsibility is to express an opinion on these financial statements based on our audits.

We conducted our audits in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States. Those standards require that we plan and perform the audits to obtain reasonable assurance about whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation. We believe that our audits provide a reasonable basis for our opinion.

In our opinion, the financial statements referred to above present fairly, in all material respects, the financial position of the Atlantic States Marine Fisheries Commission as of June 30, 2009 and 2008, and the changes in its net assets and its cash flows for the years then ended, in conformity with accounting principles generally accepted in the United States of America.

In accordance with *Government Auditing Standards*, we have also issued our report dated October 14, 2009 on our consideration of Atlantic States Marine Fisheries Commission's internal control over financial reporting and on our tests of its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe the scope of our testing of internal control over financial reporting and compliance and the results of that testing, and not to provide an opinion on the internal control over financial reporting or on compliance. That report is an integral part of an audit performed in accordance with *Government Auditing Standards* and important for assessing the results of our audit.

Our audits were conducted for the purpose of forming an opinion on the basic financial statements taken as a whole. The accompanying 2009 and 2008 schedules on pages 11 and 12 are presented for purposes of additional analysis and are not a required part of the basic financial statements. The schedules of expenditures of federal awards are required by U.S. Office of Management and Budget Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*. Such information has been subjected to the auditing procedures applied in the audits of the basic financial statements and, in our opinion, is fairly stated, in all material respects, in relation to the basic financial statements taken as a whole.

Jones + McIntyre, PLLC

October 14, 2009

ATLANTIC STATES MARINE FISHERIES COMMISSION

STATEMENTS OF FINANCIAL POSITION

JUNE 30, 2009 AND 2008

ASSETS

	2009	2008
CURRENT ASSETS:		
Cash (Note 1)	$ -	$ 439,597
Investments (Note 4)	681,020	652,342
Grants receivable	924,808	801,646
Accounts receivable	6,312	68,708
Prepaid expenses	63,800	57,472
Total Current Assets	$ 1,675,940	$ 2,019,765
PROPERTY AND EQUIPMENT, AT COST: (Note 1)		
Office furniture and equipment	$ 1,031,216	$ 1,033,879
Leasehold improvements	34,458	34,458
Total	$ 1,065,674	$ 1,068,337
Less, Accumulated depreciation	(949,954)	(903,212)
Property and Equipment, Net	$ 115,720	$ 165,125
OTHER ASSETS:		
Security deposits	$ 20,941	$ 20,941
Investments (Note 4)	1,016,173	1,123,250
Total Other Assets	$ 1,037,114	$ 1,144,191
TOTAL ASSETS	$ 2,828,774	$ 3,329,081

LIABILITIES AND NET ASSETS

CURRENT LIABILITIES:		
Accounts payable	$ 166,010	$ 399,283
Accrued vacation	225,417	185,109
Deferred revenue	45,485	40,715
Contract advances	7,267	54,065
Current portion of capital lease obligations	-	6,381
Total Current Liabilities	$ 444,179	$ 685,553
CAPITAL LEASE OBLIGATIONS	-	12,477
TOTAL LIABILITIES	$ 444,179	$ 698,030
UNRESTRICTED NET ASSETS	2,384,595	2,631,051
TOTAL LIABILITIES AND NET ASSETS	$ 2,828,774	$ 3,329,081

The accompanying notes are an integral part of these financial statements.

ATLANTIC STATES MARINE FISHERIES COMMISSION

STATEMENT OF ACTIVITIES

FOR THE YEAR ENDED JUNE 30, 2009

			Outside Contracts			
	Total	ASMFC	Wallop/ Breaux	Other	ACCSP	ACFCMA
REVENUE:						
Contract reimbursements	$ 6,009,402	$ -	$ 217,065	$ 870,519	$ 1,805,766	$ 3,116,052
Contributions from member states	501,594	501,594				
Annual meeting fees	17,255	17,255				
Investment income (loss)	(176,145)	(176,145)				
Total Revenue	$ 6,352,106	$ 342,704	$ 217,065	$ 870,519	$ 1,805,766	$ 3,116,052
EXPENSES:						
Salaries	$ 2,518,645	$ 779,639	$ 117,215	$ 278,095	$ 820,720	$ 522,976
Travel	850,082	58,632	14,093	101,870	121,714	553,773
Subcontracts	1,624,081	72,000	-	251,552	-	1,300,529
Fringe benefits (Note 3)	654,298	213,904	31,698	75,758	194,878	138,060
Professional services	132,825	66,128	-	-	-	66,697
Rent	342,673	342,673	-	-	-	-
Equipment maintenance	111,093	34,413	-	-	74,172	2,508
Depreciation	57,218	57,218	-	-	-	-
Office	72,323	51,029	-	941	20,353	-
Printing	63,466	21,797	-	10,079	4,180	27,410
Meetings	3,640	3,192	-	-	448	-
Postage	29,851	28,887	-	-	964	-
Other	63,054	18,536	-	-	44,518	-
Dues and subscriptions	3,879	3,879	-	-	-	-
Telephone	12,423	12,423	-	-	-	-
Interest	43,494	43,494	-	-	-	-
Insurance	15,517	15,517	-	-	-	-
Indirect cost allocation (Note 1)	-	(1,179,974)	43,986	130,286	469,656	536,046
Total Expenses	$ 6,598,562	$ 643,387	$ 206,992	$ 848,581	$ 1,751,603	$ 3,147,999
CHANGE IN NET ASSETS	$ (246,456)	$ (300,683)	$ 10,073	$ 21,938	$ 54,163	$ (31,947)
NET ASSETS, BEGINNING OF YEAR	2,631,051					
NET ASSETS, END OF YEAR	$ 2,384,595					

The accompanying notes are an integral part of this financial statement.

ATLANTIC STATES MARINE FISHERIES COMMISSION

STATEMENT OF ACTIVITIES

FOR THE YEAR ENDED JUNE 30, 2008

			Outside Contracts			
	Total	ASMFC	Wallop/ Breaux	Other	ACCSP	ACFCMA
REVENUE:						
Contract reimbursements	$ 6,187,059	$ -	$ 200,371	$ 872,927	$ 1,499,885	$ 3,613,876
Contributions from member states	472,785	472,785				
Annual meeting fees	18,674	18,674				
Investment income (loss)	(13,193)	(13,193)				
Total Revenue	$ 6,665,325	$ 478,266	$ 200,371	$ 872,927	$ 1,499,885	$ 3,613,876
EXPENSES:						
Salaries	$ 2,289,697	$ 690,434	$ 120,127	$ 328,823	$ 616,226	$ 534,087
Travel	1,031,859	75,909	7,684	126,968	111,510	709,788
Subcontracts	1,793,958	72,000	-	245,036	-	1,476,922
Fringe benefits (Note 3)	559,265	157,949	31,772	82,835	147,824	138,885
Professional services	54,091	30,045	-	-	-	24,046
Rent	324,814	324,814	-	-	-	-
Equipment maintenance	170,935	122,394	-	-	48,541	-
Depreciation	69,975	69,975	-	-	-	-
Office	72,788	60,671	-	375	7,752	3,990
Printing	27,898	20,936	-	3,026	-	3,936
Meetings	4,226	4,226	-	-	-	-
Postage	31,260	30,663	-	-	597	-
Other	23,818	16,380	-	-	7,438	-
Dues and subscriptions	9,728	6,236	-	-	938	2,554
Telephone	14,088	14,088	-	-	-	-
Interest	1,854	1,854	-	-	-	-
Insurance	14,247	14,247	-	-	-	-
Indirect cost allocation (Note 1)	-	(1,171,751)	39,501	148,644	387,503	596,103
Total Expenses	$ 6,494,501	$ 541,070	$ 199,084	$ 935,707	$ 1,328,329	$ 3,490,311
CHANGE IN NET ASSETS	$ 170,824	$ (62,804)	$ 1,287	$ (62,780)	$ 171,556	$ 123,565
NET ASSETS, BEGINNING OF YEAR	2,460,227					
NET ASSETS, END OF YEAR	$ 2,631,051					

The accompanying notes are an integral part of this financial statement.

ATLANTIC STATES MARINE FISHERIES COMMISSION

STATEMENTS OF CASH FLOWS

FOR THE YEARS ENDED JUNE 30, 2009 AND 2008

	2009	2008
CASH FLOWS FROM OPERATING ACTIVITIES:		
Cash received from members and contracts	$ 6,408,202	$ 6,052,246
Annual meeting fees	17,255	18,674
Investment income received	38,050	91,763
Cash paid to suppliers and employees	(6,697,143)	(6,301,737)
Interest paid	(43,494)	(1,854)
Net cash provided by (used in) operating activities	$ (277,130)	$ (140,908)
CASH FLOWS FROM INVESTING ACTIVITIES:		
Purchase of furniture and equipment	$ (23,525)	$ (26,384)
Investments, net	(135,796)	(177,509)
Net cash used in investing activities	$ (159,321)	$ (203,893)
CASH FLOWS FROM FINANCING ACTIVITIES:		
Capital lease obligations - payments	$ (3,146)	$ (5,749)
NET INCREASE (DECREASE) IN CASH	$ (439,597)	$ (350,550)
CASH, BEGINNING OF YEAR	439,597	790,147
CASH, END OF YEAR	$ -	$ 439,597
Reconciliation of change in net assets to net cash provided by (used in) operating activities (Note 5)		

The accompanying notes are an integral part of these financial statements.

ATLANTIC STATES MARINE FISHERIES COMMISSION

NOTES TO FINANCIAL STATEMENTS

JUNE 30, 2009 AND 2008

Note 1. **Summary of Significant Accounting Policies**

Organization:

The Atlantic States Marine Fisheries Commission (the Commission) (a nonprofit organization) was established in 1942 to represent the interests and needs of the marine fisheries of its member states (Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, New Jersey, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida). Since the Commission is an instrumentality wholly owned by member states, it is exempt from income tax; therefore, an internal revenue code exemption is not required. The purpose of the Commission, as set forth by Congress in Article I of the Commission's Compact, is "to promote the better utilization of the fisheries, marine, shell and anadromous, of the Atlantic seaboard by the development of a joint program for the promotion and protection of such fisheries."

Basis of Accounting:

The Commission prepares its financial statements on the accrual basis of accounting. Consequently, revenue is recognized when earned and expenses when incurred.

Monies received under grants are accounted for separately. Revenue is recognized when funds are expended for the purposes specified in the grant. The Commission funds any excess of expense over revenue incurred in the performance of a grant project.

The accompanying statements of activities reflect expenses summarized on a functional basis. Expenses that can be identified with a specific program or support service are allocated directly according to their natural expenditure classification. Fringe benefits and administrative costs of the Commission have been prorated among the programs by various statistical bases.

Financial Statement Presentation:

Under SFAS No. 117, *Financial Statements of Not-for-Profit Organizations*, the Commission is required to report information regarding its financial position and activities according to three classes of net assets: unrestricted net assets, temporarily restricted net assets and permanently restricted net assets. The Commission has only unrestricted net assets.

Cash:

Cash consists of deposits in checking and money market accounts. The Commission's demand deposits with financial institutions at times exceed federally insured limits. The Commission has not experienced any losses in such accounts, and management believes it is not exposed to any significant credit risks.

ATLANTIC STATES MARINE FISHERIES COMMISSION

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2009 AND 2008

Note 1. **Summary of Significant Accounting Policies** (Concluded)

Investments:

Investments are recorded at fair value.

Property and Equipment:

Depreciation of property and equipment has been provided for using the straight-line method over useful lives of five years for computer equipment and ten years for other furniture and equipment. The Commission capitalizes equipment purchases with a unit cost exceeding $500.

Leasehold improvements are recorded at cost and amortized using the straight-line method over the term of the office lease.

Indirect Cost Allocation:

Indirect costs are allocated to contracts based on the Commission's indirect cost allocation rate or the indirect cost allocation allowed by the contract.

Bad Debts:

The Commission recognizes bad debts when, in the opinion of management, an account becomes uncollectible.

Estimates:

The preparation of financial statements in conformity with U.S. generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenues and expenses during the reporting period. Actual results could differ from those estimates.

Reclassifications:

Certain 2008 amounts have been reclassified for comparison with the 2009 presentation.

Note 2. **Lease Commitments**

The Commission leases office space under a noncancelable operating lease. The office lease provides for annual base rent increases of two percent plus annual adjustments for the Commission's proportionate share of operating expenses and real estate taxes.

The Commission also has two leases for office equipment. The minimum lease payments are included below.

Minimum lease payments are as follows for the years ending June 30,:

	Office Space	Equipment Leases	Minimum Lease Payments
2010	$ 307,044	$ 49,348	$ 356,392
2011	103,021	49,348	152,369
2012		49,348	49,348
2013		21,787	21,787
2014		5,904	5,904
	$ 410,065	$ 175,735	$ 585,800

Note 3. **Retirement Plans**

The Commission sponsors a defined contribution pension plan which covers all employees. The Commission contributes 7% of eligible wages to the plan. The Commission also matches employee contributions up to 3% of eligible wages under an eligible Section 457 plan. Pension expense for the years ended June 30, 2009 and 2008 was $232,500 and $213,200, respectively.

ATLANTIC STATES MARINE FISHERIES COMMISSION

NOTES TO FINANCIAL STATEMENTS (CONTINUED)

JUNE 30, 2009 AND 2008

Note 4. **Investments**

At June 30, 2009 and 2008, investments consisted of the following:

	2009	2008
Cash and money market funds	$ 156,288	$ 40,499
Bonds and certificates of deposit	425,000	911,790
Equities and mutual funds	1,115,905	823,303
Total Investments	$ 1,697,193	$ 1,775,592

Unrealized and realized gains (losses) included in investment income on the Statement of Activities totaled $(214,195) and $(104,955) for the years ended June 30, 2009 and 2008, respectively.

SFAS No. 157, Fair Value Measurements, establishes a fair value hierarchy that prioritizes the inputs used to measure fair value into three broad categories: levels 1, 2 and 3. The fair value hierarchy gives the highest priority to quoted prices in active markets for identical assets (level 1) and lowest priority to unobservable inputs (level 3).

In some cases, the inputs used to measure fair value might fall into different levels of the fair value hierarchy. When this happens, the level in the fair value hierarchy that the assets or liability falls under is based on the lowest input level that is significant to the fair value measurement in its entirety.

The fair value of the investments noted in the above table are based on quoted prices in active markets (level 1 inputs).

Note 5. **Reconciliation of Change in Net Assets to Net Cash Provided by (Used in) Operating Activities**

	2009	2008
Change in Net Assets	$ (246,456)	$ 170,824
Adjustments to reconcile change in net assets to net cash provided by (used in) operating activities:		
Depreciation	57,218	69,975
Unrealized and realized (gain) loss on investments	214,195	104,955
(Increase) decrease in assets:		
Grants receivable	(123,162)	(566,975)
Accounts receivable	62,396	16,864
Prepaid expenses	(6,328)	(5,780)
Increase (decrease) in liabilities:		
Accounts payable	(233,273)	127,480
Accrued vacation	40,308	(765)
Deferred revenue	4,770	(20,219)
Contract advances	(46,798)	(37,267)
Net cash provided by (used in) operating activities	$ (277,130)	$ (140,908)

Note 6. **Concentrations**

The Commission received 77% of its revenue from the Atlantic Coastal Act Program for the years ended June 30, 2009 and 2008.

Note 7. **Risks and Uncertainties**

The Commission invests in various investment securities, which are exposed to risks such as interest rate, market and credit risks. Due to the level of risk associated with certain investment securities, it is at least reasonably possible that changes in the values of investment securities will occur in the near term, and such changes could have a material effect on the amounts reported in the financial statements.

ATLANTIC STATES MARINE FISHERIES COMMISSION

SCHEDULE OF CONTRIBUTIONS REQUESTED AND RECEIVED

FOR THE YEAR ENDED JUNE 30, 2009

	Requested 2008-2009	Received 7/1/08 - 6/30/09
Member States:		
Connecticut	$ 23,590	$ 23,590
Delaware	19,873	19,873
Florida	48,891	48,891
Georgia**	19,916	19,916
Maine	50,567	55,737
Maryland	29,347	29,347
Massachusetts	57,993	57,993
New Hampshire	19,133	19,133
New Jersey	45,642	45,642
New York	34,500	34,500
North Carolina	40,715	40,715
Pennsylvania	16,547	16,547
Rhode Island	27,932	27,932
South Carolina	23,554	23,554
Virginia	38,224	38,224
Totals	$ 496,424	$ 501,594

**GA owes $17,636 from FY 06

ATLANTIC STATES MARINE FISHERIES COMMISSION

SCHEDULES OF EXPENDITURES OF FEDERAL AWARDS

FOR THE YEARS ENDED JUNE 30, 2009 AND 2008

Federal Grantor/ Program Description	Federal CFDA Number	Federal Expenditures	
		2009	2008
Department of Commerce:			
Interjurisdictional Fisheries Act	11.407	$ 194,952	$ 296,611
Atlantic Coastal Act	11.474	3,116,052	3,613,876
Atlantic Coastal Act	11.474	1,805,766	1,499,885
Southeast Area Monitoring and Assessment Program	11.435	51,409	51,009
Fisheries Cooperative Economic Data Collection and Management Program	11.434	131,228	44,142
Total Department of Commerce		$ 5,299,407	$ 5,505,523
Department of the Interior:			
Atlantic Coastal Fish Habitat Partnership	15.628	$ 147,719	$ 23,260
Federal Aid in Sport Fish Restoration Act	15.605	217,065	200,371
Total Department of the Interior		$ 364,784	$ 223,631
Total Expenditures of Federal Awards		$ 5,664,191	$ 5,729,154

JONES & MCINTYRE PLLC

CERTIFIED PUBLIC ACCOUNTANTS

Report on Internal Control over
Financial Reporting and on Compliance and Other Matters Based on
an Audit of Financial Statements Performed in
Accordance with *Government Auditing Standards*

Executive Committee
Atlantic States Marine Fisheries Commission
Washington, DC

We have audited the financial statements of Atlantic States Marine Fisheries Commission as of and for the year ended June 30, 2009, and have issued our report thereon dated October 14, 2009. We conducted our audit in accordance with auditing standards generally accepted in the United States of America and the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States.

Internal Control Over Financial Reporting

In planning and performing our audit, we considered Atlantic States Marine Fisheries Commission's internal control over financial reporting as a basis for designing our auditing procedures for the purpose of expressing our opinion on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of Atlantic States Marine Fisheries Commission's internal control over financial reporting. Accordingly, we do not express an opinion on the effectiveness of the Organization's internal control over financial reporting.

A control deficiency exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the organization's ability to initiate, authorize, record, process, or report financial data reliably in accordance with generally accepted accounting principles, such that there is more than a remote likelihood that a misstatement of the organization's financial statements that is more than inconsequential will not be prevented or detected by the organization's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material misstatement of the financial statements will not be prevented or detected by the organization's internal control.

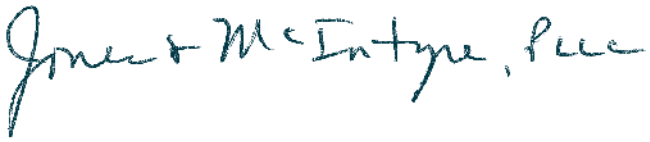
Our consideration of the internal control over financial reporting was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

Compliance and Other Matters

As part of obtaining reasonable assurance about whether Atlantic States Marine Fisheries Commissions's financial statements are free of material misstatement, we performed tests of its compliance with certain provisions of laws, regulations, contracts and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. However, providing an opinion on compliance with those provisions was not an objective of our audit, and accordingly, we do not express such an opinion. The results of our tests disclosed no instances of noncompliance or other matters that are required to be reported under *Government Auditing Standards.*

We noted certain other matters that we reported to the management of Atlantic States Marine Fisheries Commission in a separate letter dated October 14, 2009.

This report is intended solely for the information and use of Management, the Commissioners, the Department of Commerce, the Department of the Interior, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.



October 14, 2009

JONES & MCINTYRE PLLC

CERTIFIED PUBLIC ACCOUNTANTS

Report on Compliance with Requirements Applicable to each Major Program and on Internal Control over Compliance in Accordance with OMB Circular A-133

Executive Committee
Atlantic States Marine Fisheries Commission
Washington, DC

Compliance

We have audited the compliance of Atlantic States Marine Fisheries Commission with the types of compliance requirements described in the *U.S. Office of Management and Budget (OMB) Circular A-133 Compliance Supplement* that are applicable to each of its major federal programs for the year ended June 30, 2009. Atlantic States Marine Fisheries Commission's major federal program is identified in the summary of auditors' results section of the accompanying schedule of findings and questioned costs. Compliance with the requirements of laws, regulations, contracts and grants applicable to each of its major federal programs is the responsibility of Atlantic States Marine Fisheries Commission's management. Our responsibility is to express an opinion on Atlantic States Marine Fisheries Commission's compliance based on our audit.

We conducted our audit of compliance in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards,* issued by the Comptroller General of the United States; and OMB Circular A-133, *Audits of States, Local Governments,* and *Non-Profit Organizations*. Those standards and OMB Circular A-133 require that we plan and perform the audit to obtain reasonable assurance about whether noncompliance with the types of compliance requirements referred to above that could have a direct and material effect on a major federal program occurred. An audit includes examining, on a test basis, evidence about Atlantic States Marine Fisheries Commission's compliance with those requirements and performing such other procedures as we considered necessary in the circumstances. We believe that our audit provides a reasonable basis for our opinion. Our audit does not provide a legal determination on Atlantic States Marine Fisheries Commission's compliance with those requirements.

In our opinion, Atlantic States Marine Fisheries Commission complied, in all material respects, with the requirements referred to above that are applicable to each of its major federal programs for the year ended June 30, 2009.

Internal Control Over Compliance

The management of Atlantic States Marine Fisheries Commission is responsible for establishing and maintaining effective internal control over compliance with the requirements of laws, regulations, contracts and grants applicable to federal programs. In planning and performing our audit, we considered Atlantic States Marine Fisheries Commission's internal control over compliance with requirements that could have a direct and material effect on a major federal program in order to determine our auditing procedures for the purpose of expressing our opinion on compliance, but not for the purpose of expressing an opinion on the effectiveness of internal control over compliance. Accordingly, we do not express an opinion on the effectiveness of Atlantic States Marine Fisheries Commission's internal control over compliance.

A control deficiency in an entity's internal control over compliance exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect noncompliance with a type of compliance requirement of a federal program on a timely basis. A significant deficiency is a control deficiency, or combination of control deficiencies, that adversely affects the organization's ability to administer a federal program such that there is more than a remote likelihood that noncompliance with a type of compliance requirement of a federal program that is more than inconsequential will not be prevented or detected by the organization's internal control.

A material weakness is a significant deficiency, or combination of significant deficiencies, that results in more than a remote likelihood that a material noncompliance with a type of compliance requirement of a federal program will not be prevented or detected by the organization's internal control.

Our consideration of the internal control over compliance was for the limited purpose described in the first paragraph of this section and would not necessarily identify all deficiencies in internal control that might be significant deficiencies or material weaknesses. We did not identify any deficiencies in internal control over financial reporting that we consider to be material weaknesses, as defined above.

This report is intended solely for the information and use of Management, the Commissioners, the Department of Commerce, the Department of the Interior, and federal awarding agencies and pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

October 14, 2009

ATLANTIC STATES MARINE FISHERIES COMMISSION

SCHEDULE OF FINDINGS AND QUESTIONED COSTS

FOR THE YEAR ENDED JUNE 30, 2009

1. The auditors' report expresses an unqualified opinion on the financial statements of Atlantic States Marine Fisheries Commission.

2. No significant deficiencies relating to the audit of the financial statements of Atlantic States Marine Fisheries Commission are reported in the report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with government auditing standards.

3. No instances of noncompliance material to the financial statements of Atlantic States Marine Fisheries Commission were disclosed during the audit.

4. No significant deficiencies relating to the audit of the major federal award programs are reported in the report on compliance with requirements applicable to each major program and on compliance in accordance with OMB Circular A-133.

5. The auditors' report on compliance for the major Federal award programs for Atlantic States Marine Fisheries Commission expresses an unqualified opinion on all major federal programs.

6. There were no audit findings relative to the major federal award programs for Atlantic States Marine Fisheries Commission.

7. Major programs tested included:
   Department of Commerce:
   Atlantic Coastal Act 11.474

8. The threshold for distinguishing Types A and B programs was $300,000.

9. Atlantic States Marine Fisheries Commission was determined to be a low-risk auditee.

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Background Image for Front and Back Covers:

Newport Bridge at Sunset, James Gilmore, New York State Department of Environmental Conservation

Front Cover Insets:

Top	John McMurray, www.nyflyfishing.com
Middle	Rhode Island Department of Environmental Management
Lower	Cooperative SEAMAP Winter Tagging Cruise

Page 1:
Topographical Chart of the Bay of Narragansett, David Rumsey Map Collection, www.davidrumsey.com

Pages 3 & 17:
Rhode Island Department of Environmental Management

Pages 9, 37 & 40:
Cooperative SEAMAP Winter Tagging Cruise

Page 12:
Kari Fenske, South Atlantic Fishery Management Council

Pages 13 & 39 (top left):
Northern Shrimp Cruise

Page 15:
Steve Doctor, Maryland Department of Natural Resources

Page 18:
John McMurray, www.nyflyfishing.com

Pages 20, 27, 30, 38, 45 (bottom right):
Virginia Institute of Marine Science

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South Carolina Department of Natural Resources

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Captain Walter Bateman, www.carolinaguide.com

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Open Boat Miss Montauk

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Carl LoBue, The Nature Conservancy

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Gulf States Marine Fisheries Commission

Page 42:
Kent Smith, Florida Fish and Wildlife Conservation Commission

Page 45 (upper right):
National Oceanic and Atmospheric Administration, Department of Commerce

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