

## Atlantic Striped Bass Advisory Panel

February 4, 2008  
Alexandria, Virginia

### Meeting Report Including a Statement of Management Advice to the Board

#### Participants

Louis Bassano (NJ, rec.)	Chip Gray (ME, rec.)	Kelly Place (VA, com.)
Chuck Casella (MA, rec.)	Leland Heath (NC, rec.)	Al Ristori (NJ, charter)
Edwin Cook (RI, rec.)	Arnold Leo (NY, com.)	Kyle Schick (PRFC, rec.)
Bill Donovan (PA, rec.)	John McMurray (NY, rec.)	Riley Williams (NC, com.)
Bob Fjelstad (VA, rec.)	Ed O'Brien (MD, charter)	
Joe Fletcher (DC, rec.)	Dave Pecci (ME, charter)	

Nichola Meserve (ASMFC Coordinator)  
Doug Grout (NH FGD, Technical Committee Chair)  
Gary Nelson (MA DMF, Stock Assessment Subcommittee Chair)  
Beth Versak (MD DNR, Tagging Subcommittee Chair)  
(An audience was also present, but names were not recorded.)

#### Meeting Overview

The Striped Bass Advisory Panel (AP) met with three main objectives: 1) review the results of the 2007 stock assessment; 2) develop management advice for the Board; and 3) elect a new chair and vice-chair. The AP first attended the Management Board's meeting to hear the presentation of the 2007 stock assessment results and the peer review panel's response. The AP's own meeting started with an opportunity for the AP members to ask questions regarding the stock assessment. The resulting discussion contained these questions and answers and also concerns and ideas brought forward by the AP members. A list of issues was kept to return to when developing management advice for the Board. A concise Statement of Management Advice follows the open discussion recorded below. Kelly Place was elected chair and Bill Donovan vice chair of the Advisory Panel.

#### Open Discussion

Ristori asked how discards are estimated in the assessment and why commercial discards were so low in 2006. Nelson explained that an 8% mortality rate is applied to the MRFSS estimate of recreational releases to estimate recreational dead discards, and that tagging data are used to estimate commercial discards by gear to which gear-specific release mortalities are applied. Casella and O'Brien asked if Massachusetts and Maryland recreational and/or charter logbooks that record recreational catches and releases are used for estimating discards. Nelson replied that MRFSS estimates are used for the sake of coastwide consistency. Fjelstad questioned the reliability of the MRFSS estimates and the 8% mortality rate used. O'Brien added that he was also skeptical of the high recreational release mortality rate. Place asked if the assumption of commercial underreporting of tags had been validated. Nelson replied yes, and that the underreporting is corrected for in the estimation of commercial discards. Place asked how different the commercial and recreational reporting rates are, and Nelson said he would have to look at some data that he did not have with him at the time.

Pecci expressed concern that the stock assessment can not determine the number of each age class of fish in the plus group (13+), and he asked what data need to be collected to fix this. Nelson replied that otoliths from older fish need to be collected and that the Technical Committee has developed a formula for the number off big fish needed from several regions. The cause for delay in implementing a program is financial; the states would need additional resources for collecting and ageing otoliths. Schick agreed that it would be hard for the states to do this ageing without additional personnel. Place indicated that, in the late 1990s, ACCSP had a proposal to set up three regional facilities for storing and ageing hard structures. He suggested that the AP urge the Commission to help set up these regional facilities.

Pecci brought up a concern regarding the abundance of big fish. In Maine, he sees a reduction in the number of larger striped bass. He noted that the abundance of river herring in Maine is high, so that he doesn't think the decline of old fish is a forage issue. He thought that Maine could function as a bellwether for striped bass health, because it is the northern range of the species distribution and Maine fishermen tend to see changes first. Donovan echoed this concern about older fish, saying that he expected to see more of a decrease in the assessment results based on what he is experiencing on the water. On the other hand, O'Brien suggested that abundance is ample, as personified by the winter fisheries off Virginia and North Carolina that appear to catch many large fish.

Ristori noted that the Hudson River recreational harvest in 2007 was low, and he questioned whether recruitment could stay high with what he finds are low numbers of mature striped bass in the Hudson. Donovan added that the Delaware River spring run in 2007 was also the worst he'd seen in a long time. McMurray suggested that some precautionary action might be needed to help protect the larger age-classes. Grout noted that the number of age 7+ fish are expected to increase in the next few years because of several recent years of strong recruitment (especially the 2003 year class). McMurray suggested that those strong year classes might also need some protection in the next few years. Fjelstad noted that because recreational effort is increasing, more fishers will be targeting those strong years classes. Gray was concerned that several Board members had talked about liberalizing regulations at its meeting that morning.

Pecci noted concern that the fishing mortality for age 8-11 fish is at the target and that the window between the target and threshold is relatively small. Place said it was okay to be at the target, as it is the level of fishing that is supposed to balance sustainability and utilization. Pecci added concern that three years between assessments might be too much. Grout noted that the Technical Committee would continue to review and report to the Board annually on a set of metrics (landings, abundance indices, etc.). Place said he was not concerned with the three year planning horizon given the annual monitoring and reporting that the TC would complete.

Place questioned whether there was a decline in the length-frequency of the striped bass caught in the cooperative winter tagging cruise. Wilson Laney replied that the data has not yet been analyzed, but that the cruise isn't set up as a survey, but is intended to catch as many fish as possible. Fjelstad suggested that data from Virginia's citation program be looked at to see how the catch of large fish has changed over time.

Leo expressed a concern regarding equity between the recreational and commercial fisheries. He finds it unfair that the recreational fishery is allowed to increase amidst an increasing abundance of fish, while the commercial fishery is capped. He added that commercial dead discards are also much lower than recreational dead discards. He advocated for adding flexibility to the plan so that the commercial fishery can grow with increasing stock size. Williams agreed that there needs to be a mechanism to fulfill the demand of the non-fishing, but fish-eating part of the population, especially with an increasing supply. Bassano said that striped bass are for the public first, and the commercial fishery second.

Ristori asked if and how wave 1 harvest in Virginia and North Carolina is added into the assessment. Nelson affirmed that it is and explained that MRFSS began sampled in wave 1 in North Carolina since 2004, and that harvest in North Carolina prior to 2004, and for all years in Virginia, is estimated based on nearby landings and/or tag returns. The estimates are in a table in the full assessment report, which will be mailed to the AP when available. Several AP members expressed concern about the accuracy of the wave 1 harvest estimates. Pecci suggested that the AP include a recommendation for wave 1 sampling in VA to become a reality immediately regardless of the redesign of the MRFSS.

Ristori thought that the MRFSS harvest estimates might be low due to night fishing as MRFSS doesn't sample then. Williams said he didn't think night fishing is a problem in North Carolina. Grout said MRFSS doesn't sample in just the dead of the night, so there probably isn't much harvest missed. Williams thought the estimates looked right for North Carolina based on that fact that the fishery is temperature driven and the fish aren't often within three miles. Schick agreed that the harvest was being exaggerated by some people, and added that as long as the stock is healthy, the level of harvest is acceptable. He added that it's not just VA and NC fishermen landing the fish, but that fishermen from the south, north, and west come to fish for the stripers in winter; other times of the year the fish aren't there so it isn't a problem. Fletcher agreed that the charter boats relocate to where the fish are from out-of-state.

O'Brien expressed concern about the enforcement of current regulations. He thought that enforcement could be stepped up, particularly in regard to people taking more than their creel limit, selling recreational catches, and fishing illegally in the EEZ. Place agreed that there was probably some illegal harvest in the EEZ off the coast of NC in the winter, and Leo agreed that law enforcement needs to be intensified. Bassano said that the states need to enforce the regulations and that the ASMFC should look to shut down any state's fishery if it doesn't. Williams said that law enforcement in the EEZ is under the jurisdiction of the US Coast Guard not the states, except where joint enforcement agreements (JEA) have been made. North Carolina does not yet have a JEA, but Williams agreed that one is needed.

Given the discussion on a potential need to protect older fish, Leo asked what the other panel members thought about a maximum size limit. He said he thought that the current management regime is working as shown by strong year classes (e.g., Chesapeake Bay in 2003, Hudson River in 2007), and that the presence of a large number of older fish is cyclical due to the nature of the fish and the fishery. He suggested that a maximum size limit would protect the best breeders, but supported some allowance for keeping trophy fish (for example, a slot limit prohibiting fish 40-50"). Casella said he would hate to see someone catch a 70 lb. fish and have to throw it back. He

also asked to add recommendations on opening/not opening the EEZ and supporting/not supporting biennial assessments to the forthcoming management advice. Several other potential regulations were brought up. Cook asked what the effect of a 24-28" slot limit for one of the two allowed fish would be. Nelson replied that it is difficult to predict because the human response is unknown. Williams predicted that mortality would be driven up with a slot limit due to increased discarding. Bassano suggests that the 34" size limit in Massachusetts might be too high and leading to greater harvest of large fish. Ristori said that if any states are going to consider size limit changes, proposals need to be based on technical analysis.

### Statement of Management Advice

#### *Improving Data on Older Fish*

Recognizing an inadequacy in the quality and quantity of data on older striped bass (age 13+), the AP supports better data collection for these fish. Specifically, the AP encourages the Board to support the development of an otolith collection program for fish >800mm, as recommended by the Technical Committee. The AP recommends that three regional ageing centers be established under the program. The AP also agrees with the TC recommendation to collect otoliths by region to reduce the number of older fish needing to be sacrificed for the program.

#### *Circle Hooks*

The AP recognizes the increasing amount of dead discards in the recreational fishery and would like to see this number decreased. The AP recommends that states continue to educate and encourage the use of circle hooks by anglers, and that they work with various fishing organizations to increase outreach.

A minority of the AP members present also supported the development of a working group to review literature on the effectiveness of circle hooks (e.g., Lukacovic 2004) and develop recommendations for which fisheries should have a mandatory circle hook requirement. This issue was suggested as one that the Board should consider for potential management action at its next meeting.

The AP agreed that if the Board were to ever change the recommendation for circle hooks in Amendment 6 to a requirement, it should not be a blanket requirement but specific to certain fisheries, locations, and environmental conditions. For example, circle hooks should only be required in those fisheries where circle hooks have proven to be effective and necessary. The clam bait fishery, as a fishery that catches a lot of sub-legal fish, was suggested as one fishery where mandatory use of circle hooks would be beneficial. The AP acknowledged that the cost of effective enforcement of circle hooks would likely be prohibitive, but that even without enforcement, some fishers would follow the law and help reduce discard mortality.

#### *Biennial Assessments*

The AP supports the Technical Committee's recommendation to conduct biennial stock assessments, rather than annual assessments, as long as the Board is updated annually with a set of metrics (indices, harvest, etc.).

### *Wave 1 Sampling*

The AP recognizes the growth in winter fisheries for striped bass in North Carolina, Virginia, and Maryland, and stressed the importance of quantifying the catch. The AP recommends that the Board press for wave 1 sampling in all states now rather than during the redesign of the Marine Recreational Fisheries Statistics Survey.

### *Law Enforcement*

The AP has concerns about illegal harvest of striped bass in state and federal waters and supports an increase in effective law enforcement in both the state ocean fisheries and the exclusive economic zone. The AP notes the importance of state/federal joint enforcement agreements in decreasing illegal fishing activity.

### *State Regulations*

Multiple AP members mentioned their apprehension about the lower abundance of older fish in the population and that the Board might be considering loosening regulations following the favorable stock assessment. As such, about half of the AP members present recommended that the Board consider developing regulations, based on Technical Committee analysis, that will protect more, older fish by reducing fishing mortality on them. Several regulations discussed were a maximum size limit, a slot limit for one of the two fish allowed, and two seasons with different size limits. The remaining half of the AP members present supported the status quo, and spoke out against any measures that would lead to an increase in discarding. Several AP members spoke in favor of increasing the coastal commercial quotas.

### *Exclusive Economic Zone*

The AP discussed whether the Board should consider sending a second recommendation to the Secretary of Commerce to lift the federal moratorium on striped bass fishing in the EEZ. The AP was unanimous that management in the EEZ should be maintained at the status quo. The AP noted that lifting the moratorium now would have a different effect (only recreational fishing permitted) than when the first recommendation was made due to President Bush's recent executive order prohibiting the sale of striped bass caught in federal waters. The AP felt that lifting the moratorium in the EEZ would serve neither the fish nor the fishing community, that it would be counterproductive to the objectives of the management plan, and that enforcement would be made more difficult.

### *Commercial Flexibility*

Several AP members noted the growing disparity between the recreational fishery's landings and that of the commercial fishery. About a third of the AP members present (some commercial, some recreational) supported having the Plan Review Team look into mechanisms to add flexibility to the commercial management strategy for the sake of equity with the recreational fishery, which has grown with the increase in striped bass abundance. Those that spoke against the recommendation said that a mechanism is not necessary because the existing addendum process can be used to change commercial quotas as needed.