

**PROCEEDINGS OF THE**  
**ATLANTIC STATES MARINE FISHERIES COMMISSION**  
**ATLANTIC STRIPED BASS MANAGEMENT BOARD**

**Beaufort Hotel**  
**Beaufort, North Carolina**  
**Hybrid Meeting**

**October 18, 2023**

**TABLE OF CONTENTS**

Call to Order, Chair Martin Gary .....1

Approval of Agenda.....1

Approval of Proceedings from August 1, 2023 .....1

Public Comment .....1

Consider Approval of Draft Addendum II for Public Comment.....4

    Technical Committee Report .....4

    Atlantic Striped Bass Draft Addendum II for Board Review .....6

    Striped Bass Projections for Addendum II ..... 11

Albemarle-Roanoke Atlantic Striped Bass Management Update ..... 28

Adjournment ..... 30

## INDEX OF MOTIONS

1. **Approval of Agenda** by consent (Page 1).
2. **Approval of Proceedings from August 1, 2023** by consent (Page 1).
3. **Main Motion**  
**Move to remove from section 3.1.2 (Chesapeake Bay Recreational Options) of Draft Addendum II, Alternative Set B (B1 - B4), Alternative Set C (C1-C4), and E4** (Page 15). Motion by Michael Luisi; second by Pat Geer. Motion amended.  
  
**Motion to Amend**  
**Motion to amend to add E3 for removal** (Page 16). Motion by Doug Grout; second by Mike Armstrong. Motion passes (10 in favor, 6 opposed) (Page 17).  
  
**Main Motion as Amended**  
**Move to remove from section 3.1.2 (Chesapeake Bay Recreational Options) of Draft Addendum II, Alternative Set B (B1 - B4), Alternative Set C (C1-C4), E4, and E3.** Motion passes unanimously (Page 17).
4. **Motion to add the following options to section 3.1.1. Ocean Recreational Fishery:**
  - **Option D. 1 fish at 30" to 33" with 2022 seasons (all modes) (12.8% overall reduction, 45% harvest reduction and 2% increase in release mortality)**
  - **Option E. 1 fish at 30" to 33" with 2022 seasons for private vessel/shore anglers; 1 fish at 28"-33" with 2022 seasons for the for-hire mode**(Page 18). Motion made by Justin Davis; second by Joe Cimino. Motion passes (Roll Call: In Favor – NH, ME, DE, MD, PRFC, DC, VA, PA, US FWS, NJ, NY, CT, MA, RI, NOAA; Opposed – NC; Abstentions – None; Null – None) (Page 19).
5. **Main Motion**  
**Move to specify that any for-hire mode specific limit optioned in Section 3.1, Recreational Fishery Management, applies only to patrons during a for-hire trip; captain and crew during a for-hire trip are subject to the private vessel/shore angler limits** (Page 20). Motion by Mike Armstrong; second by John Clark. Motion amended.  
  
**Motion to Amend**  
**Motion to amend to replace "specify" with "add an option"** (Page 22). Motion by Doug Grout; second by Emerson Hasbrouck. Motion passes (13 in favor, 1 opposed, 2 abstentions) (Page 22).  
  
**Main Motion as Amended**  
**Move to add an option that any for-hire mode specific limit optioned in Section 3.1, Recreational Fishery Management, applies only to patrons during a for-hire trip; captain and crew during a for-hire trip are subject to the private vessel/shore angler limits** (Page 22). Motion passes (Roll Call: In Favor – NH, DE, MD, PRFC, DC, VA, NC, PA, NJ, NY, CT, MA; Opposed – RI, ME; Abstentions – US FWS, NOAA; Null – None) (Page 23).
6. **Motion to remove section 3.2.2 Commercial Maximum Size Limit options and 3.2.3 Gill Net Exemption options from Draft Addendum II** (Page 23). Motion by Justin Davis; second by John Clark. Motion passes by unanimous consent (Page 24).

7. **Motion to approve Draft Addendum II for public comment as modified today** (Page 27). Motion by Emerson Hasbrouck; second by Jason McNamee. Motion passes by unanimous consent (Page 27).
8. **Move to adjourn** by consent (Page 30).

**ATTENDANCE**

**Board Members**

Megan Ware, ME, proxy for P. Keliher (AA)	Jeff Kaelin, NJ (GA)
Steve Train, ME (GA)	Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Rep. Allison Hepler, ME (LA)	Kris Kuhn, PA, proxy for T. Schaeffer (AA)
Cheri Patterson, NH (AA)	Loren Lustig, PA (GA)
Doug Grout, NH (GA)	John Clark, DE (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Roy Miller, DE (GA)
Mike Armstrong, MA, proxy for D. McKiernan (AA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Raymond Kane, MA (GA)	Michael Luisi, MD, proxy for L. Fegley (AA Acting)
Sarah Ferrara, MA, proxy for Rep. Peake (LA)	Robert T. Brown, MD, proxy for R. Dize (GA)
Jason McNamee, RI (AA)	David Sikorski, MD, proxy for Del. Stein (LA)
David Borden, RI (GA)	Pat Geer, VA, proxy for J. Green (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Bryan Plumlee, VA (GA)
Justin Davis, CT (AA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Bill Hyatt, CT (GA)	Chad Thomas, NC, proxy for Rep. Wray (LA)
Craig Miner, proxy for Rep. Gresko (LA)	Ingrid Braun, PRFC
Marty Gary, NY (AA)	Dan Ryan, DC, proxy for R. Cloyd
Emerson Hasbrouck, NY (GA)	Max Appelman, NOAA
Joe Cimino, NJ (AA)	Rick Jacobson, US FWS

**(AA = Administrative Appointee; GA = Governor Appointee; LA = Legislative Appointee)**

**Ex-Officio Members**

Nicole Lengyel Costa, Technical Committee Chair	Mike Celestino, Stk. Assmnt. Subcommittee Chair
Jeffrey Mercer, Law Enforcement Representative	

**Staff**

Bob Beal	James Boyle	Jainita Patel
Toni Kerns	Caitlin Starks	Kristen Anstead
Tina Berger	Emily Franke	Jeff Kipp
Katie Drew	Tracey Bauer	Pat Campfield
Chelsea Tuohy	Madeline Musante	Kurt Blanchard

**Guests**

Cole Baldwin	Jessica Best, NYS DEC	Scot Calitri
Richard Balouskus, RI DEM	Alan Bianchi, NC DMF	Craig Cantelmo, Van Staal
Megan Barrow, NYS DEC	Carl Bois, Topspin Fishing	Benson Chiles
Rick Bellavance, RIPCA	Christopher Borgatti,	Haley Clinton, NC DEQ
John Bello, VA Saltwater	Backcountry Hunters & Anglers	Brian Cloutier
Sportfishing Assn.	Jason Boucher, NOAA	Phil Coates
Bill Benton	Simon Brown, MD DNR	Richard Cody, NOAA
Sue Bertoline	Jeffrey Brust, NJ DEP	Brian Collins

**Guests (continued)**

Patrick Comerford  
Margaret Conroy, DE DNREC  
Caitlin Craig, NYS DEC  
Greg Cudnik, Fishermans  
Headquarters  
Scott Curatolo-Wagemann,  
Cornell Cooperative Extension  
of Suffolk County  
Brad Curtin  
Sarah Cvach, MD DNR  
Bob Danielson  
Maureen Davidson, NYS DEC  
Dustin Delano, NEFSA  
Mike Delzingo  
Patrick Denno  
Jason Didden, MAFMC  
Greg DiDomenico  
Will DiMento  
Evan Dintaman  
Nick DiSarro  
Kurt Doherty, PISC  
Chris Dollar  
Eric Durell, MD DNR  
Wes Eakin, NYS DEC  
Daniel Ebling  
Julie Evans, Evans  
Communications  
Lynn Fegley, MD (AA)  
James Ferguson  
Seth Fiola  
Robin Frede, NEFMC  
Tony Friedrich, ASGA  
Tom Fuda  
Mia Furtado  
Jerry Gaff, SMRFO  
Ben Gahagan, MA DMF  
Paul Genovese, MD DNR  
Charles Green, MD Charter Boat  
Association  
Joseph Grist, VMRC  
Paul Haertel, Jersey Coast  
Anglers Assn.  
John Hardy  
Brendan Harrison, NJ DEP  
Daniel Herrick, MD DNR  
Jaclyn Higgins, TRCP

William Hoffman, MA DMF  
Jeffrey Horne, MD DNR  
Harry Hornick, MD DNR  
Jesse Hornstein, NYS DEC  
Derrek Hughes, NYS DEC  
Taylor Ingraham, ASGA &  
Tightlined  
Richard Jacobson, FWS  
Matthew Jacobus  
Jacob Jaskiel  
Robert Jeter  
James Jewkes  
Paul Kameen  
Denise Kaminski, NYS DEC  
TJ Karbowski, Rock And Roll  
Charters  
Pat Keliher, ME (AA)  
Carrie Kennedy, MD DNR  
Gregg Kenney, NYS DEC  
Geoffrey Klane  
Thomas Kosinski, Sandy Hook  
Outfitters  
Toby Lapinski  
Alyssa Lefebvre, NYS DEC  
Thomas Lilly  
Brooke Lowman, VMRC  
Chip Lynch, NOAA  
John Maniscalco, NYS DEC  
Todd Mathes, NC DEQ  
Genine McClair, MD DNR  
Alex McCrickard, VDWR  
Joshua McGilly, VMRC  
Dan McKiernan, MA (AA)  
Kevin McMenamin, Annapolis  
Anglers Club  
Nichola Meserve, MA DMF  
Steve Meyers  
Lauren Miller, WBOC News  
Steve Minkinen, US FWS  
Pete Mohlin  
Jason Moore, Island Fly  
Chris Moore, Chesapeake Bay  
Foundation  
Patrick Moran, MA  
Environmental Police  
Trevor Moss

Robert Moss  
Brandon Muffley, MAFMC  
Timothy Mughnerini  
Allison Murphy, NOAA  
Robert Newberry, Delmarva  
Fisheries Association Inc  
Thomas Newman  
Tyler O'Neill  
Tammy O'Connell, MD DNR  
Conor O'Donnell, NH FGD  
George O'Donnell, MD DNR  
Zane Oliver  
Danielle Palmer, NOAA  
Patrick Paquette, MA Striped  
Bass Assn  
Robert Pellegrino, Plum Island  
Surfcasters  
Chris Piatek  
Michael Pierdinock  
Michael Piper  
Michael Pirri  
Craig Poosikian  
Michael Quinan, Thompson  
McMullan Law Firm  
Jill Ramsey, VMRC  
Kathy Rawls, NC (AA)  
Fred Reynolds  
Harry Rickabaugh, MD DNR  
Steven Robichaud  
Katherine Rodrigue, RI DEM  
James Ronayne, CCA MD  
Cody Rubner, ASGA  
Mike Ruccio, NOAA  
Patrick Rudman, Old Maine  
Outfitters  
Rob Savino, C.J. Victoria  
Charters  
Kyle Schaefer, Soul Fly  
Outfitters  
Erin Schnettler, NOAA  
Zachary Schuller, NYS DEC  
Christopher Scott, NYS DEC  
McLean Seward, NC DEQ  
Alexei Sharov, MD DNR  
Ethan Simpson, VMRC  
Andrew Sinchuk

**Guests (continued)**

Amanda Small, MD DNR  
Melissa Smith, MA DMF  
Julia Socrates, NYS DEC  
Ron Soto  
Mike Spinney, Strippers Forever  
Ross Squire, NYCRF  
Kristen St Louis  
Renee St. Amand, CT DEEP  
Joel Stoehr  
Kathryn Strauch, Plum Island  
Surfcasters  
Kevin Sullivan, NH FGD  
John Sweka, US FWS  
Helen Takade-Heumacher,  
NOAA  
Mike Tambone  
Mark Taylor  
Kristen Thiebault, MA DMF  
David Tolbert  
Michael Toole, Plum Island  
Surfcasters  
Aaron Townsley, BHA  
Troy Tuckey, VIMS

Jim Uphoff, MD DNR  
Chris Uraneck, ME DMR  
Taylor Vavra, Strippers Forever  
Beth Versak, MD DNR  
Ralph Vigmostad, NY Coalition  
for Recreational Fishing  
Chad Vin  
Craig Weedon, MD DNR  
Ben Whalley  
Peter Whelan  
Kyle White  
Ritchie White  
Shelby White, NC DMF  
Adam Wiles, Rosell  
Kate Wilke, The Nature  
Conservancy  
Alvin Williams  
Brian Williams, Badfish Fishing  
Charters  
Patrick Williamson, RI DEM  
Brandon Wingate, Salt Tale  
Charters  
Michael Woods, Backcountry

Hunters & Anglers  
Chris Wright, NOAA  
Phil Zalesak  
Steven Zalesak, Numerical  
Consultants Incorporated  
Daniel Zapf, NC DEQ  
Jordan Zimmerman, DE DFW  
Erik Zlokovitz, MD DNR  
Renee Zobel, NH FGD  
Chris Moore, CBF  
Tom Roller  
Russel Dize, MD (GA)  
Heather Corbett, NJ DEP  
Delayne Brown, NH FGD  
Jason Walker, NC Marine Patrol  
Ronald Owens, PRFC  
Monty Deihl, Ocean Harvesters  
George Salson, NC DEQ  
Brendan Runde, TNC  
Owen Mulvey-McFerron, NC  
DMF  
David Sneed, CCA NC

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Rachel Carson Ballroom via hybrid meeting, in-person and webinar; Wednesday, October 18, 2023, and was called to order at 2:00 p.m. by Chair Martin Gary.

### **CALL TO ORDER**

CHAIR MARTIN GARY: Good afternoon, everyone. Welcome to ASMFC's Atlantic Striped Bass Management Board meeting. My name is Marty Gary, I'm with the New York Department of Environmental Conservation, and I am your Board Chair. Our Vice-Chair is Megan Ware from the state of Maine.

Our Technical Committee Chair is Nicole Lengyel Costa from Rhode Island. Our AP Chair is Lou Bassano from New Jersey, and our Law Enforcement representative joining us at the table is Jeff Mercer from Rhode Island. I am also joined at the front table to my right by Toni Kerns, and Dr. Katie Drew.

We have one new member of the Board I would like to acknowledge, Ingrid Braun, with the Potomac River Fisheries Commission. Welcome, Ingrid! We'll go to our first order of business, which is approval of the agenda from the summer meeting. Hopefully, everybody has had a chance to look at the agenda.

### **APPROVAL OF AGENDA**

CHAIR GARY: Are there any additions, modifications, any changes to that agenda? Seeing none; the agenda is approved by consent, I'm sorry the agenda for today.

### **APPROVAL OF PROCEEDINGS**

CHAIR GARY: The proceedings from the August, 2023 meeting, are there any change to those proceedings from the August, 2023 meeting of the Striped Bass Board? Seeing none; that is approved by consent.

### **PUBLIC COMMENT**

CHAIR GARY: We'll now go to Public Comment for items that are not on the agenda. The way that I

would like to do this, we have a ten-minute allocation for the public comment. I would like to see a show of hands, both in the room that would like to make public comment on items that are not on the agenda, and also a show of hands online.

What we're going to do is we're going to calculate how many people want to make comment, and then we're going to divide up and allocate, so we have a fair allocation of time. Raise your hand in the room and online if you would like to make a public comment for items not on the agenda. I'm not seeing anybody in the room.

MS. TONI KERNS: I currently have three people, Michael Pirri, Phil and Tom Lilly. If there is anybody else that intended to do public comment, you have ten seconds to get your hand up. All right, just three.

CHAIR GARY: Okay, so we have three folks online who would like to offer public comment, so allocate three minutes per person, and our first one is Tom Lilly that we have, Toni? Okay, Mr. Lilly, if you can unmute yourself, you have three minutes. Thank you.

MR. THOMAS LILLY: Good afternoon, members of the Striped Bass Management Board. Thank you for the opportunity. I'm going to start with a request. I am going to ask you that the striped bass, that you refer the question of the failure of the young of year in Chesapeake Bay to, I guess it would be your Striped Bass and the Menhaden Technical Committees, to determine the cause of the five-year long now young of the year failure in Chesapeake Bay.

I guess you have looked at the reports for this year. Based on the decline in the last three years, it wouldn't surprise me to see us approaching zero next year. In other words, it wouldn't surprise me to see the possible coming of the extinction of striped bass in Chesapeake Bay. You people from New York and New Jersey, at least we go by the reports that since menhaden factory and purse seine fishing was put out into the ocean there, out in the U.S. Atlantic Zone, there has been an amazing change in your charter and recreational fishing, just unbelievable.

I think the people up there are all saying it's due to the fact you have so many menhaden juveniles and adults there for the large and small striped bass to feed on. When you consider this request, consider that the Chesapeake striped bass fishing alone affects about 400,000 to 500,000 anglers, about 800 charter boat captains, and hundreds of those are going out of business.

It affects about 500 fishermen, about 300,000 fishing power boat owners, and one forgotten group, about two million wildlife watchers in the two states, 400 marinas, and about 30,000 jobs. From the statistics we have in Virginia, there were about 600,000 fewer striped bass trips taken a year the last time that was accounted, and about 150 million dollars a year less spent just by striped bass fishermen in local Virginia small businesses.

This is my request that you refer this incredibly serious matter to however it should be referred to whatever committee it should be referred to. But I ask this, that you've been studying the relationship of these two species for at least 19 years now. There have been thousands of reports and studies made. Let's do this. Please recommend this based on the available science, and please move ahead with getting a decision made on the cause of this catastrophic failure in striped bass. Thank you.

CHAIR GARY: Thank you, Mr. Lilly for your comment. Next, we'll go to Phil Zalesak. Go ahead, Phil, you have three minutes.

MR. PHIL ZALESAK: Chairman Gary, consider the following. Over 60 percent of the coastal stock of striped bass begin a spawn in the Chesapeake Bay and its tributaries. The mortality rate of striped bass is directly tied to the mortality rate of Atlantic menhaden. The higher the mortality rate of Atlantic menhaden, the higher the mortality rate of striped bass will be. The Atlantic menhaden reduction fishery allocation in Virginia is for at least 67 percent of the total allowable catch for the entire Atlantic coast. That is over 158,000 metric tons, over three-quarters of a billion fish being removed from Virginia waters this year. Intense reduction fishing is currently during the same time when there is little

migration of Atlantic menhaden in Virginia waters. That is called localized depletion.

Currently the reduction fishery has had the great difficulty finding menhaden in the Chesapeake Bay and at its entrance. The latest NOAA data indicates that the recreational harvest of striped bass in Maryland waters has declined 72 percent since 2016, and the Maryland Chesapeake juvenile index for the striped bass is at an all-time low.

The decline of striped bass in the Chesapeake Bay is due to the lack of menhaden in the Chesapeake Bay. It is not due to overharvesting by recreational fishermen. Further evidence of localized depletion of Atlantic menhaden in the Chesapeake Bay was provided by Dr. Brian Watts of the College of William and Mary during his sworn testimony before the Virginia Marine Resources Commission on August 22nd.

He stated the following; If you look at the relationship between reproductive rates of osprey over the last 40 years, and Atlantic menhaden relative abundance index, they are directly related. To sustain the osprey population in the main stem of the lower Chesapeake Bay, the reproductive rate of osprey needs to be 1.15.

The current rate is 0.1. That is a 91 percent decline in reproductive rate, and thousands of osprey chicks have died in their nest this summer in the lower Chesapeake Bay. In 2016, the Maryland GDP associated with the striped bass industry was 800 million dollars and supported over 10,000 jobs. That is no longer true, after a 72 percent decline in recreational harvest.

By comparison, the reduction harvest industry in Virginia is supported by less than a thousand jobs, with profits going to Canada. In 2020, Atlantic Menhaden Management Board reaffirmed the commitment to manage the fishery in a way that accounts for species role as forage fish. That Board has failed in that commitment.

Further, I sent to the Ecological Reference Point Working Group meetings two weeks ago, and heard

no discussion of striped bass mortality rate and its relationship to Atlantic menhaden, none. In the interest of conservation and sound fishery management, it's time to limit the Atlantic menhaden reduction fishery to federal waters. I request to advise that the Atlantic Menhaden Management Board take action as soon as possible to end this ecological disaster. I thank you for your time.

CHAIR GARY: Thank you, Mr. Zalesak, appreciate that. Our next commenter is Michael Pirri. Michael, you have three minutes, unmute your microphone.

MR. MICHAEL PIRRI: Hi, I'm not nearly as prepared as the two former speakers. I absolutely do agree with them. In my area of Connecticut, I am seeing very few bunkers to support striped bass and their needs. We're right now in the middle of fall run. I operate a 36-foot charterboat. I am not a guide service, I am a charterboat. I carry six passengers who like to harvest and eat striped bass. My passengers, I do consider to be under represented. They are not aware of the means to voice their opinions on striped bass. Currently today, we have beautiful conditions, slight winds, no rain, finally, and my boat is sitting to the dock, because I do not have trips. There are seven other charter boats in my harbor. They do not have trips, and one-party boat as well.

We have an abundance of striped bass, just right two miles outside our harbor we have sea bass fishing. We have tautog fishing, we have everything right now, right in the middle of the fall run, and we cannot get our boats off the dock. This emergency action has really strong implications on our business, I say most will say 40 to 60 percent.

It's impacting us greatly, us as operators and owners, our mates in marinas, their mechanics, their fuel docks, local businesses, motels and delis. We all are aware that MRIP has now confessed to a 40 percent overestimate of angler effort, which might have really forced the hands of the emergency action.

Today, I see all the documentation. I'm aware of the former meetings. I am asking everybody to keep us

in mind when it comes for a sector allowance for striped bass, 28 to 33 will get us closer to being on track to where we can be, and hopefully support our trips, bring our customers back, and support us getting off the dock. That is one microcosm of Connecticut, but this is happening.

CHAIR GARY: Michael.

MR. PIRRI: Yes.

CHAIR GARY: Some of the comments you are referring to are part of the agenda, and you will have an opportunity if there is a motion. You are talking about some options that may be on the table for discussion today. This is a comment period for just those items that are not on the agenda. You have just about 30 seconds, if you could wrap up your comments, thank you.

MR. PIRRI: I just ask everybody consider this going forward today, and I will re-comment. Thank you very much.

CHAIR GARY: Thank you, Michael. We had one other person raise their hand, it was T.J. Krabowski, and TJ, there was one minute left. You came in a little bit late. But if you could keep your comment to one to two minutes that would be great. You can unmute, thank you.

MR. T.J. KRABOWSKI: I'm going to save my comments similar to Mike's, but right now specifically, I just want to speak about bunker menhaden. This year I'm wrapping up my 20th season doing this professionally. I've been fishing my entire life, but for a living this is my 20th season doing this.

I can tell you unequivocally that the amount of large striped bass, and when I mean large, I'm talking like 25, 30 pounds and up, is 100 percent related to the amount of bunker that are in the area. In other words, you are not going to find a lot of 40-pound fish hanging around, unless there is bunker for them to eat. It's no small coincidence that you guys or the Menhaden Committee or whatever, raised the quota this year, and I have not seen a pot of bunker in

months now, months. The school size stripers, we'll call them whatever, 35 inches and smaller, they don't mind eating all the small bait that is around, because there are plenty of bay anchovies and silversides, and peanut bunker and all that stuff. They don't mind eating that.

But whatever happened this year, and I'm not saying it's 100 percent Omega Protein, but it's an awfully big coincidence that you guys raised their quota that now we don't have any bunker around, months. I just want to put that on the record. Thank you.

CHAIR GARY: Thank you, T. J., I appreciate your comment. Before we go to the next item in the agenda, which is Consider Approval of Draft Addendum II for Public Comment. Given the speakers that have weighed in, I just feel compelled to say, so many of you listening in from the public, and certainly the Board members have seen juvenile abundance indices for Maryland and Virginia that were released late last week.

Both states 2023 index values were below the long time series average, Maryland's even lower than Virginia's. The fishery management plan's management trigger for the juvenile index had previously been tripped, and the low recruitment regime is in use and will be used in the 2024 update to the assessment coming next summer.

#### **CONSIDER APPROVAL OF DRAFT ADDENDUM II FOR PUBLIC COMMENT**

For today's purposes the Board is considering measures to reduce after the target for 2024. In the upcoming presentations you'll hear a little bit more from Toni and Katie. They will talk and clarify how we're using the juvenile abundance indices. There are opportunities for Board members to obviously ask questions.

But we are trying to utilize the juvenile abundance indices to the best of our ability for those indices that we have.

#### **TECHNICAL COMMITTEE REPORT**

CHAIR GARY: We'll go to our next item, which is going to be presented by our Technical Committee representative, Nicole, who is participating via the webinar, and she will give a presentation on the Technical Committee report. Nicole and Katie will take questions after the presentation. I'll turn it over to you, Nicole.

MS. NICOLE LENGYEL COSTA: Today I'll be presenting on the spawning potential ratio adjustment for commercial maximum size options. I would first like to start by recognizing the Technical Committee for their work in completing this task, Dr. Gary Nelson for developing the template used by the TC, and Toni, Katie and Emilie for all of their support with this task.

I'll start today by providing a little background on the Technical Committee task, provide an overview of the methods for the SPR analysis decided on by the Technical Committee at their August, 2023 meeting, review the results of the analysis, and then wrap up with some comments provided by the TC.

By way of background, the Board passed a motion at its August, '23 meeting, tasking the PDT with conducting a spawning potential analysis to determine quota reductions using 2022 as the starting point associated with each option in Options sets D for ocean commercial maximum size limit, and E, Chesapeake Bay commercial maximum size limit in Draft Addendum II. Given the technical nature of the analysis, and the need for state-specific analyses, the TC took on the charge of completing the analysis, and discussed the analysis in detail, and the methodology at their August, 2023 meeting. The analysis was run using the same methodology as the Fishmethods package in R, but with the additional optimization for the F increment to increase precision.

Additionally, the template was a bit easier to use for the TC, and eliminated the need for TC members to use R in our studio directly. Several of the inputs for the analysis were taken directly from the most recent stock assessment, including spawning stock biomass weight at age, catch weight at age, the F

target value of 0.167, having an age 15 plus group, a proportion mature at age, and age-specific mortality.

The analysis also required selectivity curves for each base option, as well as each max size limit option. These curves were developed from state-specific age/length keys, where states pooled 2021 and 2022 data. If there were less than 10 lengths per age, states were allowed to borrow data from another year or a neighboring state, to ensure a large enough sample size in order to estimate what proportion of each age class is weekly harvestable under each option.

The results show that maximum size limits decrease the quotas for most states with active commercial fisheries. Both New York and New Jersey had quotas that increase from 5 to 49 percent, and this is due to the current quotas being based on a maximum size limit that is lower than the proposed options in the Draft Addendum. All other states had quotas that decreased from 5 to 26.9 percent.

The TC had several comments they wanted to raise for the Board, including that without a quota adjustment implementation of a maximum size will increase removals in numbers of fish. This is due to the fact that the average size fish is likely to decrease with the implementation of the maximum size. Additionally, the SPR quota adjustments attempt to maintain the same spawning potential under the new maximum size limits.

The management options remain conservationally equivalent to the status quo. However, there are multiple sources of uncertainty with this analysis, including characterizing the change in selectivity that may be due to factors such as availability of fish and gear effects, commercial fishery behavior from the market and gear used or gear restrictions, and increased discards of oversized fish.

The Technical Committee understands the Board's intent with this option is to protect larger fish, but the TCs earlier analysis on minimum size limits versus slot limits, showed no benefit of protecting older fish, in terms of the rebuilding timeline to the 2029 SSB. The overall effect of maximum size limit options

is increased uncertainty around the rebuilding probabilities, without positively impacting stock productivity or stock rebuilding.

With that, Katie and I are happy to take any questions, and I would also just point out that the PDT memo, which we will be discussing later, does have some of the probabilities of rebuilding in there, and Katie will go over that in just a little bit.

CHAIR GARY: Thank you, Nicole, for your report, and thanks to the Technical Committee for all its hard work. We'll go to questions for Nicole and Katie. Thank you, John, it couldn't be that easy, right? John Clark.

MR. JOHN CLARK: Thank you for the presentation, Nicole. The whole SPR thing says the basic idea is we're taking a quota that was developed in pounds and turning it into numbers of fish, correct? Then converting back to pounds to reduce the quota. I just want to make sure I'm understanding the last point there was that the TC is not recommending that we use this method, it's really not going to gain us anything, correct?

MS. COSTA: Yes, so the TC is basically saying that the uncertainty it adds to the rebuilding probabilities may not be worth actually implementing the maximum size limit. When you're doing the SPR analysis you are saying, given my current size limit and the new size limit, what quota adjustment do I have to make in order to maintain the same spawning potential.

That is why we're saying they are essentially conservationally equivalent. You are just maintaining the same spawning potential; you are not getting any credit for any quota reductions that might occur. There is just a lot of added uncertainty by implementing the max size limit, especially when you consider the potential increase in dead discards, which we point out in the memo in a little bit more detail. Those are not accounted for in this analysis.

CHAIR GARY: Go ahead, John, a follow.

MR. CLARK: Yes, I would just like to say, I would glad to see that maximum size limit go from the commercial options.

CHAIR GARY: Any other questions on the TC report?

**ATLANTIC STRIPED BASS DRAFT ADDENDUM II FOR BOARD REVIEW**

CHAIR GARY: Next up, Toni will give an overview of changes to the Draft Addendum II, a document including a review of proposed management options. Toni will include PDT and LEC comments as part of the presentation. At the end of her presentation, Katie will go over the projections in the PDT memo, and Katie and Toni will then take questions on the Draft and the projections. I'll turn it to you, Toni.

MS. KERNS: Just quickly, just to throw us for a small loop. I just wanted to put up on the screen the Wave 1 through 4 harvest estimates for 2021, 2022, and 2023, so folks can see where we are so far in some estimates. I realize these are still preliminary. If you look at the very last line, this is a percent change from 2022. For the coastwide removals, which is your very far column on the right, we are about 25 percent down from 2022.

Our estimates, when we were thinking about the emergency actions, and thinking about how much we potentially could be reduced from there, the low end was about a 13.3 percent, the high end was a 31 percent. This is within that range. We recognize that this is just Wave 1 through 4, things can change in the future. It is within the range of what the TC had projected. Mr. Armstrong looks like he has a question, is that all right, Marty?

CHAIR GARY: Go ahead, Mike.

DR. MICHAEL ARMSTRONG: Just a question. The first two waves most of the states had no new rules in, so the reduction that we're seeing in Wave 4 was probably greater than that number. Is that right?

DR. KATIE DREW: The reduction calculations did account for the fact that the regulations did not go

into place until Wave 3 or Wave 4, so this is the correct comparison.

DR. ARMSTRONG: Okay, good, thanks for the clarification.

CHAIR GARY: We'll go back to Toni.

MS. KERNS: We will move into the presentation of the Draft Addendum. I'm going to start today's presentation with a brief background on the changes that we made to the background section, go through the timeline, and then present the new options. The first thing, here we are in October looking at this Draft Document to approve it for potential public comment in November and December of this year.

Then the Board would consider the document for final action in January of 2024. In August, the Board removed consideration of recreational harvest season closures. We added Options for commercial quota reductions, recreational for-hire measures, and minimum requirements for states allowing filleting in the recreational fishery.

The Board also provided direction on a range of other commercial and recreational management options that were requested. Due to the additional time needed for the development of the Draft Addendum, we anticipate that final action will occur in 2024, and the implementation schedule may span both 2024 and 2025, so take that into account. When we talk about the reductions in the document, those are assuming that all of the measures get implemented in 2024.

I'll note that in the overview section we did add information on the MRIP Fishing Effort Survey, to give context back to the public. I will not repeat what MRIP went over the other day, but I just will note that even if we were to assume that the striped bass recreational catch was overestimated by 30 to 40 percent over the timeframe since MRIP has started, it would only change the scale of the biomass, but not the overall downward trend in the population that we've seen since 2010.

While we may not have been harvesting as many fish in 2022, the scale would still be there, and whatever the number was, we would have likely doubled the harvest still. Addressing that extremely large jump in harvest would still have been necessary. Just as a reminder, the Board initiated the Draft Addendum to address stock rebuilding beyond 2023.

The measures in the document are designed to achieve F target from the 2022 assessment, and it also includes the ability for the Board to respond via Board action to the stock assessment update in 2024. The striped bass stock is subject to a rebuilding plan that requires the stock to be rebuilt to its spawning stock biomass by 2029. The most recent projections indicate that a low probability of meeting that deadline is the fishing mortality rate associated with the level of catch in 2022 continued. There was concern that the recreational and commercial management measures of Amendment 7, in combination with the availability of that strong 2015-year class to the fisheries would lead to similarly high levels of catch in 2024. This Addendum considers measures to reduce the removals to the 2022 level, to achieve the target fishing mortality rate in '24, and support stock rebuilding.

We'll move into the management options. Just as a reminder, there are projections that you would use to develop these management options. You use the same forward projecting methodology as is done in the assessment, to estimate the removals needed to achieve the F target in '24, with a 50 percent probability. The projections were made using 2022 removals data, and estimated a '23 removals accounting for the emergency action.

A new selectivity curve was developed for the '23 emergency action, to account for the lower selectivity of ages 7 through 9 in 2023, due to that narrower slot limit. Because the calculation of F target accounts for selectivity, the F target value was recalculated to incorporate this new 2023 selectivity, and the projection results indicate that we need a 14.5 percent reduction from 2022 removals to achieve the F target in 2024, for the carryover from last time.

But if there are only recreational measures done in this document, then that reduction would need to be 16.1. For the recreational options that are in the document, the Board will choose one option for each region, the ocean and the Bay. Options for the recreational fishery are designed to reduce harvest to achieve the target F.

While these options are not designed to protect a specific year class, they may offer some protection for one or more stronger classes. All the ocean options propose a change, except for status quo, obviously, propose a change to the slot limits maximum size, a revision to the 28 minimum size for the lower bound was not considered, given this longstanding nature of this measure, and in consideration of some of the environmental justice issues that have been brought up previously to the Board.

The range of options considered for wider slot limit for the for-hire mode to address concerns heard from for-hire operators about potential for increased discards with narrower slots and a general desire for anglers on for-hire trips to harvest a fish. The impacts of the wider slot on the reduction to be achieved is very limited, due to the small contribution of the for-hire fishery in the ocean sector, or in the ocean fleet.

A wider slot would provide less protection to the 2015-year class, which will be Age 9 in 2024. I will note that in the PDT memo the Law Enforcement Committee commented on, the simpler the regulations are the more consistent the regulations are, the easier they are to enforce. Having a separate for-hire measure makes it more complex, and makes enforcement a little bit more difficult for them.

Here are the three ocean options; status quo, the all mode 28 to 31, and the separate measures for the for-hire fleet, which is at a 28 to 33 inch, and the associated reductions with those. Let's sit on that for a sec. For the Bay recreational options. All the Bay options except for status quo, propose a maximum size limit. Some options also change the minimum size limit or a bag in addition, to have some more uniformity within the Bay. Maximum size limits

range anywhere from 23 inches to 26. Higher maximum sizes were not considered, to provide some protection to the above average 2018-year class, which is coming into the Bay in 2024. The range of options considered are just a higher bag limit to the for-hire fleet instead of a wider slot, as you saw in the ocean fleet. In the Bay for higher removals are about a fifth of the Bay's total removals, so the impact of the higher bag limit on the reduction is somewhat larger than what we saw in the ocean fishery.

Option B of the B set options apply a standard maximum size. The C set options apply as a standard 20 inch minimum, and then all of the maximum sizes. The D set options apply a 19-inch minimum size, and a 1-fish bag limit to all of the maximum size limits. Then the Option E is what allows for the separate for-hire 2-fish bag for the for-hire fleet, and a 1-fish bag for the private and shore anglers, and it is a 19-inch minimum size.

I'll note that the reductions range anywhere from about 5 percent up to about a 24 percent reduction. The PDT is recommending for equity between the ocean and the Bay measures to remove any options that are less than of a 10 percent reduction or greater than a 20 percent reduction. I just noted in red on each of these tables, which of those options they are.

I recognize these tables might be tricky to read. You can follow along in the document. These tables start on Page 15, if you are looking at the document right now. Again, these are the consistent maximum size ranging from 23 to 25 inches. Next are the standard 20-inch minimum size with the range of maximum size limits.

Here we have the 19-inch with the maximum size limits and the 1-fish bag, and next we have the separate for-hire bag with the minimum of 19 inches. In addition, we added the recreational filleting, not necessarily at sea, filleting at sea or at shore. There are states out there that allow for filleting to occur.

We have an option here in the document that states that do authorize this, to make sure that your

measures have certain standards and minimums in order to best enforce this action. There would be minimum requirements that states that have this, that racks must be retained, skin would be intact, and possession limit of no more than two fillets per legal fish.

Then the states should consider including language about when and where racks may be disposed of, specifically for each mode of fishing. We did not make specific recommendations here, because some states their townships have specific laws to how these can be disposed of. But we just want to make sure that there is language that tells the fishermen when it should be or where it should be disposed, that the racks must be kept with the fillets once they are hacked off.

This provides for much better enforcement. Moving on to the commercial measures. The proposed options in the document for both the ocean and the Bay for the commercial fishery, use both commercial quotas and commercial size limit. They use the 2022 measures as the starting point. All commercial quotas are in pounds, and all size limits are in total length.

There are two types of options, quota reduction and maximum size. They are designed to achieve different goals towards rebuilding. A quota reduction reduces harvest towards achieving the Target F, but does not aim to protect any specific year class. Commercial quota management provide for increased certainty with regard to achieving a harvest reduction, in contrast to the recreational fishing options. However, a reduction quota does not always translate to the same reduction in harvest. We'll get into that more in a minute. A maximum size limit protects larger and older fish, but aims to maintain the same overall spawning potential through the quota adjustments.

Accordingly, changes to the commercial quota results from a maximum size limit are not credited towards the goal of achieving the F, as Nicole went over in her presentation. Additionally, there are areas of uncertainty associated with the spawning

potential equivalency of this approach as Nicole went over earlier in the TC's report.

All options in the commercial quota reductions, except for status quo, propose implementing a reduction for striped bass commercial fisheries in both the ocean and the Bay. The quota reduction would contribute to the goal of reducing removals to achieve the target. Option A is status quo, maintain the current measures that we have, and Option B is the quota reduction.

That quota reduction can be reduced up to 14.5 percent from the 2022 quotas with their 2022 size limits intact. We note that reducing commercial quotas by a certain percentage is unlikely to achieve that percentage, due to annual quota underages that tend to occur for reasons such as state regulations, market conditions, distribution shifts, and other factors that can affect fishing.

In the past this difference between the commercial quota and the harvest was much more pronounced, but in the table, you will see in 2022 the majority of the states with commercial fisheries fully utilized their quota. Therefore, the PDT anticipates that quota reductions will have the potential to impact those dates a lot more than previous years when the quota was underutilized.

We actually may have realized real quota reduction in states with active fisheries. We will always continue to have underages if there are states that choose not to have an active commercial fishery, but they are allocated commercial quota. Then reducing quotas from the realized harvest levels is not considered, as it would amount to a quota reallocation, which is outside the scope of this document.

This table is on Page 19. I recognize this is quite small, but you can see those fisheries that achieved their 2022 quotas, and the middle column is what the maximum quota reduction would be under F-14, 5 percent. Moving on to the commercial maximum size limits. All options besides status quo propose implementing a maximum size limit for both the ocean and the Bay. The intention of this option is not

to contribute to the goal of reducing removals to the F target, but preserving a larger fish that would contribute to the spawning stock biomass.

As part of implementing a change in the size limit, the commercial quotas were adjusted to account for maintaining the same spawning stock spawning potential as under its current size limits and quotas. Most state quotas would decrease, to account for a lost spawning potential. However, some would increase. The percent change by state varies given the range of commercial size limits and fisheries selectivity by state. These changes in quota will not be credited towards the Addendum's objective of achieving the F. The proposed quotas were developed using the spawning potential ratio, as Nicole went over. I'll just restate the TCs concern with the maximum size limit option that the maximum size limit would likely increase dead discards of larger fish, produce levels of harvest that are not equivalent to the current quotas and size limits, and is likely not to increase the probability of rebuilding in 2029

The maximum size limit option has a potential for increases in quota that would exist in states that have current maximum size limits that are lower than the proposed max size limits. It should be noted that the SPR calculations for those state allow the quota be increased to account for the harvest of larger fish, which would result in fewer total fish harvested, relative to the lower maximum size limit.

However, the fishery may not actually achieve the harvest of larger fish due to market demands, availability of larger fish, gear restrictions or other limitations. The bottom line here is that it has the potential to result in higher overall removals under a higher quota. We have the options for the commercial maximum size limit.

Option A, status quo, none. Option B has a range of different size limits, 38, 40, and 42 for the ocean, and Option C are the Bay. C-1 is 36 inches from June 1 to December 31, and 28 inches from January 1 to May 31. Then Option C-2 is 36 inches for all the Bay fisheries. This first table, which is on Page 21 of the

document shows the quota changes for each of those maximum size limits of the ocean fishery.

This second table is the changes for the Bay. I will note that I didn't realize these options are labeled incorrectly. E-1 is really C-2, and E-2 is really C-1. If this option stays in the document, we will fix that. It got out before we noticed. Next, almost done, we have the gillnet exemption. For states that allow commercial striped bass harvest from gillnet, there was a request to have an exemption from the maximum size limit, and instead put in place a maximum mesh size for the gillnet fisheries, because of the increased discarding that we potentially may see.

I think it's 45 percent dead discards in the gillnet fisheries, and so we wanted to try to make sure to not have those percent dead discards, and provide options for this exemption. The first exemption is just a coastwide measure that would allow for gillnet exemption, and a single maximum mesh size would be established.

We would have to figure out what that coastwide mesh size would need to be. We did not have enough time to do that prior to this document being released. If we did this, the states that utilize the gillnet exemption would need to be able to discern between the fish caught in an exempted fishery, versus the regular fishery.

They would do that through implementation plans. That could be having specific tags for these fisheries and other types of measures. The PDT is actually recommending that the Board would move this option from the document, and it is because they are concerned that a coastwide maximum mesh size may not fit every state's needs. Fish availability and net selectivity within a state has the potential to be different in their quick look, we saw that. The PDT is actually recommending that the gillnet exemption be done through the conservation equivalency process, so that each state can make sure that the maximum mesh size fits the need or fits the requirements of their state gillnet fishery. It is not to suggest that we wouldn't allow the exemption, it's

just so that we can make sure that the mesh size fits that state's fishery properly.

The Option 3 is the gillnet exemption through CE. The state would submit a proposal requesting the exemption. It would utilize the TC to help them if needed, to figure out what that maximum mesh size would be, and within that proposal they would also state how they would discern between the fish caught in the exempted fishery versus fish caught in a regular maximum size limit fishery.

The last option in the document is the assessment response. This is to allow the Board to take action if the stock is not projected to rebuild by 2029, with a probability of greater than or equal to 50 percent. Option A is that the Board would just utilize the addendum or amendment process to make changes to the management program.

As a reminder, addendums and amendments have a public comment process that the timing that measures would be implemented would likely be close to two years following the assessment, by the time the document was developed and went out for public comment, and then the states implemented the measures within the document.

Option B is the Board can respond via Board action following the assessment. This is a much faster process. It allows public comment during the Board meeting, as well as public comment in writing prior to the meeting. It is much more expedited. We anticipate that if the Board did action at a meeting, then it would be able to implement measures within six months, and likely for that 2025 season following the '24 assessment.

Just as a reminder, what we're trying to do today is release this document for public comment. Emilie is listening to us today. I think she would be very disappointed in me if I didn't put my best effort forward here. She will be back next week. Next, Katie will go over the projections that were in the PDT memo. I just want to thank again all of the PDT members that the state has graciously given me to work on this document, without them I would be lost.

## STRIPED BASS PROJECTIONS FOR ADDENDUM II

DR. DREW: I'm going to discuss the striped bass projections that we did for Addendum II. I think before we get into them, I just want to stress, right up front, these are not formal rebuilding projections. There is still a lot of uncertainty, in terms of what effort or removals or regulations, or F rates will actually be from 2024 to 2029, including things like the effect of the new measures on selectivity. These projections also do not include uncertainty around sort of the estimates of those expected reductions for each option.

We're really only presenting these to help the Board compare across options that are currently under consideration. When we do the assessment update next year, we will have more formal rebuilding projections, and that assessment update will help us get a better handle on things like what is the effect of the emergency action are this year, as well as what kind of the selectivity we expect going forward. Again, this is just to help compare across these options under consideration, and are not true rebuilding projections. What I'm going to go over today are the projection methods, and then show you a quick overview of the results for the set of projections that looked at the probability of being at or below the F target in 2024 under different combinations of options, and then the probability of being at or above the SSB target in 2029 under those same combinations of different options.

As a reminder, the terminal year of the assessment is 2021. For the projections, the data that we need are the removals are the F rates that we are projecting over. We need information on recruitment, and we need information on population parameters like selectivity, weight at age, natural mortality, et cetera.

Those parameters were taken from the 2021 assessment, with the exception of selectivity, which was modified to reflect the emergency action selectivity, that was again predicted outside of the assessment model, so another source of uncertainty. For the projections, so we know what the 2022 removals were.

We have an estimate of the 2023 removals, based on the calculations that we did under the emergency action regulation. Then for 2024, we have estimated the removals based on different combinations of options, based on that estimated percent reduction. If you recall, we have the option of either a 0 percent reduction quota up to a 14.5 percent reduction in quota.

That could be combined with a set of options for the Bay, each of one of which has a different percent reduction, which could be combined with two different options for the ocean, which have different percent reduction. Combining all of those different regulations will get you a different set of reductions to go into these projections.

Then for the SSB projections, which go out beyond 2024, we use the predicted 2024 F for 2025 to 2029. What was our F in 2024 based on the first set of projections, and use that going forward. For recruitment, we used the observed values from the Maryland JAI in 2021 and 2022, to predict Age 1 recruitment in 2022 and 2023, so it flagged forward one year.

This graph is showing the Maryland JAI on the X axis, and the Age 1 recruitment from the model on the Y axis. You can see there is a very strong correlation between the Maryland Index and the model's predicted recruitment. We use that relationship to be able to predict the recruitment for 2022 and 2023, based on those observed values.

Those low values of recruitment are in the projections, as far as we have that data for. In addition, for 2024 to 2029, we are drawing from that low recruitment regime. If you recall, we did trigger the recruitment trigger last year, I think, at least for the most recent assessment update, with the Maryland JAI. The FMP requires that when we trigger one of these recruitments we would go from, instead of drawing recruitment from that average, the solid dark bar, which is the average of basically the recovered stock full time series.

We then draw instead from only the most recent low recruitment years. Those lower recruitment values

are being used to project recruitment for 2024 to 2029, and the F target that we are trying to achieve in 2024 is also calculated using that low recruitment regime assumption. With that lower recruitment assumption, it means you need a lower F target in order to get to our SSB target, because the stock is less productive. We are folding in our observed recent low recruitment into these both short term and long-term projections. I'm just going to give a quick overview of the results. The full table is in the memo that you received. Basically, what we see is that the probability of F in 2024 being at or below the F target ranges from about 33 percent to 56 percent. Obviously, the options with the higher percent reduction led to higher probability of being at or below the F target, which is intuitive.

Again, I'm going to talk about the SSB Target. It's repeating the slide, because we do want to emphasize these are not formal rebuilding projections, this is just to help compare across options. But the results are similar to the F target probabilities, which is that the probability of the SSB in 2029 being at or above the target ranges from about 33 percent to 51 percent.

Again, the options at the higher percent reduction led to a higher probability of being at or above the SSB target. We also did one run where F was equal to the F target, and so if you were able to maintain F target from 2024 to 2029, that had a 48 percent chance of being at or above the SSB target in 2029.

I think I have this in here again just to end on this. To be fully clear, just for comparison, but I think part of it is, you know it is hard looking at these different combinations of options with different percent reductions, or none of these options that we are looking at actually achieve, or very few of them actually achieve the percent reduction that we need according to the projection.

That translates into we're not having a 50 percent probability of achieving our F target in 2024, and so we tried to provide context about what that means under these different combinations going forward. With that, I'm going to stop here. We can leave this slide up. But I'm happy to take any questions.

CHAIR GARY: Thank you, Katie and Toni. Any questions from the Board for Katie and Toni regarding the Draft and the Projection? We'll take those now. Okay, so we have Mike Armstrong and then we'll go to Mike Luisi. Go ahead, Mike.

DR. ARMSTRONG: At the risk of being yelled at here. When I look at the table and I say this certain combination has a 40 percent chance, that is just for comparison purposes. When we do the projection that could turn into 75, it could turn into 20. Is that correct?

DR. DREW: Yes, that is correct. But probably, so if you looked at one option versus another option, one is 40, one is 38, next time when we flip through them, when we do the full projections, okay maybe one is 42 and the other one is 40, or one is 22 and the other one is 18.

To a certain extent they are giving you like probably the relationship between the percentages and what is important, not necessarily what that exact number is. Although there is still uncertainty about whether we will achieve that predicted reduction for each option. But the uncertainty about things like the selectivity in recruitment, and the recent 2023 numbers is going to get folded in across all of those options for the next set of projections.

CHAIR GARY: All right, we'll go to Mike Luisi, and we have Dave Sikorski online in queue.

MR. MICHEAL LUISI: This is to Toni. Toni, you presented the different options, and you pointed out one particular instance where the numbers didn't align, it was either a cut and paste or some type of error that you said you were going to fix. I wanted to point out, and just make sure for the purpose of discussion. In the Chesapeake Bay recreational table options, I wanted to be clear to the Board that in the B, alternative Set B, was it intended to have 25 inches for the maximum size for both B-3 and B-4? That should be 26, right?

MS. KERNS: It is, we didn't touch that one, Mike.

MR. LUISI: On the next page under Alternative Set E, I believe E2 and E3 have a flip flop maximum size limit.

MS. KERNS: Correct.

MR. LUISI: Okay, just wanted to be clear. I've scribbled in the new numbers, I just wanted to point that out for the purpose of discussion. Mr. Chairman, depending on how you plan to step through the document for thoughts and potential modifications, I do have a motion prepared to address the recreational Chesapeake Bay related options. I'll hold off for now, but if you want to take that up at some point, I have a motion.

CHAIR GARY: All right, thank you, Mike, appreciate that. We'll go to Dave Sikorski online.

MR. DAVID SIKORSKI: I'm thinking through the portion of the presentation where we talked about the PDTs recommendation as it relates to the difference in quota reductions or landings reductions in the commercial fishery. I think the Board will remember I talked about this and made a motion on the fly at the last meeting, which all relates back to what is in bold on Page 11, which says we need to have the 14.5 percent reduction from total removals to achieve F target in 2024.

I know Katie just said that very few of the options in this document are going to achieve reduction. Thinking about the Chesapeake Bay and the part of the document that says that 80 percent of numbers of fish removed in the commercial fishery come from the Chesapeake Bay. I'm not sure how, given that 14.5 percent reduction in quota is still more fish than what was landed in 2022.

I think we're missing an opportunity here to, one, give the public an opportunity to provide comment, and two, actually for this Board to understand what is the right quota reduction for Chesapeake Bay to achieve the savings of numbers of fish? I think there is my question. What is the quota for reduction in Chesapeake Bay, and is it possible to include that in this document, just to help people understand that. Again, we have to reduce landings, and we just heard

that this document may not do that. Is it possible to add that information in, in some way?

DR. DREW: I think one of the challenges with that is the way we have generally applied a reduction to the quota and seen that trickle down through the total removals, because the key assumption there is that the utilization of that quota will be the same. If we want a reduction, a 14.5 percent reduction from 2022 removals on the commercial side, then by reducing the quota 14.5 percent and assuming that utilization will be roughly the same. Then that translates into a 14.5 percent removal in numbers of fish. It's true that there is the possibility that if we fully utilize the quota, you would not get that 14.5 percent reduction. The Bay has generally come very close to utilizing their quota.

The ocean tends to underutilize the quota, because of number one, the gamefish status for a couple of states, and then number two, the lack of availability in ocean waters off of North Carolina means that North Carolina which holds a fairly large chunk of the ocean quota, has not been able to harvest their quota.

Theoretically, in the ocean, if we reduce the quota by 14.5 percent and that quota was fully utilized, then yes, we would not see that 14.5 percent reduction, and might actually see an increase in removals. However, that reduction is based on the utilization, and what we expect to see in the future. Again, with the Bay, we generally see very high utilization, and so we could look at if the Bay 100 percent utilized their quota, how would that compare to the 2022 landings, where there was a slight underutilization.

Similarly on the ocean side we could look at those numbers. But generally, the utilization has not varied significantly. We do see some increases and decreases from year to year, but it's not a huge change over time, which is why that assumption is generally warranted, compared to trying to reallocate quota to account for those differences in utilization.

CHAIR GARY: Does that answer your question, Dave, or do you have a follow?

MR. SIKORSKI: Yes, it is helpful, thank you, Katie, and there are a lot of thoughts. But I do have a follow up also on the other piece of the puzzle, when it comes to mortality, also thinking about the Chesapeake Bay. I may have missed this. What have we been assuming about natural mortality in the Chesapeake Bay over the recent assessments?

Have we made any adjustments to that in recent projections, because I'm thinking about blue catfish, I'm thinking about predation, how that relates to the unfortunate results five years in a row now with the young of year. I recognize young of year is probably a starting point for our understanding of abundance, and then there is a selectivity and we're applying it, appropriately, I would hope. Could you expand on a little bit of how natural mortality is applied, and then if it's changed in the face of this growing abundance of this invasive species?

DR. DREW: The natural mortality that we use is an age-specific natural mortality, so it is higher on the younger fish and then declines over time, so that the oldest, largest fish have a lower natural mortality. But it does not change over time within the model. Every year we're assuming natural mortality is the same.

We did explore during the last benchmark changing natural mortality for the Bay, based not so much on the predation issues, but on the microbacteriosis issue. As you know, that spatial model did not get approved, and so that kind of was not fully brought into management or assessment use at this time. In terms of the blue catfish issue, I think we have not generally done a lot with that relationship. I think they certainly have the capability of eating juvenile striped bass, but I would say that would go obviously into the juvenile index when they're Age 0, and show up as low Age 0 recruitment, as opposed to natural mortality within the model, where we start modeling them at Age 1. I think the other component of it is, you know the microbacteriosis issue, which seemed to have gone down or receded in recent years.

It's not as much of an issue as it was previously, possibly related to abundance or density within the

Bay. We could simply look at the overlap of blue catfish with juvenile striped bass. But we think that those striped bass low recruitment values are probably more related to environmental conditions like temperature, flow.

We had a very dry summer and we've had several very dry summers recently, which can reduce the survival of those young of year, as long as the overlap with their points in prey. We know these are all things that affect juvenile recruitment. Blue catfish may be part of it, but there are also known environmental drivers that are currently not favorable for striped bass recruitment. I hope that helped.

MR. SIKORSKI: Extremely helpful as always, thank you, Katie, and thank you, Mr. Chairman.

CHAIR GARY: Additional questions on the Draft or the Projections? Doug Grout.

MR. DOUGLAS E. GROUT: I would like to turn to the Page 19 and the quota options, the quota reductions options, and just get some full understanding of a couple things. What I'm looking at is, under Option A, status quo, Amendment 7 quotas and size limits, and comparing it to Option B, where we would take a 0 percent reduction. I see in the New England states, as I would logically expect there would be no change in the quota, and also the same thing with North Carolina.

But all the other states, looking at New York, Option A quota, for example, is 652,000 and some change. But under a 0 percent reduction under Option B, it's 640,000 pounds. You know Maryland, for example, or the Chesapeake Bay quota under Option A is almost 2.6 million, but under Option B, 0 percent reduction from 2022, it's over 3 million. Could I just get some understanding about why there is some variability and changes there?

MS. KERNS: Doug, I believe it's from the conservation equivalency programs that are not shown, but can continue forward. In the Option, the B options, they would not be there at all, it would be

just straight up from their Amendment 7 quotas. But in the current quotas, CEs are accounted for.

DR. DREW: For example, New York has a maximum size that gives them a little extra quota to account for the fact that they are harvesting smaller numbers of fish, or smaller individual fish. Those calculations are not included in certain places.

CHAIR GARY: Additional questions on the Draft and Projections from the Board? Nobody online, Toni? The next step is to go to Board deliberation. The way I would like to handle this is to go through recreational measures first, so we'll go by sector starting with recreational, and I would like to start in the Chesapeake Bay. To kind of keep things moving, because I know we have a lot of Board members for that discussion, and have some motions teed up. We'll go to Chesapeake Bay, and I know Mike, you had a placeholder for that, so I'll turn to you.

MR. MICHAEL LUISI: I sent a motion to Toni; I'll wait for it to come up before I read it. I guess while they are getting that ready, well, here it is. I'll read it into the record, Mr. Chairman, and then there may need to be some explanation. I'll hold off on comments. If we get a second, then I can explain a little further what my thoughts were in drafting this and putting it together.

I would like to **move to remove from Section 3.1.2 (Chesapeake Bay Recreational Options) of Draft Addendum II, Alternative Set B (B1-B4), Alternative Set C (C1-C4), and E4.** If I get a second, I can speak to the reasons why those were selected for removal.

CHAIR GARY: All right, thank you, Mike, is there a second to this motion? Pat Geer. Okay, Mike, back to you.

MR. LUISI: In review of the options for the Chesapeake Bay, the states took a look at the Draft that was put together by the PDT. In the desire through this challenge to try to find some uniformity within the Bay, we felt that achieving a minimum size and a maximum size, having a similar slot limit with all four jurisdictions in the Bay would be an excellent way to move forward.

Right now, we have different minimum sizes. We have three different minimum sizes in four different jurisdictions. Our focus was to establish that uniformity first. By considering that, that essentially removes Alternative Set B, if we didn't want to leave in place what we currently have, which are a number of different minimum size requirements for the jurisdictions in Chesapeake Bay.

Alternative Set B was the first one we decided probably didn't need to continue to stay in a Draft Addendum II. Alternative Set C set the 20-inch minimum size limit throughout the Bay, and some of the issues there would be for the jurisdictions, Maryland and D.C. would need to increase their minimum size limit to 20 inches.

We've been there before, and the number of fish that were released by having a 20-inch minimum size in our portion of the Bay was incredible. We worked really hard to get ourselves back to 19 inches, to try to reduce some of that dead discard mortality that was occurring, which I know is of interest to everybody around this table.

That was the reason for Alternative Set C. Alternative Set D was not mentioned here. I believe Alternative Set D provides a 1-fish bag limit at 19, it's very uniform across the board. Lastly, for E4, E is the alternative that allows for the split modes. Based on the recommendations from the Technical Committee, I felt that since B4 was the lowest amount of reduction that we could achieve at 5.5 percent, something like that.

I felt that was not an acceptable option to take to the public. Now I just mentioned the Technical Committee, and I know the Technical Committee was suggesting that we remove options that are greater than a 20 percent reduction, and less than a 10 percent reduction. However, I feel that in light of what we're faced with, and the challenges ahead, and the juvenile index being what it has been for five years, and a whole list of other things that I won't waste the Board's time on discussing.

I felt that maintaining the options that have higher levels of reduction would be something that I would

like to hear the public's feedback on, which is why I limited the removals to those options that are less than 10 percent, leaving only one in there, which is Option E3, that does not achieve the 10 percent reduction.

However, I would be comfortable when and if this goes out as recommended here through this motion, that when the hearings occur that staff with ASMFC, when they present this information, specifically say that Option E3 did not meet or was not recommended by the Technical Committee in moving forward, just to put it out there.

But I really do want to get the feedback from the public, and I think by supporting this, it provides a broad distribution of maximum size limits with uniformity still. I think we'll get the feedback we need in the Bay to make the decisions we do in final action. Thank you, Mr. Chairman.

CHAIR GARY: All right, thanks for your rationale, Mike. Pat, as seconder, do you want to add any comments?

MR. PAT GEER: I'll just add that if you look at our regulations in the Bay, we're all over the place. We have different seasons and different size limits. This is a good start to have a consistent slot limit. We met last week and I said, how do we ever get to this point where we were so variable between the states?

It happened because of conservation equivalency over a number of years, but I think this is a good start to try to have some consistency, having that slot limit be the same for all jurisdictions would be very helpful to our anglers, because some of them are fishing right across borders. I'm very supportive of that, and I agree with everything Mr. Luisi said.

CHAIR GARY: We have a motion on the floor, I'll open it up to Board discussion. Any comments on the motion? Okay, Doug, almost going, going, gone, but you got it.

MR. GROUT: I'm sorry, I couldn't let it go, Mr. Chair. I would like to put up a motion to **amend to include to remove Option E3** too. I look at this as a 7 percent

reduction. We've got to be in as close as we can to this, and most of these options, both this and in the coast, at least on paper, don't quite make it. There are some that go over here in the Bay, but I think I would like to see Option E3 also removed if I get a second.

CHAIR GARY: Is there a second to this motion? Mike Armstrong, and back to you, Doug, for your rationale.

MR. GROUT: Yes, as I said, my rationale is we need to get as close as we can to this 14.5 percent reduction. This is half of that. I really appreciate the efforts that Maryland and Virginia have come and put forward, and trying to pare this down. I support it completely, but I am having difficulty supporting having an option for only a 7 percent reduction.

CHAIR GARY: All right, thank you, Mike, any additional thoughts?

DR. ARMSTRONG: Not so much, but I don't think we should bring the public hearing anything that we think has such a low probability of succeeding. I think 7 percent is low enough that it just won't fly, so I can support taking that out.

CHAIR GARY: All right, thank you, so we have an amendment to the original motion, it's on the floor and open for Board discussion. I'll go to Pat Geer first.

MR. GEER: When we did Addendum VI in 2019, we brought the sector separation before our Commission, and they didn't want to hear anything about it. I can't guarantee that Virginia will be, we may not do sector separation, we may continue to do 1 fish per person. If that happens there will be additional savings. We have a new commission that is drastically different than our past one, but when we brought that before them and said, we're willing to accept the sector separation to give the charter for-hire fleet 2 fish, they said no. Unanimously they voted against that.

CHAIR GARY: Mike Luisi.

MR. LUISI: I'm not going to try to come up with an example off the top of my head, but I don't necessarily agree with the statement that every document we send out the options that are in those documents are things that we are all willing to support. I think sometimes we put information out there to provide a range of options for consideration.

As I mentioned in my rationale for the motion, not the amended motion, but the original motion. I personally would like, I would like to hear from our stakeholders to determine whether or not they are interested more in just saving themselves for one year, or saving the species into the future.

I think by presenting one of these options that I know for a fact our charter fleet is really interested in, because of the sector split. I really want to see if their focus is all about the largest slot limit or are they going to be thinking in any way about setting themselves up for success for the future? As I mentioned, I would be happy with putting a footnote on that option, to say that it wasn't supported by the TC.

Secondly, this I think is a good a time as any to bring to the attention of the Board that in light of the emergency action, the failed recruitment or low recruitment in Chesapeake Bay for the last five years, we are working internally as of when that information became available. We are going to be considering actions in addition to the actions of ASMFC. One of those actions is the elimination of our spring trophy season altogether. We also are contemplating moving forward with additional time periods in the summer, when we have our no targeting restrictions. We're considering extending that. We're beginning that discussion with leadership. But I do believe that we'll be taking additional steps to protect and conserve what we have left in the Bay. I'm not going to support, for those reasons I won't support the motion, but again I ask that you support the original motion.

CHAIR GARY: All right, thank you, Mike, for that context. Additional discussion from the Board regarding the amended motion? Mike Armstrong.

DR. ARMSTRONG: It sounds like to me that I guess this comes down to you want the 25 inch as the top of the slot, where the coast option is 5 inches maximum slot, that is all that's proposed for for-hire fleet, and that would be 24 inches in the Bay if we flagged the 19 inches. I continue to support that 7 percent is too low, and it gets you a pretty decent slot still for 5 inches, if we go with E2.

CHAIR GARY: All right, thank you, Mike, additional discussion. We'll be ready to call the question. Can we have a one-minute caucus appropriate for everyone? I'll give you one minute. All right, let's call the question. We'll just go ahead and go for it. All those in favor, sorry, go ahead, Justin, do you have a question?

DR. JUSTIN DAVIS: Could we possibly get like 30 more seconds to caucus? We weren't quite done over here.

CHAIR GARY: Yes. Let's go ahead and call the question. On the motion to amend, all those in favor, please raise your hand and please hold them up. Toni will count. All right, thank you, lower your hands. All those opposed to the motion, please raise your hand. All right, thank you, abstentions, null votes.

**The amended motion passes 10, 6, 0, 0.** We'll have the adjusted motion up in a moment. Is there a need to caucus on this, or can we go ahead and call? Does anybody have a burning need to caucus on this? All right, we're going to go ahead and call the question on the motion on the floor. **All those in favor, please raise your hand. Keep them raised as Toni counts them. Just to be sure, abstentions lower your hands, no null votes. All right, it's unanimous, the motion passes.** All right, John is keeping a stray up here. Justin, question?

DR. DAVIS: Not a question, but as we dispensed with this motion, I was prepared to offer another one, if you're ready for another motion.

CHAIR GARY: You beat me to it, Justin. This is with the recreational measures, Chesapeake Bay. I was going to finish in the Bay first if we could. I'll go to

you first when we pivot to the ocean. Are there additional measures on Chesapeake Bay recreational options, either removing from the document or adding to the document? This is the last call for Chesapeake Bay recreational measures. Okay, all right, Justin, it was easy enough. Back to you, we'll go to the ocean recreational measures. You have a motion to offer.

DR. DAVIS: I think I sent this motion to staff, so we can put it up on the board. Okay, **move to add the following options to Section 3.1.1, Ocean Recreational Fishery. Option D, 1-fish at 30 to 33 inches, with 2022 seasons (all modes) (12.8 percent overall reduction, 45% harvest reduction and 2% increase in release mortality). Option E, 1-fish at 30 to 33 inches with 2022 seasons for private vessel/shore anglers; 1-fish at 28 inches – 33 inches with 2022 seasons for the for-hire mode.**

CHAIR GARY: Thank you, Justin, is there a second to this motion? Joe Cimino. All right, Dr. Davis, back to you for your rationale.

DR. DAVIS: My motivation here, at the last meeting we considered a draft addendum document that had a lot of options in it for the ocean recreational fishery. At that meeting we voted to essentially take almost everything out. All that is left there at this time is the 28-to-31-inch slot limit, and the status quo FMP standard 28 to 35.

I think the reasons we did that at the last meeting were good. I won't rehash that whole discussion. But I walked away from the meeting feeling somewhat unsatisfied, the reason being, this last year when I talked to the members of my public who are upset about the emergency action that we took last year.

They were upset about the unilateral nature of the action, that there was no public input. What I told them was I stood by that decision. I think this Board did the right thing, given the information we had at hand. But that I understood the criticism about the nature of that action. I think that is valid.

My message back to the public was, for 2024 we will do our normal process, our normal deliberative process. We'll have public input; we'll present options to the public to achieve our objectives. Currently the way the Addendum stands, you know from my standpoint. There are not really options in there for the public to choose from for the ocean recreational fishery.

What I'm trying to do here is just add some options back into the document. The 30-to-33-inch slot, Option D, achieved a 12.8 percent overall reduction on paper compared to the 14.1 percent reduction for the 28–31-inch slot limit. From my standpoint, given all the uncertainties in the projections, that is a distinction without a difference. They are roughly equivalent. That slot limit will expose some more of the 2015-year class to harvest. Based on Table 4 in Page 34 of the Addendum, those 2015 fish will be on average about 34 inches long this coming year.

This will still protect some significant portion of the 2015-year class, but it will also provide some protection to the 2017- and 2018-year class, which should be on average 29 inches and 26 inches respectively next year. Then in Option E what I'm doing is just adding essentially an analog to Option C in the document, providing an option for a for-hire mode split to go along with this 30-to-33-inch slot limit. I don't have the percent overall reduction associated with this option. I did not do my homework.

I was supposed to do that before this meeting, and did not do that. But I think, you know if you look at the comparison between Option B and Option C in the document, which is the 28 to 31 or the 28 to 31 with the mode split. It's a 14.1 versus a 14.0 percent reduction. I think it's safe to assume the difference in the overall reduction between these two options is going to essentially be negligible. But we can calculate that and put it in the document after the fact. Again, the motivation here is just to add some options back in for the public to consider for the ocean recreational fishery. What I'm hoping we can avoid here is getting into a debate about the relative validity, or which of these options would be most appropriate for 2024? We have plenty of time to do

that at final action time if we vote these into the document. I think at this point I'm just hoping the Board will acquiesce to adding these options into the Addendum.

CHAIR GARY: Joe, any additional thoughts as seconder?

MR. JOE CIMINO: Yes, I agree with everything Justin said. I am kind of worried taking this out to the public without what we promised them, you know a chance to look at something other than what we put in as an emergency. I've had a chance to look at this size range, with the same tools that the Technical Committee uses, and I agree that I do believe it provides protection to the two most important year classes that we're trying to protect. I think it's something of value to see what public opinion is on something other than the current option.

CHAIR GARY: We have a motion is on the floor, and I'll open it up to Board discussion. Any of the Board members like to comment on the motion on the floor? Dr. Armstrong.

DR. ARMSTRONG: I don't love the thought of a 30-33, though we did a 28-31 to get off a 2015, and now we're following it. That doesn't make all that much sense. I would like to hear what the public has to say. But I guess if I could go through the Chair and ask the motioner what does D achieve that C doesn't?

DR. DAVIS: I think in one sense D doesn't achieve anything different than C, it's just the way the document is constructed. It sort of has distinct options for the 28-31 slot versus a 28-31 slot with a for-hire mode split. I think the options could be reconfigured in such a way as to provide, you know Option A status quo, Option B, 28-31, Option C 30 - 33, and then sort of like, I don't know what you would call it, an Option B to provide a 28-33-inch mode split to go along with either C or B. I think I go that right. It's really just semantics and how the options are structured in the document.

CHAIR GARY: Does that answer your question, Mike?

DR. ARMSTRONG: Yes.

CHAIR GARY: Additional discussion on the motion. Emerson Hasbrouck.

MR. EMERSON C. HASBROUCK: Yes, I support this motion. I came away from the August meeting just thinking that what are we offering the public in this Addendum for the ocean recreational fishery? Essentially the way it's structured now, what we're offering them is what we put into place during emergency action. I think having a couple of additional options is a good idea to get public input on that.

CHAIR GARY: Additional discussion. All right, no hands online, no hands in the room, let's go ahead and, just to be clear for all those listening in from the public. There will be public option to comment on this. We're just adding it to the document to get the public additional options per the rationale that was provided. We're going to go ahead and call the question. I'll give you a two-minute caucus. All right, if everyone is ready, let's go ahead and call the question for the motion on the floor. All those in favor, please raise your hands, and again, please hold them so Toni can count. All right, let's do it this way. Is there any objection to this motion? Oh yes. Chris did. All right, let's try again. **All those in favor of the motion, please raise your hands**, hold them.

MS. KERNS: Just so everybody knows to be clear. For the main motions I'm going to say the names of the states. Amendments, I am not going to unless the Board asks for a roll call. **New Hampshire, Maine, Delaware, Maryland, PRFC, D.C, Virginia, Pennsylvania, Fish and Wildlife Service, New Jersey, New York, Connecticut, Massachusetts, Rhode Island and NOAA Fisheries.**

CHAIR GARY: **All those opposed.**

MS. KERNS: **North Carolina.**

CHAIR GARY: **Abstentions, null votes. Motion passes 15, 1, 0, 0.** All right, we'll continue on the pathway of ocean recreational options, either to remove or to add. Do we have any additional motions from members of the Board? Dr. Armstrong.

DR. ARMSTRONG: I have a motion that would apply to both the Bay and the coast if that is okay. It is. This addresses because we have mode splits, and I would like to put this in for clarification. I'll stop at that and then speak a little bit more.

CHAIR GARY: Looking to pull this up.

DR. ARMSTRONG: I'll read it in, yes. **Move to specify that any for-hire mode specific limit optioned in Section 3.1, Recreational Fishery Management, applies only to patrons during a for-hire trip; captain and crew during a for-hire trip are subject to the private vessel/shore angler limits.**

CHAIR GARY: Is there a second to this motion? John Clark. Mike, back to you.

DR. ARMSTRONG: This was brought up at the PDT and there was discussion. I now Law Enforcement didn't love it, because it's in the weeds. The effect will be small. But what we're doing here is splitting modes, which is really a huge move if we do it, is we're doing it for the for-hire fleet to attract clients. That's what I've heard, and it's not fair that the Captain and Crew could also take advantage of that, because that is not the purpose of why are we splitting the mode. It's as simple as that.

CHAIR GARY: John, any additional thoughts?

MR. CLARK: No, I think Dr. Armstrong explained it all eloquently and succinctly.

CHAIR GARY: All right, the motion is on the floor, Board discussion on the motion.

MS. KERNS: I didn't go over this section of the PDT memo, just because we had pulled the patron aspect out. Mike did say that it is discussed, they just want to make sure the point to the Law Enforcement Committee is spot on. I'll take it to the bottom line if Jeff wants me to go further.

But for them the patron standard would require Law Enforcement to additionally prove that the angler was a paying customer and not a part of the crew. I think that was their biggest concern. A significant

portion of the other aspects of the Law Enforcement Committee's discussion of this was about just consistent straightforward language. You could apply that to this, or you could apply that to mode splits in general. I'll leave it at that.

CHAIR GARY: Jeff, any other thoughts?

MR. JEFF MERCER: Yes, just this is essentially a mode split within a mode split. Like you said, we really get into the weeds here. It wouldn't be a problem in a boat with a captain and customers, captain and one crew, paying customers. But when you get from the party boats with multiple crew. It becomes difficult to identify who is crew, who is paying, and it just adds another step in having to prove employment status. Proving that would be very difficult if someone denies being crew.

CHAIR GARY: First Board member who would like to weigh in. We have Dave Sikorski online. Go ahead, Dave.

MR. SIKORSKI: While I appreciate how this provides some clarity, I think hearing what Law Enforcement has said, it means you know that I don't think this is necessary, and I won't speak against the motion, largely because I think sector separation as we've discussed and deliberated beyond this Board, thinking about it Commission wide.

We still don't have answers, and the fact that we're looking at stock that is collapsing, and considering carve outs regardless of the reason is a mistake. Any further sector separation is a mistake. I do recognize the need for public comment on this issue, it's not one of these things I'm going to try and get in a fight over here, especially virtually.

But I think it's sending the wrong signal. We're in a time of conservation. I already spoke and asked some questions of staff to help understand how we can achieve that, because we know this package so far does not include everything we need. I think this is also a bit of a fool's errand, regardless of how much certain portions of the public need it.

Because I do respect that, and I am concerned for everyone that is connected to this fishery. But what do we stop with the carve outs? It's as simple as going back to the numbers of fish, where we are and how we're regulating in my Chesapeake Bay, or the Chesapeake Bay that I am part of representing, and where I live. Unfortunately for the last three years, sector separation has allowed a portion of a recreational fishery to take twice as many fish as the general public. We see the FES numbers. We've been on a roller coaster ride with recreational data over the last couple years. We don't have clarity on this fishery to try and chop this up as if it's a precise tool. I think we need to stop kidding ourselves at some point. How quickly do we want to race to the bottom is how I'm looking at this sector separation piece across the board. Frankly, I don't even think sector separation belongs in the Chesapeake Bay options, but I do want public comment. This is a decision point for once public comment is complete.

But I definitely want to take this opportunity to say that it's a mistake if we move this forward. I do recognize the political pressure here, and ask the public and ask all my fellow Board members. Do we want to get there twice as fast, because that is what two versus one fish does. Our data is not accurate enough to do this. We shouldn't do it as we continue to have recruitment failure. We're racing to the bottom.

CHAIR GARY: Go back to the Board for additional discussion. I'll go to Roy Miller and then John Clark.

MR. ROY W. MILLER: I think I support this particular motion regarding what David just talked about, mode splits. This isn't a specific action that approves or disapproves of mode splits, this just tells us that if mode splits are selected from the Draft, then this would apply to those mode splits. For that reason, I would support this. We're not voting on mode splits by approving this particular motion.

CHAIR GARY: We'll go to John Clark and then we have Megan Ware and Doug Grout.

MR. CLARK: I certainly understand the Law Enforcement concerns about this, and I don't like

getting into regulations that can't be enforced. But at the same time, I think this does have deterrent value, and that it would at least make clear for anybody that is a for-hire captain that they are not to take extra fish out there. I think it's good just to have it out there, even if it would be difficult to enforce.

CHAIR GARY: Megan.

MS. MEGAN WARE: Yes, I'm going to speak against this motion. I think for anything that is not enforceable, we're kind of losing the conservation value of what we're trying to achieve here. For states who do have stakeholders who are interested in a for-hire split, this makes that option less palatable for me with this language included.

CHAIR GARY: Doug.

MR. GROUT: I just would like some clarification on this motion, because I too have a little bit of heartburn, considering the concern that Law Enforcement had put forward about the enforceability. I don't have a problem with this being added as an option. But if we do select a mode split, could we have an option where this isn't automatically part of it, part of a mode split that we can choose as a Board to either have it in or have it out, or could we come to final determination, decide on a mode split and ask to remove this part?

MS. KERNS: Doug, if that is what you're looking for then we would have to make a motion to amend to make it like an option to add, instead of replace. If you want to do that, I can work with you to write an amendment.

CHAIR GARY: Doug, let me come back, because it sounds like you might want to go that route. But I will go to Justin first.

DR. DAVIS: A couple things. I'll just mention that Connecticut currently has regulations on the books like this for scup and black sea bass during our for-hire bonus seasons for those species. Paying passengers only are allowed to take the higher bag limit. That is what it says right in the regulations.

I haven't heard from our enforcement that that is a problem. Just pointing out that Connecticut has rules like this currently on the books. I also just wanted to point out that, you know I don't see, this motion isn't about whether or not we're going to have for-hire mode splits, it's about if we have for-hire mode splits, might we also want to adopt some additional language that enhances conservation.

I think to me the conversation is getting a little jumbled around the benefit or not of having for-hire mode splits. Maybe that is not what this motion is about. I will also just say that I think Doug makes a good point, that the way this is currently worded says that if this gets voted up and we have a for-hire mode split this has to happen. But I think it should be set up to be sort of a secondary set of some options to go along with the mode splits.

CHAIR GARY: Doug, I'll go back to you if you intend to look to amend.

MR. GROUT: Yes, my **motion to amend is to remove the words "to specify" and replace it with "add an option", in for-hire modes.** Is that clear?

CHAIR GARY: All right, thank you, Doug, we have an amended motion, do we have a second? We have a second by Emerson Hasbrouck. Doug, I'll go back to you if you want to expand on your motion.

MR. GROUT: Yes, I heard what the Law Enforcement report is, and their concern with this. I have a little bit of hesitance. I would like to have this as an option that we can select or not select in the final document, rather than have it just specify that it's going to happen.

CHAIR GARY: All right, thank you, Doug, and Emerson as seconder would you like to comment on this amended motion?

MR. HASBROUCK: Yes, I would rather see this as an option to be considered rather than a specific condition if we go with a mode split. I agree with Doug on that. Also, if it's been working in Connecticut on black sea bass, is that what it was, black sea bass and scup without any serious

problems, then it seems like that might work as well with striped bass.

CHAIR GARY: We have an amended motion, discussion on the amended motion, Mike Luisi.

MR. LUISI: I support the motion to amend, given the discussion around the table I don't want to see this concept coupled with the for-hire options for the recreational fishery when we come to final action. I think it's set to stop nicely, we can make our decisions first and then decide if we want to apply this, if any for-hire mode split options are considered as final action at our next meeting. I support this.

CHAIR GARY: Additional discussion, Mike Armstrong.

DR. ARMSTRONG: I have absolutely no problem with this Amendment, and if there is an easier way to do that, I think we learned that there are no such thing as friendly amendments. Vote two yesses.

CHAIR GARY: Any additional discussion before we call the question. A caucus, yes. Let's try one minute. All right, let's bring this Amendment to vote. Actually, let's try this. Is there any opposition to this amended motion? Let's take it to a full vote. All those in favor of the amended motion, please raise your hands. All those opposed.

DR. ARMSTRONG: It was down, it was voting for.

CHAIR GARY: Abstentions, null votes. **The motion passes, 13 in favor, 1 opposed, 2 abstentions.** We're back to the modified motion.

Okay, we'll read this into the record. **Move to add an option that any for-hire mode specific limit optioned in Section 3.1, Recreational Fishery Management, applies only to patrons during a for-hire trip; captain and crew during a for-hire trip are subject to the private vessel/shore angler limits.** I'll try it the easy way. Is there any objection to the motion? Okay, so we're going to go to a full vote. All right, I tried. **All those in favor of the motion, please raise your hand.**

**MS. KERNS: New Hampshire, Delaware, Maryland, PRFC, D.C., Virginia, North Carolina, Pennsylvania, New Jersey, New York, Connecticut, Massachusetts.**

**CHAIR GARY: All those opposed, please raise your hand.**

**MS. KERNS: Rhode Island and Maine.**

**CHAIR GARY: Abstentions.**

**MS. KERNS: U.S. Fish and Wildlife Service and NOAA Fisheries.**

**CHAIR GARY: Null votes. Motion passes 12 in favor, 2 opposed, 2 abstentions.** We are back to the Draft, and looking for any sections to add or any deletions on recreational ocean measures. Looking to the Board for any motions related to additions to the document or deletions. Seeing none; let's pivot to commercial measures, and I would look to Dr. Davis for a first motion.

DR. DAVIS: I sent the motion to staff, yes, there we go. I **move to remove Section 3.2.2 Commercial Maximum Size Limit options and 3.2.3 Gill Net Exemption options from Draft Addendum II.**

CHAIR GARY: Sorry, Emerson, John Clark almost jumped over the table, so he's got the second, beat you to it. We have a motion on the floor from Dr. Davis, seconded by John Clark, and Dr. Davis, I'll come back to you to speak to your motion.

DR. DAVIS: I think at this point it's pretty clear this is the best path forward. We have a pretty clear signal from the Technical Committee and the PDT that due to all the uncertainties associated with the analyses that went into creating the maximum size limit options, and sort of some of what I think were maybe unanticipated outcomes, where imposing a maximum size limit might actually increase removals, move us further away from our goal of rebuilding by 2029. I think it's clear at this point we should probably take this out of the document.

I will say that I think there was a lot of value in having this in the document to this point, and having the

technical folks take a really good hard look at it. Since we implemented the slot limit back in 2019 or 2020, I had consistently heard from folks in the recreational sector concerns about equity, that folks on the commercial sector could still take larger fish, while people in the recreational sector couldn't. I think by taking a hard look at this we've been able to show that it's just not that simple imposing a maximum size limit on the commercial fishery.

It just doesn't make sense for a lot of reasons. I would like to advocate for if this motion is voted up, that we retain some text in the Draft Addendum that sort of synthesizes the work that was done, the main conclusions, and sort of like provides that information to the public that they can review in the Draft Addendum so it's in there, sort of memorialized that we took a look at this and here are the reasons why the Board didn't move forward with it, so that work won't be lost and we won't be back here having the same conversation four or five years from now.

CHAIR GARY: John, I'll turn to you for any additional thoughts.

MR. CLARK: I think Justin covered that well. I have to say, philosophically I just haven't liked this whole SPR methodology for taking 1972 to 1979 landings, which were just in pounds, turning it into fish then turning it back into pounds. It seems like alchemy of a type. I'm just glad it's out of the document.

CHAIR GARY: All right, thank you, John, we'll turn to Board discussion on this motion, and we've got Mike Luisi first and then we'll go to Emerson Hasbrouck.

MR. LUISI: I'm going to support the motion, and the reason is because I don't want to see the opposite reaction from John Clark if this were not to pass. That is the reason why I support it, and I suggest calling the question on this rather quick.

CHAIR GARY: Emerson Hasbrouck.

MR. HASBROUCK: Since I was ready to second this motion before you jumped over me and went to John Clark, I obviously support this motion. In terms of satisfying some of the concerns about commercial

sector harvesting larger fish, I'll just reiterate what is in the Technical Committee memo from September 28, relative to this issue.

Implementing a more uncertain management option that is designed to have no effect on overall stock productivity, increases the uncertainty around the rebuilding probability and the impact on the stock, without having a positive impact on overall stock productivity.

CHAIR GARY: Additional discussion on the motion. All right, we'll go ahead and call the question. I'll offer a one-minute caucus. Let's call the question. I'm 0 for on consent, but we'll try one more time. **Is there any objection to this motion? Seeing none; motion passes.** How about that. Okay, so we're back to commercial measures in the Draft Document. Are there any additional additions, deletions? Any other modifications? Dr. Armstrong.

DR. ARMSTRONG: A question for staff, and I think I know the answer. This now renders gillnet exemption moot.

MS. KERNS: That was already in the motion we just passed.

DR. ARMSTRONG: Oh, that was in there, I'm sorry. I'm checking in for a flight we're going so fast.

CHAIR GARY: I guess this is a last call for the Board for modifications to the document, additions, deletions. Are there any others the Board wants to offer? All right, before we, okay, Emerson, go ahead.

MR. HASBROUCK: No, I didn't mean to interrupt you. It seemed like there were no other additions or deletions, so I was just going to ask if you needed a motion to approve this.

CHAIR GARY: We will in a moment, and I'll reserve that for you to make that motion, Emerson, if you could. But before we do that, seeing non other Board action on this. I would like to offer to the public if there is something that has not been added that you would like to see, not something that you

want removed, because we've made those decisions.

But if there is something missing that the Board missed that you would like to comment on for Board consideration, please raise your hand in the room and/or online, and we'll offer some comment for items that have not been added that you would like to see added. All right, we have one person that would like to comment, and again this would be for items that are not in the document you would like to see added. Michael Quinan, would you please unmute? You have two minutes.

MR. MICHAEL QUIINAN: Okay, and it's not going to take me two minutes, and I also maybe didn't understand the limitation. I actually have a question, clarification on the last motion, which removed the commercial size limit options and the commercial gillnet exemption options. Does that also effectively remove the quota reduction option for commercial in the Bay or commercial generally?

MS. KERNS: No, Michael, it does not. There is still an option for commercial quota reductions, they are just straight up reductions, and they can range anywhere from 0 to 14.5 percent.

MR. QUINAN: Okay, and so that is where I'm confused. Maybe I will use a few more seconds here, another minute. Because my understanding was the only reason for the quota reductions was to just for the maximum size limit option, in other words the maximum size limit would result in less taking of larger fish, more taking of smaller fish, in order to equalize, to make there be no change in the effect the quota reduction will be required. If the maximum size limit is removed.

MS. KERNS: Michael, I can explain. The Board at the last meeting added an additional commercial option that looked at straight reductions to the commercial fishery, as well as the maximum size limit option, which also had quota reductions as part of the spawning potential ratio analysis. What the Board did today was remove the maximum size limit option, but held on to the straight up commercial quota reduction.

CHAIR GARY: Thank you, Michael, I appreciate that. I think now, Emerson, we're ready for that motion. All right, Dave, go ahead, you have the last word before we try to put a blessing on this document. Go ahead, Dave.

MR. SIKORSKI: My question is in regard to, what is the right quota reduction to occur in Chesapeake Bay to actually achieve a 14.5 percent reduction in landings is something I think belongs in this document to inform the public on the difference of landings versus quota. I would gladly make a motion.

But I look to you all to speak to how we could just include that information in that clarity, or if you have any questions for what I am trying to achieve. But I do have a motion prepared. I was not able to provide it to staff. Do you want a motion or is it something staff can add?

MS. KERNS: Dave, I think we can do our best to add something, but we can't predict what the Bay is going to land in any given year. I could say based on last year's landing values to get a 14.5 percent reduction you would actually need this amount. But every year your commercial landings change, so it is difficult for us to predict that value.

MR. SIKORSKI: I would be comfortable with what you just described, including that clarity to folks that there is variability, but based on 2022 landings, what is the number of fish or pounds that should be removed in 2024 or '25, because this document may not impact 2024. I think what you just described provides the clarity I was seeking, and so I don't feel that I need a motion. Thank you.

MS. KERNS: We can just add a column to that table to refine that.

CHAIR GARY: Thank you, Dave, Emerson, back to you.

MR. HASBROUCK: While staff is.

CHAIR GARY: Okay, bear with us, Emerson, you are going to have your moment, I promise you. All right, so we have Patrick Paquette online. Patrick, we're

not sure when you entered the queue, but we're going to give you the benefit of the doubt. Are you intending to suggest to the Board that we add a component to this Draft?

MR. PATRICK PAQUETTE: I am.

CHAIR GARY: Okay, so go ahead, we'll give you one minute if you could please, Patrick.

MR. PAQUETTE: Absolutely, thank you, Mr. Chairman. Patrick Paquette, Mass Striped Bass Association, and a member of the recreational Striped Bass AP. Just in the answer, and I don't know if it was prevented by a motion leading up to this meeting, which is why I hesitated.

But I would just like to say that what I believe is missing from this document are options and a serious discussion going out to the public about closed seasons. We are going down the road of the extremely controversial lead to a lot of ugly places recreational sub-mode split. I believe that we should be having the closed season discussion before that or at the same time as that. That's all, thank you.

CHAIR GARY: Thanks, Patrick. I think I understand where you are headed with that. Your suggestion is you would like to see a component added to this document that entertains closed seasons. I would turn to the Board if there is any interest and appetite for doing that. Seeing none in the room, but we have two of our Board members that are online that would like to comment to this. I'm going to go to Adam Nowalsky first and then Dave Sikorski second.

MR. ADAM NOWALSKY: Given the discussion that has already occurred about this around the Board so far, I'm not sure there is going to be much appetite at this time for development of a specific option. Maybe there is somebody else around the table that would like to prove me wrong, but I've certainly spoken my part in support of examining this idea.

What my request would be, is for conversation about the addition of a scoping element to this question, as part of the public comment process. If that needs a specific motion, I would be happy to make that. If

there is support for it around the table, and staff believes we could just add that as a question to the public here to provide input with, I would be acceptable to that path forward as well.

EXECUTIVE DIRECTOR ROBERT E. BEAL: I guess the question back to Adam, is he actually looking for something to be added into the document, or is it just part of the presentations at public hearing? In other words, we'll go through all the options here, then while we've got you, do you guys have any perspective on closed seasons. It gets a little awkward if you're working through an amendment or an addendum with a series of specific options, and then you're asking kind of questions about future things the Board might do.

It may get really confusing, and some of the public may think since that question is part of the document, then it can actually be included in what the Board does as part of the final approval of that Addendum. The Board won't have that ability to put in seasons now. I think weaving something into the public hearings, we could probably do that. But putting it in the document might get a little messy.

MR. NOWALSKY: I would have no objection to the approach of just weaving it into the presentation as such. That would be fine by me if staff feels that is the most appropriate way forward, and the rest of the Board consents.

MS. KERNS: I'll just add that based on the past couple of striped bass public hearings that we have had, in several states we have utilized the entire time that we have set aside to have those hearings. I would want to make sure we set up some expectations that if we are at the end of the timeframe to create that comment.

Is the state wanting to stick around for additional time to scope or not? It's just that we do get a lot of comments, typically, on striped bass. I want to make sure that we have the right timing set for that. It may be that if you say no, then that scoping would not happen, if we run out of time.

CHAIR GARY: I guess before we clarify what we may or may not do, Dave Sikorski, did you have a comment?

MR. SIKORSKI: No, I appreciate Patrick's comment and the discussion so far. I am supportive, and I feel like I'm in the same place as Adam. Generally speaking, I think this Board needs to figure out what our next steps are to address that issue, because there is no question that seasons are what is left in our recreational tool box.

I think there is actually a seasonality component of commercial fishery constraints as well. I don't know what that path looks like forward, but I don't think it makes sense to add to this document and further complicate our proceedings today, or getting things out to the public. Thanks.

CHAIR GARY: I just turn to staff, if I could. Can we kind of clarify once lastly for the Board. Adam had made a request, working off Patrick Paquette's narrative. What does that mean in terms of the hearings?

MS. KERNS: If it is the pleasure of the Board for us to do some scoping at the end of the hearing, I think we could make that happen. But if the hearing has utilized the entire timeframe that the state has set aside, then it would be the state hearing officer's choice of whether to scope or not. I think it would be the state's choice to do that. This is the pleasure of the Board if the whole Board wants us to scope or not.

CHAIR GARY: Is there any objection from the Board to what Toni is describing? Mike, go ahead.

MR. LUISI: I agree with what has been presented regarding seasons. I'm not going to go get into it at all. But we all know that seasons are next, it is the next thing if we have to make adjustments. We really don't have anything else left. We're down to 1 fish, we have slot limits, you know, no wider than that. It's going to be difficult.

But my concern is that the public goes to a public hearing to listen to Addendum II options, and then

they have a discussion about season closures. Now they think season closures are part of the options for discussion on Addendum II, which we've already had the debate and removed them.

We're going to have time after this is finished in January, I believe, to consider and think about what are the next steps. I personally would rather see them separated from the conversation with the public. As much as I want to hear what the thoughts are, I just think we try to keep it as simple as we can to get the feedback we need at this time, because January will be here before we know it.

CHAIR GARY: It doesn't sound like we have Board consent to move forward with this, unless somebody wants to put a motion forward and try to put something in the form of a motion. Adam, you have your hand raised, go ahead.

MR. NOWALSKY: Yes, if that's what it's going to take, Mr. Chairman, I will go ahead and make a motion to add to the public hearings time for scoping of closed seasons.

CHAIR GARY: We'll wait. I think everybody understood what that meant, but let's wait a second to get it up on the board.

MR. NOWALSKY: I'll just add while that is coming up is that this motion would then include time for that, whether we're going to say if the hearing schedule to end at 8 o'clock, that at 7:45 that is the time we're going to allow. But that is the intent of this motion to explicitly allow time for this topic on the agenda of the public hearings.

MS. KERNS: To clarify, Adam, you would say cut off comment on the document with 15 minutes left to scope.

MS. NOWALSKY: No, I'm saying make enough time for the public hearings to accommodate both. I'm not asking to cut anything off, I'm saying if we're going to plan an hour and a half public hearing, let's make it an hour and 45 public hearing. If it's going to be a two-hour public hearing, let's make it a two hour and 15-minute public hearing.

CHAIR GARY: All right, we have a motion, do we have a second to that motion? Anyone online?

MS. KERNS: Dave Sikorski, are you seconding that motion? David Sikorski, are you listening?

MR. SIKORSKI: I am, but I had to get closer to my mute button. My apologies, I was truly remote away from my computer. I did not know my hand was still up. I am not seconding.

MS. KERNS: Thank you.

CHAIR GARY: All right, so with lack of a second that motion doesn't advance. I think now, Emerson, this is your show. I hope everyone in the public knows we care deeply about how you feel, and I think, at least in my tenure here, I've been very generous in terms of working with them. But it is my discretion.

In the interest of time, we have a couple other agenda items. We've had opportunity for folks to raise their hand to comment on additions to the document. We had one. As Chair, I'm going to go ahead and cut this off. We're going to take it back to Emerson, and Emerson, you've been waiting patiently, so it is your time.

MR. HASBROUCK: I'm hoping that staff has a motion, and while they are getting that motion up, I would just like to say that I know that people from other states have the opinion that New Yorkers are always trying to do things quickly and are always in a rush. Marty, it must have been these past two or three weeks that you've spent in New York that allowed us to get through this contentious document in record time today. **I move to approve Draft Addendum II for public comment as modified today.**

CHAIR GARY: Do we have a second? Jason McNamee. Is there a need to caucus? Seeing none; all in favor. I'm going to go two for two here, **is there any objection to the motion? Seeing none; the motion passes by consent.** Thank you all for your patience. Toni had something she would like to offer to the Board before we move to our next agenda item.

MS. KERNS: Since we did just discuss seasons, sorry Chris to jump the gun. I'll just note that today during the Action Planning Session, I noted that the TC is going to do some additional work to look at the bag and size limit analyses to see if there are ways that we can improve those analyses, to give better advice to the Board.

Katie and I had discussed, maybe there is some additional work that the TC could do for seasons. If that is the will of the Board, we can kind of look into some season concerns. If you want the TC to do so at that time, if not we will stick with the bag and size limit analyses. Does the Board want us to do that or not?

CHAIR GARY: Go ahead, Emerson.

MR. HASBROUCK: I would like to see that occur. Do you need a motion or is just our opinion good enough?

MS. KERNS: Unless anybody has some great objection, we'll have the TC look into some of this, see what we can do. I'm not making grand promises, but.

CHAIR GARY: All right so we have Board consent for that. Thank you, Toni.

#### **ALBEMARLE-ROANOKE ATLANTIC STRIPED BASS MANAGEMENT UPDATE**

CHAIR GARY: The next item on our agenda is an update on the Albemarle-Roanoke Atlantic Striped Bass Management, Chris Batsavage.

MR. CHRIS BATSAVAGE: In the briefing material is a memo just kind of highlighting the current status in management changes for the Albemarle Sound striped bass stock. I'll give a quick overview of what is going on with them. Just as a reminder, the Albemarle-Roanoke striped bass stock is managed by North Carolina under the backing of ASMFC.

The stock is jointly managed by North Carolina Marine Fisheries Commission and North Carolina Wildlife Resources Commission under Amendment 2

to the North Carolina Estuarine Striped Bass Fishery Management Plan. The Marine Fisheries Commission has management authority in Albemarle Sound and its tributaries, while the Wildlife Resources Commission has the management authority in the Roanoke River and its tributaries.

The North Carolina Division of Marine Fisheries conducts stock assessments for striped bass in this area, and DMF and the Wildlife Resources Commission both monitor the fisheries. The 2020 stock assessment determined that the striped bass stock was overfished and overfishing was occurring. The 2022 stock assessment update showed that stock status was the same, but fishing mortality increased, and spawning stock biomass decreased.

The stock assessment results were consistent with the trends in the fishery independent surveys for both the juvenile and adult striped bass, with juvenile recruitment estimates at very low levels the last several years. The striped bass total allowable landings from 2021 to 2023 were set at roughly 51,000 pounds with 50 percent allocated to the commercial fishery and 50 percent allocated to the recreational fishery, with the recreational allocation evenly split between Albemarle Sound and Roanoke River management areas.

The 2022 stock assessment update determined that a total allowable landings level of 8,249 pounds is needed to end overfishing. The Division of Marine Fisheries is very concerned about the six consecutive years of poor juvenile recruitment, and 2023 appears to be another poor year. About half a million one-to-two-inch juvenile striped bass were stocked in western Albemarle Sound this year, and stocking will continue for at least the next three years to address the low juvenile recruitment.

In addition, roughly 8,300-pound total allowable landings under the allocations in the North Carolina Striped Bass FMP is effectively too low to manage. Therefore, the Division of Marine Fisheries will implement a harvest moratorium in the Albemarle Sound Management Area starting in 2024 under the Adaptive Management Framework in the North Carolina Estuarine Striped Bass FMP.

In addition, the 2023 fall recreational and commercial seasons in the Albemarle Sound Management Area will not open, because there is little quota remaining and because of stock status concerns. It is currently unknown if the Wildlife Resources Commission will implement a harvest moratorium in the Roanoke River Management Area, although the Wildlife Resources Commission is required to implement the moratorium under the FMP.

We believe that a complete moratorium that includes the recreational fishery on the Roanoke River in the spring is necessary for stock rebuilding. I will inform the Board of any future management changes for the stock if there are any. That just concludes just a brief update, as far as what is happening down here with striped bass, Mr. Chair. I'll be happy to answer any questions.

CHAIR GARY: Thank you, Chris, I appreciate that. Are there any questions for Chris? John Clark.

MR. CLARK: Thank you for that update, Chris. Just curious about the stocking. Is the brood stock coming out of the Albemarle and Roanoke, and how successful has that been? Is this the first time you've done this, or is this something you've had success with?

MR. BATSAVAGE: I don't know the specifics of that, but if it's okay, if I could turn to Chad Thomas. Chad has been, well in his previous career was a striped bass biologist in North Carolina, but is also involved in the current stocking program. We did stock striped bass decades ago, when the stock was under recovery. It's been a long time since then. If it's okay I can turn to Chad and maybe answer the question.

MR. CHAD THOMAS: Thank you, John, great question. The genetics are all from Roanoke River, so the brood stock was collected from the Roanoke. There were two treatments in 2023, the first was a treatment of 1.5 million fry that were genetically distinct from the 650,000 juveniles that were stocked in June.

Those treatments will continue in 2024 and 2025. There are some thoughts of perhaps doing Phase 2 stockings as well, that will also be genetically distinct. Each treatment is being able to be evaluated separately, and again, this multi-year restoration strategy is not intended to do anything except jumpstart the moratory actions.

CHAIR GARY: All right, any other questions for Chris or Chad? On to our final agenda item, Other Business. Is there any other business to bring before the Board? David Borden.

MR. DAVID V. BORDEN: Just a quick point, Mr. Chairman. Over the past couple years, we've been trying to deal with a number of variables, one of them is recreational catch and release mortality. I'm a little bit uneasy where we stand with it. I realize, based on the last couple of years, that it's a difficult issue for the Board to get its head around on what the options are and what these potential impacts are.

My suggestion or request would be for the Chair and Vice-Chair, basically to confer with the staff and any other Board member between now and the next meeting, and try to winnow down a few options, so that the Board could consider how to take that issue up in the future.

CHAIR GARY: I'll turn to staff, look to Toni to see if there is a way to address David's comments.

MS. KERNS: David, if it's just the job of the Chair and the Vice-Chair I would say great, go right on ahead and have those conversations. But if it's the job of staff, between now and that January meeting, and Emilie is just coming back online. I don't want to promise that we'll be able to have a full report to you. I would like to have the option to have that report in May, if I may. If that would be okay, then I think we could do that. But I don't want to commit to Marty and Megan's time to be able to provide a report in January or not. I'm just a little worried about public hearings, additional work that is going on with cobia. Emilie won't be full time when she comes back, she is going to be at reduced hours. I

just want to set some expectations of what can get done.

CHAIR GARY: Yes, go ahead, David.

MR. BORDEN: I think that's fine, and that also might align with the study that Massachusetts is doing currently, where we would have some of the results from that, that might have a bearing on these issues. Thank you very much.

CHAIR GARY: Any other business to bring before the Board? We're having a spectacular end here, Toni. All right, Toni has some process characterization for us for the Draft.

MS. KERNS: We'll make the changes to the document, hopefully have the document out either the end of next week or early into the following week. Emilie will be reaching out to figure out who wants to have public hearings. You will either see myself or Emilie in your state to conduct those public hearings, or have a virtual hearing, we're happy to do those still, if you like them.

We'll try to have at least one virtual hearing out there, so if there is one state that wants to have one, we like to do that, to provide that opportunity to those who can't get to a state hearing, or they are just not available on the evening that your state or jurisdiction is having a hearing. Then we'll bring back comments at the January meeting.

CHAIR GARY: Thanks, Toni, I always seem to miss that at the end of one of these addendum or amendment processes. If there is no other business to come before this Board, this is the last meeting for me. I had the privilege to chair this species board, and I would just like to thank the staff and the leadership of the Commission for the opportunity.

It's a huge privilege to chair any of the boards, but particularly this one, the Flagship. Like a lot of people sitting around the table, I have a long history and a deep connection to this species, and I know everyone else does too. But it was an immense privilege and honor to guide these discussions, and I hope we're guiding them in the right direction.

As the old saying goes, with striped bass at least, there is always going to be pain, uncertainty and constant work, and that will continue. I can't think of a better person to take over than my esteemed colleague, Megan Ware, from the state of Maine. She'll be your Board Chair come this February.

#### **ADJOURNMENT**

CHAIR GARY: I just want to thank everyone, and thank the staff for your incredible work, you're awesome. This meeting is adjourned.

MS. KERNS: Thank you so much, Marty.