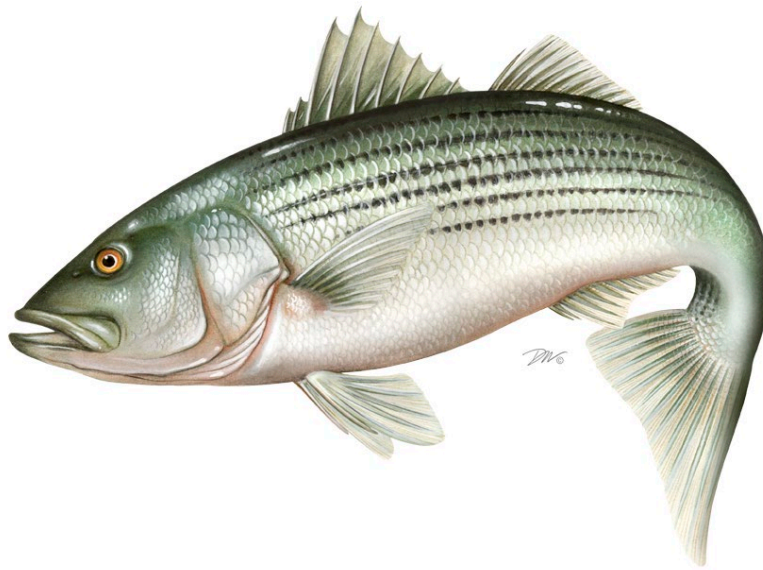


Atlantic States Marine Fisheries Commission

**DRAFT ADDENDUM II TO AMENDMENT 7
TO THE INTERSTATE FISHERY MANAGEMENT PLAN
FOR ATLANTIC STRIPED BASS**

Interim Management Measures



October 2023



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

Draft Document for Public Comment

Public Comment Process and Proposed Timeline

In May 2023, the Atlantic Striped Bass Management Board initiated the development of Draft Addendum II to Amendment 7 to the Interstate Fishery Management Plan for Atlantic Striped Bass to consider management measures to reduce fishing mortality to the target and support stock rebuilding by 2029. The Draft Addendum also proposes options to allow the Board to respond more quickly to upcoming stock assessment updates. This Draft Addendum presents background on the Atlantic States Marine Fisheries Commission's (Commission) management of Atlantic striped bass; the addendum process and timeline; a statement of the problem; and management options for public consideration and comment.

The public is encouraged to submit comments regarding the proposed management options in this document at any time during the public comment period. The final date comments will be accepted is **Friday, December 22, 2023 at 11:59 p.m. (EST)**. Comments may be submitted at state public hearings or by mail or email. If you have any questions or would like to submit comment, please use the contact information below. Organizations planning to release an action alert in response to this Draft Addendum should contact Emilie Franke, Fishery Management Plan Coordinator, at efranke@asmfc.org or 703.842.0740.

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(Subject: Striped Bass Draft
Addendum II)

Date	Action
May 2023	Board initiated the Draft Addendum
May – September 2023	Plan Development Team (PDT) develops Draft Addendum document
October 2023	Board reviews and approves Draft Addendum II for public comment
November – December 2023	Public comment period, including public hearings
January 2024	Board reviews public comment, selects management measures, final approval of Addendum II

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1.0 INTRODUCTION

Atlantic striped bass (*Morone saxatilis*) are managed through the Atlantic States Marine Fisheries Commission (Commission) in state waters (0–3 miles) and through NOAA Fisheries in federal waters (3–200 miles). The management unit includes the coastal migratory stock from Maine through North Carolina. State waters fisheries for Atlantic striped bass are currently managed under Amendment 7 to the Interstate Fishery Management Plan (FMP), Addendum I to Amendment 7, and a temporary Emergency Action (effective May 2, 2023 through October 28, 2024 unless sooner replaced by this addendum). Harvesting or targeting striped bass in federal waters has been prohibited by NOAA Fisheries since 1990.

In May 2023, the Atlantic Striped Bass Management Board (Board) initiated Addendum II to Amendment 7 to address stock rebuilding beyond 2023. The Board initiated the draft addendum via the following approved motion:

“Move to initiate an Addendum to implement commercial and recreational measures for the ocean and Chesapeake Bay fisheries in 2024 that in aggregate are projected to achieve F-target from the 2022 stock assessment update ($F = 0.17$). Potential measures for the ocean recreational fishery should include modifications to the Addendum VI standard slot limit of 28-35” with harvest season closures as a secondary non-preferred option. Potential measures for Chesapeake Bay recreational fisheries, as well as ocean and Bay commercial fisheries should include maximum size limits. The addendum will include an option for a provision enabling the Board to respond via Board action to the results of the upcoming stock assessment updates (e.g., currently scheduled for 2024, 2026) if the stock is not projected to rebuild by 2029 with a probability greater than or equal to 50%.”

In August 2023, the Board removed consideration of recreational harvest season closures; added options for commercial quota reductions, recreational for-hire specific measures, and minimum requirements for states allowing filleting in the recreational fishery; and provided direction on the range of other commercial and recreational management options requested.

In October 2023, the Board added more options for the ocean recreational slot limit; removed some Chesapeake Bay recreational options that would have resulted in vastly different measures across Bay jurisdictions; and removed consideration of commercial maximum size limits. Although commercial maximum size limits were part of the initial scope of this addendum, the Board removed those options from consideration based on recommendations from the Atlantic Striped Bass Technical Committee (TC)¹. The TC concluded that the overall effect of a commercial maximum size limit option would be increased uncertainty around rebuilding probabilities without positively impacting stock productivity or stock rebuilding. Based on these TC findings, the Board removed consideration of commercial maximum size limits and instead decided to consider a commercial quota reduction to reduce commercial removals.

¹ The TC’s full analysis of commercial maximum size limits is available here:
http://www.asmfc.org/uploads/file/653fd79fStripedBassTC_Report_Sept2023.pdf

Due to the additional time needed to develop and refine the draft addendum, final action on the addendum will no longer occur in 2023 and the implementation schedule of selected measures may span 2024–2025. The Board intends to consider the results of the upcoming 2024 stock assessment update to inform subsequent management action.

2.0 OVERVIEW

2.1 Statement of the Problem

Atlantic striped bass were declared overfished in 2019 and are subject to a rebuilding plan that requires the stock to be rebuilt to its spawning stock biomass target by 2029. The most recent rebuilding projections indicate a low probability of meeting that deadline if the fishing mortality rate associated with the level of catch in 2022 continues. There is concern that the recreational and commercial management measures in Amendment 7, in combination with the availability of the strong 2015 year-class to the fisheries, will lead to a similarly high level of catch in 2024. In response, this draft addendum considers measures to reduce removals from the 2022 level to achieve the target fishing mortality rate and support stock rebuilding.

Stock assessments will be completed during the rebuilding period and used to gauge the success of the measures in achieving the target fishing mortality rate and to estimate the probability of rebuilding the stock by 2029. These assessments are typically completed during the second half of the calendar year, so if a management response is needed to reduce fishing mortality, the typical addendum development and implementation schedule results in new measures not being implemented until two years later. There is concern that such delays may impede rebuilding, especially as the deadline to achieve a rebuilt stock nears. Accordingly, this draft addendum also considers a mechanism that would allow the Board to adjust management measures in response to upcoming stock assessments via Board action, which would be faster than a typical addendum process, if deemed necessary to achieve stock rebuilding by 2029.

2.2 Background

2.2.1 Stock Status

Female spawning stock biomass (SSB) and fishing mortality (F) are estimated on a regular basis and compared to target and threshold levels (i.e., biological reference points) to assess the status of the striped bass stock. The 1995 estimate of female SSB is used as the SSB threshold because many stock characteristics, such as an expanded age structure, were reached by this year, and this is also the year the stock was declared recovered. The female SSB target is equal to 125% of the female SSB threshold. The associated F threshold and F target are calculated to achieve the respective SSB reference points in the long term.

The most recent assessment for striped bass was an update completed in 2022 with data through 2021². Prior to this, the 2018 Benchmark Stock Assessment had determined that striped bass were

² ASMFC. 2022. Atlantic Striped Bass Stock Assessment Update, Atlantic States Marine Fisheries Commission, Arlington, VA. 191p.

overfished and experiencing overfishing in the terminal year (2017)³. Following the implementation of new management measures in 2020, the 2022 Stock Assessment Update found that the stock was no longer experiencing overfishing in 2021 ($F = 0.14$, below the threshold of 0.20 and the target of 0.17) but remained overfished (Female SSB = 143 million pounds, below both the target of 235 million pounds and the threshold of 188 million pounds) (Figures 1 and 2). These reference points were calculated using the “low recruitment assumption” (per Amendment 7’s requirement under a tripped recruitment trigger), which resulted in a lower, more conservative F target and threshold compared to the 2018 benchmark assessment. Although below the threshold and considered overfished, female SSB in 2021 was still estimated to be more than three-times of that during the early 1980s, when the stock was considered collapsed (Figure 1).

The assessment also indicated a period of strong recruitment (numbers of age-1 fish entering the population) from 1994–2004, followed by a period of low recruitment from 2005–2011 (although not as low as the period of stock collapse in the early 1980s) (Figure 1). This period of low recruitment contributed to the decline in SSB that the stock has experienced since 2010. Recruitment of age-1 fish was high in 2012, 2015, 2016, and 2019 (corresponding to strong 2011, 2014, 2015, and 2018 year classes, respectively); however, estimates of age-1 striped bass were below the long-term average in 2018, 2020, and 2021.

The 2022 assessment also included short-term projections to determine the probability of SSB being at or above the SSB target by 2029. These projections also used the low recruitment assumption, which restricts the estimates of age-1 recruitment to those occurring during 2008–2021, rather than the longer time series of 1993–2021. These projections indicated that under the 2021 fishing mortality rate, there was a 97% probability the stock will be rebuilt by 2029 (Figure 3).

However, concerns over high recreational removals in 2022 compared to 2021 (the terminal year of the most recent assessment update) prompted the Board to request updated stock projections using 2022 preliminary removals. These estimates of preliminary 2022 removals and updated stock projections were presented to the Board in May 2023. The data showed that while commercial removals in 2022 were similar to those in 2021, recreational harvest had increased 88% and recreational live releases by 3%, resulting in an overall 38% increase in recreational removals (relative to 2021). These 2022 removals were used to estimate F in 2022. Since striped bass catch and F rates vary from year-to-year (even under the same regulations), the average F from 2019–2022 (excluding 2020 due to uncertainty associated with COVID-19 impacts) was applied to 2023–2029 in the new projections. Under this F rate, the new projections estimate the probability of rebuilding SSB to its target by 2029 drops from 97% to 15% (Figure 3).

It should be noted that these projections are not the same as a full stock assessment update where the model would be re-run to include the 2022 catch-at-age and index data. Accordingly, the status of the stock remains overfished but is not experiencing overfishing as per the 2022 stock assessment update.

³ NEFSC. 2019. Summary Report of the 66th Northeast Regional Stock Assessment Review Committee (SARC 66), Northeast Fisheries Science Center, Woods Hole, MA. 40p.

The next stock assessments for striped bass are currently scheduled for 2024 (an update with data through 2023), 2026 (an update with data through 2025), and 2027 (a benchmark—in which the inputs and methods are fully re-evaluated—likely with data through 2026).

2.2.2 Management Status

Striped bass are currently managed under Amendment 7 to the Interstate Fishery Management Plan (FMP), Addendum I to Amendment 7, and a temporary Emergency Action (effective May 2, 2023 through October 28, 2024 unless sooner replaced by this addendum).

Amendment 7: Amendment 7 consolidated and replaced Amendment 6 and its addenda in 2022; in so doing, several aspects of the management program, including the management triggers, stock rebuilding plan, recreational gear requirements, and conservation equivalency (CE) restrictions, were updated to better align with current fishery needs and priorities. Importantly, Amendment 7 maintained the Addendum VI to Amendment 6 recreational and commercial fishery measures (the implications of which are described in more detail below). Separate management measures are in place for the ocean and Chesapeake Bay fisheries due to distinct size availabilities of fish between the areas.

Amendment 7's FMP standard for managing the recreational fisheries is a one-fish bag limit with a 28 to less than 35" slot limit for the ocean area, a one-fish bag limit with an 18" minimum size limit for the Chesapeake Bay area, and for both areas the seasons which were in place in 2017. Amendment 7's FMP standard for managing both the ocean and Chesapeake Bay commercial fisheries is a state and/or area specific commercial quota (reduced 18% from 2017), and the size limit(s) in place in 2017. This suite of measures was first implemented under Addendum VI to Amendment 6 in 2020 to achieve an overall 18% reduction in removals relative to 2017 (shared in equivalent commercial and recreational reduction), in response to the 2018 benchmark stock assessment determining the stock as overfished and experiencing overfishing.⁴ However, when implementing Addendum VI, numerous states adopted alternative recreational size limits, recreational bag limits, recreational seasons, commercial size limits, and/or commercial quotas through CE.⁵ Because Amendment 7 did not revise the FMP standard commercial and recreational fishery measures from those of Addendum VI, the CE programs implemented under Addendum VI were also allowed to be carried forward by states in 2022 under the framework of Amendment 7. See Tables 1–2 for the recreational and commercial measures in place in 2022 and Table 3 for a description of the CE programs implemented. Amendment 7's revision to when and how CE may be employed by states is reviewed below.

Part of the rationale for not changing any commercial and recreational management measures under Amendment 7 was that final action on the amendment preceded the completion of the 2022 stock

⁴ Addendum VI also established the mandatory use of circle hooks when recreationally fishing for striped bass with bait (except as part of an artificial lure); however, this measure was not credited towards the needed 18% reduction in removals to end overfishing. Amendment 7 added two additional gear requirements when recreationally fishing for striped bass: a prohibition on gaffing and the immediate release of striped bass caught on any unapproved method of take.

⁵ Conservation equivalency (CE) refers to actions taken by a state which differ from the specific requirements of the FMP, but which achieve the same quantified level of conservation for the resource under management. It is the responsibility of the state to demonstrate the proposed management program is equivalent to the FMP standards and consistent with the restrictions and requirements for CE determined by the Board. Board approval of a CE proposal is required prior to state implementation.

assessment by several months. The 2022 stock assessment was expected to provide management advice as to whether the existing measures implemented under Addendum VI had successfully reduced fishing mortality to the target level and put the stock on track to rebuild by 2029. In other words, when Amendment 7 was adopted, it was unknown whether additional conservation measures were needed. Because of this timing issue, Amendment 7 instead included a provision allowing the Board to respond quickly to the results of the 2022 stock assessment update with additional management measures if needed for rebuilding success. Specifically, rather than responding via an addendum (which typically requires three Board meetings from addendum initiation to adoption), the Board could specify state measures by a Board vote at a single meeting. Ultimately, the 2022 stock assessment indicated that *F* in 2021 was below the target, providing a very high probability of achieving a rebuilt stock by 2029; consequently, this provision of Amendment 7, which was specific to responding to the results of the 2022 stock assessment, was not utilized.

The use of CE is subject to additional restrictions and requirements under Amendment 7 *when the FMP standard for a fishery is revised*. First and foremost, CE programs will not be approved for non-quota managed fisheries (with the exception of the Hudson River, Delaware River, and Delaware Bay recreational fisheries) when the stock is at or below the biomass threshold (i.e., overfished), though quota managed CE programs would still be allowed. In the context of this draft addendum and current stock status, this means that if the FMP standard for the ocean or Chesapeake Bay recreational fisheries (as described above) is changed, the existing Addendum VI CE programs affecting those fisheries are invalidated and a state cannot request a new CE program for non-quota managed fisheries (with the exception of the Hudson River, Delaware River, and Delaware Bay recreational fisheries) until the stock is no longer considered overfished by a future stock assessment. For states that combined Addendum VI CE programs across fishery sectors (e.g., took a less than 18% commercial reduction based on achieving more than an 18% recreational reduction), this has implications beyond the recreational fishery.

Additionally, if future CE is requested, CE proposals will be subject to new recreational catch estimate precision standards, uncertainty buffer requirements, and an established definition of “equivalency”. Specifically, CE proposals will not be allowed to use Marine Recreational Information Program (MRIP) estimates associated with a percent standard error (PSE) exceeding 40%. PSE is a measure of precision, and higher PSEs indicate the data are less precise. Proposed CE programs for non-quota managed fisheries will be required to include an uncertainty buffer of 10%; this is intended to increase the proposed CE program’s probability of achieving equivalency with the FMP standard. However, if a CE proposal uses MRIP estimates with a PSE exceeding 30%, but less than or equal to 40%, then a larger 25% uncertainty buffer is required. Lastly, CE programs for non-quota managed fisheries are required to demonstrate equivalency to the percent reduction/liberalization projected for the FMP standard at the state-specific level (rather than the coastwide level).

Addendum I to Amendment 7: Addendum I was approved and implemented in May 2023 to allow for voluntary ocean commercial quota transfers contingent on stock status. When the stock is overfished, no quota transfers will be allowed. When the stock is not overfished, the Board can decide every one to two years whether it will allow voluntary transfers of unused ocean commercial quota. The Board can also set criteria for allowable transfers, including a limit on how much and when quota can be

transferred in a given year, and the eligibility of a state to request a transfer based on its landings. Given the overfished stock status for striped bass, quota transfers will not be authorized in 2024.

2023 Emergency Action: At its May 2023 meeting, the Board was presented with updated stock rebuilding projections that included preliminary removal estimates for 2022. Prior projections with data through 2021 had indicated a very high chance (97%) of rebuilding the overfished striped bass resource to its SSB target by the 2029 rebuilding deadline. Due to a near doubling of recreational harvest in 2022, the new projections estimated that the probability of rebuilding to the SSB target by 2029 drops to 15% if the higher fishing mortality rate (calculated as the average of 2019-2022 fishing mortality rates, excluding 2020) continues for 2023-2029.

In addition to initiating this draft addendum to consider coastwide changes to the commercial and recreational regulations to bring *F* back to the target level of 0.17, the Board approved an Emergency Action to more immediately address the source of the increase in fishing mortality. Specifically, the Board's May 2, 2023 emergency action required all states to implement a 31-inch maximum size limit for their striped bass recreational fisheries⁶ as soon as possible and no later than July 2, 2023, while maintaining all other measures. In effect, the emergency action reduced the ocean recreational slot from 28 to <35" to 28 – 31", and layered a 31" maximum size to the Chesapeake Bay's recreational measures. Emergency actions are effective for 180 days from the time of their declaration, putting the expiration date of the 31" recreational maximum size limit at October 28, 2023, unless sooner rescinded or extended by the Board. At its August 2023 meeting, the Board extended the emergency action for one year (through October 28, 2024) or until the implementation of this addendum (if sooner). If it deems necessary, the Board may extend the emergency action for one additional period of up to a year at a future Board meeting.

The emergency action's 31" recreational maximum size limit is intended to reduce recreational harvest from the level seen in 2022 by providing additional protection to the abundant 2015 year class. The strong 2015 year-class is a primary reason for the increase in harvest in 2022, as many of the fish born that year had begun to exceed 28" in length, the lower bound of the ocean slot limit (Figure 4). In 2023, as 8 year olds, these fish are expected to average 31 ½" in length (Table 4). By implementing the 31" maximum size limit, over 50% of the 2015 year class should be protected from recreational harvest. Without this change, a high majority of the 2015 year-class would have been within the 28" to <35" ocean slot and susceptible to recreational harvest, raising concern that fishing mortality in 2023 would be even greater than 2022 and further erode the probability for rebuilding by 2029. As of July 2, 2023, all states implemented the emergency action's 31" maximum size limit (Table 5).

2.2.2.1 Social and Economic Impacts

For more detailed discussion of recent research into striped bass anglers' preferences and behavior and how it could be applied, see Amendment 7 to the Striped Bass FMP Section 1.5.2.

⁶ The emergency action excluded the Chesapeake Bay spring trophy fishery from the 31" maximum size limit in 2023 because this fishery occurs for two weeks in May prior to the emergency action's implementation deadline and the fishery's current 35" minimum size limit provides a high level of protection to the 2015 year-class in the short-term.

For the recreational sector, changes in bag and size limits (as well as other management measures not considered herein) affect important attributes of a recreational fishing trip, such as the number of fish of each species that anglers catch and are allowed to keep. In turn, these changes in trip attributes will modify the utility (i.e., level of satisfaction) an angler expects to obtain from the fishing trip (McConnell et al. 1995, Haab and McConnell 2003)⁷. As a result, the angler may shift target species, modify trip duration or location, or decide not to take the trip and do something else instead. These behavioral responses lead to changes in directed fishing effort, resulting in changes in harvest, fishing mortality, and angler welfare. This is, however, only a short-term response and stock dynamics will dictate any longer-term effects on the resource, which may subsequently feedback and affect future management decisions and angling behavior.

Narrow slot limits, like the 2023 emergency action and the options being considered in this document for beyond 2023, will lead to fish in the larger size range being released in the short-term. For example, a 28" to 31" recreational slot limit in the ocean will lead to fish in the 31" to 35" size range being released in the short-term. Recent research into striped bass anglers' preferences and behavior found the typical striped bass angler prefers to keep larger fish (Carr-Harris and Steinback 2020)⁸. Applying this to a 28 to 31" slot limit, anglers would likely prefer to keep a fish on the size range 31"-35" rather than having to release it, which means that in the short-term, a narrow slot limit like 28 to 31" may reduce effort (i.e., reduce trips) from those anglers seeking to bring fish home in the cooler. Thus, the overall anticipated effect on the number of releases in the short-term is unclear; larger fish are required to be released, but any reduction in effort may reduce the overall number of releases. Conversely, the higher slot limit option considered herein (i.e., 30-33") may make it more difficult for shore anglers to catch a legal sized fish, given the smaller size of fish generally available inshore, which may also reduce effort and raise environmental justice issues. A reduction in effort could translate into a short-term negative impact on the regional economy and businesses associated with the fishing industry for this species. Importantly, this is likely only a short-term response, and stock dynamics will dictate any longer-term effects on the resource and the angling community. Assuming the options considered for this action will support the rebuilding of the striped bass population, it will likely ensure the quality of the recreational fishing experience for the sector in the long-term.

For the commercial sector, changes in quota could also have economic impacts due to a change in total poundage. A reduction in quota would likely reduce profits and may increase the consumer price of striped bass.

2.2.3 Status of the Fishery

In 2022, total Atlantic striped bass removals (including commercial and recreational harvest, commercial dead discards and recreational release mortality) were estimated at 6.8 million fish, which is a 32% increase from 2021 total removals. This 2022 increase was driven by an increase in

⁷ McConnell, K.E. and Strand, I.E. and Blake-Hedges, L. 1995. Random Utility Models of Recreational Fishing: Catching Fish Using a Poisson Process. *Marine Resource Economics* 10, p.247-261.

Haab, T.C. and McConnell, K.E. 2003. *Valuating Environmental and Natural Resources: The Econometrics of Non-Market Valuation*, Edward Elgar Publishing.

⁸ Carr-Harris, A. and S. Steinback. 2020. Expected economic and biological impacts of recreational Atlantic striped bass fishing policy. *Front. Mar. Sci.* 6: 814, p.1-20.

recreational removals, as commercial removals slightly decreased. In 2022, the commercial sector accounted for about 10% of total removals in numbers of fish (9% harvest and 1% dead discards), and the recreational sector accounted for 90% of removals in numbers of fish (51% harvest and 39% release mortality) (Figure 5). Removals for each sector by year are listed in Table 6.

Recreational Fishery

The recreational fishery is managed by bag limits, minimum size or slot size limits, and closed seasons (in some states) to restrict harvest (Table 2). Gear restrictions are also in place to increase the chance of survival after a striped bass is released alive in the recreational fishery. Total recreational catch (harvest and live releases) coastwide was estimated at 33.1 million fish in 2022, which is a 38% increase from 2021. This overall coastwide increase was a combination of a large increase in harvest and a marginal increase in live releases.

From 2004 to 2014, recreational harvest averaged 4.6 million fish per year. From 2015-2019, annual harvest decreased to an estimated 2.8 million fish due to the implementation of more restrictive regulations via Addendum IV, changes in effort and changes in size and distribution of the population through time. Total recreational harvest decreased to 1.71 million fish in 2020 and 1.82 million fish in 2021, likely due to a combination of factors including more restrictive regulations via Addendum VI, fish availability, and impacts of COVID-19. It is important to recognize that impacts from COVID-19 were likely not uniform across states, sectors, or modes.

Under the same management measures as 2020-2021, total recreational harvest in 2022 increased to 3.4 million fish (35.8 million pounds), which is an 88% increase by number relative to 2021 (127% increase by weight). This increase was likely due to the increased availability of the strong 2015 year class in the ocean slot in 2022. New Jersey landed the largest proportion of recreational harvest in number of fish⁹ (33%), followed by New York (26%), Maryland (19%), and Massachusetts (14%). The proportion of coastwide recreational harvest in numbers from Chesapeake Bay was estimated at 20% in 2022, compared to 35% in 2021. By weight, the proportion of recreational harvest from the Chesapeake Bay was estimated at 9% in 2022, compared to 20% in 2021.

The vast majority of recreational striped bass catch (over 90%) is released alive either due to angler preference or regulation (i.e., closed season, undersized, or already caught the bag limit). The stock assessment assumes, based on previous studies, that 9% of fish that are released alive die as a result of being caught. In 2022, recreational anglers caught and released an estimated 29.6 million fish, of which 2.7 million are assumed to have died. This represents a 3% increase in live releases coastwide from 2021.

In 2022, combined private vessel/shore modes of the recreational striped bass fishery accounted for 95% of recreational removals, and the for-hire components (charter and head boats) accounted for 5%. Coastwide in 2022, private vessel/shore mode recreational removals increased by 42% relative to 2021, while for-hire recreational removals decreased by 7%. However, this trend differs by region and

⁹ By weight, New Jersey had the largest proportion of recreational harvest (38%), followed by New York (30%), Massachusetts (15%), and Maryland (9%).

by mode. In the ocean, private vessel/shore mode removals increased by 52% and for-hire removals increased by 22% in 2022. In the Chesapeake Bay, private vessel/shore mode removals increased by only 3%, and for-hire removals decreased by 27%.

The ocean and Chesapeake Bay regions experienced different changes in recreational catch in 2022 relative to 2021. The ocean region saw an increase in both recreational harvest (132% increase in numbers of fish) and live releases (7% increase) relative to 2021. On the other hand, the Chesapeake Bay saw a much smaller increase in recreational harvest (7% increase) and a decrease in live releases (18% decrease) relative to 2021. Again, the large increase in ocean recreational harvest is likely due to the availability of the strong 2015 year class in the ocean slot in 2022, when many of those age-8 fish were above the legal minimum size of 28 inches.

The number of trips directed at striped bass (primary and secondary target) also shows a differing trend between the ocean and the Chesapeake Bay. In 2022, the number of ocean directed trips increased by 31% relative to 2021, while the number of Chesapeake Bay directed trips decreased slightly by about 2%.

Recent MRIP News Regarding Fishing Effort Survey

In August 2023, NOAA Fisheries released findings of a pilot study it conducted to evaluate potential sources of bias in the recreational Fishing Effort Survey (FES) questionnaire design.¹⁰ This study found switching the sequence of questions resulted in fewer reporting errors and fishing effort estimates that were generally 30 to 40 percent lower for shore and private boat modes than estimates produced from the current design. However, results varied by state and fishing mode. These results are based on a pilot study that had a limited time frame (six months) and geographic scope (only four states included), and much more extensive work needs to be done to determine the true impacts of the survey design. NOAA Fisheries will be conducting a larger-scale follow-up study over the course of 2024. At this time, the potential impacts to recreational catch estimates and stock assessments are unknown.

Even if we were to assume that striped bass recreational catch was overestimated by 30-40% over the timeframe (1982-present), it would likely only change the scale of the biomass but not the overall downward trend in the population that we have seen since 2010. It would not change the fact that, using the same FES methodology, recreational harvest estimates nearly doubled from 2021 to 2022. This increased catch was supported through recreational anglers anecdotally reporting catching more fish as well as numerous states' commercial fisheries utilizing their quota more quickly or fully, particularly in ocean fisheries. The striped bass assessment will be updated in 2024 and can be used to explore how the possible overestimation of recreational catch may impact biomass and the emergency measures that have been put in place to reduce fishery removals.

¹⁰ https://apps-st.fisheries.noaa.gov/rpts/main/public_docs/Evaluating%20Measurement%20Error%20in%20the%20FES%20Consolidated%20Final%20w%20Review.pdf?method=PUB_MANUSCRIPT&id=32268

Commercial Fishery

The commercial fishery is managed by a quota system resulting in relatively stable landings since 2004. There are two regional quotas; one for the Chesapeake Bay area and one for the ocean area, which includes other bays, inland rivers, and estuaries. In 2022, the ocean commercial striped bass quota was 2,411,154 pounds, and 1,904,852 pounds were harvested in the ocean region. In the Chesapeake Bay region, the 2022 commercial striped bass quota was 3,001,648 pounds, and 2,374,988 pounds were harvested. Neither quota was exceeded in 2022. Refer to Table 1 for 2022 commercial fishery regulations by state, including size limits, trip limits, gear restrictions, and seasons.

From 2004 to 2014, coastwide commercial landings averaged 6.8 million pounds per year. From 2015-2019, commercial landings decreased to an average of 4.7 million pounds due to implementation of reduced quotas through Addendum IV. From 2020-2022, coastwide commercial landings decreased again to an average 4.1 million pounds due to further reduced quotas through Addendum VI.

Since 1990, commercial landings from the ocean fishery have accounted for an average 40% of total coastwide commercial landings by weight, with the other 60% coming from the Chesapeake Bay. The proportion of commercial harvest coming from Chesapeake Bay is much higher in numbers of fish (roughly 80%) because fish harvested in Chesapeake Bay have a lower average weight than fish harvested in ocean fisheries.

Of the total 2022 commercial harvest (combined ocean and Chesapeake Bay) by weight, Maryland landed 31%, Virginia landed 20%, and Massachusetts landed 18%. Additional harvest came from New York (15%), the Potomac River Fishery Commission (PRFC) (10%), Rhode Island (4%), and Delaware (3%).

Ocean commercial size limits, seasons, and gear types vary by state. Along the Atlantic coast, current legal minimum size ranges from 20" to 35". In general, lower minimum sizes exist in the Mid-Atlantic (where fish are primarily harvested by a combination of drift and anchor gill nets), while New England states have larger minimum sizes and harvest is predominantly hook and line. In the ocean region, only New York currently has a commercial slot size with lower and upper bounds (26–38"). Chesapeake Bay commercial size limits and gear types are more uniform with an 18" minimum size for Bay states, although Maryland has a year-round maximum size (36") while PRFC and Virginia have seasonal maximum size limits of 36" and 28", respectively. All three Bay states employ a combination of pound net, drift net, and hook and line gear types.

State commercial sampling programs indicate the mean length, weight, and age of commercially harvested striped bass are higher for the ocean fishery (Table 7). Sub-sampling of commercial striped bass harvest occurs for about 1-5% of all harvested fish in each state, and these values are assumed to be representative of each state's landings. In the ocean, mean length of harvested fish ranged from 30.2" total length (NY) to 41.1" total length (MD ocean) based on 2022 samples, with corresponding mean weights ranging from 9.9 lbs. to 25.9 lbs. In the Chesapeake Bay, mean length of harvested fish ranged from 22.2" total length (MD Bay) to 36.2" total length (VA Bay hook & line) based on 2022 samples, with corresponding mean weights ranging from 4.6 lbs. to 26.6 lbs.

3.0 PROPOSED MANAGEMENT OPTIONS

This document proposes management changes for the ocean and Chesapeake Bay fisheries. The striped bass ocean fishery (also referred to as “ocean region”) is defined as all fisheries operating in coastal and estuarine areas of the U.S. Atlantic coast from Maine through North Carolina, excluding the Chesapeake Bay and Albemarle Sound-Roanoke River (A-R) management areas. The Chesapeake Bay fishery is defined as all fisheries operating within Chesapeake Bay, except for the Chesapeake Bay recreational spring trophy fishery. The Chesapeake Bay recreational spring trophy fishery is part of the ocean fishery for management purposes because it targets coastal migratory striped bass. This document does not propose changes to the A-R fisheries, which are managed separately by the State of North Carolina.

When the Board takes final action on the addendum, there is the opportunity to select any measure within the range of options that went out for public comment, including combining options across issues.

Projecting 2024 Reduction to Achieve the Fishing Mortality Target

The same forward projecting methodology as used in striped bass stock assessments was used to estimate the removals needed to achieve F target in 2024 with a 50% probability. The projections were made using 2022 removals data (6.8 million fish total), and estimated 2023 removals accounting for implementation of the 2023 emergency action (an estimated 4.8 million fish total¹¹). A new selectivity curve for the 2023 emergency action was also developed to account for the lower selectivity of ages 7-9 fish in 2023 due to the narrower recreational slot limit. Because the calculation of F target accounts for selectivity, the F target value was re-calculated to incorporate this new 2023 selectivity (F target=0.176). Projection results indicate a 14.5% reduction from 2022 total removals is needed to achieve F target in 2024. This overall reduction can be achieved, for example, by each sector and area (commercial/recreational and Ocean/Chesapeake Bay) taking a 14.5% reduction. Were the recreational sector to be accountable for achieving the full reduction, a 16.1% reduction from 2022 recreational removals would be needed to achieve the F target in 2024.

Different combinations of ocean recreational options, Chesapeake Bay recreational options, and commercial quota reduction options will result in varying estimated reductions (Table 8) and associated probabilities of being at or above the SSB target by 2029. Option combinations with higher estimated reductions would result in a higher probability of being at or above the SSB target by 2029; option combinations with lower estimated reductions would result in a lower probability of being at or above the SSB target by 2029. Across all possible option combinations, the highest estimated reduction is 15.4% and the lowest estimated reduction is 11.0%. Assuming those reductions are realized and other factors remain constant (e.g., effort), the highest reduction option combination is 17% more likely to result in female SSB being at or above the target by 2029 than the lowest reduction option

¹¹ The TC conducted sensitivity runs to explore different assumptions of the methods used to estimate 2023 removals and the effect on the projections, and found that although the estimates of 2023 removals varied from 4.8 to 5.7 million fish, the necessary percent reduction to achieve the F target in 2024 only varied by approximately 1.5%. The June 2023 Technical Committee summaries provide additional details on these methods and results: <http://www.asmfc.org/species/atlantic-stripped-bass#meetingsummaries>

combination¹². These are not formal rebuilding projections; they are only provided to help compare across options in the document. Formal rebuilding projections will be conducted as part of the 2024 assessment update and will incorporate the final 2023 removals as well as better information on recent recruitment, selectivity, and F .

3.1 Recreational Fishery Management

Proposed options for the ocean and Chesapeake Bay recreational fisheries are presented below. All size limits are in total length. Bag limits are per person per day. The Board will choose one option for each region. Options for the recreational fishery are designed to reduce harvest (fishing mortality) to achieve the target F . Although these options were not designed to protect a specific year-class, they may offer protection to one or more strong year-classes.

Note on Conservation Equivalency: *Since the stock is currently overfished, if the FMP standard is changed, CE programs will not be approved for non-quota managed recreational fisheries, with the exception of the Hudson River, Delaware River, and Delaware Bay recreational fisheries. The Board has discretion whether to approve CE programs for quota managed fisheries.*

The proposed recreational management options were developed using MRIP harvest and live release estimates. A mortality rate of 9% was applied to all live release estimates to estimate release mortality in the recreational fishery. To characterize ocean fish availability for 2024 and develop ocean slot limit options, year-class strength in the ocean was accounted for by using catch-at-length data from 2020. 2020 was used as a proxy for 2024 ocean fish availability because the strong 2011-year class was available in the ocean at age-9 in 2020, just as the strong 2015 year-class catch will be available in the ocean at age-9 in 2024. For the Chesapeake Bay, catch-at-length data from 2021 were used to characterize Bay fish availability in 2024 because that year is assumed to more accurately represent the younger year-classes expected to be present in the Bay in 2024. Specifically, in 2024, the 2018 year-class will be age-6, the same age the 2015 year-class was in 2021. When changes in the bag limit were developed, the average reduction in removals was estimated using data from a period when there was a two-fish bag limit in Chesapeake Bay. For both regions, the same level of non-compliance with size limits as observed in 2021-2022 is assumed to occur in 2024. In the ocean, all harvest below the slot is assumed to continue, as it is a mix of non-compliance and compliance with different, regional size limits in established CE programs and difficult to separate.

Recreational options by region are outlined in the following pages.

¹² Projections for different combinations of options estimating the probability of being at or above F target in 2024 or SSB target in 2029 are available at the link below. The projections are only intended to show how the options differ from each other; formal rebuilding projections will be conducted as part of the 2024 stock assessment update.
http://www.asmfc.org/uploads/file/653fde1ePDTMemo_DraftAddII_Oct2023.pdf

3.1.1 Ocean Recreational Fishery Options

All ocean options (besides the status quo) propose a change to the slot limit's maximum size; some option also change the long-standing minimum size limit. The range of options considers a distinct (wider) slot limit for the for-hire fishing mode when conducting a for-hire trip to address concerns heard from for-hire operators about the potential for increased discards with narrower slots and the general desire for anglers on for-hire trips to harvest a fish. The impact of the wider for-hire slot on the reduction to be achieved is limited due to the small contribution of for-hire removals to total ocean removals (average 6% of ocean recreational harvest and 3% of total ocean removals over the past three years). The wider for-hire slot will provide less protection to the 2015 year-class, which will be age 9 in 2024 with an estimated average length of 34".

For all ocean options (besides the status quo), the Chesapeake Bay recreational spring trophy fishery will be managed by the same size limits as the ocean fishery with the 2022 trophy season dates. If the status quo option is selected, whether the Chesapeake Bay recreational spring trophy fishery will be managed by the same size limits as the ocean fishery will depend on whether or not the continuation of Addendum VI CEs is allowed.

For all ocean options (besides the status quo), the following states would be required to submit area-specific measures to achieve the same percent reduction in total removals as the selected ocean option (relative to 2022 levels) as part of their state implementation plans:

- *New York: the Hudson River management area*
- *Pennsylvania: all state waters*
- *Delaware: the state's July–August 20–25" slot fishery.*

All state implementation plans are subject to review by the Board, Technical Committee, and Plan Review Team, and should incorporate the best available data for each area (MRIP data are not available for all areas).

Option A. Status Quo: 1 fish at 28" to less than 35" with 2017 seasons (all modes). This option allows for the continuation of the existing Addendum VI CE plans. Status quo has little to no probability of achieving the objective of this addendum.

Option B. 1 fish at 28" to 31" with 2022 seasons (all modes).

Option C. 1 fish at 28" to 31" with 2022 seasons for private vessel/shore anglers; 1 fish at 28" to 33" with 2022 seasons for the for-hire mode.

Option D. 1 fish at 30" to 33" with 2022 seasons (all modes).

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.

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Ocean Recreational Options	Overall Reduction	Harvest Change	Rec. Release Mortality Change
Option A. 1 fish at 28" to < 35" with 2017 season dates (all modes) or approved CEs.			
Option B. 1 fish at 28" – 31" with 2022 seasons (all modes).	-14.1%	-49.9%	+2.0%
Option C. Private vessel/shore: 1 fish at 28" – 31" with 2022 seasons. For-hire: 1 fish at 28" – 33" with 2022 seasons.	-14.0%	-49.5%	+2.0%
Option D. 1 fish at 30" – 33" with 2022 seasons (all modes).	-12.8%	-45.4%	+1.8%
Option E. Private vessel/shore: 1 fish at 30" – 33" with 2022 seasons. For-hire: 1 fish at 28" – 33" with 2022 seasons.	-12.8%	-45.0%	+1.8%

3.1.2 Chesapeake Bay Recreational Fishery Options

All Chesapeake Bay options (besides the status quo) propose a maximum recreational size limit; all options also change the minimum size limit resulting in additional uniformity within the Bay. Maximum size limits range from 23" to 26"; higher maximum sizes were not considered in order to provide some protection to the above average 2018 year-class, which will be age-6 in 2024 with an average estimated length of just over 26". The range of options considers a distinct (higher) bag limit for the for-hire fishing mode when conducting for-hire trips to address concerns heard from for-hire operators about the potential for reduced for-hire angler effort at lower bag limits given the ability to only access smaller fish. In the Chesapeake Bay, for-hire removals are about one-fifth of total Bay removals (average 27% of Bay recreational harvest and 18% of total Bay recreational removals over the past three years), so the impact of the higher for-hire bag limit on the reduction to be achieved is somewhat larger than the wider slot limit proposed for the ocean for-hire fishery.

Option A. Status Quo: 1 fish at 18" minimum size with 2017 seasons for all Chesapeake Bay recreational fisheries. This option allows for the continuation of the existing Addendum VI CE plans. Status quo has little to no probability of achieving the objective of this addendum.

Option B. Apply a standard minimum size limit, maximum size limit, and bag limit to the Bay jurisdictions' 2022 seasons. The minimum size shall be 19" and the bag limit 1 fish. Maximum size limit options are: B1) 23", B2) 24", B3) 25" or B4) 26".

Option C. Apply a standard minimum size limit, maximum size limit, and mode-specific bag limits to the Bay jurisdictions' 2022 seasons. The minimum size shall be 19", the for-hire bag limit 2 fish, and the private vessel/shore angler bag limit 1 fish. Maximum size limit options are: C1) 23", or C2) 24".

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Chesapeake Bay Recreational Options							
	Min. Size	Max. Size	Bag Limit	Season	Overall Reduction	Harvest Change	Rec. Release Mortality (RRM) Change
Option A	1 fish at 18" minimum size with 2017 seasons, or approved CEs.						
Chesapeake Bay Options with Consistent Minimum Size, Maximum Size, and Bag Limit							
	Min. Size	Max. Size	Bag Limit	Season	Overall Reduction	Harvest Change	RRM Change
Option B1	19" (all jurisdictions)	23"	1 fish (all modes)	same as 2022+	-22.4%	-38.4%	+6.7%
Option B2	19" (all jurisdictions)	24"	1 fish (all modes)	same as 2022+	-15.9%	-27.5%	+4.8%
Option B3	19" (all jurisdictions)	25"	1 fish (all modes)	same as 2022+	-12.1%	-21.1%	+3.7%
Option B4	19" (all jurisdictions)	26"	1 fish (all modes)	same as 2022+	-10.3%	-18.1%	+3.2%
Chesapeake Bay Options with Consistent Minimum Size, Maximum Size, and Mode-Specific Bag Limits (P/S=private vessel/shore anglers and FH= for-hire)							
	Min. Size	Max. Size	Bag Limit	Season	Overall Reduction	Harvest Change	RRM Change
Option C1	19" (all jurisdictions)	23"	1 fish P/S 2 fish FH	same as 2022+	-17.9%	-31.4%	+4.9%
Option C2	19" (all jurisdictions)	24"	1 fish P/S 2 fish FH	same as 2022+	-11.0%	-19.3%	+3.0%

***2022 Chesapeake Bay Bag Limits**

MD: 1 fish-private vessel/shore, 2 fish-For-Hire	PRFC: 2 fish for all modes
DC: 1 fish for all modes	VA: 1 fish for all modes

***2022 Chesapeake Bay Seasons**

MD: C&R only: 1.1-3.31, 12.11-12.31 No targeting: 4.1-4.30 Trophy: 5.1.-5.15 (part of ocean fishery) Open: 5.16-7.15, 8.1-12.10 No Targeting: 7.16-7.31	PRFC: No Harvest: 1.1-4.30 Trophy: 5.1-5.15 (part of ocean fishery) Open: 5.16-7.6, 8.21-12.31 No Targeting: 7.7-8.20
DC: No Harvest: 1.1-5.16 Open: 5.16-12.31	VA: No Harvest: 1.1-5.15 Open: 5.16-6.15, 10.4-12.31 No Harvest: 6.16-10.3

3.1.3 For-Hire Management Clarification (if For-Hire Mode-Specific Limits are selected)

If a recreational mode split management option is selected for ocean and/or Chesapeake Bay recreational fisheries (i.e., different recreational size or bag limit for the for-hire mode vs. private vessel/shore anglers), the Board will select one of the following options to determine how those measures would apply to individuals during for-hire trips.

Option A. Status Quo. No requirement in the Interstate FMP for Atlantic Striped Bass regarding how for-hire measures would apply to individuals during for-hire trips.

Option B. For-hire management measures apply 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.

3.1.4 Recreational Filleting Allowance Requirements

State allowances for at-sea/shore-side filleting of recreationally-caught striped bass, especially where racks are not required to be retained for enforcement with size limits or there are not corresponding minimum/maximum fillet lengths, could make it is easier for non-compliance to occur. Enforcement with *maximum* size limits in particular may be more challenging with filleting allowances (i.e., fillets can be trimmed to correspond to maximum fish size). Minimum requirements for states that allow filleting would increase compliance. Appendix 1 lists current state filleting regulations.

Option A. Status quo. No requirement in the Interstate FMP for Atlantic Striped Bass related to at-sea/shoreside filleting.

Option B. For states that authorize at-sea/shore-side filleting of striped bass, establish minimum requirements, including requirements for: racks to be retained; skin to be left intact; and possession to be limited to no more than two fillets per legal fish. States should consider including language about when and where racks may be disposed of, specific to each mode allowed to fillet at-sea/shore.

3.2 Commercial Fishery Management

Proposed options for the ocean and Chesapeake Bay commercial fisheries are presented below. All options use the commercial quotas and commercial size limits in place in 2022 as the starting point for applying a commercial quota reduction (Section 3.2.1). All commercial quotas are in pounds.

3.2.1 Commercial Quota Reduction Options

All options (besides the status quo) propose implementing a commercial quota reduction for striped bass commercial fisheries in the ocean and Chesapeake Bay. A quota reduction would reduce harvest (fishing mortality) towards the goal of achieving the target F but would not aim to protect any specific year-classes. Commercial quota management provides for increased certainty with regards to achieving a harvest reduction, in contrast to the recreational fishery option. However, a reduction in quota does not always translate into the same reduction in harvest.

Reducing commercial quotas by a certain percentage is unlikely to achieve that percentage due to annual quota underages that tend to occur. Quota underages can occur for a number of reasons including state regulations, market considerations, distribution shifts, and other factors that may affect fishing effort. During several prior management actions, this difference between commercial quota and harvest was more pronounced. However, in 2022, the majority of states with active commercial fisheries fully utilized their quota (Figure 6); therefore, quota reductions have the potential to impact those states more so than in previous years when quota was being underutilized. It should be noted, there will always be underages if there are states that choose to not have an active commercial fishery as is the case in Maine, New Hampshire, and Connecticut (or choose to re-allocate quota to the recreational fishery as is the case in New Jersey). Commercial harvest levels in 2022 are provided for comparison to proposed quota reductions. 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 management action.

Option A. Status Quo: The ocean commercial fisheries and/or Chesapeake Bay commercial fisheries will continue to be managed by their Amendment 7 quotas and size limits (i.e., 18% reduction from 2017 levels with 2017 size limits). This option allows for the continuation of the existing Addendum VI CE plans. Status quo has a reduced probability to achieve the objective of this addendum.

Option B. The ocean commercial fisheries and/or Chesapeake Bay commercial fisheries will be managed by quotas representing up to a 14.5% reduction from their 2022 quotas with their 2022 size limits. The Board will select the specific percent reduction between zero and 14.5%.

Commercial quota (in pounds) reduction options for the ocean and Chesapeake Bay are summarized in the table on the next page.

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Commercial Quota Reduction Options						
	Option A. Status Quo (Amendment 7 quotas and size limits; approved CE's may continue)		Option B. Up to a 14.5% Reduction from the 2022 Quotas with the 2022 Size Limits		2022 Commercial Harvest for Reference	Hypothetical 14.5% Reduction in Landings from 2022 Levels if Quotas are Reduced**
	Amendment 7 Quota	CE-Adjusted Quota*	Maximum Quota (-0% from 2022)	Minimum Quota (-14.5% from 2022)		
ME	154	N/A	154	131	0	0
NH	3,537	N/A	3,537	3,024	0	0
MA	713,247	735,240	735,240	628,630	770,101	628,630
RI	148,889	N/A	148,889	127,300	162,434	127,300
CT	14,607	N/A	14,607	12,488	0	0
NY	652,552	640,718	640,718	547,813	623,304	532,924
NJ ⁺	197,877	215,912	215,912	184,604	rec bonus program: 36,807	rec bonus program: 31,470
DE	118,970	142,474	142,474	121,815	139,221	119,034
MD	74,396	89,094	89,094	76,175	88,069	75,299
VA	113,685	125,034	125,034	106,904	121,723	104,073
NC	295,495	N/A	295,495	252,648	0	0
MD Ches Bay	2,588,603	3,001,648	3,001,648	2,566,409	2,386,559	2,040,508
PRFC						
VA Ches Bay						

See Table 1 for 2022 commercial size limits by state, including size limits adjusted through CE.

+ Through a quota-managed CE, New Jersey transfers its commercial quota to a recreational bonus program fishery.

*Some states adjusted their commercial quotas through approved CE programs.

**If commercial quotas are reduced by 14.5%, landings would only decrease by the same amount if states continue to harvest the same percent of their available quota as they did in 2022 (e.g., if a state harvested 90% of their commercial quota in 2022, it is assumed they will harvest 90% of the future reduced quota). For states that exceeded their quotas in 2022, a 14.5% reduction in landings is estimated excluding the overage.

3.3 Response to Stock Assessment Updates

If an upcoming stock assessment prior to the rebuilding deadline, currently 2029, indicates the stock is not projected to rebuild by 2029 with a probability greater than or equal to 50%:

Option A. Status Quo: the Board would initiate and develop an addendum to consider adjusting management measures.

- An addendum process includes a public comment period with public hearings and an opportunity to submit written comments on the draft addendum document.
- Based on assessment timing and the typical addendum development and implementation process, new measures would likely not be implemented until two years following the assessment. For example, the 2024 stock assessment is expected in October 2024. If the Board initiates an addendum in October 2024, approves it for public comment in February 2025, and then selects final measures in May 2025, the earliest implementation would likely be late 2025 or early 2026.

Option B. The Board could respond via Board action where the Board could change management measures by voting to pass a motion at a Board meeting instead of developing an addendum or amendment and different from the emergency action process.

- Public comment could be provided during Board meetings per the Commission's guidelines for public comment at Board meetings, and/or public comment could be provided in writing to the Board per the Commission's timeline for submission of written public comments prior to Board meetings.
- This option would allow a more expedited response to assessment updates. For example, when the 2024 stock assessment update is complete in October 2024, the Board could change management measures at that October 2024 meeting or a meeting shortly thereafter, which would enable new measures to be implemented for at least part of the 2025 season.

4.0 COMPLIANCE SCHEDULE

If approved, states must implement Addendum II according to the following schedule to be in compliance with the Atlantic Striped Bass Interstate FMP:

[Month, Day, Year]: States submit implementation plans to meet Addendum II requirements.

[Month, Day, Year]: Board reviews and considers approving state implementation plans.

[Month Day, Year]: States implement regulations.

FIGURES

Figure 1. Atlantic striped bass female spawning stock biomass and recruitment, 1982-2021. Source: 2022 Stock Assessment Update.

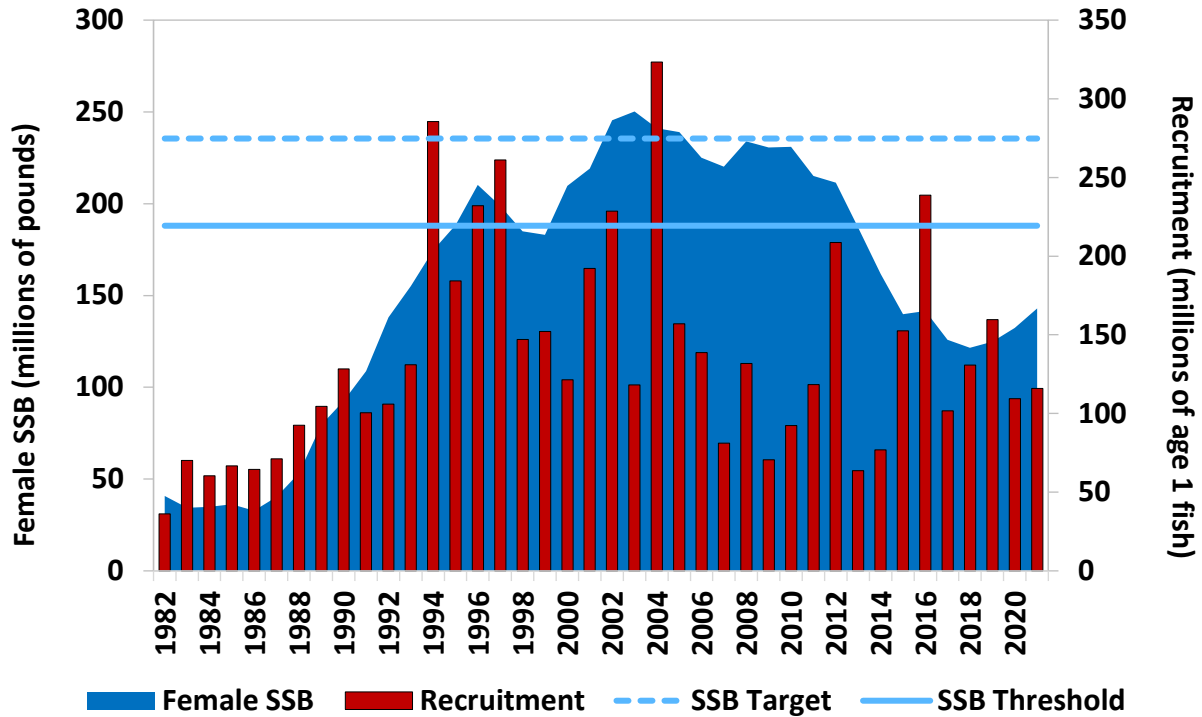
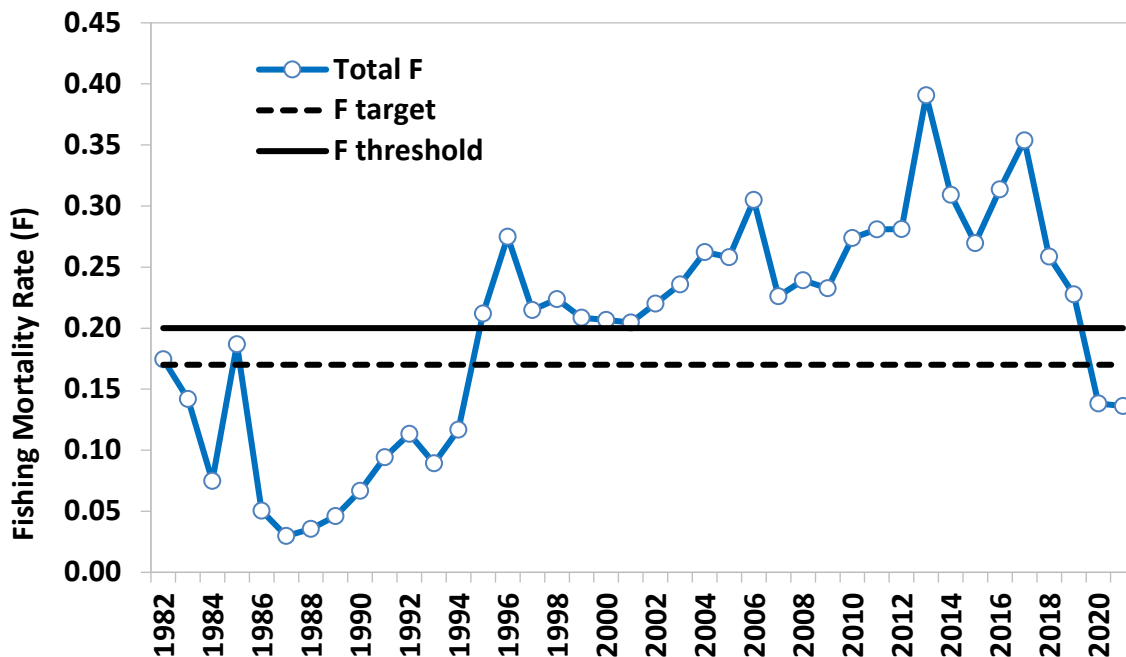
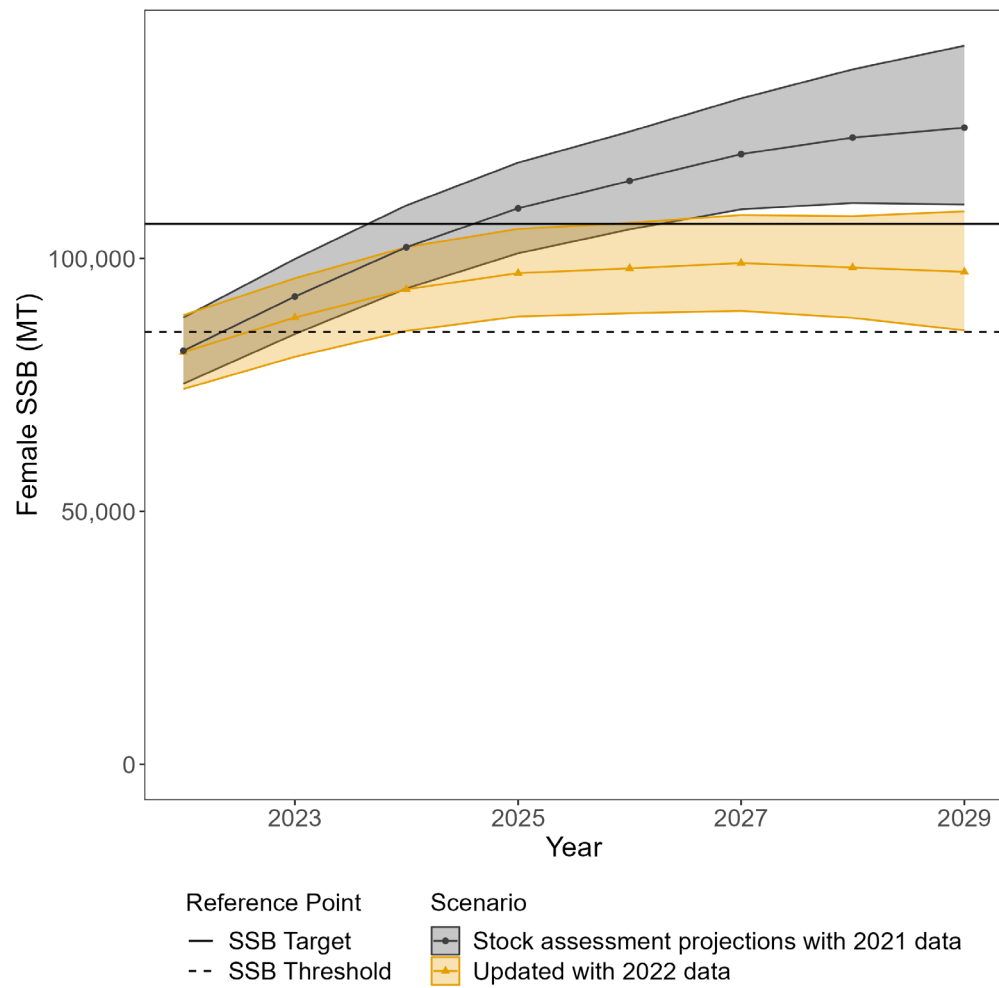


Figure 2. Atlantic striped bass fishing mortality, 1982-2021. Source: 2022 Stock Assessment Update.



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Figure 3. Stock rebuilding projections using 2021 data (from 2022 assessment update) and 2022 data.



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Figure 4. Average size-at-age of the 2015 year-class (not scaled to abundance) from 2022 (top panel), 2023 (middle panel), and 2024 (bottom panel) relative to the Addendum VI/Amendment 7 ocean standard 28”-<35” slot (solid lines) and the emergency action 31” maximum size (dashed line).

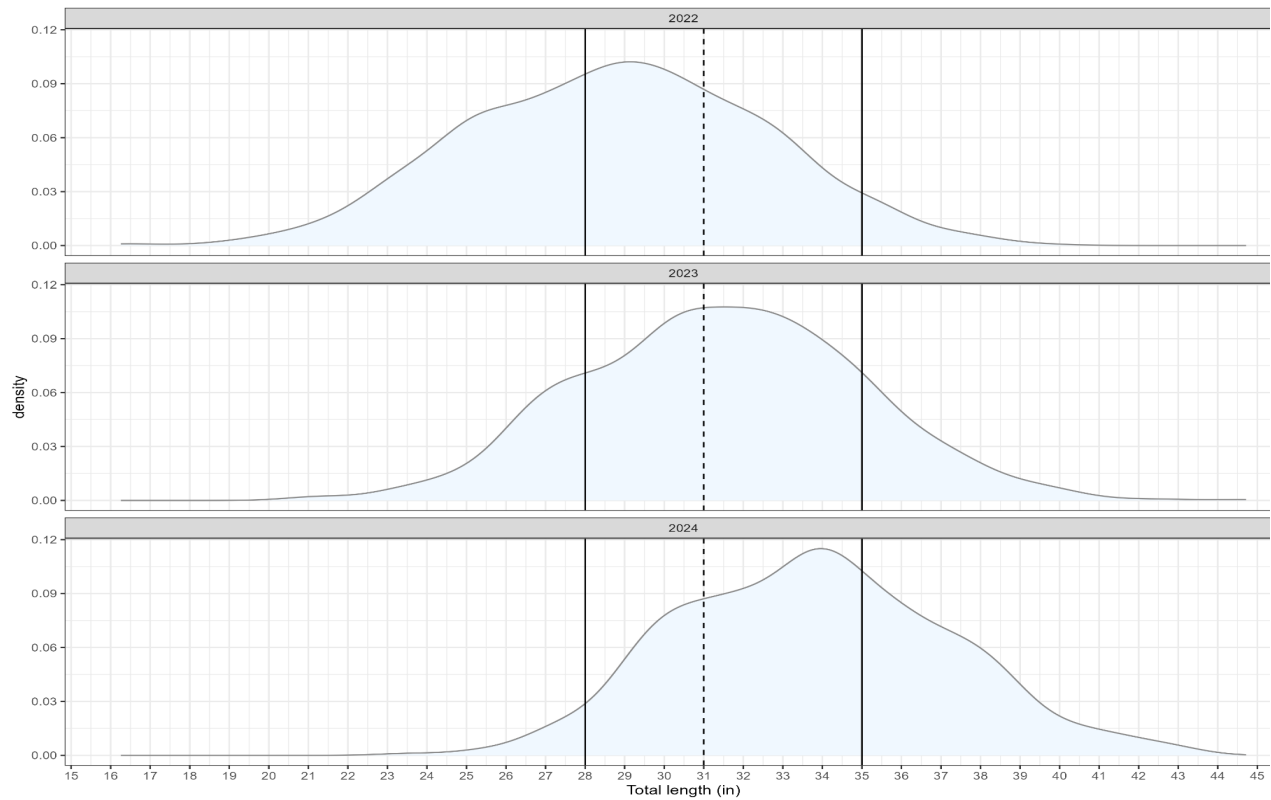
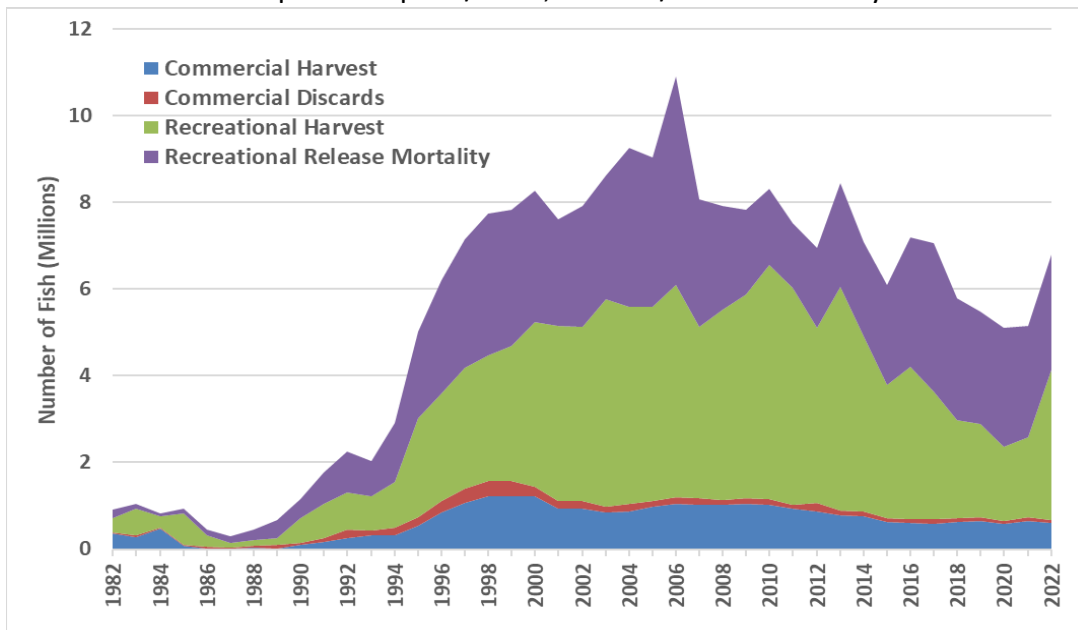
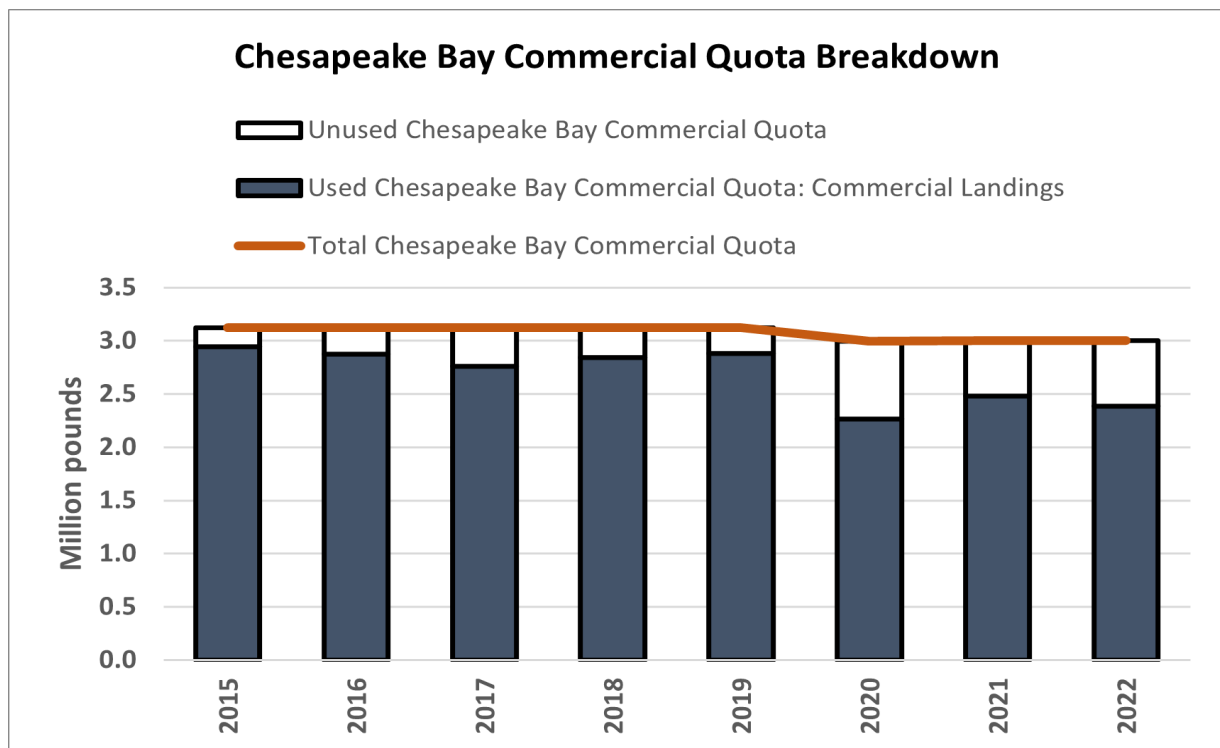
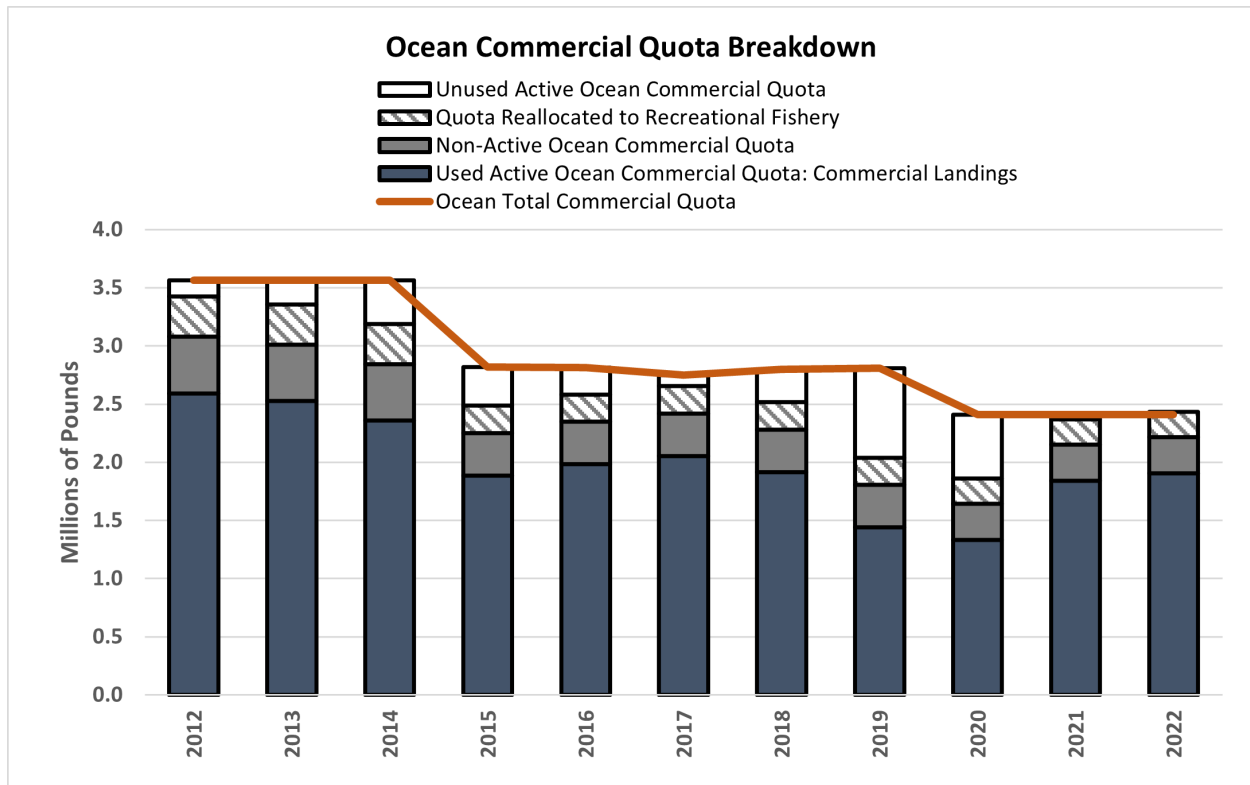


Figure 5. Total Atlantic striped bass removals by sector in numbers of fish, 1982-2022. Note: Harvest is from state compliance reports/MRIP, discards/release mortality is from ASMFC.



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Figure 6. Commercial quota breakdown by region.



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TABLES

Table 1. Summary of Atlantic striped bass commercial regulations in 2022. Source: 2023 State Compliance Reports. Minimum sizes and slot size limits are in total length (TL). *Commercial quota reallocated to recreational bonus fish program.

STATE	SIZE LIMITS (TL) and TRIP LIMITS	SEASONAL QUOTA	OPEN SEASON
ME	Commercial fishing prohibited		
NH	Commercial fishing prohibited		
MA	35" minimum size; no gaffing undersized fish. 15 fish/day with commercial boat permit; 2 fish/day with rod and reel permit.	735,240 lbs. Hook & Line only.	6.16-11.15 (or when quota reached); open fishing days of Monday, Tuesday and Wednesday, with Thursday and Friday added on October 1 (if quota remains). Cape Cod Canal closed to commercial striped bass fishing.
RI	Floating fish trap: 26" minimum size unlimited possession limit until 70% of quota reached, then 500 lbs. per licensee per day	Total: 148,889 lbs., split 39:61 between the trap and general category. Gill netting prohibited.	4.1 – 12.31
	General category (mostly rod & reel): 34" min. Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.		6.1-7.5; 7.6-12.31, or until quota reached. Closed Fridays, Saturdays, and Sundays throughout.
CT	Commercial fishing prohibited; bonus program in CT suspended indefinitely in 2020.		
NY	26"-38" size; (Hudson River closed to commercial harvest)	640,718 lbs. Pound Nets, Gill Nets (6-8"stretched mesh), Hook & Line.	5.15 – 12.15, or until quota reached. Limited entry permit only.
NJ*	Commercial fishing prohibited; bonus program: 1 fish/permit at 24" to <28"	215,912 lbs.	5.15 – 12.31 (permit required)
PA	Commercial fishing prohibited		
DE	Gill Net: 20" min in DE Bay/River during spring season. 28" in all other waters/seasons.	Gillnet: 135,350 lbs. No fixed nets in DE River.	Gillnet: 2.15-5.31 (2.15-3.30 for Nanticoke River) & 11.15-12.31; drift nets only 2.15-28 & 5.1-31; no trip limit.
	Hook and Line: 28" min	Hook and line: 7,124 lbs.	Hook and Line: 4.1–12.31, 200 lbs./day trip limit

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(Table 1 continued – Summary of commercial regulations in 2022).

STATE	SIZE LIMITS (TL) and TRIP LIMITS	SEASONAL QUOTA	OPEN SEASON
MD	Chesapeake Bay and Rivers: 18–36” Common pool trip limits: Hook and Line - 250 lbs./license/week Gill Net - 300 lbs./license/week	1,445,394 lbs. (part of Bay-wide quota)	Bay Pound Net: 6.1-12.31 Bay Haul Seine: 1.1-2.28; 6.1-12.31 Bay Hook & Line: 6.1-12.31 Bay Drift Gill Net: 1.1-2.28, 12.1-12.31
	Ocean: 24” minimum	Ocean: 89,094 lbs.	1.1-5.31, 10.1-12.31
PRFC	18” min all year; 36” max 2.15–3.25	572,861 lbs. (split between gear types; part of Bay-wide quota)	Hook & Line: 1.1-3.25, 6.1-12.31 Pound Net & Other: 2.15-3.25, 6.1-12.15 <u>Gill Net</u> : 11.9.2021-3.25.2022 Misc. Gear: 2.15-3.25, 6.1-12.15
VA	Chesapeake Bay and Rivers: 18” min; 28” max size limit 3.15–6.15	983,393 lbs. (part of Bay-wide quota)	1.16-12.31
	Ocean: 28” min	125,034 lbs.	
NC	Ocean: 28” min	295,495 lbs. (split between gear types)	Seine fishery was not opened Gill net fishery was not opened Trawl fishery was not opened

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Table 2. Summary of Atlantic striped bass recreational regulations in 2022. Source: 2023 State Compliance Reports. Minimum sizes and slot size limits are in total length (TL).

STATE	SIZE LIMITS (TL)/REGION	BAG LIMIT	GEAR/FISHING RESTRICTIONS	OPEN SEASON
ME	≥ 28" and <35"	1 fish/day	Hook and line only and no gaffing of striped bass. Regulations define bait as it pertains to the required use of circle hooks; immediate release w/o unnecessary injury if incidentally caught on unapproved hook type; maintains the circle hook exemption for rubber and latex tube rigs.	All year, except spawning areas are closed 12.1-4.30 and C&R only 5.1-6.30
NH	≥ 28" and <35"	1 fish/day	Gaffing and culling prohibited; Use of corrodible non-offset circle hooks required if angling with bait. If taken contrary to restrictions, return fish to water immediately w/o unnecessary injury.	All year
MA	≥ 28" and <35"	1 fish/day	Hook & line only; no high-grading; gaffs and other injurious removal devices prohibited. Inline circle hook requirement when fishing with bait, except with artificial lures; mandatory release of catch on any unapproved method of take. No filleting at-sea except aboard for-hire vessels provided skin remains and ratio of 2 filets/fish.	All year
RI	≥ 28" and <35"	1 fish/day	Circle required while fishing recreationally with bait for striped bass (except for artificial lures with bait attached); must release if caught on unapproved method of take	All year
CT	≥ 28" and <35"	1 fish/day	Inline circle hooks only when using whole, cut or live natural bait. Exemption of artificial lures/ release of incidental non-circle hook provision. Spearing and gaffing prohibited. If taken contrary to the provisions, shall, without avoidable injury, be returned immediately to the waters.	All year
NY	Ocean and DE River: 28 -35"	1 fish/day	Angling only. Spearing permitted in ocean waters. C&R only during closed season, except no targeting in Hudson River during closed season. Circle hook requirements. No gaffing. Mandatory release of catch on any unapproved method of take.	Ocean: 4.15-12.15 Delaware River: All year
	HR: 18 -28"	1 fish/day		Hudson River: 4.1-11.30

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(Table 2 continued – Summary of recreational regulations in 2022).

STATE	SIZE LIMITS/REGION	BAG LIMIT	GEAR/FISHING RESTRICTIONS	OPEN SEASON
NJ	≥ 28 to < 38"	1 fish/day	Circle hooks required when fishing with bait; must release if caught on unapproved method of take	Closed 1.1 – Feb 28 in all waters except in the Atlantic Ocean, and closed 4.1-5.31 in the lower DE River and tribs
PA	Upstream from Calhoun St Bridge: 1 fish/day at ≥ 28" to <35"	1 fish/day	Unlawful to take or attempt to take fish unless the method is specifically authorized. Circle hooks required when fishing with bait downstream from Calhoun St. Bridge.	All year
	Downstream from Calhoun St Bridge: 1 fish/day at ≥ 28" to <35 (except 4.1-5.31)			All year. 2 fish/day at 21"-<24" slot from 4.1 – 5.31
DE	≥ 28" and <35"	1 fish/day	Hook & line, spear (for divers) only. Inline circle hooks required when fishing for striped bass using cut or whole natural baits	All year. C&R only 4.1-5.31 in spawning grounds. 20"-25" slot from 7.1-8.31 in DE River, Bay & tributaries
MD	Ocean: ≥ 28" and <35"	1 fish/day	Circle hooks if chumming, live-lining, or bait fishing and targeting striped bass; no gaffing	All year
	Chesapeake Bay and tribs^	C&R only	Circle hook requirement with bait; no eels; no stinger hooks; barbless hooks when trolling; max 6 lines when trolling; no gaffing	1.1-2.28, 3.1-3.31, 12.11-12.31
	Chesapeake Bay: 35" min	1 fish/day	Geographic restrictions apply; Circle hook requirement with bait; no eels bait; no gaffs	5.1-5.15
	Chesapeake Bay: 1 fish/day, 19" minimum size; 2/fish/day for charter with only 1 fish >28"		Geographic restrictions apply; circle hooks if chumming, livelining, or bait fishing and targeting striped bass; no gaffing	5.16-5.31
	Chesapeake Bay and tribs: 1 fish/day, 19" minimum size; 2/fish/day for charter with only 1 fish >28"		All Bay and tribs open; circle hooks if chumming, livelining, or bait fishing and targeting striped bass; no gaffing	6.1-7.15, 8.1-12.10

^ Susquehanna Flats: C&R only Jan 1 – March 31 (circle hooks when bait fishing); 1 fish at 19"-26" slot May 16 – May 31 (circle hooks if chumming, livelining, or bait fishing and targeting striped bass).

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(Table 2 continued – Summary of recreational regulations in 2022).

STATE	SIZE LIMITS/REGION	BAG LIMIT	GEAR/FISHING RESTRICTIONS	OPEN SEASON
PRFC	Spring Trophy: 35" minimum size	1 fish/day	No more than two hooks or sets of hooks for each rod or line; no live eel; no high-grading; non-offset Circle Hooks are required when fishing for striped bass using cut or whole natural bait; no spearing or gaffing	5.1-5.15
	Summer and Fall: 20" min	2 fish/day	No more than two hooks or sets of hooks for each rod or line; non-offset Circle Hooks are required when fishing for striped bass using cut or whole natural bait; no spearing or gaffing; any fish caught other than lawful fishing activities immediately released	5.16-7.6 and 8.21-12.31; closed 7.7-8.20 (No Direct Targeting)
DC	18" minimum size	1 fish/day	Hook and line only; unlawful to take fish except as specified	5.16-12.31
VA	Ocean: 28"-36" slot limit	1 fish/day	Hook & line, rod & reel, hand line, spearing only. No gaffing. Circle hooks required if/when using live bait. Unlawful to take/attempt take by any other gear/method	1.1-3.31, 5.16-12.31
	Ocean Spring Trophy: NO SPRING TROPHY SEASON			
	Chesapeake Bay Spring Trophy: NO SPRING TROPHY SEASON			
	Bay Spring/Summer: 20"-28" slot limit	1 fish/day	Hook & line, rod & reel, hand line, spearing only. No gaffing. Circle hooks required if/when using live bait. Unlawful to take/attempt take by any other gear/method	5.16-6.15
	Bay Fall: 20 - 36" slot limit	1 fish/day		10.4-12.31
NC	≥ 28" and <35"	1 fish/day	No gaffing allowed. Circle hooks required when fishing with natural bait	All year

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Table 3. CE programs implemented for Addendum VI

State	Recreational Fisheries	Commercial Fisheries
MA	N/A	Changed size limit (35" minimum) with equivalent quota change
NY	Hudson River: Alternative size limit (18" to 28") to achieve 18% removals reduction in combination with standard ocean slot	Changed size limit (26" to 38") with equivalent quota reduction
NJ	Alternative size limit (28 to < 38") to achieve 25% removals reduction	Decreased commercial quota reduction (to 0%) with surplus recreational fishery reduction and transferred commercial quota to recreational bonus program fishery (24 to < 28", 1 fish/day)
PA	DE River and Estuary downstream Calhoun St Bridge: Alternative size and bag limit on limited seasonal basis (2 fish/day at 21 to <24" during 4.1–5.31) to achieve 18% removals reduction	N/A
DE	DE River/Bay/tributaries: Alternative slot on limited seasonal basis (20" to <25" during 7.1–8.31) to achieve 20.4% removals reduction in combination with standard ocean slot	Decreased commercial quota reduction (to -1.8%) with surplus recreational fishery reduction
MD	Chesapeake Bay: Alternative Summer/Fall for-hire bag limit with restrictions (2 fish, only 1 >28", no captain retention) through increased minimum size (19"), April and two-week Wave 4 targeting closures, and shorter spring trophy season (May 1–15) to achieve 20.6% removals reduction; ocean: FMP standard slot	Decreased ocean and Chesapeake Bay commercial quota reduction (to -1.8%) with surplus Chesapeake Bay recreational fishery reduction
PRFC	Alternative Summer/Fall minimum size and bag limit (20" min, 2 fish/day) with a no targeting closure (7.7–8.20) and shorter spring trophy season (May 1–15) to achieve a 20.5% removals reduction	Decreased Chesapeake Bay commercial quota (to -1.8%) with surplus recreational fishery reduction
VA	Chesapeake Bay: Alternative slot limits during 5.16–6.15 (20" to 28") and 10.4–12.31 (20" to 36") and no spring trophy season to achieve a 23.4% removals reduction (reduction was the result of lowering prior bag limit from 2 to 1-fish per angler); ocean: Alternative slot limit (28" to 36")	Decreased ocean commercial quota (to -7.7%) and Chesapeake Bay commercial quota (to -9.8%) with surplus recreational fishery reduction

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Table 4. Estimated mean striped bass size-at-age based on the 2012-2016 state age data (weighted by state recreational catch) compiled for the 2018 benchmark stock assessment. Note: Size-at-age is highly variable along the coast and there is overlap among age classes.

Age	Estimated Mean Total Length (in)	
0	3.8	
1	6.4	
2	12.7	
3	17.0	
4	20.9	
5	24.1	2018 year class in 2023
6	26.4	2017 year class in 2023
7	28.7	
8	31.6	2015 year class in 2023
9	33.8	
10	35.5	
11	37.2	
12	39.1	
13	41.0	
14	42.2	
15+	44.0	

Table 5. Implementation of 2023 Emergency Action for striped bass (31.0" maximum size limit).

State	Effective Date	Maximum Size Limit
ME	May 18	31.0" max size limit
NH	May 26	<31.0" max size limit
MA	May 26	<31.0" max size limit
RI	May 27	<31.0" max size limit
CT	May 26	<31.0" max size limit
NY	June 20	31.0" max size limit
NJ	July 2	31.0" max size limit
PA	June 3	<31.0" max size limit
DE	May 21	31.0" max size limit
MD	May 16	31.0" max size limit
PRFC	May 16	31.0" max size limit
DC	May 16	31.0" max size limit
VA	July 1	31.0" max size limit
NC	June 1	31.0" max size limit

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Table 6. Total removals (harvest plus discards/release mortality) of Atlantic striped bass by sector in numbers of fish, 1993-2022 calendar years. Note: Harvest is from state compliance reports/MRIP (June 2023), discards/release mortality is from ASMFC. Estimates exclude inshore harvest from NC.

Year	Commercial		Recreational		Total Removals
	Harvest	Dead Discards*	Harvest	Release Mortality	
1993	314,526	114,317	789,037	812,404	2,030,284
1994	325,401	165,700	1,055,523	1,360,872	2,907,496
1995	537,412	192,368	2,287,578	2,010,689	5,028,047
1996	854,102	257,506	2,487,422	2,600,526	6,199,556
1997	1,076,561	324,445	2,774,981	2,969,781	7,145,769
1998	1,215,219	346,537	2,915,390	3,259,133	7,736,278
1999	1,223,572	347,186	3,123,496	3,140,905	7,835,158
2000	1,216,812	213,863	3,802,477	3,044,203	8,277,354
2001	931,412	175,815	4,052,474	2,449,599	7,609,300
2002	928,085	187,084	4,005,084	2,792,200	7,912,453
2003	854,326	126,274	4,781,402	2,848,445	8,610,447
2004	879,768	156,026	4,553,027	3,665,234	9,254,055
2005	970,403	142,385	4,480,802	3,441,928	9,035,518
2006	1,047,648	152,308	4,883,961	4,812,332	10,896,250
2007	1,015,114	158,078	3,944,679	2,944,253	8,062,124
2008	1,027,824	108,830	4,381,186	2,391,200	7,909,039
2009	1,050,055	133,317	4,700,222	1,942,061	7,825,654
2010	1,031,448	132,373	5,388,440	1,760,759	8,313,020
2011	944,777	82,015	5,006,358	1,482,029	7,515,180
2012	870,684	192,190	4,046,299	1,847,880	6,957,053
2013	784,379	112,620	5,157,760	2,393,425	8,448,184
2014	750,263	114,065	4,033,746	2,172,342	7,070,415
2015	621,952	88,614	3,085,725	2,307,133	6,103,425
2016	609,028	91,186	3,500,434	2,981,430	7,182,077
2017	592,670	98,801	2,937,911	3,421,110	7,050,492
2018	621,123	101,264	2,244,765	2,826,667	5,793,819
2019	653,807	85,262	2,150,936	2,589,045	5,479,050
2020	583,070	58,641	1,709,973	2,760,231	5,111,915
2021	644,207	85,676	1,841,902	2,583,788	5,155,573
2022	599,615	81,200	3,454,021	2,667,846	6,802,681

* Commercial dead discard estimate for 2022 was estimated using the harvest-to-discard ratio from 2021. The entire time series for commercial dead discards will be re-estimated during the 2024 stock assessment using a generalized additive model (GAM).

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Table 7. 2022 Commercial Fishery Size Limits, Gear Types, and Commercial Sampling Results (Source: 2023 Compliance Reports). Note: Sub-sampling of commercial striped bass harvest occurs for about 1-5% of all commercially harvested fish in each state, and these values are assumed to be representative of each state's landings.

State	Size Limits	2022 Percent Landings by Gear Type	Mean Length and Range of Length Samples (TL in)	Mean Weight (lbs)	Mean Scale Age (years)
MA	35" min	100% hook & line	39.9 <i>Range: 35 - 48</i>	24.1	10
RI	General: 34" min FFT: 26" min	Conf % hook & line Conf % floating fish trap	34.8 <i>H&L Range 34 – 52</i> <i>FFT Range: 26 - 52</i>	18.2	8
NY	26-38" slot	62.2% gill nets (mostly sink) 18.3% hook & line 6.7% fixed gear 4.4% trawls	30.2 <i>Range: 24.1 – 38.7</i>	9.9	6.6
DE	GN: 28" min, 20" min DE Bay/River 2.15-5.31 H&L: 28" min	88.4% anchored gill net 11.6% drift gill net 0% hook & line	35.0 <i>Range: 20 - 45</i>	17.0	10
MD ocean	24" min	100% drift gill net	41.1 <i>Range: 32.6 – 47.6</i>	25.9	12
VA ocean	28" min	100% drift/anchored gill net	40.0 <i>Range 29 – 51</i>	24.8	14
NC	28" min	Beach seine, gill net, trawl	NA	NA	NA
MD Ches Bay	18-36" slot	53% pound net 42% drift gill net 5% hook & line	22.2 <i>GN Range: 17.7 - 35</i> <i>PN/H&L Range: 17.7 – 33.5</i>	4.6	5
PRFC	18" min; 36" max 2.15-3.25	67% anchored gill net 23% pound net 9% hook & line	23.8 <i>Range: 18.3 – 48.0</i>	6.3	5.7
VA Ches Bay	18" min; 28" max 3.15-6.15	84% drift/anchor gill net 12% pound net 4% hook & line	24.9 GN <i>GN Range: 18-49</i> 23.3 PN <i>PN Range: 17-36</i> 36.2 H&L <i>H&L Range: 18-28 and 41-49</i>	7.5 GN 5.6 PN 26.6 H&L	7.7 GN 5 PN 17 H&L

H&L=hook & line; GN=gill nets, FFT=floating fish traps; PN=pound net

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Table 8. Predicted reduction in total removals for different combinations of options.

<i>Commercial Quota Reduction (both regions)</i>	<i>Chesapeake Bay Options</i>						<i>Ocean</i>			
Board will select a quota percent reduction between zero and 14.5%.		Min. Size	Max. Size	Bag Limit	Season	Reduction	Option B. 28"-31" (All Modes)	Option C. 28"-31" (PR/SH), 28"-33" (FH)	Option D. 30"-33" (All Modes)	Option E. 30"-33" (PR/SH), 28"-33" (FH)
							-14.1%	-14.0%	-12.8%	-12.8%
0%	Option B1	19"	23"	1 fish	same as 2022 ⁺	-22.4%	-14.0%	-13.9%	-13.0%	-12.9%
	Option B2	19"	24"	1 fish	same as 2022 ⁺	-15.9%	-13.0%	-12.9%	-12.0%	-11.9%
	Option B3	19"	25"	1 fish	same as 2022 ⁺	-12.1%	-12.4%	-12.3%	-11.4%	-11.4%
	Option B4	19"	26"	1 fish	same as 2022 ⁺	-10.3%	-12.1%	-12.1%	-11.2%	-11.1%
	Option C1	19"	23"	1 fish PR/SH, 2 fish FH	same as 2022 ⁺	-17.9%	-13.3%	-13.2%	-12.3%	-12.2%
	Option C2	19"	24"	1 fish PR/SH, 2 fish FH	same as 2022 ⁺	-11.0%	-12.3%	-12.2%	-11.3%	-11.2%
-14.5%	Option B1	19"	23"	1 fish	same as 2022 ⁺	-22.4%	-15.4%	-15.3%	-14.4%	-14.4%
	Option B2	19"	24"	1 fish	same as 2022 ⁺	-15.9%	-14.4%	-14.4%	-13.5%	-13.5%
	Option B3	19"	25"	1 fish	same as 2022 ⁺	-12.1%	-13.9%	-13.8%	-12.9%	-12.9%
	Option B4	19"	26"	1 fish	same as 2022 ⁺	-10.3%	-13.6%	-13.5%	-12.6%	-12.6%
	Option C1	19"	23"	1 fish PR/SH, 2 fish FH	same as 2022 ⁺	-17.9%	-14.7%	-14.7%	-13.8%	-13.8%
	Option C2	19"	24"	1 fish PR/SH, 2 fish FH	same as 2022 ⁺	-11.0%	-13.7%	-13.6%	-12.7%	-12.7%

Appendix 1

State regulatory language pertaining to striped bass filleting at sea and/or shore-side

Maine: “It is unlawful to possess striped bass unless the fish are whole with head on, and are between 28 inches and 31 inches, inclusive.”

New Hampshire: “Striped bass shall have head and tail intact while on or leaving the waters or shores of the state except as follows: (1) A person may possess up to 2 striped bass fillets so long as they also possess the fish rack that the fillets came from with the head and tail intact and the rack measures at least 28 inches in total length; (2) Any striped bass fillet shall have the skin still attached for the purpose of identification of the fillet as striped bass.”

Massachusetts: “Recreational fishermen shall not mutilate any striped bass in a manner that prevents the accurate measurement of the fish...Operators and crew onboard for-hire vessels permitted under the authority of 322 CMR 7.10(5): Permit Requirements Applicable to For-hire Vessels may fillet or process legal sized striped bass for their recreational customers at sea provided that: 1. The skin is left on the fillet; and 2. Not more than two fillets taken from legal striped bass are in the possession of each customer of that trip, representing the equivalent of one fish per angler.”

Rhode Island: “There shall be no disposal of fish and fish parts on the bulkhead or in the waters of the State.” “It shall be unlawful for any person to place any pollutant in a location where it is likely to enter the waters or to place or cause to be placed any solid waste materials, junk, or debris of any kind whatsoever, organic or non organic, in any waters.”

Connecticut: “No person shall land or possess on the waters of this state or on any parcel of land, structure, or portion of a roadway abutting tidal waters of this state any striped bass from which the head or tail has been removed or which has otherwise been rendered unidentifiable as a striped bass or unable to be measured.” *Enforced as filleting allowed with rack retained (pers.com. CT DEEP).*

New York: “Except as provided in paragraphs (4) of this subdivision, it is unlawful for any person to possess striped bass from which the head or tail has been removed or that have been otherwise cleaned, cut, filleted or skinned so that the total length or identity cannot be determined; except that it is not unlawful if such fish is being prepared for immediate consumption or storage at a domicile or place of residence.

(4) Any person who holds a valid Marine and Coastal District Party and Charter Boat License issued pursuant to Environmental Conservation Law section 13-0336 may fillet striped bass taken on the permitted party or charter vessel identified on his or her license under the following conditions:

(i) fish may be filleted for customers only; (ii) only fish which are legally possessed may be filleted;

(iii) striped bass may only be filleted prior to customers leaving the vessel or the dock area prior to customers departing the area; (iv) it is unlawful to mutilate any striped bass carcass to the extent that the total length or species of fish cannot be determined; (v) all striped bass carcasses must be retained (unmixed with any other material) in a separate container readily available for inspection until such time as the vessel has docked and all passengers from that trip have left the vessel and the dock area. Any such carcasses are included in the possession limit; (vi) all striped bass carcasses from any previous trip must be disposed of prior to any

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person beginning to fish on a subsequent trip; and (vii) all Marine and Coastal District Party and Charter Boat License holders must provide each customer who possesses striped bass fillets with a commercially printed, dated original fare receipt, bearing the boat's name and the owner or operator's Party and Charter Boat License number. Any customer of a party or charter boat operated by a Marine and Coastal District Party and Charter Boat License holder who is in possession of striped bass fillets must possess an original dated receipt from that party or charter vessel.

New Jersey: "Except as provided in (e)2 and (f) below, a person shall not remove the head, tail or skin, or otherwise mutilate to the extent that its length or species cannot be determined, any species with a minimum size limit specified at (b) or (c) above or any other species of flatfish, or possess such mutilated fish, except after fishing has ceased and such species have been landed to any ramp, pier, wharf or dock or other shore feature where it may be inspected for compliance with the appropriate size limit.

(f) Special provisions applicable to a Special Fillet Permit are as follows: 1. A party boat owner may apply to the Commissioner for a permit for a specific vessel, known as a Special Fillet Permit to fillet species specified at (c) above at sea; 2. For purposes of this section, party boats are defined as vessels that can accommodate 15 or more passengers as indicated on the Certificate of Inspection issued by the United States Coast Guard for daily hire for the purpose of recreational fishing; 3. The Special Fillet Permit shall be subject to the following conditions: i. Once fishing commences, no parts or carcasses of any species specified in (c) above and no flatfish parts or carcasses shall be discarded overboard; of the species specified at (c) above, only whole live fish may be returned to the water; ii. No carcasses of any flatfish or species listed at (c) above shall be mutilated to the extent that its length or species cannot be determined; iii. All fish carcasses of species specified at (c) above shall be retained until such time as the vessel has docked and been secured at the end of the fishing trip adequate to provide a law enforcement officer access to inspect the vessel and catch; iv. No fillet of any flounder or other flatfish shall be less than eight inches in length during the period of May 1 through October 31 or less than five inches in length during the period of November 1 through April 30; v. No fish of any species less than the minimum size limit specified in (c) above shall be filleted and no fillet of any species listed below shall have the skin removed and no fillet shall be less than the minimum length in inches specified below.

Species	Minimum Fillet or Part Length
Striped bass (24 to less than 28 inches)	11 to 20 inches
(28 to 31 inches)	15 to 22 inches

vi. Spanish mackerel shall be landed with head, tail and fins attached. vii. Fish carcasses from the previous trip shall be disposed of prior to commencing fishing on a subsequent trip; viii. Violation of any of the provisions of the Special Fillet Permit shall subject the captain and permit holder to the penalties established pursuant to N.J.S.A. 23:2B-14 and shall result in a suspension or revocation, applicable to both the vessel and the owner of the Special Fillet Permit according to the following schedule: (1) First offense: 60 days suspension; (2) Second offense: 120 days suspension; and (3) Third offense: Revocation of permit, rendering the vessel and the owner not eligible for permit renewal regardless of vessel ownership.

ix. In calculating the period of suspension or revocation applicable under (f)3viii above, the number of previous suspensions shall be reduced by one for each three-year period in which

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the permit holder does not commit any other violation subject to this subsection, provided, however, that if more than one suspension is imposed within a three-year period, only one of those suspensions may be forgiven under this subparagraph; therefore, a permit holder who incurs more than one suspension in a three-year period shall not be considered a first offender under this subsection regardless of the length of any subsequent period without violation. The reduction in suspensions provided in this subparagraph applies only to determination of suspension periods; all prior suspensions shall be taken into account in calculating monetary penalties in accordance with N.J.S.A. 23:2B-14. x. Upon receipt of the notice of suspension but prior to the suspension or revocation of the Special Fillet Permit, the permittee has 20 days to request a hearing from the Department. The hearing shall be conducted pursuant to the Administrative Procedure Act, N.J.S.A. 52:14B-1 et seq. and 52:14F-1 et seq., and the Uniform Administrative Procedure Rules, N.J.A.C. 1.1. If a request for a hearing is not received by the Department within 20 days of the permittee's receipt of the notice of suspension, the permit suspension or revocation will be effective on the date indicated in such notice.

Pennsylvania: “(a) Except as otherwise provided in this section, it is unlawful to possess a fish in any form or condition other than in the whole or having the entrails removed while on shore, along the waters of this Commonwealth, onboard a boat or on a dock, pier, launch area or a parking lot adjacent thereto. (b) Fish may be processed fully if they are being prepared for immediate consumption. (d) Provided that the requirements of this subsection are met, this section does not apply to fish processed by a permitted charter boat/fishing guide operation. The charter boat operator or fishing guide may fully process the fish at any time provided the charter boat operator or fishing guide retains the carcass until possession of the fish is transferred to the customer on shore. The charter boat operator or fishing guide shall give the customer who receives the processed fish a signed, dated receipt on the form prescribed by the Commission.”

Delaware: “Unless otherwise authorized, it is unlawful to possess any striped bass for which the total length has been altered in any way for the purpose of retaining said striped bass in accordance with §3504.”

Maryland: “Filleting Striped Bass. (1) Except as provided in §C(2) of this regulation, a person may only land striped bass dockside as a whole fish. (2) A licensed charter boat captain or mate may fillet striped bass taken on a vessel displaying a current commercial charter boat decal under the following conditions: (a) A striped bass carcass may not be mutilated to the extent that the total length or species of fish cannot be determined; (b) All striped bass carcasses: (i) Shall be retained, unmixed with any other material, in a separate container readily available for inspection until the vessel has docked and all passengers from that trip have left the vessel and the dock area; and (ii) Are included in the possession limit; and (c) All striped bass carcasses from any previous trip shall be disposed of before any person begins to fish on a subsequent trip.”

PRFC: “Measurement shall be the greatest distance in a straight line from the tip of the snout to the end of the caudal fin or tail in a natural state, excluding the tail filament of a black sea bass. No person shall alter the natural state of any species of fish listed in (a) above such that its length cannot be measured.” *Unclear as to enforcement of filleting at-sea/shore (pers.com. PRFC).*

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DC: “It shall be unlawful to... possess aboard any boat, while fishing or while in possession of fishing equipment, any fish for which a size or weight limit is prescribed in § 1504 from which the head or tail has been removed.”

Virginia: “Alteration of finfish to obscure species identification or size prohibited. A. It shall be unlawful for any person to alter any finfish, or to possess altered finfish, aboard any boat or vessel, or on a public fishing pier (except at the fish cleaning station of the pier), such that the species of the fish cannot be determined. B. It shall be unlawful for any person to alter any finfish regulated by a minimum or maximum size limit, or to possess such altered finfish, aboard any boat or vessel, or on a public fishing pier (except at the fish cleaning station of the pier), such that its total length cannot be measured.

Allowances for filleting or cleaning. A. For finfish regulated by a minimum or maximum size limit, filleting at sea will be allowed if the carcass is retained to ensure proper species identification and compliance with size limitations. B. For finfish regulated by a minimum size, cleaning and/or filleting at sea will be allowed if the fillet or cleaned fish exceeds the minimum length for the species and at least one square inch of skin is left intact to assist in identification of the species. C. For finfish not regulated by a size limit, filleting at sea will be allowed if a minimum of one square inch of skin is left on the fillet to assist in identification of the species.”

North Carolina: “It shall be unlawful to possess aboard a vessel or while engaged in fishing any species of finfish that is subject to a size or harvest restriction without having head and tail attached.” *Enforced as filleting allowed with rack retained (pers.com. NC DMF).*