

Atlantic States Marine Fisheries Commission

Atlantic Striped Bass Management Board

August 1, 2023

1:45 – 5:45 p.m.

Hybrid Meeting

Draft Agenda

The times listed are approximate; the order in which these items will be taken is subject to change; other items may be added as necessary.

This meeting will include a 10-minute break.

1. Welcome/Call to Order (*M. Gary*) 1:45 p.m.
2. Board Consent 1:45 p.m.
 - Approval of Agenda
 - Approval of Proceedings from May 2023
3. Public Comment 1:50 p.m.
4. Consider Approval of Fishery Management Plan Review and State Compliance for the 2022 Fishing Year (*T. Kerns*) **Action** 2:00 p.m.
5. Review Status of 2023 Emergency Action **Possible Action** 2:30 p.m.
 - Public Hearing Summary (*T. Kerns*)
 - Discuss Timeline for and Possible Extension of Emergency Action
6. Consider Approval of Draft Addendum II on 2024 Management Measures for Public Comment (*T. Kerns*) **Action** 3:00 p.m.
7. Other Business/Adjourn 5:45 p.m.

The meeting will be held at The Westin Crystal City, 1800 Richmond Highway, Arlington, VA; 703.486.1111, and via webinar; click [here](#) for details

MEETING OVERVIEW

Atlantic Striped Bass Management Board

August 1, 2023

1:45 – 5:45 p.m.

Hybrid

Chair: Marty Gary (PRFC) Assumed Chairmanship: 01/22	Technical Committee Chair: Nicole Lengyel Costa (RI)	Law Enforcement Committee Rep: Sgt. Jeff Mercer (RI)
Vice Chair: Megan Ware (ME)	Advisory Panel Chair: Louis Bassano (NJ)	Previous Board Meeting: May 2, 2023
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, NMFS, USFWS (16 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from May 2023

3. Public Comment – At the beginning of the meeting, public comment will be taken on items not on the agenda. Individuals that wish to speak at this time must sign-in at the beginning of the meeting. For agenda items that have already gone out for public hearing and/or have had a public comment period that has closed, the Board Chair may determine that additional public comment will not provide additional information. In this circumstance, the Chair will not allow additional public comment on an issue. For agenda items that the public has not had a chance to provide input, the Board Chair may allow limited opportunity for comment. The Board Chair has the discretion to limit the number of speakers and/or the length of each comment.

4. Fishery Management Plan Review (2:00-2:30 p.m.) Action

Background

- State Compliance Reports were due on June 15, 2023.
- The Plan Review Team reviewed each state report and compiled the annual FMP Review (Supplemental Materials).

Presentations

- Overview of the FMP Review Report by T. Kerns.

Board actions for consideration at this meeting

- Accept 2023 FMP Review Report for the 2022 Fishing Year and State Compliance Reports.

5. Status and Possible Extension of 2023 Emergency Action (2:30-3:00 p.m.) Possible Action

Background

- On May 2, 2023, the Board approved an emergency action to implement a 31-inch maximum size limit for striped bass recreational fisheries, effective immediately for 180 days through October 28, 2023.
- The emergency action responded to the near-doubling of recreational harvest in 2022 and new rebuilding projections indicating a 15% probability of stock rebuilding by 2029 if the higher 2022 fishing mortality rate continues each year. The action is intended to reduce harvest of the strong 2015-year class.
- As of the July 2 implementation deadline, all states have implemented regulations consistent with the required 31-inch maximum size limit.
- If it deems necessary, the Board may extend the emergency action for two additional periods of up to one year each.
- Following Board approval of the emergency action, four public hearings were conducted via webinar from May 17-31, 2023 to inform the public about this action and identify next steps for management **(Briefing Materials)**.

Presentations

- Public hearing summary by T. Kerns
- Overview of Emergency Action timeline by T. Kerns

Board actions for consideration at this meeting

- Consider extending implementation of the emergency action.

6. Draft Addendum II (3:00-5:45 p.m.) Action

Background

- In May 2023, the Board initiated Addendum II to Amendment 7 to address stock rebuilding beyond 2023. The Draft Addendum considers 2024 management measures projected to achieve the fishing mortality target in 2024.
- During June and July 2023, the Plan Development Team (PDT) met to develop options and the draft addendum document for Board review **(Briefing Materials)**.
- As specified by the Board, the draft addendum includes options to modify the ocean recreational slot limit paired with harvest season closures, options to implement a maximum size limit (and potentially modify minimum size/bag limits) for Chesapeake Bay recreational fisheries, and options to implement a maximum size limit for commercial fisheries.
- The PDT also discussed other potential options, which could be added to the draft addendum document by the Board **(Briefing Materials)**.

Presentations

- Overview of Draft Addendum II for public comment by T. Kerns

Board actions for consideration at this meeting

- Approve Draft Addendum II for public comment.

7. Other Business/Adjourn (5:45 p.m.)

Atlantic Striped Bass

Activity level: High

Committee Overlap Score: Medium (TC/SAS/TSC overlaps with BERP, Atlantic menhaden, American eel, horseshoe crab, shad/river herring)

Committee Task List

- TC – June 15th: Annual compliance reports due
- TC – Estimate 2023 removals to account for emergency action; provide guidance on Draft Addendum II option methodology
- TC-SAS – Prepare for 2024 stock assessment update

TC Members: Michael Brown (ME), Kevin Sullivan (NH), Gary Nelson (MA), Nicole Lengyel Costa (RI), Kurt Gottschall (CT), Caitlin Craig (NY), Brendan Harrison (NJ), Tyler Grabowski (PA), Margaret Conroy (DE), Alexei Sharov (MD), Luke Lyon (DC), Ingrid Braun (PRFC), Joshua McGilly (VA), Charlton Godwin (NC), Jeremy McCargo (NC), Peter Schuhmann (UNCW), Tony Wood (NMFS), Steve Minkinen (USFWS), John Ellis (USFWS), Katie Drew (ASMFC)

SAS Members: Michael Celestino (NJ, Chair), Gary Nelson (MA), Alexei Sharov (MD), Brooke Lowman (VMRC), John Sweka (USFWS), Margaret Conroy (DE), Katie Drew (ASMFC)

Tagging Subcommittee (TSC) Members: Angela Giuliano (MD), Beth Versak (MD), Brendan Harrison (NJ), Chris Bonzek (VIMS), Gary Nelson (MA), Ian Park (DE), Jessica Best (NY), Josh Newhard (USFWS), Julien Martin (USGS), Katie Drew (ASMFC)

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

**The Westin Crystal City
Arlington, Virginia
Hybrid Meeting**

May 2, 2023

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INDEX OF MOTIONS

1. **Approval of Agenda** by consent (Page 1).
2. **Approval of Proceedings of January 31, 2023** by consent (Page 1).
3. **Main 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 (Page 16). Motion by Justin Davis; second by Emerson Hasbrouck. Motion amended.

Motion to Amend

Move to add "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%" (Page 19). Motion by Mike Armstrong; second by Dave Borden. Motion passes unanimously (Page 23).

Main Motion as Amended

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%." Motion passes unanimously (Page 28).

4. **Main Motion**
Move that the Striped Bass Board, by emergency action as outlined in the Commission's ISFMP Charter, implement a 31" maximum size to all existing recreational fishery regulations where a higher (or no) maximum size applies, excluding the Chesapeake Bay trophy fisheries. All other recreational size limits, possession limits, seasons, gear restrictions, and spawning protections remain in place. Jurisdictions are required to implement compliant measures as soon as possible and no later than July 2, 2023 (Page 28). Motion by Mike Armstrong; second by Dave. Borden.

Motion to Amend

Move to amend to add "Measures for the for-hire sector will remain status quo. In the event the Board extends the emergency action past the initial 180-day effective period, the for-hire sector exemption from emergency measures cannot be extended" (Page 31). Motion by Justin Davis; second by Eric Reid. Motion fails (Roll Call: In Favor – RI, CT, NY, NJ; Opposed – MA, PRFC, PA, NC, VA, DC, MD, DE, ME, NH; Abstentions – NOAA, USFWS; Null – None) (Page 36).

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Main Motion

Move that the Striped Bass Board, by emergency action as outlined in the Commission’s ISFMP Charter, implement a 31" maximum size to all existing recreational fishery regulations where a higher (or no) maximum size applies, excluding the Chesapeake Bay trophy fisheries. All other recreational size limits, possession limits, seasons, gear restrictions, and spawning protections remain in place. Jurisdictions are required to implement compliant measures as soon as possible and no later than July 2, 2023.

Motion to Postpone

Motion to postpone until the Summer Meeting (Page 38). Motion by Adam Nowalsky; second by Craig Pugh. Motion fails (2 in favor, 14 opposed) (Page 40).

Main Motion

Move that the Striped Bass Board, by emergency action as outlined in the Commission’s ISFMP Charter, implement a 31" maximum size to all existing recreational fishery regulations where a higher (or no) maximum size applies, excluding the Chesapeake Bay trophy fisheries. All other recreational size limits, possession limits, seasons, gear restrictions, and spawning protections remain in place. Jurisdictions are required to implement compliant measures as soon as possible and no later than July 2, 2023. Motion carries (15 in favor, 1 opposed) (Page 41).

January 2023 Board Motion

Move to postpone action on Addendum I and task the Technical Committee with running two population projections:

- **One which assumes harvest of the entire ocean commercial quota from all states**
- **One which assumes harvest of the ocean commercial quota from all states except New Jersey (since their quota is reallocated out of the commercial fishery)**

The Technical Committee may use their expert judgement on other needed assumptions for the projections (i.e., selectivity) to produce the most realistic output for consideration by the Board.

5. **Move to approve Option E (Board discretion of commercial quota transfer provision except no transfers if stock is overfished)** (Page 47). Motion made by John Clark and seconded by Justin Davis. Motion passes (10 in favor, 1 opposed, 2 abstentions, 3 null) (Page 50).
6. **Move to approve Addendum I as modified today with an implementation date effective today** (Page 50). Motion made by John Clark and seconded by Ray Kane. Motion passes unanimously (Page 50).
7. **Move to adjourn** by consent (Page 51).

ATTENDANCE

Board Members

Megan Ware, ME, proxy for P. Keliher (AA)	Jeff Brust, NJ, proxy for J. Cimino (AA)
Steve Train, ME (GA)	Tom Fote, NJ (GA)
Rep. Allison Hepler, ME (LA)	Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Cheri Patterson, NH (AA)	Kris Kuhn, PA, proxy for T. Schaeffer (AA)
Renee Zobel, NH, proxy for C. Patterson (attended latter half of meeting)	Loren Lustig, PA (GA)
Doug Grout, NH (GA)	John Clark, DE (AA)
Ritchie White, NH, proxy for D. Grout (attended latter half of meeting)	Roy Miller, DE (GA)
Sen. David Watters, NH (LA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Mike Armstrong, MA, proxy for D. McKiernan (AA)	Mike Luisi, MD, proxy for L. Fegley (AA Acting)
Raymond Kane, MA (GA)	Russell Dize, MD (GA)
Rep. Sarah Peake, MA (LA)	David Sikorski, MD, proxy for Del. Stein (LA)
Jason McNamee, RI (AA)	Pat Geer, VA, proxy for J. Green (AA)
David Borden, RI (GA)	Bryan Plumlee, VA (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Justin Davis, CT (AA)	Chad Thomas, NC, proxy for Rep. Wray (LA)
Bill Hyatt, CT (GA)	Marty Gary, PRFC
Jesse Hornstein, NY, proxy for B. Seggos (AA)	Dan Ryan, DC, proxy for R. Cloyd
Emerson Hasbrouck, NY (GA)	Max Appelman, NMFS
	Rick Jacobson, US FWS

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

Ex-Officio Members

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

Staff

Bob Beal	Kristen Anstead	Jeff Kipp
Toni Kerns	Alex DiJohnson	Adam Lee
Madeline Musante	Emily Franke	Joe Myers
Tina Berger	Chris Jacobs	Trevor Scheffel

Guests

Jason Avila	Rick Bellavance	Steve Cannizzo
Matt Ayer, MA DMF	John Bello	Craig Cantelmo
Tyler Bailey	Marc Berger	Mike Celestino, NJ DEP
Meredith Bartron, US FWS	Alan Bianchi, NC DENR	Blane Chocklett
Quint Bartush	Michael Bias	Luyen Chou
Alan Battista	Kevin Blinkoff	Sasha Clark Danylchuk
Gerry Beers	Delayne Brown, NH F&G	Haley Clinton, NC DENR
Mel Bell, SC (AA)	Jack Buchanan, VIMS	Allison Colden, CBF

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Guests (continued)

Margaret Conroy, DE DFW	Blaise Jenner, ME DMR	Nicole Pitts, NOAA
Michael Cool	Peter Kaizer	Jim Polando
Heather Corbett, NJ DEP	TJ Karbowski	Marisa Ponte, NC DENR
Derek Cox, FL FWC	Greg Kenney, NYS DEC	Will Poston, SGA
Caitlin Craig NYS DEC	Carrie Kennedy, MD DNR	Jill Ramsey, VMRC
Jack Creighton	Michael Kosinski	Story Reed, MA DMF
Scott Curatolo-Wagemann, Cornell	Jared Lamy, NH F&G	Harry Rickabaugh, MD DNR
Sarah Cvach, MD DNR	Ben Landry, Omega Protein	Michael Roy
Bob Danielson	Wilson Laney	Cody Rubner
Josh Davidsburg	Toby Lapinski	Patrick Rudman
Robert DeCosta	Jonathan Larrabee	Lenny Rudow
Monty Deihl Ocean Fleet Svcs	Brooke Lowman, VMRC	Zachary Schuller, NYS DEC
John DePersenaire	Shanna Madsen, VMRC	Chris Scott, NYS DEC
Olivia Dinkelacker, UMASS	John Maniscalco NYS DEC	Tom Scott, NMFS
Steve Doctor, MD DNR	Genine Mc Clair, MD DNR	McLean Seward, NC DENR
Gerard Doyle	Tara McClintock, Cornell	Alexei Sharov, MD DNR
Paul Eidman	Neil McCoy, UMASS	Greg Shute
Mark Eustis	Alex McCrickard, VA DWR	Andrew Sinchuk
Julie Evans	John McDonough	Amanda Small, MD DNR
Peter Fallon, Maine Stripers	Joshua McGilly, VMRC	Somers Smott, VMRC
Catherine Fede, NYS DEC	Dan McKiernan, MA (AA)	Ross Squire
Lynn Fegley, MD DNR	Conor McManus, RI DEM	Renee St. Amand, CT DEEP
Glen Fernandes	Kevin McMenamin, Annapolis	Michael Stangl, DE DFW
Tony Friedrich, SGA	John McMurray	Lauren Staples, NH Wildlife
Tom Fuda	Seth Megargle	David Stormer, DE DFW
Ben Gahagan, MA DMF	Nichola Meserve, MA DMF	Kevin Sullivan NH Wildlife
Jim Gilmore, NYS DEC	Chris Moore, CBF	John Sweka, US FWS
Angela Giuliano, MD DNR	Clint Morgan, VA DWR	Colin Temple
Rick Golden	Steve Meyers	David Tolbert
Kurt Gottschall, CT DEEP	Alex Michaud, ME DMR	Michael Toole
Tyler Grabowski, PA F&B	Steve Minkinen, US FWS	Sam Truesdell, MA DMF
Rob Grieve	Pete Mohlin	Edward Tully
Melanie Griffin, MA DMR	Nick Montefusco	Jim Uphoff, MD DNR
Lars Hammer, ME DMR	Brandon Muffley, MAFMC	Taylor Vavra
Brendan Harrison, NJ DEP	Allison Murphy, NOAA	Beth Versak, MD DNR
Jaclyn Higgins, TRCP	Gary Nelson, MA DMF	Ralph Vigmostad
Peter Himchak, Cooke Aqua	Josh Newhard, US FWS	Mike Waine, ASA
Alexandria Hoffman, DE DFW	Thomas Newman	Jason Walsh, NC DENR
William Hoffman, MA DMF	George Noleff, WFXR TV	Esther Wang
Carol Hoffman	Alex Obregon	Carl Ward
Jeffrey Horne, MD DNR	Scott Olszewski, RI DEM	Craig Weedon, MD DNR
Harry Hornick, MD DNR	Ian Park, DE DFW	Ben Whalley
Bob Humphrey	Daniel Parma	Peter Whelan
Taylor Ingraham	Rachel Peabody, VMRC	Angel Willey, MD DNR
Mike Jarbeau	Michael Pierdinock	Al Williams
	Michael Pirri	Charles Witek

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Guests (continued)

Steven Witthuhn
Greg Wojcik, CT DEEP

Michael Woods
Chris Wright, NOAA

Jordan Zimmerman, DE DFW
Erik Zlokovitz, MD DNR

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia, a hybrid meeting, in-person and webinar; Tuesday, May 2, 2023, and was called to order at 8:30 a.m. by Chair Martin Gary.

CALL TO ORDER

CHAIR MARTIN GARY: I would like to welcome everybody to the Atlantic States Marine Fisheries Commission's Striped Bass Management Board. My name is Marty Gary; I'm with Potomac River Fisheries Commission, I'll be your Board Chair. Our Vice-Chair is Megan Ware from the state of Maine.

I'm joined at the front table by our Fishery Management Plan Coordinator, Emilie Franke, and also our ASMFC Science Lead, Dr. Katie Drew. Also to my left is our Law Enforcement liaison, Jeff Mercer from Rhode Island. Nicole Lengyel-Costa is our Technical Committee Chair, and Lou Bassano is our AP Chair.

I just want to acknowledge one, not new Board member, although it is listed here, not new to all the folks in the room. But in Joe Cimino's stead from New Jersey, Jeff Brust is the Administrative Proxy. Welcome to the Board, Jeff. Our first order of business is Approval of the Agenda, so I would ask.

APPROVAL OF AGENDA

CHAIR GARY: Are there any additions or modifications to the agenda? Seeing none; the agenda is approved by consent.

APPROVAL OF PROCEEDINGS

CHAIR GARY: Next up are the Approval of the Proceedings from January, 2023. Are there any edits to the proceedings from January, '23? Seeing none; the proceedings are approved by consent. Next up is public comment.

PUBLIC COMMENT

CHAIR GARY: I'm looking for items that the public would like to comment that are not on the agenda.

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We'll look for raised hands in the room, and also ask staff to look on the webinar if anybody has their hand raised, so items not on the agenda the public would like to make comment on. Not seeing any hands in the room, any on the webinar?

I would ask one more time, if anyone on the webinar would like to make comment on items that are not on the agenda. Okay, no hands up, so we're going to move on to Item Number 4 on our agenda.

[Lost audio temporarily due to technical issue; Board Chair paused proceedings until audio was restored]

MS. TONI KERNS: Josh, raise your hand for me. Okay, you're just self-muted, Josh.

CHAIR GARY: All right, Josh, thank you. You're back and we hear you, so take it away.

MR. JOSH NEWHARD: Do you guys have a presentation up? I'm only seeing the webinar slide.

MS. KERNS: Yes, we're working on it, Josh. If you want to start it's okay.

UPDATE ON STRIPED BASS COOPERATIVE TAGGING PROGRAM

MR. NEWHARD: Thanks everybody. Yes, I'm Josh Newhard; I work for the U.S. Fish and Wildlife Service, and I actually maintain our Cooperative Tagging Program database. I'll be giving a brief overview of the overall tagging program. I'll talk about our offshore winter tagging, and get into some of the things that we face, some of the history of it, some of the challenges that we dealt with, and just give you all an update.

The tagging program began, actually, in 1985 as part of striped bass management, and that was in response to the passing of the Atlantic Striped Bass Conservation Act. As I mentioned, the U.S. Fish and Wildlife Service maintains the database. We distribute all the tags to state agencies, and then we receive all those tag returns that come in from the public, who catch and either harvest the fish, or let it go, all that stuff.

The state agencies tag the fish along the Atlantic Coast, typically as part of their routine monitoring, usually for adults. We currently have nine agency programs that are actively tagging. Those are further broken down into what I'll refer to as producer areas, and coastal areas. Producer areas are those programs that tag fish during the spawning migrations within specific reaches of striped bass spawning habitat.

Then coastal area programs tag what are assumed to be mixed stock fish during the fall, winter or early spring, before they make their spawning migration. The current producer area tagging programs are New York's Department of Environmental Conservation that tag in the Hudson River. We have three that tag in the Delaware Bay or Delaware River population.

There is a Delaware/Pennsylvania fishing boat, and New Jersey DEP. Then there are three programs that tag in the Chesapeake Bay, so it's Maryland DNR, Virginia. Virginia Institute of Marine Science actually does their tagging, and D.C. Fisheries. Then coastal tagging programs we actually have four.

Massachusetts tags in the fall, in the offshore waters off Massachusetts. New Jersey DEP is also considered a coastal tagging program, they have some sites that are lower in the Delaware Bay, and they tag in early spring. That is still considered some mixed-stock fisheries. New York DEC does fall tagging off the Long Island Coast, and then for the bulk of this talk I'll be talking about the NCCOOP or that's the North Carolina Cooperative Tagging Program.

That is our offshore Mid-Atlantic tagging of striped bass in the winter, where we're presumably targeting all the mixed coastal stock fish. That has been a longtime partnership between North Carolina Division of Marine Fisheries, U.S. Fish and Wildlife Service, Maryland DNR and NMFS, and ASMFC.

Overall, all tagging programs through 2021 have tagged just over 558,000 fish. We've had a little bit over 89,000 tag returns. That gives us an overall recapture rate of about 16 percent. If you look at just individual unique fish that have been recaptured that

is about 15.5 percent. You can see that there are a handful of fish in the database that have been recaptured multiple times. The way these tags work, just as a brief refresher, there is a number on the outside of the fish. They are inserted through a small incision in the belly.

An angler could actually cut that tag off, report it to us, let that fish go, and if it gets reported again and it gets harvested, then the button that sits under the skin of the fish has all the same tag information, so then we can again get that information. Just a brief overview of how the data has historically been used in stock assessments.

It is part of the stock assessment process. There is even a Tagging Subcommittee. The main thing the tagging data has been used for is to estimate fishing and natural mortality, in order to compare those estimates with the statistical catch-at-age assessment model. It is also part of current efforts to develop a more spatially explicit multi-stock model.

In the last benchmark stock assessment, it was looked at, the tagging data was used to estimate relative stock composition. It ended up only being I think used for fish that were over 28 inches or 711 millimeters. You'll see that come up again later. That is typically the cutoff for what we'll call large coastal migratory fish.

It also can be looked at for migration rates and residence time as well. If we just look at the history of the North Carolina Cooperative Tagging Program, it was designed to target overwintering striped bass offshore of North Carolina. The Trawl Survey actually began in 1988. Initially it was really designed to hopefully be an index of abundance, offshore index of abundance for striped bass.

Now that did change over time, but the Trawl Survey did continue through 2016. However, there were no Trawls in 2011, '12, or 2014. At that time those were mainly related to funding. I don't remember exactly, but anyway, the funding started to become difficult to acquire. Beginning in 2011, hook and line fishing surveys were sought as a potential option, one to be explored, and really with the idea of being that they

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would be done alongside the trawl. There was really no intent to end the trawl, it just became that funding was difficult.

As you can see here, one of the reasons for that is it's about \$100,000 to \$160,000 for a trawl vessel used for a ten-day cruise. That doesn't even include all the agency personnel time that is essentially donated in kind. For hook and line, for ten plus hook and line charter trips, we're usually in the ballpark of \$20,000 to \$30,000.

You know we've seen that increase in recent years as fuel has gotten more expensive. The other benefit or advantage of hook and line fishing is that we can be really efficient with our trip. You know if it's bad weather we don't have to go out. With the trawl, you usually pick in a ten-day block of time and you're out there, you're out there. You still have to pay for that vessel time, even if you have to run the quota for something like that.

Here's the distribution. Don't get too caught up in all the points. Hook and line points are triangles, and trawl points are just circles. They are both color-coded with the oldest year of the survey being green, going to the most recent survey in orange and red. Really, I just want to show you how the survey has kind of changed over time. The trawl surveys were historically done right offshore of North Carolina, typically within the three-mile limit, almost always within sight of shore.

You can see there are even some points there south of Cape Hatteras on the Outer Bank. In the later years of the trawl, even 2016 they actually had to enter Maryland waters for the first time. Hook and line survey has historically always been based out of Virginia Beach, so you can see all the distribution of points out there.

You can see with the Trawl Survey there are some points off the mouth of the Bay, as well as the Hook and Line Survey. You now those points are significantly farther offshore than some of the historic trawl survey data. Fish have kind of been further offshore and a little bit further north, to the

point where we don't even really fish in North Carolina waters much anymore.

In fact, if you look at this year 2023 Hook and Line Survey was actually right off the mouth of the Delaware Bay, and almost exclusively off of Delaware. That was the first year for that. In 2021, all the surveys were conducted out of Ocean City, Maryland, as well, just like this year. But we mostly stayed off of Maryland waters that year.

We just look at a number of tagged fish just by NCCOOP, boat trawl and hook and line over time. You can see that in the early 2000s it was kind of what we called a hay day of the trawl, and there was a lot of fish tagged. You know you could see the peak of over 6,000 fish in the year 2000. But really in that timeframe was between 2 and 6,000 fish.

I know that kind of corresponds well to kind of the peak in the stock assessment, if I'm correct there. If you look in some of these later years with hook and line, we've been around the average of about a thousand. I'll get more into that data in a second. But if you look at the years where we did both the trawl and hook and line, now hook and line did tag more fish, so 2013 there was about 2000 fish tagged, and a little bit more than a thousand were tagged using hook and line.

Then in '15 and '16, hook and line significantly outperformed the Trawl Survey as well, without getting into all the details of what happened on those trawls. You can see it fluctuates, 2011 and '12 again, remember there was no trawl surveys done that year, and we only conducted one hook and line trip that year. That was kind of just the first go at it.

In these next few slides, you'll see kind of some similar draft, and this is just to show the relative contribution of NCCOOP Tagging Program versus kind of all other tagging programs. If we look at all tagged fish, and then we just look at the last ten-year average, which is all hook and line, the NCCOOP Program has been around 17 percent of all of the tags that are in our database, so all tagging programs coastal and producer.

You can see obviously that fluctuates all over the place, especially those years 2011 and '12, where we don't have much sample size there. That is what those asterisks are for, just to remind you that those are the years with just one hook and line survey and no trawl survey. If you want to go to the next slide, we'll break it down a little bit more. If we look at all large fish, all tagged fish that are greater than 711 millimeters or 28 inches, then we can see the contribution of the NCCOOP fish raises up to a ten-year average of about 39 percent. I will say that 2022 point, that is just a hair over 50 percent. That will come down a little bit.

I'm still waiting on a couple coastal tagging programs data. But I can see that it is providing a fairly robust sample size of all the tagged fish of these large, presumably migratory fish. If we break it down even further on the next slide, that if we look at all coastal tagged fish that are greater than 711 millimeters, then it's a really large contribution. Most of these tags in our database are coming from the NCCOOP Tagging Program.

With that, I took off the 2022 here. If we look at the nine-year hook and line average, it's two-thirds of all the large coastal tagged fish in the database. Here are just the raw numbers. You can look at a number of trips, number of fish caught, and number of fish tagged. We're really conservative on these cruises about if there is any kind of bleeding, or the fish doesn't look healthy, we're not going to tag it.

We're tagging probably 99 percent of everything that comes onboard, but we just like to be really conservative with what does come onboard. If you look at the overall history of the hook and line survey, we've averaged about 650 fish tagged per year. Now if you exclude those first two years where we only did one trip a year, it's about 750-average.

Really that is kind of the ballpark that at least in my head when we're coordinating these. If we can average about 100 fish a day, then that is great, and we can kind of reach that longer term average. Really, it has been proven, I think, to be a nice viable, cheaper option than the trawl survey, and as I said, we can be more efficient with our time.

It might be a little bit of a headache in scheduling and cancellations and things like that, but at least we can go out on good days, and try to set ourselves up to have success. It does still provide a majority of the tagging data on coastal fish, especially the large, migratory fish. Again, the bulk of that data in our database is coming from this tagging program.

We do have sampling challenges as these fish have moved further and further offshore and further and further north. You know we're just one boat out there in a lot of water. It can be tough to find them. Then of course, the furthest I will go is 30, 35 miles offshore, so again pretty far out there, but we're not going to go much further than that, because these are just day trips.

We still have to make it back in decent time anyway. We are facing some funding challenges. There is no long-term funding source. North Carolina paid for it for a number of years. I believe they stopped in '16 or '17, I'm not positive on that end. But since they stopped paying for it, it's been a cobbling of some Fish and Wildlife Service funds and the ASMFC funds.

Currently we don't have secured funding to get dock sampling in 2024. We are having some internal discussions, you know in-house, and I think there is also some going on elsewhere. We're looking for it, but we don't have anything secured officially right now. Apart from that, that it is kind of the challenges that we've been facing. I just want to take a brief second to acknowledge the fishing vessel Midnight Sun. Captain Ryan Rogers and the crew for conducting this for a number of years, keeping all our crew safe. The hundreds, if not thousands of volunteer anglers. This is all volunteer anglers. We sign people up to go fishing, help us reel in the fish. Crew brings them onboard, biologists tag them, and off they go. I will say it is really efficient. I've clocked it at sometimes a fish comes onboard, and 30 seconds later it's over the side back in the water.

We'll hold fish in the live well if we have to, but when things are going smoothly at a nice comfortable pace, it is really efficient in that as well. Also, all the Agency personnel for their staff time. This is all again; this is

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a big partnership. Biologists from all different agencies are helping out, so I just want to thank all them. With that I can take any questions.

CHAIR GARY: Thank you, Josh, and great presentation. We've obviously learned a lot over the years since the late eighties with the Trawl Survey in the winter off North Carolina, and seeing these fish move further north offshore. We talked before at previous meetings about the value of this data. I know I had questions about the funding, and hope we have a little bit of a discussion about that. I would like to see, hopefully we have continuity here with this survey. But I'll open it up for questions for Josh for now. Eric Reid.

MR. ERIC REID: Yes, I like to talk about funding too. I mean it sounds like this is a really valuable program, and it would be a shame to have a shortfall on funding this. I see that ASMFC and somebody else is doing a financing. What is the holdup to get funding for 2024? I know it's money, Bob, so I thought it's a great way to start the conversation this morning. Let's talk about money, just for fun. Anyway, what do we have to do to secure this for one year or longer?

CHAIR GARY: Thanks, Eric. Bob.

EXECUTIVE DIRECTOR ROBERT E. BEAL: The survey has been funded through a variety of sources over the years, directly from NOAA Fisheries for a while, then U.S. Fish and Wildlife Service has done it for the last few years. There is a question whether U.S. Fish and Wildlife Service will have the money for the next year, is where we are.

You know as you saw up there, it's only \$20,000 to \$30,000. It's not a lot of money. The Commission might have that money available in a contingency fund. However, the money that we might be able to tap into doesn't have the NEPA clearance to do on-the-water research activities. It's money that we get through the Atlantic Coastal Act to do meetings and buy equipment, and that sort of thing, so things with no environmental impact.

We would have to do some paperwork and see if we could get that cleared to fund the survey. We're willing to do that, but if Fish and Wildlife Service

comes up with a funding source that would be great as well. There are some options here, we just have to work through them. But it's again, not a lot of money, but it may be more work than money. Maybe a workload and a clearance issue more than a money issue. But I agree with what you said, Mr. Reid, that it's an important survey and we don't want a lapse in that survey.

CHAIR GARY: All right, we have two members of the Board, Pat Geer and Tom Fote. We'll go to Pat first.

MR. PAT GEER: It doesn't seem like it's a lot of money, but I understand the work behind the NEPA process. Would anyone consider putting in a multiyear grant project for this, instead of just doing it one year at a time? It's not a lot. It's not a lot of money and then the NEPA process would only have to be done once instead of every single year.

You could probably put in a three-year project for this so we're not going through this every year. Wilson Laney had to go through this for years, every year coming looking for money. It seems like if it's important, and this is not very much money, try to identify a source of funding for three years at a time.

CHAIR GARY: Tom.

MR. THOMAS P. FOTE: Since we're going to have a heavy day out, suggest that we have a virtual meeting on the water as they're fishing so it's covered under meetings.

CHAIR GARY: I like your suggestion, Pat. Maybe I can talk to staff, and we can see what we can do on the side. There is one member of the public that I think has a question for you, Josh. This would be Mike Abdow. Mike.

MS. EMILIE FRANKE: Go ahead, Mike Abdow, it looks like you are just muted on your end. Mike, if you just click that microphone button, you should be able to unmute yourself if you have a question. All right, Mike, looks like we can't hear you, so I'll turn it back to the Chair.

CHAIR GARY: All right, Eric.

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MR. REID: The boat that does this survey, what is that like a 12-pack? I counted more than 6 people, so I'm thinking maybe it's more than a 6-pack. But that's a for-hire vessel?

MR. NEWHARD: Correct, yes. Whoever the funding agency is puts out the bid and it's about a 52-foot boat.

MR. REID: All right, so they can carry passengers for-hire. Since you have hundreds or thousands of people that are willing to go fishing, would they be willing to pay to go fishing to augment the survey?

MR. NEWHARD: That might not be a question for me. I always ask people, you know people want to help out, but in terms of us taking money, I don't think that's going to happen on the Fish and Wildlife Service end. But you know, taking money from the public.

CHAIR GARY: The only thing I would say there is, it's my experience going out with the Midnight Sun, it's been a good opportunity for the fishery managers, biologists, to mix with some of our stakeholders and other folks. It's great to have conversations out there. That is just an added benefit to it. But I think this has been a good conversation, and I appreciate the Board's interest in continuing this. I'll try to work with staff, to see what we can come up with to help keep this going. Josh, thank you so much for your presentation today, and appreciate all your hard work, and all the folks at U.S. Fish and Wildlife Service that work on the survey. Thank you. All right, we're going to move on to Item Number 5 in our agenda, it's a Technical Committee Report.

TECHNICAL COMMITTEE REPORT

CHAIR GARY: The Technical Committee Report will be provided by our Stock Assessment Subcommittee Chair, Mike Celestino, who is on the webinar. The TC report covers two issues; the 2022 removals and commercial quota utilization related to Draft Addendum I on quota transfers. Following Mike's presentation we'll take questions first, please only

questions. Mike, you're on the webinar, are you ready to go?

MR. MIKE CELESTINO: Yes, thank you. I guess I would like to just start by acknowledging Gary Nelson, who put together hundreds of lines of code for us to be able to complete these tasks. I also want to acknowledge Commission staff, Katie and Emilie. They always bring a ton of support to help with these tasks as well, and with this presentation.

I also want to acknowledge the TC and SAS for some really thoughtful discussion as we worked our way through these tasks as well.

PROJECTIONS USING 2022 PRELIMINARY DATA AND QUOTA UTILIZATION SCENARIOS

MR. CELESTINO: The Striped Bass TC and SAS met in March of 2023 to talk about two things that the Chair just mentioned. One of the things we talked about was to review some corrections to rebuilding probabilities that appeared in the Stock Assessment Update Report that we showed last year.

The other was to address some updated stock rebuilding projections, as tasked by the management board over the last one or two meetings. In terms of the correction to the 2022 assessment update. In that assessment document we provided some short-term projections with probabilities of rebuilding SSB to various levels, thresholds and targets under several different constant F scenarios.

We looked at F status quo, F threshold and F target. It turned out that standard error was inadvertently used in the error calculations, where we had intended to use the coefficient of variation. That inadvertent swab didn't affect the median projection, so if you think back to the projections, you saw there was sort of a solid line with some error bars around it.

It wouldn't have affected that median projection, but did affect the width of the error bars. Those error bars actually became a little narrower, and so we've provided those in the updated table in the memo. We have the table appended to this presentation if

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folks would like to see that again as well. We'll update that information in the assessment document as well.

For the rebuilding projections, we had two specific tasks. One was to evaluate whether the 2022 removals remained at a level consistent with our expectation from the previous round of projections. Task 2 was to conduct stock projections to determine how the ocean commercial quota utilization scenarios could impact the stock rebuilding timeline.

Just as a reminder, the Board had requested projections in time for today's meeting, and had also requested inclusion of the 2022 preliminary removals, in order to meet this deadline. To talk a little bit about some of the data inputs. The projections use the 2022 assessment model configuration, including the low recruitment assumptions. Just as a reminder, that low recruitment assumption means that we're restricting draws of recruitment in between the years of 2008 and 2021. We had some information; some exploratory analyses show a really strong relationship between the Maryland YOY index and the model-based estimates of recruitment.

Since we had estimates of the Maryland YOY index for 2021 and 2022, we could use those to inform our estimates of recruitment in 2022 and 2023 respectively. The TC and the SAS thought that those would provide better predictions of recruitment, rather than just random draws for those first early years of the projection. Some additional information on data inputs. All the scenarios, again they are using preliminary 2022 removals in numbers of fish. We're using 2022 commercial landings from each state.

We're using estimated commercial dead discards using the ratio of discard to landings ratios from the previous year. Just as a reminder, those dead commercial discards account for a very small fraction of the total removals. This is a source of uncertainty, but a very small source of uncertainty. We're also using the 2022 MRIP estimates for recreational harvest and dead releases as well.

To talk a little bit about some of the MRIP results, the estimates indicated a 40 percent increase in total

removals relative to the previous year. We saw it almost doubling in recreational harvest, and a much more modest increase in our live releases, about a 3 percent increase in live releases. Combining both sectors, the commercial and the recreational sectors, we saw a 33 percent increase in total removals relative to the previous year.

Some of you may have seen that the final MRIP estimates were released just last Wednesday. We saw very minor differences between the preliminary estimates and the final estimates. The final recreational removals estimate is 1 percent lower than the preliminary estimates. Those results haven't been incorporated into this presentation and slides and so forth, there wasn't time to incorporate those changes.

The point we wanted to make is just that it's a very modest change relative to the exercise we worked through. A little more detail on some of the data inputs. For the ocean quota utilization scenarios, we had to make some assumptions. We assumed that there would be the additional harvest starting in 2023, to reflect using either all or most of the ocean quota.

This is in direct response to the Board task, and to wade into some of the details of Scenario 2, this is the scenario where we're assuming full ocean quota is used. The unused 2022 ocean quota is converted from pounds to number of fish, and then added to the total removals. The next two bullets just go through some detail that I can comment on if there are questions.

Then the last scenario, Scenario 3. This is assuming that the full ocean quota is used, except for New Jersey starting in 2023. We follow the same procedure as the previous bullet, except we're now subtracting New Jersey's quota from that additional harvest. The idea here is that this reflects the idea that New Jersey's commercial quota is unavailable for a transfer, since it has historically been reallocated to the recreational fishery. To talk through some of the projection scenarios. The TC and Assessment Committee's focused on three scenarios, assuming a constant three-year average

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fishing mortality through 2029. This three-year average fishing mortality acknowledged that catch and fishing mortality can vary from year to year, even under the same regulations. The three-year average F was very similar to fishing mortality in 2022.

But we did work through a set of exploratory runs, just to evaluate projecting F 2022, and the results were almost identical to the results we're showing in the memo. In Scenario 1, this is essentially the status quo scenario. It's based entirely on just 2022 removals only. We're using, like I mentioned, a three-year average F, and in this case, we're using an average F from 2019, '21 and '22. We are specifically excluding 2020 due to some COVID-19 uncertainty.

Then for Scenarios 2 and 3, we have a different set of assumptions. One, we're applying ocean commercial quota, starting in 2023. We're also assuming a constant, or at least fixed removals between 2022 and 2023, and then constant F from 2023 through 2029. I'll talk about the implication of that in some subsequent slides.

In this case, Scenarios 2 and 3, the average F is now 2019, 2021 and 2023. This next slide largely reiterates the information I just mentioned, so I won't repeat everything. But it is a good reminder for me to draw just a few additional points. Scenario 1 again, is essentially status quo. The additional commercial quota is not available for harvest.

Scenario 2, this is the full ocean quota utilization. This is bringing an extra 41,000 fish. This is an extra 41,000 fish on top of 6.9 removals, so it is a very small fraction of fish. It is a very small fraction relative to total removals, and there is some double counting because of New Jersey's bonus program.

In the interest of time, I'll just say that that double counting is probably around 5,000 fish or so, and I can answer questions on that at the end if there are any. Finally, for Scenario 3, we're now adding just an additional 27,000 fish on top of roughly 6.9 million removals, so again a very small, modest amount of additional fish. On to the results.

For all the scenarios the projected F rates were between the current fishing mortality target, 0.17 and the fishing mortality threshold of 0.2. This contrasts with the fishing mortality rates that were projected as part of the update assessment last year, which were at 0.14. It follows intuitively that if fishing mortality stays in between the target and threshold, rather than the levels more closely associated with fishing mortality in 2021, we would see a substantial decrease in rebuilding SSB to the target by 2029.

This table up here is in the memo, and I'll just sort of orient you to this table. We've highlighted two columns in particular, the first column, which is sort of a thumbnail description of the projection methods, and the fifth column. This is the probability of SSB being greater than or equal to the target by 2029.

The first row, these are the results you would have saw late last year as part of the assessment update. The probabilities have been updated to reflect the change I mentioned in the first or second slide. It showed, when you saw these results last year, that the probability of rebuilding was about 98 percent. The next three rows are the scenarios we worked through to address that most recent Board task. Scenario 1 again is sort of the status quo scenario; no additional commercial quota being incorporated. The probability of rebuilding to the target is about 15 percent.

Scenarios 2 and 3, this is now the different usages of the additional commercial quota. In Scenario 2 this is the full ocean quota being used, Scenario 3, full ocean quota minus New Jersey. Those results are identical. In both cases there is an 11 percent probability of rebuilding to the target. Then to just maybe quickly highlight the last column in this table. This is the probability of SSB reaching the threshold by 2029.

You can see in all cases that probability is over 90 percent. In terms of the impacts of removals, we'll show a slide next that graphically illustrates the results, but by way of introducing the results. The increased recreational removals in 2022 are driving

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the increase in fishing mortality rates, and the lower rebuilding probabilities in all the scenarios, as opposed to, for example, the additional commercial quota.

We'll see in the next slide the projections indicate spawning stock biomass increases over time from below the threshold to in between the target and threshold, where it stabilizes over time. This aligns with our expectation that if we're projecting an F in between the target and threshold, spawning stock biomass will remain between the target and threshold, all things being equal.

In order to rebuild SSB to the target by 2029, fishing mortality will need to be at or below its target. Yes, the graphical depiction of the results. Again, just to maybe orient you to the plots. The top row shows the SSB trajectory under various projection scenarios indicated by the sort of gray headers at the top of each column, and I'll just sort of skip through those column headers.

The far-left column, this is the kind of status quo, no additional commercial quota, so projecting the average fishing mortality from 2019, 2021, and 2022. The next column over is the scenario where we're incorporating the full ocean quota. Next column over, the third column is the full ocean quota minus New Jersey, and the fourth column we've included, again the projections you saw last year projecting F2021 forward.

The bottom row shows the trajectory of probabilities of reaching either the SSB target, that is the red line, or the probability of reaching the threshold, that's the black line. You'll notice that bottom row of plots is scaled from 0 to 1, so a probability of 0 to 100 percent probability of achieving those goals.

Then finally, maybe just to mention the X axis in each of these plot's ranges from 2022 through 2029. Revisiting that top row of plots. Again, you can see that SSB starts out below the threshold in all the scenarios. Under the updated projections, SSB stabilizes between the target and threshold, not reaching the target.

Whereas, our expectation from last years projections were more optimistic. Maybe in the interest of time, looking at the bottom row of plots. If we focus just on the red line, so this again is the probability of SSB reaching the SSB target. For each of the first three plots, you can see there is a very low 0 percent probability of reaching the target. Then by the end of the time series, 2029, each of those first three scenarios end up between about 10 and 15 percent probability of reaching the target, and ideally, we would have wanted that to have been at least 50 percent. A little more discussion on the 2022 removals. Here are some points that the TC and SAS wanted to make.

The groups noted that angler effort behavior is an important factor, and an important source of uncertainty. Another thing the TC and SAS wanted to note was that as the stock recovers, and/or if strong year classes become available, effort may increase and that may contribute to increased harvest and live releases as well.

The projections assume a constant fishing mortality or constant catch. Those are not necessarily representative of future years, since I mentioned earlier striped bass catch and fishing mortality can vary from year to year, even under a constant regulation. Then lastly, I guess we'll just note that the projections based on the 2022 removals represent a higher catch outlook.

The projections that we showed at the end of last year as part of the update assessment represent a lower catch outlook. If the future catch is in between that sort of low outlook and the high outlook, it stands to reason that the probabilities of rebuilding are likely to be between the 15 percent at the low end, and 97 percent at the high end. We have a figure that we'll show next, but again just to maybe kind of talk through some of the results in preparation of that result.

First the projections suggest that the impact of additional quota utilization on the fishing mortality and rebuilding probability is negligible. We have essentially calculated the highest possible fishing mortality that could result from 2022 removals and

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increase quota utilization, and the results are still almost the same as Scenario 1, the no extra quota utilization scenario.

The next slide will make that a little more clear. The fishing mortality is only about 2 percent higher in Scenarios 2 and 3 versus Scenario 1, so we've got 2 percent higher incorporating the additional quota, versus not including it, resulting in a slightly lower rebuilding probability, about 4 percent lower.

But we think this has more to do with our projection assumptions than the additional quota use. I mentioned in one of the earlier slides that in Scenario 1, the scenario where we're not incorporating the additional commercial quota, we're taking an average F from 2019, '21, and '22. But I also mentioned that in Scenarios 2 and 3, these are the scenarios where we're incorporating the additional commercial quota.

We're taking an average F from 2019, '21, and '23. What we're seeing is the effect of some population dynamics between 2022 and 2023 contributing to that difference. We don't show this in the memo, but there is actually a decline in abundance between 2022 and 2023, and over that span we're holding catch constant, or in fact increasing it a little bit.

That actually has the effect of slightly increasing F. Scenario 1 we have sort of a true constant F approach, and Scenarios 2 and 3 we have kind of a mixture of constant catch and constant F, so it's not a direct apples-to-apples comparison. But again, another one of the big points we wanted to make is that the quota utilization scenarios add about 42,000 extra fish. That is 42,000 extra fish on 6.9 total removals, so a really small number of additional fish. To graphically depict some of the things I just talked through, again to orient you to the plot. This is a plot of SSB over time from 2022 through 2029. We have some horizontal lines plotted. The top line is the SSB target, the bottom dotted line is the SSB threshold. I'll draw your attention first to the pink shaded region in this plot.

These are the projections that you would have seen last year as part of the update assessment. This is

kind of our lower catch outlook that has the SSB trajectory exceeding the SSB target. For the other scenarios, if we look at the legend in the bottom portion of the plot, you'll see some sort of tan or yellow region. That is Scenario 1, the scenario where we're not incorporating the additional commercial quota.

You'll see there is a blue box and a green box. Those are Scenarios 2 and 3, where we're incorporating the additional commercial quota, either with or without New Jersey. The first things I'll say is that the blue and green shaded region in the plot above are completely indistinguishable, so accounting for New Jersey or subtracting New Jersey has had no impact.

We do see a modest difference between the yellow shaded region and the blue-green shaded regions, and as I mentioned in the previous slide, again, we think this has more to do with some of our assumptions. We think the more direct apples-to-apples comparison, those regions would align even more closely.

To finish with some final TC and SAS thoughts on the interim projections, the group discussed the benefits and challenges, kind of the pros and cons of conducting stock projections between stock assessments. In this case the benefit of the interim projections was a timely update to the Board, in light of a couple of things.

One, a significant increase in 2022 recreational removals, following two low catch years, which also included COVID-19 uncertainty. There was also the emergence of the strong 2015-year class, the fourth largest year class in the time series. That likely played some role in the 2022 increase in removals. Additionally, the TC and SAS noted that the interim projections are not the same thing as a full stock assessment.

We didn't create a catch-at-age matrix, we didn't incorporate fishery independent or dependent indices, we didn't generate estimates of SSB and fishing mortality from which we could update stock status. The TC and SAS also felt that annual projections would not be particularly useful, given

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interannual variability in removals, I talked about that earlier. We see variability in removals, even under constant regulations.

We also thought that striped bass life history would have a role to play here as well, as this is kind of a long-lived slow to mature species, as opposed to a very short-lived species, where annual projections could be more useful. Then finally, the TC and SAS talked about the potential benefits of aligning projections and assessments with planned management changes. With that I would be happy to try to take any questions.

CHAIR GARY: Thank you, Mike, and thank you and Gary and all the members of the Technical Committee and the Stock Assessment Subcommittee for all your hard work, appreciate it. It's not the news we were hoping for, but here we are. At this point I would like to open it up to questions only. Chair and staff have received a motion, so we'll save that for discussion. This is for any questions they have for Mike. We'll start with Loren Lustig.

MR. LOREN W. LUSTIG: Thanks to Mike for a very good presentation to us. I did take note. In the presentation the issue that we saw of any (cut out) requested or further explanation of that, and also recommendation that you might have (cut out) for this Board, in order to reduce that uncertainty (cut out).

MR. CELESTINO: I'm not sure if anyone can hear me. I wasn't able to hear most of that question. The relevant parts of the question, the audio is cut out. I'm sorry. If someone can repeat that.

MS. FRANKE: Sure, so the question from Mr. Lustig (cut out) further on the uncertainty around angler effort and behavior, and if you had any recommendation or thoughts on how to address that uncertainty going forward.

MR. CELESTINO: Great question. It's humbling that I don't have a great answer. That, I think, continues to plague and perplex the TC and the SAS. There is the issue of availability that can influence effort. I guess the short answer is, I don't have a great answer, rather than sort of speculate or spin my wheels, I'll

just say that I don't have a great answer. I think it's something that the TC and SAS has struggled with, and it's a humbling realization.

CONSIDER MANAGEMENT RESPONSE TO THE TECHNICAL COMMITTEE PROJECTIONS

CHAIR GARY: Thank you, Loren, and thank you Mike. We have a number of Board members in cue here, so we'll go with John Clark, Tom Fote, Jason McNamee and Bill Hyatt, so go ahead, John.

MR. JOHN CLARK: Thank you for the presentation, Mike. Just curious looking at those MRIP numbers for 2022, and then '21. I looked back for some of the states that had the largest jumps, and 2022 was actually quite a bit higher in the harvest estimates than it was before Addendum VI went into place.

Was there skepticism on the TC about the MRIP? I mean it seems with other species, like if this was black sea bass, we would be pretty much saying, here's another steaming pile of MRIP data. Whereas, with striped bass it looks like we're acting like these are carved in stone and handed down from on high.

I'm just curious. The MRIP data, especially was 2021 the anomalous year? Was 2022? It seemed to be a blip. It is just really odd how the harvest increased so much, and for some of these states as I said, the harvest was a lot higher than it was before Addendum VI went into place. Thanks.

MR. CELESTINO: Thanks for that question. I wonder if we can bring up Slide 24, I showed Slide 24 on the presentation, that is just shows sort of the time series of removals. I don't know if anyone can hear me.

DR. KATIE DREW: Yes, we're working on it, Mike.

MR. CELESTINO: Okay, thank you. Oh, perfect. Yes, just a time series of removals that kind of cast that 7 million removals in context. Yes, really good question. You can see we haven't hit that level of removals, as John indicated, since probably it looks like maybe 2016, '17 or so. Maybe to answer the more direct answer to the question. It's not

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something that the TC or SAS really spent any time talking about.

We didn't pour into the raw intercept data to see if there were suspicious anomalies. We sort of take these values as the best estimate. We don't have a competing estimate, and so yes, I again don't have a great answer, except to say that it wasn't something that the TC and SAS spent, my recollection is that we didn't spend really any time talking about that value, other than okay, let's incorporate this into our work.

CHAIR GARY: I know John has a follow, but Katie would like to add some comment.

DR. DREW: Yes, so I think while the TC didn't formally discuss that, I don't think anybody was very shocked at this, because of the fact that we knew we had that strong year class moving into the fishery, becoming legally available. We also saw much higher quota utilization in several states on the commercial side coinciding with this.

It really did seem to, well I think to me and I think to staff, maybe not to the full TC, but I think it did seem sort of not an MRIP problem, but really more an issue of a strong year class becoming available to an ocean fishery that has not had a strong year class in a while move through.

MR. CLARK: Well, I can understand that to a degree, but it doesn't explain why 2021 was so low. You get down to the part of the range where we are, where the recreational fishery used to take place, mostly in the fall. We rarely see striped bass in state waters in the fall, I would say what now, Roy, maybe five years, six years since we've seen?

We're looking at, I'd say a moderate level to a decreasing level of recreational harvest in our area. Our commercial catch has just been steady. I haven't seen, really, any change in the spring runs, based on our effort and landings. You know as I said, it just seems to me that with other species we're much more skeptical when we see a year that is, as I said, one of those years seems to be to be an anomaly, maybe it's '21, but it just seems like a huge jump.

CHAIR GARY: We'll go to Tom Fote.

MR. FOTE: I think I have a little different interpretation of what happened in 2022. If you look at 2021 and you look at the previous years before that, and I've been looking at this history of striped bass when the years that these big blizzes occur. It always is about four or five years after these beach replenishment projects stopped along the coast. Because when the beach replenishes next year, following year, when the beach replenishment programs, when they disturb the lumps, when they basically put all this, like we did in New Jersey, put a peak from Ice Age Forrest that was three miles offshore and pumped it on the beach. That water comes out and fish stay away from the water.

The other thing we looked at this year, and you can't get away from it. We never went to an ocean water temperature below 42 degrees, which means we don't have, I don't expect a big sand eel spawn off New Jersey, because you need cold water like 36 degrees. Are we looking at those factors that basically apply, with the warm water menhaden came in.

Well, when menhaden comes in and the other bait comes in and they stay for long periods of time, that is when we have this huge number of catches. The same thing happened 10 or 15 years ago when the Atlantic Sea Herring came in, and basically stayed along the beach, and all of a sudden New Jersey catch and New York's catch jumped up dramatically.

A lot of this is opportunity. This year we're doing beach replenishment again, because there have been storms and everything else, and so it will affect the water for the next couple years. I live in Toms River, and usually we have snow. We usually shovel. I didn't have an inch of snow this year in Toms River.

Basically, my lagoon, which when I moved in my house, used to have 10 inches of ice, where I had to hire a guy in the spring to put my pilings down. I haven't had to do that in 20 years. We've changed the ecology, and the same thing with Delaware Bay and the Chesapeake Bay, and how is that affecting us?

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We can't use just catch figures to look at that, because catch figures a lot of time, depends if the bait moves inshore, because again, we're a three-mile limit. If we had the EEZ open, we might have been seeing these catches all the time, because people would be fishing with the tagging boat, basically at 35 miles off shore.

Really, we need to look at what that is playing into the role, and look at where water temperature does not stay at 42 degrees. I remember when in November we used to be waiting for the bluefish to migrate out, because it was 44 degrees, and that was November, and we were gone by December. We stopped fishing striped bass, most of the times after Thanksgiving.

Now, you never stop, it's there all year round, even in the bad years when they're not in, because they come in the bays and estuaries with the warm water. We're not taking any of that into consideration. I mean, we had the best year in New Jersey, of course (cut out) stayed out to December, so I never fished for any of those fish this year.

I sat there and died, because it's ten years before we have a blitz like that on the beach. But let's look at all the factors involved, not just the catch numbers, because the catch numbers are not isolated, they depend on water temperature and water quality, and we should be looking at, we know in the spring heavy rains affect the spawning of striped bass, and we basically don't know those rules yet either, and we've been arguing that thing for 30 years. (Cut out) If it factors at all when you're basically doing these estimates.

CHAIR GARY: That's a question to Mike you're asking? Mike, did you get that?

MR. CELESTINO: I lost the tail end of what Tom had said, but I guess I would just say, I guess my response would be, those are really good research questions, but all beyond the scope of what we were able to consider as part of this current task. I imagine a more sort of thorough evaluation would happen as part of the next benchmark, but yet beyond the scope of what we're able to look at for this task.

CHAIR GARY: Okay thank you, we'll go to Jason McNamee and then Bill Hyatt.

DR. JASON McNAMEE: Hey, Mike. Thank you very much, just my complements to the Technical Committee and the Stock Assessment Committee for a really well done, thoughtful memo, so appreciate that. My question, I'm going to cram two questions in here, but I'm going to pretend they're one with a follow up.

Harvest went up, discards also went up, but not nearly at the same rate. I'm curious as to whether, in your mind, or if the Technical Committee talked about this. Does that corroborate this idea that what we're witnessing is a year class affect, so it's that 2015-year class moving into the slot. Therefore, there was a pretty high success rate, so there wasn't as much discarding going on.

I'm wondering if those things are connected, and then my follow up is, is that 2015-year class fully recruited into that slot, or are they still moving into the range of that slot? In other words, I'm trying to get a sense of if we believe it's a year class affect that is influencing harvest, if we can presume that harvest will be as high if not higher next year. Thanks for that, Mike, if you missed any of that happy to quickly repeat it.

MR. CELESTINO: No, thank you, Jay, I did get that. Thanks for your comment earlier too. I appreciate that. Yes, I guess to the two questions. The short answer is yes, that I think the TC, I Had forgotten about this, I'm just glad Katie mentioned that. We did spend a little bit of time talking about that sort of emergence of the 2015-year class becoming sort of fully available, really available to the slot limit.

I think that does sort of play into that, sort of lends some credibility to the increase in harvest, but maybe not discards. Though to be honest, at least I didn't look into surrounding year classes, where we've seen the 2018-year class, which is another. It's not nearly as large, but that is a reasonably large year class.

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It is really difficult to kind of tease that, but as Katie mentioned, we did sort of acknowledge that 2015-year class being within the slot limit, which is a nice lead in to your following question. I actually haven't looked at it in a little while, but the TC does have a tool that we used last year to sort of help us with some of our regulation questions, some of the questions the Board had tasked us. If memory serves, that 2015-year class is still in kind of the meaty part of the curve. The meaty part of the distribution of that year class is still available to that slot limit, if memory serves. I'm guessing a little bit on that, but maybe Commission staff have some helpful slides here. Oh, great, so yes. Mean size as a function of feed, and you can see where the year classes are, so this is sort of the information we were using to make those judgments earlier, and they've been updated to reflect where they are for 2023. You can kind of see where the mean length is, so thank you, staff, for being so quick on the draw on that.

DR. DREW: This was from the memo that we put together. I think it was presented to the Board in January of last year for 2022.

CHAIR GARY: Bill Hyatt.

MR. BILL HYATT: My question tied in very closely to the question that John asked, and what Jay asked. I was simply curious to know whether the increase in '22 harvest was due primarily to the 2015-year class, or due to an increase in angler effort. I think it's been partially answered, but if there is anything more to add it would be appreciated.

MR. CELESTINO: Yes, I thank you for that follow up. I don't have a memory of looking specifically at effort. I think maybe Commission staff did, so I can't comment on that. Yes, sort of getting at the exact causes for the increase, it's a bit speculative. But I think there was definitely some discussion at the TC level that that 2015-year class being available to the slot limit played some role. I think it was general agreement on that. The additional factors of effort, I just don't recall if we actually did see an increase in effort. Maybe someone else can chime in on that if they recall.

DR. DREW: Yes, we looked sort of behind the scenes at this, and there definitely was an increase in effort on the Atlantic Coast, sort of from Maine down through the Virginia region. Overall total trips did increase in 2020, and directed trips for striped bass also increased, I think more than total trips did.

I think there was a combination of, there are more fish available, and that there were more people taking trips and directing on striped bass. Are those two things related? Probably. But it is a combination of increased availability, but also it looked like increased effort in 2022 compared to 2021 as well.

CHAIR GARY: Any final questions for Mike? Okay, we'll go John Clark and Tom Fote, and then we're going to transition to discussion.

MR. CLARK: Mine is quick. I just was wondering, since we're going to be discussing the 2022 harvest, and our response to that first. Will Mike be available to ask questions when we get to the discussion of Addendum I, because I think it would probably be better to ask questions about that discussion later on in the morning.

MS. FRANKE: Mike, will you be able to stay on for the rest of the morning?

MR. CELESTINO: Yes, that was my plan for sure, happy to help with any questions if I can.

MS. FRANKE: Great, thank you.

CHAIR GARY: Thank you, Mike, we'll go to Tom Fote for the last question.

MR. FOTE: Yes, bringing up the questions they were asking, I was wondering if we really knew the size limit of a lot of the fisheries. I heard there was a lot of big fish that were released in that period of time, in September, October, November and December, because they were basically being there. Again, that was from the surf.

We usually would survey, and even MRIP has a poor record of actually doing surf fishing in numbers. We saw a dramatic, dramatic increase in what went on surf, because you're catching fish, you're catching

fish up to 40 inches, 50 inches, and they were releasing them from the surf, not only from the boats.

I was wondering how that played and how New Jersey's numbers looked on that, because I would assume that we were one of the parts for the real increase in catch. The other things when we look at the numbers, do we know the kept fish and the released fish, what year classes they belong to, because we do a poor estimate of those numbers also. We don't know whether it was all big fish being released or small fish being released.

MR. CELESTINO: Yes, those are really good questions, and I guess I'll just say, I don't have any information on that at the ready. It's not something that the TC or SAS looked at on a sort of state-by-state level. Perhaps Commission staff did something behind the scenes. But I don't have any information to bring to the table of that from the TC or SAS discussions.

DR. DREW: Just to add to that. I think we do have some numbers by mode but not by state. But I think the larger question of like what age classes are being kept, versus being released. Obviously, MRIP only has length information on the retained or the harvested fish. We did not look at the age composition of that yet. We did not have easy data et cetera, that will be part of the compliance reports.

Similarly, the information that we have on the composition of the released alive fish comes from a number of different sources, mostly volunteer angler logbook programs, and so those data were not available to us for 2022 when we did this component of it. We may be able to look at that later on this year, once we actually request those data from the states. But that is not part of the MRIP data, so that was not available at the time that we did this analysis.

CHAIR GARY: All right, thank you Tom, thank you, Katie on clarification. Before we transition to discussion, we do have one member of the public who was interested in asking a question, and his name is Steve Atkinson. You can unmute yourself, and please questions only at this point.

MS. FRANKE: Steve, it looks like you're just self-muted on your end. If you click on the microphone button if you would like to ask a question.

MR. STEVE ATKINSON: I'm sorry, I hit that question by mistake, my apologies.

MS. FRANKE: No problem, thank you.

CHAIR GARY: No worries, Steve. We're going to transition into discussion. Before we do so, I just wanted to take a moment to acknowledge that weighed in. Oh, Mike, you haven't asked a question so go ahead.

DR. MICHAEL ARMSTRONG: I'm sorry, it's not really a question, but I think it will be helpful for questions that Jay asked. This isn't vetted through the TC, so take it with a grain of salt. But it's all crafted by Gary Nelson, who you know has done all the projections. We have a very robust recreational sampling program, and we aged all that.

A lot of the questions, probably 55 percent of the year class was in the slot, and when you grow it up two inches, 100 percent will be in the slot. For ages, there is about two-thirds 2015s, maybe a third 2014s and a little bit of 2016s. I wanted to throw that in, because so many people have not seen these data, and I'll be making a motion later that will be germane to this.

I'm lucky, I get to sit 30 feet from Gary Nelson, so I'm privy to things that not everyone gets to see until later on. I wanted to throw that out, so I hope that is helpful to people who have had the questions. This year class will be fully in the slot this year, and wasn't last year. Thank you for your forbearance.

CHAIR GARY: Thank you, Mike. That is very, very helpful for our discussion which we're about to start. But before we do so, just an acknowledgement for all the folks in the public who took the time to write into the Board. If you looked in your supplemental materials, there were a huge number of comments.

Comments from individuals, from businesses, from charter boat associations, Connecticut, Rhode Island,

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light tackle guide's association, the ASGA, conservation organizations. In one case I think there were hundreds, if not well over a thousand individuals and businesses that signed on to submit their concerns to us.

I just want, on behalf of the Board to the public, we really value that highly, and we appreciate the time that you took, and we will absolutely consider it. Thank you. Next, we're going to transition into discussion. What I would like to do, since we received a number of motions, in the sake of efficiency, I would like to frame our discussion. I'm going to look to the Board for any motions, and Dr. Davis, could you get us started?

DR. JUSTIN DAVIS: I have a motion that I provided to staff this morning, so I'll just wait to see if we get it up on the board. There it is. **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.

CHAIR GARY: Thank you, we have a second, we'll go with Emerson Hasbrouck. Back to you, Dr. Davis, if you would like to speak to your motion.

DR. DAVIS: We find ourselves about halfway through our ten-year rebuilding timeline for the stock, and I think the Board is facing another decision point here on how to act. I think since the stock was declared overfished in 2018, this Board has got an excellent track record of taking conservative action to rebuild this stock.

You know in Addendum VI we implemented a slot limit, which was really a new coastwide management

strategy for striped bass, because there was good science to suggest protecting older, larger fish would be beneficial to the stock. We implemented a circle hook requirement, even though it wasn't entirely clear how we would quantify the benefits of that, and there were enforcement concerns.

But we knew it would help with conservation, so we implemented it. Then in the Amendment 7 process, we chose to retain really a conservative reference points, and aimed to build the high biomass, and also incorporated a low recruitment assumption to our rebuilding plan. I think this Board has got a great track record of taking conservative action. This addendum, the motion to initiate this addendum is hopefully in the service of the Board again making a conservative decision here, when faced with information about what's going on with the stock.

The presentation we just hear, we have clear indication that removals in 2022 were very high, and there is good reason to believe that we are now off track to rebuilding. The Board is not compelled to act. We have not tripped a management trigger, as was mentioned in the presentation.

We're not dealing right now with a new stock assessment update, or true updated estimates of F, so the Board doesn't have to act. But I think the Board should. I think we should take some precautionary decisive action to get ourselves back on track for rebuilding. That is the goal of this motion, is to start a management process for 2024 to accomplish that.

In fact, there has been a lot of discussion around the table about potential need for action this year, to get us back on track for rebuilding. I don't want to short circuit that discussion, but I do just want to explain why I'm sort of putting forward the motion for the Addendum for 2024, before we talk about what we might do for this year.

My rationale there is, you know my understanding is if we do something for this year it's going to be using a process that is not our normal management process, not going to include the normal type of deliberation we do, and is not going to include public

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input. I'm not saying I'm not comfortable doing that, but I'm not comfortable with extending that for two years.

Before we consider what we're going to do for this year, I think it's important to signal to the public that we'll do a process for next year that is more in keeping with our normal management process. The goal here with this Addendum is to establish new measures for 2024 for all sectors, so all sectors are contributing to conservation. We have to set some goal to sort of engineer measures to, so I chose F target from the last assessment year, because I think that's an appropriate goal, given that out of the last assessment that was an F rate that was projected to achieve rebuilding. I'll acknowledge that this is sort of a departure from our normal process. We usually don't engineer measures for one year for F in one year, and sort of key in on one year. But I think we're sort of in a tricky spot here, because we have a new assessment coming in 2024 that can inform 2025.

I think what we do beyond 2024 should be informed by that new assessment, so that is why I'm sort of suggesting that we do something here that is geared towards one year in 2024. I'm not looking to start sort of a new management regime for striped bass, where we get into a model of assessing what happens every year, and then making a decision for next year and doing it on an annual basis.

I don't think that's a good approach, but I think it's kind of what is necessary in this instance. I think the Addendum is going to have to be kind of lean, in acknowledgement of the timeline we're on to get something done for 2024, and also the ongoing workload of the Technical Committee with the assessment coming. I've attempted to sort of draw some boundaries here around what types of options could be considered in the addendum. For the ocean fishery, modifications to the slot limit of 28-35 inches.

Harvest season closures is a secondary non-preferred option. I think that is in keeping with the discussions we had during the Amendment 7 process, when we were considering potential Board action coming out of the last assessment. We thought modifications to

the slot and then harvest season closures, if we need them, if the potential slot limits are just so conservative that we really can't live with them. That is the approach I'm suggesting for the ocean fishery.

For the Chesapeake Bay fishery, taking a look at maximum size limits, either a consistent slot for the Bay or just imposing a maximum size limit where it currently doesn't exist. For commercial fisheries, taking a look at maximum size limits, a common complaint I hear from recreational anglers is that we've adopted the slot limit, we're preventing recreational anglers from taking large fish.

We're still allowing the commercial sector to take those larger fish. I get that there are market considerations there. The market wants the larger fish. But I think it's worth exploring imposing a maximum size limit in the commercial fishery to provide additional protection for those larger fish. Thank you, Mr. Chairman.

CHAIR GARY: Emerson, would you like to speak as the seconder?

MR. EMERSON C. HASBROUCK: Yes, thank you, Mr. Chairman. I agree with everything that Dr. Davis just mentioned, and he's given a good reason to support his motion. I can't really add too much more to that. However, we do need to start an addendum now, to address the high recreational and the increased fishing mortality to rebuild on schedule.

Mr. Chairman, (cut out) public comment that we've received, and much of that public comment encourages us to start an addendum. Again, this does not exclude the Board from taking some action for 2023, once we've decided what we're going to do with the addendum.

CHAIR GARY: Go to Mike Luisi.

MR. MICHAEL LUISI: I want to thank Dr. Davis and Emerson for putting this motion before the Board at this time. I think there has been a lot of work that has gone into this motion behind the scenes, and I absolutely agree with everything here, as far as moving forward for 2024. I like the concepts that are

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proposed here, including modifications to the slot limit.

The one thing that I do think is something we haven't talked about here is like the idea of the Chesapeake Bay commercial fisheries, as well as the ocean fisheries considering maximum size limits, rather than (cut out) for Justin. But I'm assuming that based on what you've outlined here that quota reduction isn't something on the table.

It would be focused mostly or entirely on maximum size limits there. I just think that is something good to understand for all of us that have commercial fisheries. Lastly, I will say that in Mike Celestino's presentation of the Technical Committee report, there was a lot of talk when it came to the recreational fisheries.

There was a lot of discussion about removals, and removals as we all know (cut out) is a combination of both harvest and dead discards, yet I don't see anything in here that would refer to any type of consideration or action for any dead discard consideration in moving forward in 2024. It is something that I certainly feel pretty strongly about.

It's not that I can't support the motion, but I would like to see some acknowledgement of discards being considered, because it does play a critical role in the overall mortality of the fishery. With the understanding that yes, discards will happen, dead fish will happen as a result of this extremely important recreational and commercial fishery on our coast.

I just would like there to be some consideration of that. I just have to say, Mr. Chairman, I may be inclined to provide some simple language for an amendment to the motion, but I would like to hear what others have to say first. But thanks, Justin, for putting this together.

CHAIR GARY: Justin, would you like to respond?

DR. DAVIS: Thank you, Mr. Chairman, and thanks for those questions, Mike. I did mean to say that and I forgot. My intent with this motion is that any types of measures that I haven't mentioned here in the motion would not be considered in this addendum,

so to your point, commercial quota adjustments is not something I'm contemplating with this motion.

I agree that this does not propose measures that directly address release mortality and discards. I agree with you that that has got to be part of the picture going forward. My intent was to try to keep this addendum fairly constrained, and so I thought maybe it would be better to deal with that question in the next management action that we take out of the '24 assessment. But that is just my thought.

CHAIR GARY: Okay, we have John Clark, Senator Watters and then Mike Armstrong.

MR. CLARK: Thank you for the motion, Justin. I have a question for Dr. Davis also, especially the last sentence there about the maximum size limits for commercial fisheries. While we might want to take actions on the commercial fisheries, maximum size limits for allotted fisheries, for example ours, which is a gillnet fishery.

We have ITQs, I mean you really can't control, even if you're using a smaller mesh net, you could still end up catching fish that based on a maximum size limit would be discarded dead. There is not much point in that, especially when it is, as I said ITQ. I would not object to seeing, back when we did Addendum III, there was a lot of push to have mandatory tagging by both the fisherman and a dealer or a weigh station, and that was watered down to just mandatory tagging as a dealer.

I mean there are options we can do to get a better handle on what is actually being caught in the commercial fishery, and a lot of states like our own state are doing that. But I'm just a little concerned about putting the only type of control up there for commercial fisheries is maximum size limits, so just wondering if, you know I don't know if Mike was planning to address that with his amendment, but it just seems a little that if it's in the motion that is what we're going to be looking at an addendum rather than other measures on the commercial side.

CHAIR GARY: Senator Watters.

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SENATOR DAVID WATTERS: This is a question for Dr. Davis about the wording of the amendment. I think in the sentence that you have potential measures for the ocean recreational fishery, should include modifications to the Addendum VI standard stock limit of 25 to 30 inches and harvest season closures as a secondary nonpreferred option. Unless you want both of those to be secondary nonpreferred options, I think that you want to change it to with harvest season closures, isn't that your intent? I just thought that maybe is a wording issue.

DR. DAVIS: Thank you for that, Senator, that is my intent. I would look to staff if they feel like that clarification is necessary and helpful, and the seconder is okay with it, I'm good with it.

MR. HASBROUCK: Yes, I'm good with that, it just clarifies things.

CHAIR GARY: Okay, we'll just wait a moment until we get that modified. Mike Armstrong, you're next.

DR. ARMSTRONG: I completely support this motion, but I do want to amend it by adding some language, and this actually works out well, because I don't want to derail this potential motion, but I do have language that I would like to be considered. Are you ready? Unfortunately, I don't think you have the language anywhere.

Go slow. You may. Why yes, you do have it. Would you like me to read it into the record? **I move to add "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%."**

CHAIR GARY: All right, we have an amendment, second David Borden. Mike, would you like to speak to this?

DR. ARMSTRONG: Yes, please. I made a similar motion on the last amendment, and that retired. My concern here is the proposed addendum will not

have the 2023 harvest in it, and that will have to be projected. When the new stock assessment comes in, we will surely have to look at new measures for 2025, in order to accomplish our goals. Without this language we are going to have to start another addendum, and we won't get that in until 2026.

Anyway, we'll have a lag here if we don't have this process here. Anyway, for the same reasons I had it on the amendment that we needed to act quick, you know the complaint is always we don't act quickly enough. The cost is we will have to do this without a lot of public comment, but the benefit is we are approaching some fairly dire straits here with this stock. I think we need to react quickly from the assessment. I'll leave it at that.

CHAIR GARY: Thank you, Mike, David, any comments you want to add?

MR. DAVID V. BORDEN: Nothing to add, Mike just made the point.

CHAIR GARY: Okay, we have an amended motion. Tom, you had raised your hand, do you want to maintain your place in the queue to comment, or relinquish?

MR. FOTE: Yes, I'll comment on the new motion and I'll comment when we get back to the original motion.

CHAIR GARY: All right.

MR. FOTE: My concern about putting that date on this, we will not have the 2023, so we do not know if the 2022 was an abnormal year, because of certain conditions and bringing all these fish, and allowing because of the access of the anglers to basically see. This year it could be cold, we could have 14, 18" of snow in Toms River, and the ocean could be back down to where it is supposed to be in water temperature, which I hope that is what happens.

But we don't know, and if we act before we know what 2023 looks like, or at least we have an estimate of what the catch for 2023 looks like, then we're moving ahead. I'm concerned over that. I mean, I

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understand what we're doing and I support the original motion. I was going to say I support, it's an unusual situation. I support the first four speakers, and I get to Mike and I have to deliberate a little bit on how I support this. Again, I've seen this over the years, some of you know how long I've been sitting around this table.

But they also know that I was sitting in 1986 at the Striped Bass Board, and until the nineties we didn't do kneejerk reactions. We did a couple. That is how come New Jersey wound up with a 24 to 28" slot limit, and then you decided two-years old, that wasn't what we should do, we should go back to another. Then you also basically took away the producing area status to the Delaware Bay, which would allow us to manage fisheries different and set our quotas differently than we do now. We should be putting that back in. We've talked about this a number of times, but the Delaware Bay and the Hudson River both. Because New York waited until New Jersey left the meeting, and slipped this thing in, in Amendment 5, and by the time we came back we couldn't get a two-thirds vote to override that. I understand, I've been around this table a long time, and I understand nuances that happen here. I have concerns where we go to this is that really, we need to incorporate the 2023 to see what's going on, and see if this was an abnormal year in 2022, and basically look at it.

As we move into any kneejerk reaction, you know, people talking about emergency action, well that's a kneejerk reaction, plus you have no public comment nor public hearing. I will say, I will have a problem with that. They ought to at least bring it out to the public, because I know the economic impact of doing something like that, and also the states problem to try to enforce that and get it in in 180 days, because it may be the 180th day when we put it in place. I'll leave it at that at this time, thought the original motion weak.

CHAIR GARY: I'm going to go to Doug Grout and then Megan Ware.

MR. DOUGLAS E. GROUT: I certainly support the underlying motion, and I definitely like the concept

here of, if we're not going to have a 50 percent or greater probability of rebuilding that that be something that we would trigger some further action. One of the concerns I had with the current stock assessment schedule was if, let's say we go through the addendum process.

We put in some measures that go into effect in 2024. We're going to have an assessment in 2024 that is not going to take into account the effects of the changes we make in the addendum. We could be chasing our own tail with that, because we could look at it and say, well, based on 20223 data and previous data we still have a huge jump, you know we need to make some action.

But we've already taken action that is not included in that. While I wasn't going to bring this up at this point, because of this I was going to suggest at a future meeting that maybe we postpone our next bench or next full assessment to 2025, so that we could take into account the effect of whatever our addendum is. Just a thought for people here, and you know we could still vote this up or down, but if we change the assessment date it might be more valuable information for us.

CHAIR GARY: Thank you, Doug. Megan Ware.

MS. MEGAN WARE: To the motion to amend, I'm going to support this. Thinking back on what we heard from the TC this morning about trying to align management action and the stock assessment schedule. This gives us an opportunity to do that, so that if we need to take action after that 2024 assessment, we could do that in 2025. That would give us a year of data through 2025 in that 2026 stock assessment.

I think that is worth having as an option in the addendum that (cut off). I see this as an option for the Board, so for some reason if the Board chooses to not pursue this and go through the traditional addendum route, that is always available to us. But I think it's worth having this option in the document.

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CHAIR GARY: Thank you, Megan. Any other comments? Katie wanted to jump in for a moment, and then we'll go to John Clark.

DR. DREW: I think this related to the question of what kind of information is going to be available from the 2024 assessment. We will have 2023 data in the assessment, and the emergency action is taken that goes into place in 2023. That will be captured within the assessment for that terminal year of 2023. The question is, if we put something in place for 2024, what are the effects of that going to be?

That is something we can incorporate in the projections of these actions, and the final option that will be chosen will have sort of a reduction in harvest that we're predicting, based on year class availability, things like that. The projections would include for 2024, kind of our projected management completely from (cut out) projections to say, we would take 2024 the management measures we put into place (cut out) what is actually, but we will be able to incorporate the fact that there will be changes in 2024 relative to 2023, when we do those projections.

CHAIR GARY: Before I go to John. We have an amendment to the motion, and I would like to get some public input, but we're going to do this in a very balance and measured manner. When John finishes his comment, we will go to the public and take two comments from the public in favor of this and two against it, if there are in either camp. We'll do those in a concise manner and allow the public, for anyone who wishes to one minute each. John, we'll go to you first.

MR. CLARK: Just a question for Dr. Armstrong. I assume when you say rebuilt, you mean rebuilt to the target and I've been very clear that I think the SSB target is pretty unrealistic. Just looking at those last projections we saw, Mike, it looked like we have a real good possibility of being above the threshold, which by definition is 100 percent of the fully restored stock, based on 1995, but obviously a much lower probability of reaching the target.

I mean this target reminds me of every year I go for my physical, my doctor gives me a target weight that

I last hit in 1975, and I don't expect I'm every going to hit that target. My question here is, I mean based on each assessment update it seems like we have a change in what the target will be. This seems very definitive that if we're not at 50 (cut out). I'm just curious, you know the way it ties into this very high SSB target.

DR. ARMSTRONG: It's problematic. But I would say rebuilt is the target, so that is how I'm viewing it. I mean that is something we're going to have to look at carefully, especially with the low productivity we're getting. If I could add one more comment. Does that answer you, John? Yes.

I just want to make it clear; this is an option this is not mandatory. You know if it comes in at 49 percent, we don't have to go this route. It just gives us flexibility, and again, I think we're approaching some difficult days ahead. I would like to have an option to move very fast if we need be.

CHAIR GARY: Now we're going to try to go to public here, again do this in a concise and measured manner. I don't know if staff found it's Madeline or who will help with the timer. But I look for a show of hands here in the room and online, and first thing we would look for is two in favor. Anyone who is in favor of the amendment, and I see one hand raised, that would be Mike Waine. Mike, if you would come up to the public microphone that would be great.

MR. MIKE WAINE: Thank you, Mr. Chairman, Mike Waine with American Sport Fishing Association. It's hard to indicate preference from the back of the room, so I'm not going to speak for or against this motion to amend. But if the Board moves forward with this, in the addendum.

I highly recommend that they plan out the timeline in which these actions would occur. What year is the Board going to consider taking action, what information are they going to use to do that action, so that the public can get some sort of an understanding about how they are going to participate in this Board action process.

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CHAIR GARY: Thank you, Mike, we'll look for one more person from the public who is in favor of this amendment. Okay, so we have Mike Abdow online, so Mike if you can unmute yourself, go ahead and speak. One minute please.

MS. FRANKE: Mike Abdow online, it looks like your hand is raised. You should be able to unmute yourself by clicking on that.

MR. MIKE ABDOW: How is that? Is that better?

MS. FRANKE: Yes, thank you.

MR. ABDOW: That's what happens when you get old, this new technology stuff. I am in favor of making sure that you guys do the right thing. We have a lot of people that are getting into this fishery now, and lots more coming. The internet plays a big part in this. Lots of people like to talk, lots of people like to go fishing. There is going to be more coming.

I was talking to a marine place yesterday that sells boats, and they are sold out for two years in advance. That means I couldn't even go there and buy a boat. I'm a charterboat here in Chatham, Massachusetts, and I've been fishing for striped bass since 1959. I've been around a little bit. But I just want you to understand that there are more people coming.

There is going to be more people working on these fish, so just keep that in mind when you make these rules and regulations to save the fish, because I was taught without the fish there is no meat, and I would prefer to see the fish. Unfortunately, I have no control over how many people are involved. These people move a lot around.

They move from fishery to fishery, from sea bass and fluke to striped bass to tuna. In the last 25 years it's gone crazy, but in the last five years it's gotten completely outrageous, so keep in mind, two years down the line from now it's probably going to be double what it is right now. Thank you very much.

CHAIR GARY: All right, thank you, Mike. Appreciate your comments. We will now look to the public for anyone who is in opposition of this and take up to two comments. I'll look to the room first. Is anybody

in the room with the public in opposition to this motion and you would like to speak to it? There is none in the room, now looking to online. Anyone online, raise your hand and let us know if you are in opposition to this amendment. We have Julie Evans, so Julie, go ahead and unmute yourself and you have one minute, Julie.

MS. JULIE EVANS: Thank you, Mr. Chair, for recognizing me. My name is Captain Julie Evans. I represent the East End Fishermen in East Hampton for the Fisheries Advisory Committee. I would like you to know that we recognize here how important striped bass is to our local economy, and not just our local fishermen.

You might say that striped bass is the fish that built our economy here in Montauk. I would hope that with all the scientific evidence and all the comments that I've heard, that you would also recognize that you can't go from what I've seen, allowing a generous slot size to going to no slot size to going to no fish, perhaps, but maybe, depending on whatever happens in 2023.

I am not a person that is in favor of the amendment that says that this Board could move on their own without any public input. I think that public input is very important to our fisheries, and especially on behalf of the local for-hire industry, which is now lumped in with the recreational fishery.

This could be devastating to the lives of many people out here, many, many people out here, not just the fishermen. You know I as a former commercial striped bass fisherman, who lived through the striped bass problems of the eighties. I would like to see that you take all of this into consideration, and do your best to maintain the fishery, and allow fishermen to fish. Thank you.

CHAIR GARY: All right, thank you, Julie. We have one other person who would like to speak in opposition online, and his name is TJ Karbowski, so Mr. Karbowski if you could unmute your microphone.

MR. TJ KARBOWSKI: This is all with good intention, don't get me wrong. But there is just so much

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uncertainty, specifically in regards to the MRIP data. It's been brought up earlier, but we have zero confidence in MRIP data for every other species, and I don't know why we're taking this as gospel for this species. Also, with the gentleman, Mike there, the mathematician guy who did the presentation earlier.

I believe all of his math for the percentage of the rebuilding was based on the higher MRIP numbers. I understand if it's based on higher for one example, but it either should be also included for the lower end of the spread, or maybe split the difference, just like everything else, you know whenever you're negotiating anything.

Then finally, I spent half my life fighting for black sea bass regulations. You are two hundred and something percent over the target, and you guys are still trying to take the fish away. Even if we hit this magical number, which we're never going to hit of the 1995 whatever, biomass level or the SSB. We're never going to hit it anyway, but even if we did, you're still going to be taking stuff away. I mean, it's just restriction after restriction. That's why I don't support it, not because it's not with good intent. But any time you guys ever do anything it's take, take, take and you never give it back.

CHAIR GARY: All right, thank you, Mr. Karbowski, I appreciate your time with the microphone. We're back to the discussion of this amendment, and hopefully we'll entertain a couple of more comments. After that we'll put it out to a vote. Tom, I think you hand. You did have your hand up, but you still interested in talking about this one? You wanted to go back to the original motion.

MR. FOTE: Yes, I already talked about this one that I didn't support it, I'm waiting to go back to the original.

CHAIR GARY: Okay, anybody else? Dave Sikorski.

MR. DAVE SIKORSKI: I would have more to say once we dispense with this, but in regard to the opportunity for public engagement. I just want to say from my perspective. We have 365 days a year to

engage in fisheries, and that is unlike ever before in history, and I want everybody to recognize that.

Remember that not just to the public, you have an opportunity in every state capital, which is represented around this table, to engage with the managers, to engage with leadership, and to try to craft that future for your fisheries. What I see this is a proactive tool, not to cut out public involvement, because I fully support it. I mean I work for a fisheries nonprofit, where my job is to get the public engaged in this process.

I fully support the public process, and again, my point is, get involved yesterday, get involved tomorrow, get involved every single day, not just when this Board meets, because if you're simply just providing us input when this Board meets, you're too late. I do have faith that the folks around this table can handle this responsibility and act quickly with TC guidance, so that is why I'm supportive of this motion to amend. Thank you.

CHAIR GARY: All right, thank you, Dave. I'll look one last time, especially if somebody has not commented yet. Does anybody else have any other comments before we take this to a vote? All right, then I would ask, do we need a couple of minutes for a quorum? Okay, is two minutes sufficient? Okay, two minutes. All right, we'll go ahead and call the question. All in favor of the motion, please raise your hands, and please keep them up.

MS. KERNS: Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Fish and Wildlife Service, NOAA Fisheries, Pennsylvania, North Carolina, Maryland, Virginia, Delaware, Maine, New Hampshire, and Potomac River Fisheries Commission and D.C.

CHAIR GARY: All right, all opposed raise your hands. There are none. The motion passes. Are there any abstentions? The motion passes unanimously. Now we'll have the amended version of the motion. Do we need to get staff to incorporate that so we're back to that? Thank you, staff, we're back to the motion. I do want to acknowledge; we did see one member of the public who had his hand raised. I just

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want to clarify that we were only taking up to two comments for and against. But there will be another opportunity before we vote on this motion. I'll go back to the Board, is there any additional discussion on this main motion? Tom Fote.

MR. FOTE: When we started going down this path a couple of years ago, I basically talked about the fact of how we rebuilt the stocks during the eighties. What we did was protect the '82-year class by raising the size limit every year to make sure they were protected until they spawned at least once, 95 percent of the population spawned once, because I knew I had to go before the legislature to get those bills passed so New Jersey stayed in compliance every year.

Because that was the goal. When we first started doing this, you implemented a slot, and some of us sitting around the table said this is not what we should be doing. If you want to really protect it you should be protecting the 2015, maybe the 2018-year class. I've always felt that those fish show up every year, unlike the big fish that show maybe once every two or once every three years.

They all are feisty females and feisty males that really attack each other and have a lot of sex, and they produce a lot of babies. I'll be kind of blunt about this. But we basically did not do that, we put a slot limit that would eventually move us in and put us in this predicament. I knew it was going to happen, because there were too many fish moving forward.

I would like as an option, and I'm not going to ask for an amendment, but as an option as we're doing discussion on what we should send out to the public, looking at doing that, instead of going the opposite way, because I think the bigger fish also, when you target them and you basically release them. You basically get them on the line.

The 28 to 35 will basically survive better than the bigger fish. It takes longer time; they build up more. The water is warm, they will basically die faster and the smaller fish basically will survive, especially the 34, 32, 33-inch fish. We should be having that as an option when we go out to public hearing. As I said, I support all the speakers what they said.

As long as the last motion, I did support it because it was an option, and that's why I'm looking at this as an option to go into the public hearing document that we turn out to the public. Again, as I said before, I don't want to do any kneejerk reaction, because I've gotten slapped across the face over the years, by having to go to my legislature, because that is when we used to have to do by legislation. It changed the bill the next two years.

As a matter of fact, it got so bad that Maureen, part of the committee, and she wouldn't hear the bill. I said we're going to be on it twice. She said I don't care; we're not hearing the bill. I had to go to the Veterans Committee, because I knew the head of the Veterans heard it in the assembly, and the Veterans Committee had a striped bass hearing. The first and only time that ever happened.

Also, my concern is if we start doing anything else but this, we're going to wind up a lot of people going out of compliance just because of timelines and everything involved. Because like New Jersey Marine Fisheries Council is so upset about scup and I come in with this thing, they're going to look at us like we're crazy. I'll leave it at that at this time.

CHAIR GARY: All right, thank you, Tom. Over to Mike Luisi.

MR. LUISI: I made comments earlier regarding the previously underlying motion about the possibility of considering adding some language here which speaks to what has been brought up many times before, and was highlighted through Mr. Celestino's presentation regarding discard mortality, and where we might go with that.

Understanding that this Board has made comments over the years about the importance of discards and the degree for which discards play a role in the overall mortality on this fishery. However, given the comments that I've heard around the table, and the understanding that in order for this Board and the Commission to put forth the effort to get rules in place by 2024, which I believe is critical at this point.

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I've decided that I think at this point right now moving forward, based on the comments that I've heard, that I will fully support this motion as before us, but I do want to highlight and reiterate the fact that any follow up motion, as it was mentioned earlier, follow up actions as a result of an assessment update.

I would hope that this Board would consider exploring the concept of reducing dead discards. You know the one thing that I've mentioned before we've implemented in our state, is a nontargeting style rule. I know that there is difficulty with enforcement on that rule. There are challenges.

However, I would say that if you know that based on quality and water quality, air temperatures and whatever else may be a factor in the fishery that you're managing. If you know that there is a time of the year when these large fish, which we're now likely to be protecting through adjustments to the slot.

By protecting those fish by reducing the slot limit, in my opinion we're just going to see more fish caught and released. Whether or not those offset one another, hopefully not. Hopefully we're making the right decision by adjusting on harvest at this point only. I just think that states should start looking into when they know that conditions are not ideal, and whether, maybe not even to get credit for the reduction.

But if you know the conditions are not ideal, maybe a regulation or a rule in place to try to limit that amount of dead throwbacks would be something to consider moving forward. I hope that with my comments and others that have spoken regarding this, that there is a commitment by the Board exploring that in a future action. But I'm going to leave that off the table for right now, Mr. Chairman, thank you.

CHAIR GARY: All very good points, well taken. I know we're getting close. Are there any other additional comments? Hey, John, I'll go to you in a second, but I'm trying to balance to give everybody a fair chance here. Has anybody who has not provided comments,

you would like to make a comment at the Board. I'm also going to go back to the public as I mentioned before we vote. Any others? Go ahead, John, you've got it.

MR. CLARK: I'm sorry, it's just more from being a fisheries regulatory bureaucrat, that word in the potential measures should include maximum size limits. Would it take an amendment to change should to may? As I said, just one of those things where if it says should include maximum size limits for the commercial fishery.

There is going to be a push to have those, and as I said, I just think that is very problematic, especially for a lot of our ITQ fisheries where they're using gillnets. I think it would actually increase discarding, rather than serve the purpose that we want. I think there are other ways to manage the commercial fishery to get better reporting. Just a suggestion.

CHAIR GARY: Bob, can you help us with this?

EXECUTIVE DIRECTOR BEAL: I'm not sure I can help, but to answer one question. Yes, if you wanted to change a word in there at this point it would take a motion to amend. You know I think, keep in mind what this motion really is. It's a direction to initiate an addendum, then a series of things that the Plan Development Team is going to weave into a document that will come back to this Board before public comment happens.

I think there are a lot of steps in this process before anything actually becomes reality. The Board can pull things out and modify them, when they see this draft addendum another time. In sort of the idea of moving things along today, you know just keep in mind there are multiple chances at revisions as this moves forward.

CHAIR GARY: Thank you, Bob. John, if you feel so compelled.

MR. CLARK: Based on what Bob just said, I'll just leave it alone then. I just wanted to get it on the record though, thank you.

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CHAIR GARY: All right, thank you, and Dave Sikorski, you have the last word.

MR. SIKORSKI: You know the more (cut out) with Mike. You know I still have some concerns, but I'm not going to attempt to amend this in any way, shape or form. I want to move forward and vote as we should. I think it's important to notice that as John's comments about the commercial fishery. We're really just limiting the portion of the stock available to the commercial gear.

From a Chesapeake perspective that does not provide any conservation, really, and that is a challenge for me. I think I have continued heartburn with the idea that Maryland, the Potomac, are fishing on Addendum IV quota levels, so we didn't even attempt to reduce quota, sorry 1.8 percent is what it was reduced on paper for Addendum VI.

There is still a fishing mortality being persecuted against the fish in the Chesapeake is at Addendum IV levels. You just think of the commercial component of fishing mortality in the Chesapeake. Now you add four years in a row poor recruitment, and unfortunately, we think maybe a fifth coming. We still have work to be done in the Chesapeake. I continue to look at the projections that the TC has provided us, and I see that downturn. It's starting to happen, and that is where my perspective is I'm very concerned about that. I don't want to open this up and attempt to reduce quota at this point, but this challenge still remains for all of us to rebuild this fishery well into the future. Thank you, and all sources of F should be considered.

CHAIR GARY: Max, did you have your hand up? I might have missed you.

MR. MAX APPELMAN: Yes, just quickly, a couple of comments that I heard. I want to comment in support of the motion, but also the initial intent I think I heard from the maker to keep this simple. I think that's really important with the 2024 assessment right around the corner. I think the complexity of an addendum is critical to allowing the Board to act quickly, and get new measures in place

for 2024. I just want to speak in support of that intent.

CHAIR GARY: Before we call the question, I would like to go ahead and go to the public to comment. Two in favor again, two opposed, and we'll start with in favor. We'll look to the audience first here in the room, to see if anybody would like to speak in favor of this motion. Seeing none; we're now asking on the webinar if you would like to comment in favor of this motion, please raise your hand. All right, Michael Woods, would you like to speak to the motion? Unmute your microphone, and please keep your comments to one minute if you could, please.

MS. FRANKE: Michael Woods, it looks like your microphone is unmuted, but we cannot hear you.

MR. MICHAEL WOODS: I apologize, can you hear me now?

MS. FRANKE: Yes, we can. Thank you.

MR. WOODS: My name is Michael Woods; I am commenting on behalf of Back Country Hunters and Anglers, and specifically the New England, New York, New Jersey, Capital Region, Pennsylvania and North Carolina Chapters. Our members from those regions, really all across the striped bass's range.

I wanted to comment in support and mention a couple things. The first of them is that back when we considered Amendment 7, all of our members advocated, basically to recover the fishery by 2029. I know there was a lot of discussion about abundance metrics and things of that nature, different ways that we can address this.

But ultimately, what the Board opted to do was to rebuild by 2029 to that target level. This motion really would put that recovery into action. We think that it's needed. The data clearly indicates that additional measures are necessary. We would urge the Board to put this forward and take those measures, and uphold this obligation to recover by 2029. Thank you.

CHAIR GARY: Thank you, Michael, and we have one other person in the public, Michael Abdow. Go ahead and unmute yourself, and again, one minute, Michael.

MR. ABDOW: Mike Abdow, I live up here in Cape Cod and Chatham, and the commercial aspect of it I've been doing my whole life, and I've been fighting for it for 40 or 50 years now to keep it running. People want to eat fish. Not everybody goes fishing. I would see a problem if you were to put a slot limit in, let's just say, I'm just using this example, on a 35-to-45-inch fish. People here still use gaffs, and maybe in the water a 46 or a 47-inch fish might look like a 45.

Once you start doing that, we now have a discard rate bigger than what it is from just letting them go on purpose. I just want you to think of that when you go and do this. I know somebody else brought this up too about discards. I would rather not see the fish get wasted. I don't know how you're going to do that, how you would do it. As a commercial fisherman it would be pretty tough for me, especially when you're fishing at night in a boat in the ocean, a mile or two offshore in a rip.

CHAIR GARY: If you could finish up, that's okay just really quick, finish up. But you're in favor of this motion?

MR. ABDOW: I am.

CHAIR GARY: Okay, thank you, sir, appreciate it. We'll now look for two members of the public who are in opposition to this motion. I'll look to the room first to see if anyone is in opposition to this motion. Seeing none; we'll go to the webinar. If you are in opposition to this motion, please raise your hands. Michael Pirri, if you could unmute yourself, and you have one minute. Go ahead, Michael.

MR. MICHAEL PIRRI: I don't think we proved an emergency today. I don't think we should be taking action today. I think that I'm very disappointed that I found about this meeting through back channels, and nothing was published on websites, the ASMFC website anywhere. It was by chance that I found this,

and this is a very big action to take without public comment.

I don't believe in MRIP, which is producing the 2022 harvest level. It could be a one-year outlier, and this is a lot of action to take with uncertainty. That being said, the monster in the room in catch and release mortality. Instead of limiting harvest we should be focusing on that. It is more than 50 percent of the fish death. Please consider fish mortality over reducing harvest. Thank you.

CHAIR GARY: Thank you, sir. We have no others, so we're going to go ahead and call the question. Before we do that, I'm assuming we need a couple minutes to caucus, three minutes, two minutes, one minute. Let's go two minutes for a caucus. All right, **the motion is, move to initiate an Addendum to implement commercial and recreational measures for the ocean and Chesapeake Bay fishery 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%. All right, we'll look to the Board. **All those in favor of this motion, please raise your hand.**

MS. KERNS: Potomac River Fisheries Commission, Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Fish and Wildlife Service, NOAA Fisheries, Pennsylvania, North Carolina, Virginia, D.C., Maryland, Delaware, Maine, and New Hampshire.

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CHAIR GARY: It's unanimous, the motion passes. What I would like to do now is take a well-deserved five-minute break. Set the timer, please come back.

(Whereupon a recess was taken.)

MS. KERNS: If Board members can please come back to the table and discontinue your conversations, or if you want to continue having a conversation, please take it outside. Thank you very much.

CHAIR GARY: Welcome back Board members. Before we depart Item Number 5 on the agenda, I think we have some additional business that some of the Board members would like to advance for consideration. I'm going to look for motions from any of the Board members. Mike Armstrong.

DR. ARMSTRONG: I would like to make a motion concerning an emergency action. I believe you have the language, and there it is. **Move that the Striped Bass Board by emergency action as outline in the Commission's ISFMP Charter, implement a 31" maximum size to all existing recreational fishery regulations where a higher (or no) maximum size applies, excluding the Chesapeake Bay trophy fisheries.**

All other recreational size limits, possession limits, seasons, gear restrictions, and spawning protection remain in place. Jurisdictions are required to implement compliant measures as soon as possible and no later than July 2, 2023.

CHAIR GARY: Thank you, Mike, do we have a second? David Borden. Mike, would you like to speak to this motion?

DR. ARMSTRONG: I sure would. I guess the challenge here is convincing you that this is an emergency. We have a backstop; we have an Addendum going. The problem is, we have an entire year of fishing on a very, very strong year class. Emergency measures haven't been used much, maybe half a dozen times or so. The definition is circumstances under which conservation or coastal fishery resource or attainment of fishery management objectives, that's the key, has been

placed substantially at risk by unanticipated changes in the ecosystem for stock, or the fishery. Let me address the unanticipated first. We doubled harvest almost. I went back in the time series for MRIP, all the way back to '81, and that has only happened a couple of times, the last time being almost 30 years ago.

Although I think we all sat around saying, this is a big year class, you know harvest will go up. We could not have anticipated that it was going to go up by double. It's never had that. Now, that being said, I have faith that MRIP is right. We do 6,000 intercepts a year in Massachusetts, about 5,000 are for striped bass.

That is a lot of data. You can complain about MRIP for other species. I think they got it right, especially on a coastal, without breaking it up into modes and waves and everything else. What we saw was the '22 harvest completely derailed the rebuilding down to 11 or 15 percent chance of getting there. I told you a little about what we looked at our recreational fishery, and really great graphics of the 2015 was about 55 percent into the slot, and we doubled the harvest.

There is no question in my mind that there is zero percent chance of the harvest going down. I mean the PSEs on this estimate are fine, they are as good as they've always been. I mean there is always biased things that can change, but I have faith that the harvest this year will be the same, or I would say greater, because the entire year class is in the slot.

What really worries me is the further we get behind the eight ball the more draconian the rules become, and 2026 SSB is going to start including the weakest year classes we've seen in 40 years. We have never seen four- or five-year classes as weak as they are since the 1980s, in the middle of a stock collapse.

We're going to have to deal with that, and it's going to get more and more difficult if harvest is huge again this year. I guess, and actually it was interesting, Mike Abdow on the webinar brought up the fact that he thinks effort is increasing. We had anglers say last year was the best fishing they've ever had, and a lot

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of it was environmental conditions and the presence of menhaden.

But also, the presence of a really big year class. I mean there is just no question that they are more available this year. How could harvest go down? There is also, I think we've all seen this, I would call it irrational exuberance by the fishing community. When fishing gets good, fishing effort goes up, and probably not in a linear fashion.

People coming off a great year, I'm guessing that effort will go up much more. We'll get the casual anglers will be going out more. We have no output controls, and that makes it very difficult managing the striper fishery. I proposed this because I don't want to be further behind the eight ball. I don't want to see another projection again that includes 11 percent probability of restoration, and any, I'll leave it at that.

CHAIR GARY: David, as seconder, would you like to comment?

MR. BORDEN: Yes, just briefly. Mike pretty much hit all the points that I would make. One of my biggest concerns here is this issue that if we don't take action we end up in a situation where we have to take much more draconian action in the future, and frankly, I don't want to be in that position, so I would rather have a discussion about this type of activity.

The other point I would make, in a kind of response to some of the issues that have come up, is that I think the state agencies at this point are really doing an outstanding job of going out to the recreational leadership on these issues, and almost every agency that I know of has outreach programs.

Although I'm concerned about the public, circumventing of public process, I think we've got to weigh that against the necessity to protect the resource of one of our premiere species, and we've got to take action. Failure to take action should not be an option.

CHAIR GARY: Before I turn to the Board for discussion, I would like to go to Bob, just to make sure

everybody is on the same page clarity with the emergency action definition, and the ISFMP Charter, so Bob.

EXECUTIVE DIRECTOR BEAL: Great, thank you, Mr. Chair. The good news is it's been quite a while since the Commission has taken an emergency action, which probably means folks aren't really familiar with the process anymore. But just not speaking obviously in favor or in opposition to this.

Just process wise what it means to do an emergency is, it takes a two-thirds vote of all voting members of the Board, there are 16 members here today, so it would take 11 votes in favor to pass this motion. There are some strange provisions if either of the federal agencies abstain, and that would change the math a little bit. We can get to that should that occur.

The way it works is an emergency would be in effect for up to 180 days, so if this motion were to pass, it would be in effect for 180 days beginning today. It would be, which I think carries you to October 28 or 29, something along those lines. If the Board wants to extend this, there can be two extensions of emergency up to one-year each.

Ultimately, an emergency can be in effect for two and a half years, if that's what the Board chose to do. The one stipulation is that the Board needs to initiate an addendum to implement similar changes, which the Board has already done. If the Board got to October and wanted to extend this into early next year, to allow the addendum that was discussed in the previous motion.

You know, if they wanted to extend this for a certain period of time, to extend it until that addendum takes effect, they would have that flexibility at the annual meeting. That would just take a simple majority. Extensions of emergencies don't take the two-thirds provision. I think those are the basic process pieces of an emergency, happy to answer any questions.

You know there are some provisions on what constitutes an emergency. Some of it relates back to unexpected changes, and unexpected events

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occurring, and those unexpected events or changes, in this instance I think it is, you know impacted the achievement of the fishery management plan goals. One of the major goals here, obviously, is to rebuild the stock. You know there probably is some discussion that may happen, whether this is or isn't justified as an emergency. I think Mike commented a lot on that in his opening statements about the motion. Happy to answer any questions, but just so everybody is on kind of the same page process-wise. I just wanted to make sure everybody knew the basics.

CHAIR GARY: Is there any question specifically on process for Bob, just before we get into discussion? Any questions? Jeff.

MR. JEFF BRUST: Just a question to, Bob, I think the term you used, that the Board would need to initiate an addendum that investigates similar measures to the emergency action. Does the addendum that we just voted for, is that similar enough? Does it give us the opportunity to explore other options besides this one that is on the table in front of us?

EXECUTIVE DIRECTOR BEAL: Yes, the action that was talked about in the previous motion is in line with what is needed to extend this. You know really, this motion is potentially dealing with what we learned today about the projections and rebuilding by 2029, and so is that Addendum. Those two are consistent and sort of tackling the same problem.

CHAIR GARY: Emilie.

MS. FRANKE: Just one other thing to add for process. If this emergency action were to pass today, the other requirement is within 30 days of taking emergency action, so this month, the Commission would have to hold at least four public hearings, so this would be to gather some initial public input on this action, so just FYI.

CHAIR GARY: Thank you, Emilie. Last call for questions on process. I just want to make sure we get that clear. Everybody's good on that? Okay, we will open it up for discussion, and Steve, I saw your

hand up there early, so we're going to start with Steve.

MR. STEPHEN TRAIN: I'm going to speak in favor of this, and it's kind of reluctantly. I think emergency action is something we really shouldn't do. It seems like we only do something like this if we have failed, we haven't done our job and we need to correct it. The environment has changed, the ecosystem has changed.

We haven't got the ability to correct that, so we need to work on what we have, or we've had an increase in effort that we couldn't foresee and can't control. I think that is where our problem is. It seems like, I said this once before and I hate repeating myself. Everybody wants us to do something so they can keep fishing, but they don't want it to affect them, and it has to. This is something I see that is going to at least attempt to rectify the problem we're in.

CHAIR GARY: Mike, I have you, right?

MR. LUISI: You tell me if you have me on your list. Yes, I had my hand up. When Dr. Armstrong and I spoke a couple weeks ago regarding this action, my initial gut reaction was, this sounds crazy. You know, an emergency action, really? Based on an MRIP preliminary datapoint that is affecting our projections years from now. However, in discussions with other Board members and with Mike as well, and colleagues within Maryland. I certainly understand the desire of the public, and the need for this given the information that was presented in the Technical Committee report, and the understanding that this 2015-year class will be fully recruited into the fishery this year. If we wait another year, we are likely to be looking down the barrel at something much worse than if we take swift action at this time.

I did question originally whether or not this fit the criteria within the Commission's charter on what an emergency action is. But I think what Bob said earlier, and some of the points that were just made, I can agree that we've met the criteria for an emergency action. The one thing, so what I'm saying, I do support this action at this time. I do have one question though for the maker, and this was

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something that we have discussed, but I would like to hear it either from staff or Bob or Toni, regarding the points here.

Mike, you state here that all other recreational size limits, possession limits, seasons, gear restrictions and so forth will remain in place. I assume that you could bracket that and consider that states that are using conservation equivalency currently is not affected by these changes, because in Amendment 7, when modifications to the limits are made within a state, I believe there was some language in there that spoke to that.

You no longer have the ability when the stock is still overfished to use conservation equivalency. I would like to clarify that for the record in moving forward. First, your intent, and then secondly if we can get something from staff regarding conservation equivalency, that would be helpful, since we have implemented conservation equivalency plans in the Bay.

DR. ARMSTRONG: The intent would be yes, not to mess with the CEs now, this is just overlay. It's an emergency action, doesn't change the FMP, and I believe that's how it works. I'll let these folks comment about that.

MS. FRANKE: To clarify, this emergency action outlines what the measures would be for the next 180 days, and if it were extended. Basically, this sets the measures until this emergency action expires, or until the Board takes a new action, for example, the Addendum. How this reads is this would simply implement the 31 inch maximum size on top of what is currently implemented as of January 1st, 2023.

The new measures are essentially 2023 measures with a 31 inch (cut out) maximum size. Right, so the new measures are just what is currently implemented in 2023 with this 31-max overlay. That doesn't impact seasons, it doesn't impact bag limits, anything like that, and that is in place until this expires or a new action is taken. Hopefully that helps clarify.

CHAIR GARY: Mike, are you all set on that answer, all good, okay. We have a few people in queue, so we're

going to go next to Dr. Davis, and then we're going to go to Emerson, Jason McNamee and Tom Fote. Go ahead, Justin.

DR. DAVIS: I'm going to move to amend this motion, and I think staff has some language for that, so I'll wait and see if we can get that up on the board. This is a motion to amend. **Move to amend to add measures for the for-hire sector will remain status quo. In the event the Board extends the emergency action past the initial 180-day effective period, the for-hire sector exemption from emergency measures cannot be extended.**

CHAIR GARY: Second by Eric Reid. All right, back to you, Dr. Davis and you can go ahead and comment to your motion.

DR. DAVIS: I'll start off by saying I support the underlying motion. I think it's a good precautionary action by the Board to take action this year to reduce removals, based on what we now know happened in 2022. From my standpoint what was unanticipated, you know we met in November. There was discussion, we knew that removals in 2022 were likely going to be high.

I had been hearing from constituents how good the fishing was. We knew that that 2015-year class had aged into the slot. What was unanticipated from my perspective was the impact on the rebuilding probabilities, that they were going to drop that dramatically from what we got out of the 2022 stock assessment.

I can support the emergency action, but I do think we have to acknowledge that it's a substantial departure from our normal management process. We are going to take a vote today, potentially to change regulations, without having noticed that to the public, without any public input process, in an unexpected manner.

I don't think we should take that lightly, and I think where that dynamic is most pronounced is with the for-hire sector. I think we do have an obligation to the for-hire sector to provide them timely notification of what the regulations are going to be in

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a given year, so they can plan their businesses and book business accordingly.

What this motion would do is essentially hold the for-hire sector status quo for this initial 180-day effective period of the emergency action, but then not provide any opportunity for an extension of that exemption. I've heard one of the concerns about this is this is opening the door to a mode split on striped bass, and that is not my intent at all.

I would not support any options for 2024 with a mode split for striped bass. I wouldn't support any options for a mode split while this stock is in rebuilding. I just want to be really clear about that, especially if any members of the Connecticut for-hire sector who might be listening in today, I'm not willing to contemplate that past this emergency measure.

But I do think this is in keeping with our obligation to the for-hire sector to give them timely and accurate notification of rules for the coming year. I stood up at public meetings in Connecticut in February and March and told the for-hire sector that striped bass would be status quo this year, and it really bothers me to at the 11th hour, when the season has already started.

These guys have booked all their business, to come back and say actually, guess what. We're using this emergency provision that most people didn't really know existed, to change the rules unilaterally without any input and any public notice. That really bothers me, so I'm hoping that members of the Board can see their way to support this. Thanks.

CHAIR GARY: Eric, would you like to comment as seconder?

MR. REID: I agree with Dr. Davis's rationale, and I also want to point out that the for-hire sector is a minimal participant in this fishery, relatively speaking, and they do provide data through their EVTRs, which I don't want to miss that point as well. We talk a lot about whether MRIP is good, bad or indifferent, but the VTR data we get from the for-hire fleet is accurate, and I think that is a component we should not lose. Thank you.

CHAIR GARY: We had two in the queue if you want to maintain your spot, so it would be Jason McNamee and then Tom Fote. Jason, do you want to speak still? Oh, Emerson. Jay, if you would be so kind, I've got a number next to Emerson that precedes yours, so it would be Emerson, Jason and then Tom Fote. Thank you, sorry Emerson.

MR. HASBROUCK: Sorry to just butt in like that. My hand was up to make a similar motion to amend, but Dr. Davis beat me to it here. But my motion to amend was going to continue the exemption for the for-hire sector to the end of 2023, based on Bob Beal's clarification earlier, that this emergency action would end at the end of October.

I think it's going to be very disadvantageous to the for-hire fleet, to be able to fish on the current slot limit through the end of October, and then change to a different slot limit for November and December. In New York we have a robust fishery in November through the close of the season, mid-December.

I know at the beginning of this, Mr. Chairman, you said you didn't want to go two motions deep. I don't know if the maker and the seconder would consider a friendly to extend this through the end of the year. If they don't then I'm going to look to make a motion to amend, thank you.

DR. DAVIS: Thank you, Mr. Chairman. Completely understand the concerns that Emerson has raised. Unfortunately, the way I see it is that we are voting up an emergency action. That emergency action can only last 180 days, unless the Board takes subsequent action to extend it. Really, we can only make a decision right now what's going to happen for the next 180 days.

I understand that what we're going to end up doing is potentially ending up in a situation where we're going to get to late October and the rules would change for the for-hire sector. But personally, I'm not willing to open up the possibility of another extension past 180 days for this mode split, because again, I'm looking to be really conservative here with this.

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Only provide this exemption for the 180 days, and provide no potential opportunity for it to be extended. That is why I have that clause in here, and I think because of that. You know with this motion we can't really contemplate extending it past the 180 days. I'm not willing to open the door to that whatsoever.

I also think by late October the majority of the fishing year is over. Certainly, there are some jurisdictions that are still fishing into November. It's unfortunate, but I think the for-hire sector would probably prefer to have the exemption for 180 days and have to deal with that in late October versus not having the exemption at all. I would not be open to that amendment to this motion.

CHAIR GARY: Eric, as a seconder did you just want to add a comment to that?

MR. REID: Yes, I do, thank you, Mr. Chair. My question is about the process. If the emergency action goes in place by July 2nd, is it 180 days from July 2nd, or is it 180 days from today?

EXECUTIVE DIRECTOR BEAL: The microphone system is having a little quirk, where only one can be on at a time and you've got to restart every time, so be patient. We'll try to get it fixed. Eric, to answer your question, the clock starts today on 180 days. Whenever the Board passes the emergency is when the clock starts.

Then also while I'm speaking, if you don't mind, Mr. Chair, all these motions to amend or changes to the main motion will take a simple majority to approve those, they don't take the two-thirds vote. It's once you get the final emergency motion perfected, and the group is going to vote on that. That is when the two-thirds vote comes in.

CHAIR GARY: Okay, we're back to the original queue, so I have Jason and then Tom Fote, and Bill Hyatt next.

DR. McNAMEE: Actually, I don't have anything to add for the current amendment. If you could keep me in

the queue when we get back to the main motion, I would appreciate that, but nothing to add here.

CHAIR GARY: All right, Tom.

MR. FOTE: Yes, I want to keep in queue for the main motion, but I want to talk about this motion also. New Jersey passed a law this year that was finally implemented this year on environmental justice. When I look at this regulation, we have a lot of shore-based anglers that basically, I look at one of the reasons we're up in this mess.

If you remember when we first started overfishing was because MRIP said they got a better deal for the shore-based angler, and that is when we were pushed out to overfishing. It's in the shore-based angler. You're basically telling the people that can't afford to go on party and charter boats, that basically want to just go to the beach and throw in a rod, and basically have that.

You put them out of the fishery most of the time, because a lot of the areas you don't see fish larger than 18 inches or 22 inches, or 24 inches in the city, along the Hudson River and those areas most of the year. You shut those people out, and I've been complaining out this for years. It ain't the first time I brought it up.

But now you adding really fuel to the fire that we're basically telling them, you're just screwed, we're going to leave you screwed. Now we're going to let the party and charter boats. I understand that and I'll talk to the original motion that I'm not going to support the original motion, but this is even worse, more complicated than that. You basically affect all the shore-based anglers in New Jersey, and those that can't afford, so you basically shut them out of a fishery. Now you force them into all catch and release, because they'll sit there and catch fish all day. Most of the time when the shore-based angler catches a fish he kind of takes it off, because he has to get it into ice once he gets it clean and everything else, not sit in the cooler all day long.

But they'll stand on the beach, you basically have to get that little fishing net, that little slot you're going

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to put in place. I find that the catch and release mortality is going to go through the roof. The only people who are going to be happy about this regulation is the catch and release fishermen, because then they can do away with competition of anybody else, even the party and charter boat.

You are going to basically see the private boats not go out fishing, so it's going to affect the marinas, gas stocks and everything else. You are also going to see tackle stores affected when you do this on a shore-based angler, because the guy is going to travel to Pennsylvania and to New Jersey like they do all the time in Ohio, be able to catch a fish with a 3-inch, 4-inch slot limit on emergency action.

I will get back to the original motion when you come in, but you can't do it separately, you've got to do it all. As a matter of fact, what I would suggest, because I have a long history and a long memory, that when we had the moratorium in place that most states had a moratorium. There were only two states that didn't have a moratorium, was New Jersey, and interestingly Massachusetts.

While we had the moratorium in New York, Maryland, Virginia, they were still shipping 100,000 pounds to market, because they were hook and line fishermen. But they had to follow the regulations as we basically put the same in. The same slot limit, or actually back then was maximum size limit, basically did it for the commercial fishery as well.

We should be talking about, if you're going to do this, the hook and line commercial fishery, which is different than the net fishery, should have the same regulation also, because they can stay in the hook and release the same, we can. Massachusetts did implement this in their hook and line commercial fishery, because it doesn't affect them down the road for this, and Maryland, because it's all under conservation equivalency. At this time, I'll leave it at that, with another bite at the apple when we vote down this motion.

CHAIR GARY: Chair is starting to feel a little squeeze on the time management, but there is luncheon coming up, so I'm going to ask everybody to be kind

of concise as they can be. I've got Bill Hyatt followed by Megan Ware, followed by Chris Batsavage, followed by Mike Armstrong. I think that captures it, so go ahead, Bill.

MR. HYATT: Yes, I just want to speak briefly in support of this motion to amend, maybe add a few additional thoughts along those lines. But we heard earlier the Technical Committee report, and if I'm remembering it correctly and remembering what I read correctly, it doesn't matter whether you use the three-year average of F or the F for 2022 that resulted in the exceptionally high harvest. It doesn't matter either way. The population if we do nothing will level off somewhere north of 50 percent between the threshold and the target. What that tells me is that the crisis that we're dealing with today, relative to these emergency regulations, is more of a crisis of process than a crisis of conservation. Looking at it in that light, it seems to me unreasonable to go out to a group of individuals, who in good faith have booked business for a period of time, the first two-thirds of the 2023 fishing season. It seems unreasonable to encumber them, given that this is again more of a crisis of process than of conservation.

It seems unreasonable to encumber them when they are such a small component of the fishery. I would strongly speak in favor of this motion to amend. With regard to the discussion that we've had about extending it beyond that. I just think it's unnecessary, because by the time you get to October, the industry will have had enough of a heads up and be back on a level playing field with everybody else in the recreational sector. Thank you.

CHAIR GARY: We're going to have Megan, Chris, and Mike Armstrong, and then we're going to go to the public.

MS. WARE: While I am very supportive of the underlying emergency action, I'm going to oppose the motion to amend. I'm pretty uncomfortable with instituting the mode split, even if it's for 180 days within the striped bass fishery at this point. That is a very contentious topic that this Commission has not grappled with in any formal way, and so to do it via

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emergency action, I think is just adding fuel to the fire, and it's a discussion that warrants much more thorough public comment and a discussion by this Board that is not afforded in an emergency action.

I'm also a little concerned that in Amendment 7, some of the decisions that the Board made focused on more consistent measures, especially when the stock is overfished. I think instituting a mode split at this time would be counter to some of the intent that was in Amendment 7 for more consistent measures, particularly in the recreational sector, when the stock is overfished.

I'll point that the underlying motion right now has action happening both in the ocean and the Chesapeake Bay recreational fisheries. In the spirit of preserving that equity that everyone is participating in this, I cannot support carving out the exemption for one portion of the recreational sector at this point.

CHAIR GARY: We'll go to Chris Batsavage.

MR. CHRIS BATSAVAGE: I am also speaking in opposition to the motion to amend. We support mode splits in other recreational fisheries, and can sympathize with the justification given for the exemption for the for-hire fishery for this 180-day period. But I think Mike Armstrong really laid out the reasons why we're taking an emergency action, and I think the more we can do in that action, and not have exemptions, the better off we're going to be, until we put something more permanent in place through an addendum. Thanks.

CHAIR GARY: Mike, you have the last say, and then we're going to go to the public and call the question.

DR. ARMSTRONG: I don't support this, because I don't think there will be a really negative affect on the for-hire fleet. This isn't a bag limit; this isn't a season. I don't see people canceling. I'm trying to wrap my head around people who pay for a fishing trip, being told you have to take a 30-inch fish instead of 33-inch fish, and they go oh that's it, I'm canceling.

Yes, so I don't see it being a big impact. This is a big year class, all the way from 28 to 35, and any charter captain worth his salt can get you a 30-inch fish if you can't get a 34-inch fish. I don't think it will have a negative impact on the charter fleet.

CHAIR GARY: What I'll do now is go to staff, and see if we can set up a one and one. In the interest of time, because we're starting to run short, although we'll take the time we need, but we want to be sensitive to the luncheon that is coming up. Take one comment for and one against this amendment. I would look to the room first, see if anybody is in favor of this amendment in the room. Not seeing any, is anybody online that would like to raise their hand that is in favor of this amendment? All right, Taylor Vavra, go ahead and unmute. One minute please, Taylor.

MR. TAYLOR VAVRA: Mr. Luisi just really summed up. I'm Taylor Vavra representing Stripers Forever. Just basically summed up exactly what I was going to say, which is that we certainly support this emergency action and the original amendment. This amendment though we would not support.

This should be an equitable thing that should apply to all parties as well, and so it just doesn't make any sense. As Mr. Luisi stated, I don't think it would affect any charters, you know this is not saying you cannot harvest fish, it's just reducing the size of what you can take, and I think that is only fair to all parties involved in the recreational sector, so that would be it, thank you.

CHAIR GARY: Taylor, could you clarify. You're in favor of the amendment? It wasn't clear to me.

MR. VAVRA: We're in favor of the emergency action, not in favor of this amendment to that.

CHAIR GARY: Thank you, Taylor, we'll go for a second person in favor of this amendment. Looking online, if there is anyone who is in favor. Robert DeCosta, if you could unmute your microphone, and one minute, Robert.

MR. ROBERT DeCOSTA: I thank you. I would like to speak in favor of this amendment. The main reason that this whole issue is being based on MRIP data, which we in the for-hire sector, we don't have a lot of faith in the MRIP data, but yet all of us who fish in the for-hire sector do e-Trip reports.

We give you detailed catches of what we catch, what we release every day. This would allow you to really track what the percentage of fish that are caught and the percentage of fish that are released, by going through the eTickets data, versus just dockside interviews in the MRIP data. Thank you.

CHAIR GARY: Thank you. I do want to note we had two other folks that raised their hands that are in favor of this amendment that were online, so in the interest of time we won't be able to take those, but we're going to shift to those who are against the amendment. I'm looking in the room, and Mike Waine, if you would like to come up to the public speaker.

MR. WAINE: Just on the motion to amend, correct? I'm going to speak in opposition of this. You know if we're going to rebuild striped bass, we're not going to be able to hand out conservation passes. All I see that this motion does is it gives a conservation pass to the for-hire industry. You know the for-hire is a huge part of the sportfishing industry.

They introduce a lot of anglers to our sport. I feel the conservation ethics should start with them; we shouldn't be giving them a pass. The same comments that Justin made about businesses needing to plan, that applies to all of the tackle shops. They had some of the best fishing in business that they had last year.

They are planning on that picking up again, and if we're going to carve out for the for-hires, then what about the tackle businesses? What do we tell them? They are not worthy of a carve out? This is what I mean, it just spirals from there. If we're going to rebuild this, everyone has got to participate. Anybody that fishes for striped bass contributes to F, and we're going to need everyone to play a role in that. Thanks.

CHAIR GARY: Thanks, Mike, we'll look for one last person to weigh in on public comment against the amendment, oh we had two, okay, so we had two against it. All right, so ready to call the question? Two-minute caucus. Roy, did you need clarification?

MR. ROY W. MILLER: Marty, I would just like to point out before we vote that based on my many, many years of experience in striped bass management with the Commission. I believe this is the first time with contemplating sector-specific measures. I just want to point that out, everybody, that it is kind of unprecedented and it makes me a little uncomfortable. Thank you.

CHAIR GARY: Let's go for a one-minute caucus and we'll call the question. Okay. We'll go ahead and call the question. **All those in favor of the amended motion, please raise your hand.** We have a request for a roll call. Oh, we automatically have one, so it's going to happen anyway, Emerson. **Everybody, go ahead, if you're in favor of the motion, please raise your hand. Toni is going to read those off.**

MS. KERNS: Rhode Island, Connecticut, New York, New Jersey.

CHAIR GARY: All those opposed to the motion, please raise their hands.

MS. KERNS: Massachusetts, Potomac River Fisheries Commission, Pennsylvania, North Carolina, Virginia, District of Columbia, Maryland, Delaware, Maine and New Hampshire.

CHAIR GARY: Are there any null votes? Are there any abstentions? National Marine Fisheries Service and U.S. Fish and Wildlife Service. The motion fails, 4, 10, 2. We're back to the main motion. I'll look for any additional Board discussion on the main motion. Mike Luisi.

MR. LUISI: Given the comments that were made, I believe it was by Emerson earlier about the timing, the 180-day timing on this. I think we should have some clarification as a Board if this were to be supported, how the timing plays into states

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implementing these measures, so that we don't have to go through.

Let's say 180 days expires, and we want to reinstate another 180 days. Do we have to go through all of the same process that we did the first time, or is that simple? Just looking for some clarification, so that states can at least start to plan for if this passes, how we're going to deal with the end of October into November, and carrying out through the rest of the year.

It would be our intent, as well as some of my other colleagues here sitting close to me, that we would prefer to put this in place and leave it in place for the remainder of the year, until Addendum II would be worked on for implementation of new measures in 2024, if that ends up being the case. Any clarification will be helpful, thanks, Mr. Chairman.

CHAIR GARY: I'll look to Bob.

EXECUTIVE DIRECTOR BEAL: Yes, the only authority the Board has today under emergency action is to implement 180-day provision. We can't extend anything beyond that through emergency. If the Board wanted to extend this beyond that they could do that at say the annual meeting, and it could be through a simple majority. It could just be a simple motion that says, we move to extend the emergency action that was approved on May 2nd. That extension can be up to one, for 365 days. Simple Board action, doesn't (cut out)

CHAIR GARY: Does that help, Mike? Pat Geer.

MR. GEER: Just to add on to what Mike was saying. Primarily in Virginia, our season is October through December. This will be right in the middle of our season. Probably what we would end up doing is, as Mike said, continue our (cut out) to the entire year and keeping it that way.

It would be too chaotic for our fishermen to basically have the season start at one size limit and change it midstream. The other question I had was about adopting those measures. We're willing to do it. We may not have it completed by July 2nd, but we can

certainly have it completed before our season opens in October.

Would that be a problem? We would be in the regulatory process, but because of a new regulatory procedure that we've gone through, we get some delays, and we've got a lot of other things on our plate right now. But we will definitely have it in place before our season starts in October.

CHAIR GARY: Okay, thanks, Pat. We've got three other folks, we've got Jeff Brust, Ray Kane and then Tom, I'll give you one more. Please be as concise as you can.

MR. BRUST: I wanted to speak in opposition of this motion. I think notwithstanding the red flags that we're seeing from the 2022 harvest, I'm a little concerned that we don't know what this proposed measure is going to do, what savings it will have. I do not have the benefit of sitting next to Gary Nelson to look at those numbers. I would like to be able to have the Technical Committee review these and vet these. I believe that the amendment that we proposed that we've taken action on for 2024, will give the TC the opportunity to look at this option and several others. I do think there are possibly some other factors that are affecting as we discussed around the table this morning.

I do want to speak in opposition. I also do want to clarify, perhaps from staff. For the maker of the motion, this motion affects recreational fisheries. New Jersey's commercial fishery has been allocated to the recreational fishery, our bonus program. I just wanted to clarify, is that a commercial quota, or is that covered under this motion as well?

MS. FRANKE: I think that would perhaps go back to the maker of the motion, as to his intent of whether or not this would cover the New Jersey Bonus Fishery. I guess as written, this would implement a 31-inch maximum size, and I know the Bonus Fishery right now is 24 to 28, so in effect, I guess if you change the bonus size limits, the question is would it apply? I would go back to the maker of the motion there, and just while I have the floor.

I just want to again clarify that this 31-inch maximum size applies to all states, no matter if you did CE or if you didn't do CE. This 31-inch maximum would apply to your size limit. Again, everything else, seasons, possession limits, et cetera, would stay the same, but this 31-inch maximum applies to all states, no matter if you did CE or not. I will go back to the maker of the motion, as to whether or not he intended this to apply as well to the Bonus Fishery in New Jersey.

DR. ARMSTRONG: No, it was not our intent. I believe the Bonus Fishery, sorry, what's the size? I just lost it, 28 inches, so that is out of the slot and pretty much out of the 2015, so it was not our intent to change the Bonus Fishery.

CHAIR GARY: Jeff, does that answer your question?

MR. BRUST: It does, thank you.

CHAIR GARY: Okay, we've got Ray Kane, Tom Fote, and we're going to go to the public

MR. KANE: This would go to process, Bob. We just heard from Virginia. Could we come back at the August meeting, the summer meeting, and this could be brought up again by Virginia or Maryland, after they've had a chance to talk to their recreational industry between now and then, and (cut out) 180-day closure. That is a question of process.

EXECUTIVE DIRECTOR BEAL: The short answer is yes, Ray. You know at the August meeting I think this Board will be better informed on the progress for the Addendum, because the schedule for that really wasn't talked about, but I assume that the idea is Plan Development Team develops something between now and the August meeting. Emilie has a family obligation somewhere in the middle of that time period that we're going to have to work around. Then final action on that addendum at the annual meeting. The extension of this emergency rule will be set at the August meeting, and that extension can be up to 365 days. The clock on that extension would not start until the end of this 180-day period, if that makes sense.

CHAIR GARY: Tom, you have the last word before we go to the public, and if you could make it brief.

MR. FOTE: It will be brief. From what I last heard, that means Maryland, Virginia and the Potomac River will have to change their regulations, except for the trophy tag program, down to a 31-inch maximum recreational. I just want to make sure that I'm clear on that. The other thing I said again is that I do not support this, because it basically has left the public out of the process.

They had no idea that this was going to be on the agenda for this meeting. New Jersey did not. I didn't find out about it until Thursday or Friday, I think it was Friday, yes Friday we had a meeting, and it was put in front of me, so I was completely in the dark. I really cannot support this motion at this time. Maybe if we're going to do this we do in August, which would actually cover the November fishery, if you're really worried, and we see where we are with the new amendment to the plan. I'll leave it at that, Marty, because I know.

MS. FRANKE: Thanks, Tom, and yes to your question, this 31-inch maximum would indeed apply to Chesapeake Bay recreational fisheries, except for the trophy fishery.

CHAIR GARY: Thanks, Tom, thanks Emilie, and we do have one Board member that is online, Adam Nowalsky. Sorry Adam, I didn't mean to cut you off and make sure you get a chance to comment on this. Go ahead, Adam.

MR. ADAM NOWALSKY: Hearing all the comments with regards to concerns about end of the year. Hearing comments about the implications for not making this decision with no public comment, little advanced notice, no knowledge of the technical implications, Mr. Chairman. **I'm inclined to move to postpone this until the summer meeting.**

CHAIR GARY: Adam, you are making a motion to postpone.

MR. NOWALSKY: Yes. Time certain until the Summer Meeting, and with the intent if I got a second, it

would be to do the things that I described before making a motion.

CHAIR GARY: All right, is there a second to Adam's motion? Craig Pugh. Adam, would you like to go ahead and speak to the motion a little more, or are you satisfied with your introduction?

MR. NOWALSKY: Again, I think it just needs to be on the record that the information we would expect as part of this postponement would be to get some technical feedback from the TC about what this reduction would look like, clear up some of the questions we've had with regards to how it might affect all of the states and their regulatory processes, how fast can everyone actually implement this?

You know we're looking at asking states to implement this in basically 60 days. Can all the states move that fast? We would be taking ourselves out of the box of having to have to potentially change measures again this year, and not having that open. Everybody would basically know if we implemented this later in the year that that is what it would carry through, through the end of the year. It's really, we would expect, you know those harvest numbers again, particularly along the ocean states, to increase significantly in the fall.

It would seem like if we're truly interested in conserving the resource at the time it needs conservation, that would be the timeframe to go ahead and do this. It would address our public concerns, and make sure that we're making a right decision here that balances our need for conservation with our commitment to stakeholders.

CHAIR GARY: Craig, do you want to add anything as a second?

MR. CRAIG PUGH: Yes. The warrants of the emergency action, in my mind, needs a little more definition to exact that. I feel as though we are regulating to a super abundant supply of this species of fish, and not necessarily looking at the character of the species as it exists in our stores today. Fote struck home with me.

There are a lot of factors involved here that don't warrant an emergency crisis, so to speak. I'm kind of wondering why at one point, when we're not catching any fish, the ground is trembling, and then suddenly we are catching a lot of fish and the sky is falling. It seems as though we're setting ourselves up for a crisis. The definition of that does not seem to be met at this time. My hope would be if we postpone this, maybe that reasoning could be brought to bear.

CHAIR GARY: We'll have questions or comment from the Board relating only to the timing, only to the timing that's involved in this motion. Representative Peake.

REPRESENTATIVE SARAH PEAKE: I'm in opposition to this motion. You know an emergency action is called that for a specific reason, an emergency action. As far as needing more data, it's the data that we have over how many fish? More fish than we thought we were going to catch has driven this action. My colleague here from Massachusetts, the maker of the underlying motion, brought it exactly because of what the data shows.

As far as public input, I received numerous e-mails and comments from constituents of all of ours, not just Massachusetts fishermen, who were imploring us to take swift and immediate action to save the stock and to reach our rebuilding goals. Did they specifically say take an emergency action? No, they didn't. But I think it's because this is somewhat of an arcane provision that exists.

My sense from the urgency I read in those e-mails is that this emergency action would be applauded, because it's a swifter action than the addendum action. Let's not kick the can down the road, let's not be wringing our hands at future meetings, wishing we had taken this action. There is a high threshold, it's a two-thirds vote that is going to be required.

The lawyer and the legislator in me will tell you, there are certain things that require two-thirds votes, like to change zoning provisions, if you're looking at land use. That is because a two-thirds vote is required in effect when you are taking away, in the case of

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zoning, somebody's property rights potentially through zoning guidelines. Well here the two-thirds vote is designed exactly, because you could say there are stakeholders who, to use the vernacular, will get a haircut as a result of this action today. But there are times when that haircut is appropriate. I think that haircut is appropriate right now, and I ask that we defeat the further motion to postpone, and take up with all due haste the motion, and support the emergency action. Thank you.

CHAIR GARY: Thank you, Representative Peake, any other comments or questions related to timing only. Megan.

MS. WARE: I'll just be very brief, say I'm opposed to the motion to postpone, because this will basically miss Maine's striped bass fishery in 2023. I don't know if we're the only state that way, but it looks like maybe New Hampshire is the same way. But I think we're starting to defeat the purpose if we postpone this.

CHAIR GARY: Final call for any comments or questions on timing. We'll call the question. Let's go ahead and call the question. All those in favor of the motion to postpone, please raise your hands.

MS. KERNS: New Jersey, Delaware.

CHAIR GARY: All those opposed to the motion, please raise your hand.

MS. KERNS: Potomac River Fisheries Commission, Rhode Island, Massachusetts, Connecticut, New York, Fish and Wildlife Service, NOAA Fisheries, Pennsylvania, North Carolina, Virginia, D.C., Maryland, Maine and New Hampshire.

CHAIR GARY: That's all the votes, final tally. The motion fails 2 to 14. All right, so we are back to our main motion. Steve, I see you have your hand raised, but I'm going to go to the public now and then we'll come back, one more bite at the apple by the Board. I would like to go ahead and go to the public. We'll do two for, two against again, for the motion on the board. I would ask for anyone from the public who is in favor of this motion. I would look to the

room first, anybody who has his hand raised. We have two online, so we'll go to both of those in succession. Michael Pirri, go ahead and unmute yourself. Go ahead, Michael, one minute, please.

MR. PIRRI: Looking at the spawning stock biomass of the 1980s, the females in pounds were less than 30 million pounds. Today at 2022, we're well greater than that, maybe 4 or 5 times greater than that. This does not constitute an emergency. We shouldn't be taking any action at all right now, and I think taking action against harvest is the easy way out.

When we come back here in the fall, you take action against harvest, catch and release mortality will be more than 75 percent, and the harvest will be 25 percent. You are not accomplishing anything. Finally, you know there is a lot of distrust here. This was a secret meeting that came up, but more importantly, we referenced MRIP all the time, and that series query has completely changed, and we could no longer query historical data the way we used to. We can't prove or disprove; we can't find outliers. That's probably it, thank you.

CHAIR GARY: Thank you very much, appreciate that. Michael's comment was opposed, so we're looking for two public members in favor of the motion, and we'll get one more against. In favor of the motion, the next commenter is Tony Friedrich. Tony, go ahead and unmute your microphone, and one minute, please.

MR. TONY FRIEDRICH: Tony Friedrich, Policy Director for the American Saltwater Guides Association. I would like to thank the Chairman for the opportunity to comment, keep this very short. I would also like to thank all the conservation minded Commissioners who are letting science lead the way for striped bass management. I'm sure you all saw our letter in the supplemental material, supplemental is 54 pages long.

Our letter represented 44 pages of that. Some of the largest fishing brands, guides, businesses, and private rec anglers showed up in numbers that we've never seen before to support striped bass conservation. We are 100 percent positive that they

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would support this emergency measure. The letter was originally for Addendum II, but the public desperately wants conservation, and as quickly as possible for striped bass.

Abundant populations of striped bass are what drive participation in the fishing economy. Our members and the businesses cannot afford to lose another fish, especially one as important as striped bass. I thank the makers of this motion and the Commission for considering this. Thanks, Marty.

CHAIR GARY: Thank you, Tony. We have one more for, Michael Toole, if you could unmute your microphone, Michael, you have one minute.

MR. MICHAEL TOOLE: Mike Toole; I'm the Legislative Representative for the Plumb Island Surfcasters, a 500-member recreational fishing club in North Shore, Massachusetts. We strongly support this amendment. Basically, the public has commented constantly that we need to take more action to reduce the catch, and to show stronger conservation measures. I hear people asking about public comment that we need it, but I think we've given it for years now, and it's always been more conservative than the Board. We strongly support this measure. Thank you.

CHAIR GARY: Thank you, Michael, so we have one comment left in opposition to this motion, so the Board can be informed by both sides of the equation, and that is going to be Robert DeCosta. Mr. DeCosta, you can unmute your microphone, and please clarify you are in opposition to this motion.

MR. DeCOSTA: Yes, I am in opposition. My concern is this, based on the chart that you put up earlier, the 28–31-inch size fish is going to basically, it's going to be one year class, it's going to be the 2016-year class. The entire recreational and charter boat fishery is going to be chasing one year class, and the mortality rate from released fish to find that one 3-inch slot fish is going to put an undue burden on that next year class, not to mention how many of the 2015-year class that you're trying to save are going to be potentially killed by just not being released properly.

CHAIR GARY: Thank you, Rob, we appreciate that. That will end our public comment input, so we're going to come back to the Board for one last round of discussion on this motion, before we call the question. I'll open it up to the Board members, anyone who wants to add any additional comments. We've had our fill, okay. I will go ahead and do a two-minute caucus. All right Board members, ready to call the question. **All those in favor of the motion, please raise your hand.**

MS. KERNS: Potomac River Fisheries Commission, Rhode Island, Massachusetts, Connecticut, New York, Fish and Wildlife Service, NOAA Fisheries, Pennsylvania, North Carolina, Virginia, District of Columbia, Maryland, Delaware, Maine and New Hampshire.

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

MS. KERNS: New Jersey.

CHAIR GARY: We're close to lunch, right? **Any null votes? Any abstentions? Motion carries 15 to 1.** What I would like to do next, well I'm going to turn to Bob. I think we may need to take a little break here.

EXECUTIVE DIRECTOR BEAL: I think it would be best if we broke for lunch now, came back and took up the agenda item on the transfers, or the addendum to consider transfers, and then we'll break for about an hour and 15 minutes. Lunch was originally scheduled for an hour and a half, so the LGA Luncheon will be truncated by 15 minutes, just because we're running short on time.

We do have a hard stop this evening for the awards banquet, so we can't go too late with our other meetings that have to happen this afternoon. We'll come back and try to move through the rest of this agenda, then we'll go to ACCSP and Coastal Sharks. Anybody participating in the LGAs Luncheon, it's in the Crystal Room Number 3, which is back that way. Please let the LGA folks grab their lunch first, so they can head down to that meeting, and then everybody else can hop in line and grab lunch.

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CHAIR GARY: Thanks, Bob, so be back here at 1:25 everyone, mark your watches.

(Whereupon a lunch break was taken.)

CHAIR GARY: All right, members of the Striped Bass Board, if you could take your seats, I would appreciate it. We would like to reconvene this meeting of the Atlantic States Marine Fisheries Commission Striped Bass Management Board. We'll be going into Item Number 6 on the agenda. Before we do that, I'm going to turn the microphone over to Emilie for some clarification following the emergency action.

MS. FRANKE: To clarify, for the emergency action we are required to hold four public hearings within the next 30 days, and the intent of those public hearings is to help inform the development of the associated action, which is this upcoming addendum. It is our intent as Commission staff to hold four virtual hearings during this month of May, likely towards the second half of the month. We will announce those virtual public hearings via press release, at least one week before the first hearing. We may reach out to Board members to get some volunteers to be hearing officers, but I will keep you all posted on that. Are there any questions on that as a process item? Yes, John.

MR. CLARK: I take it these four will be open to everybody, so they won't be like state-specific at all.

MS. FRANKE: Good question, yes, exactly. The hearings will be open to everyone, and we will be asking each commenter to provide, you know what state they're from and which sector they are a part of, so we can try to categorize their comments as best we can, both to give to the Plan Development Team and also to bring back to the Board in August. Mike.

MR. LUISI: Because we don't do this often, I'm wondering if it would be okay, well, you tell me whether or not we need to wait for the public hearings before we implement measures. I know it said as soon as possible. But would it be best to wait, or should we start to work towards that now?

MS. KERNS: You do not need to wait. The Charter identifies, well sort of, the purpose of the hearings is to inform the public that the action took place. It's not getting comments, you've already taken the action, so you can go ahead and move forward.

MR. LUISI: Okay, that makes sense, thank you.

CHAIR GARY: Adam Nowalsky, you are on the webinar, you have a question?

MR. NOWALSKY: Can a state request an in-person hearing if they feel it best meets the needs of their constituents?

MS. KERNS: We can, Adam. A state can request it, we are just trying to keep workload as light as possible. We'll be losing Emilie in July, and so it will be tight for Commission staff, and we want to try to get as much done on that addendum before she leaves.

MR. NOWALSKY: At what point would you need to know then? How soon, like do you need to know before we leave today, before we leave this week? What would you need timeframe-wise?

MS. FRANKE: Thanks, Adam, yes. I think if you had a request by next Monday, which is May 8, that would be great.

CHAIR GARY: Tom Fote.

MR. FOTE: I think if we're going to do public hearings, and the comments have no effect on what we're going to do, you have to make that clear at the beginning, before they show up. I mean they were so mad about the scup thing, showing up at the public hearings at the Marine Fisheries Council. I don't think, they're not going to vote for anything like that. We really need to be careful this is just an information meeting only, and answer questions on that, because if you tell the people, they're going to expect that you are going to do action from what they testify to. I'm basically, let's make it clear what you are doing. I was surprised, because I didn't know that, and I've been sitting here for 35 years.

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CONSIDER APPROVAL OF ADDENDUM I ON OCEAN COMMERCIAL QUOTA TRANSFERS

CHAIR GARY: Are there any other questions for Emilie? All right. Let's go ahead and go into Item Number 6 on our agenda. Consider Approval of Addendum I on Ocean Commercial Quota Transfers. As a reminder, at the January Board meeting the Board postponed final action on this Addendum until today.

We already heard the Technical Committee report on quota utilization projections, and Emilie will now review the options in Draft Addendum I and a brief summary of the public comments and the Advisory Panel report. After her presentation we can take questions before the Board considers final action, so Emilie, off to you.

REVIEW OPTIONS AND PUBLIC COMMENT SUMMARY

MS. FRANKE: As Mr. Chair mentioned, I will today review the statement of the problem, the timeline and the proposed management options. I'll also give an overview of the public comments and Advisory Panel report that was received, and I'll also just do a brief recap of the Technical Committee report that was presented by our Stock Assessment Subcommittee Chair a couple of hours ago now.

Again, the Board action for consideration today is selecting a management option and considering final approval of Addendum I. Starting with the Statement of the Problem. Again, there have been several questions and concerns raised about the striped bass commercial quota system, with particular concern about the use of 1970 as a reference period.

The Board decided not to address these commercial quota system concerns as part of Amendment 7. There was some support for addressing this issue in a separate management action. That brought us to this draft addendum. In August, 2021, the Board initiated this draft addendum to consider allowing for the voluntary transfer of striped bass commercial quota in the ocean region.

This action was considered as an option to provide some more immediate relief to states that were seeking a change to their commercial quota. Again, as a note, there are several other Commission managed species that do allow for the voluntary transfer of commercial quota between states. Here is the timeline of the draft addendum.

The Plan Development Team developed an initial draft for consideration back in October of 2021. At that point the Board postponed consideration of the draft addendum until May of 2022, and then again until August of 2022. Then in November, 2022 the Board approved this draft addendum for public comment.

We went out for public comment between November, 2022, and January, 2023. Then at the January Board meeting, just a couple months ago, the Board postponed final action on this Addendum until this meeting today, and also tasked the TC with doing some projections for quota utilization scenarios. Here we are today, the Board is again considering selecting measures and final approval of this Addendum. I'll get into the proposed management options at this point. The proposed management options here consider allowing for the voluntary transfer of striped bass commercial quota in the ocean region between states that have ocean quota. Again, these options do not address the Chesapeake Bay commercial quota and they do not consider transfers between the Chesapeake Bay and the ocean region or vice versa.

Also note that any commercial quota that has been reallocated to a state's recreational fishery, for example New Jersey's quota that is currently reallocated to their recreational bonus program is not eligible for commercial quota transfers. Then if transfers are permitted, quota would be transferred pound for pound between the states.

There would be some uncertainty associated with transfers between states that harvest different size striped bass. We know states catch different size fish due to several factors, and we also know that through conservation equivalency over time, states have adjusted their commercial size limits, and this

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has resulted to changes in some quotas over time. A pound of striped bass quota is not equal across all states.

Some of the proposed options do incorporate a provision to try to address this discrepancy. Moving into the specific options here. Option A is the status quo, in which commercial quota transfers are not permitted. Then the alternative options would allow voluntary transfers, and those options range from Option B, which would be the least restrictive option to allow transfers down through Option E, which would be the most restrictive option to allow transfers.

Again, this range of options would allow transfers with certain conditions, based on stock status, and also based on the discretion of the Board. Starting with the alternative Option B, this would be the general transfer provision. For this option voluntary transfers would be permitted with no restrictions, but there would be a conservation tax if the stock is overfished.

There is no limit on how much quota could be transferred, but if transfers occur when the stock is overfished, a 5 percent conservation tax would apply to address that issue that a pound of quota is not equal across all states. For example, you have a state that transfers 10,000 pounds to another state. The receiving state would receive 9,500 pounds, and that remaining 500 pounds would be that conservation tax, and that would no longer be available for harvest that year.

Moving on to Option C. Option C would limit commercial quota transfers based on stock status. Voluntary transfers would be permitted, but no transfers would be allowed at all when the stock was overfished. Again, this is similar to the previous option. There is no limit on how much quota can be transferred. But for this option, no transfers could occur at all when the stock is overfished.

It is important to note that because the stock is currently overfished, this option would not provide near-term relief to states that are currently seeking additional quota. Moving on to Option D. Option D

is the Board discretion option. For this option the Board would decide whether voluntary transfers are permitted, and the Board could set criteria on those transfers. The Board each year or every two years would decide by their final meeting whether or not to allow transfers for the next one or two years, and could take into account information on stock status, and on fisheries performance. Then if the Board does decide to allow transfers when the stock is overfished, that same type of conservation tax would apply to those transfers. The other aspect of Option D is that the Board may set certain criteria for transfers. The Board could set a limit on how much total quota could be transferred in a given year. The Board could set a seasonal limitation on transfers, so for example the Board could say, only X percent of the allowable quota amount that year could be transferred during the first half of the year.

The Board could also determine a state's eligibility to receive a transfer. For example, the Board could say that a state couldn't request a transfer until they've landed X percent of their quota. Then finally for this Option D, as far as timeline. You know if the Board does select Option D, and approves the Addendum, this year the Board could decide today whether or not to allow transfers for this current fishing year 2023.

Then we would start this regular process of by the last meeting of the year discussing transfers for the following year. Then finally, the last option is Option E. This would be the most restrictive option. This would limit transfers based on both stock status and Board discretion. Again, the Board discretion, the Board would decide whether or not to allow transfers. The Board could set criteria for the next one to two years, except no transfers could occur at all if the stock is overfished.

You have both the Board discretion, but you also have this provision that would not allow any transfers when the stock is overfished. Just a couple of general process notes. You know if transfers are permitted with these alternatives B through E, there is the general voluntary transfer process, you know transfers require a donor state and a receiving state.

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They can occur at any time during the year at the agreement of those two states. Transfers may occur up to 45 days after the last day of the calendar year. The Board may specify any number from 0 to 45 days around that provision. The Administrative Commissioner of the states would submit a signed letter to the Commission, and a transfer would be final when those states receive written confirmation from Commission staff.

Quota transfers do not permanently impact a state's quota share, and then once a state receives a transfer, that state is responsible for any overage of that quota they have received. As far as the compliance schedule for this addendum, any measures approved by the Board would be effective immediately on the date of approval, and if transfers are permitted, states would have to account for any of that extra quota when they are determining how many commercial tags they would need for the year.

Just a note here that if the Board does select Option A, which is status quo, no transfers. That would mean that there is no change to current management. There would be no final Addendum I document posted. In this scenario we would add some information in the FMP review acknowledging and summarizing that this process took place.

I will now move into the public comment summary, and again we collected comments between November and January. We held several public hearings and we got a couple thousand comments. Here at the comment count table, the vast majority of comments favor the status quo Option A, no transfers permitted. Then of those who favored any of the alternatives, Option B through E, Option B had the most support. For the majority of those comments favoring Option A, status quo, the most common rationale provided by the commenters was concern about expanding harvest and increasing fishing mortality while the stock is still rebuilding, overfished and experiencing poor recruitment.

Comments noted that management should focus on stock rebuilding, and referred to the Board's past decisions to not allow quota transfers. Some comments noted that these transfers would be in

conflict with our stakeholder input during the Amendment 7 process, and some comments noted that if states aren't harvesting their full quotas, they should not be able to transfer that quota to other parts of the coast. Of those who supported Option B, this would be the least restrictive option.

Many commenters noted that they were commercial fishermen, and they noted that quota transfers allow for the efficient use of commercial quota, and that the commercial fishery has a relatively small impact on the overall fishery as compared to the recreational sector. They also noted that the commercial fishery already has accountability measures in place with payback for any quota overages.

Those in favor of Option D, that would be the Board discretion option, noted that some Board discretion would be beneficial, but cautioned against overly restrictive criteria for any transfers, and then those in favor of Option E, which would be that most restrictive option to allow transfers, noted that this would provide maximum oversight by the Board, but would still provide some benefit to states that were seeking transfers.

ADVISORY PANEL REPORT

MS. FRANKE: I'll now provide the Advisory Panel Report. The AP met in January, and the AP Chair asked that I provide the report in his stead. A majority of AP members similar to the public supported Option A, again citing the public comments in support of Option A, and noted that transfers aren't appropriate when the stock is overfished.

Also noted that transfers would not benefit the striped bass stock in any way, and also noted some concern about behind the scenes horse trading and discussions, in terms of quota transfers. There was also concern about transferring striped bass from states that harvest smaller fish to states that harvested larger fish.

Then as far as there were four AP members who supported Option B, again noting that quotas were

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originally developed by the science, and the commercial fishery is already constrained with those accountability measures, and again the fishery is primarily recreational, so the commercial fishery has a relatively small impact.

Some AP members had some additional recommendations. First, if the Board does allow transfers, there was a recommendation that the Board eliminate that 45-day provision, which allows transfers to occur after the year ends. A couple other AP members recommended that transfers be permitted only for states that have active commercial fisheries. If the Board doesn't allow transfers at this time, the AP was split on whether or not to consider transfers in the future. Some supported considering it again once the stock is recovered, others didn't support considering transfers at all in the future again. Then a couple AP members had some recommendations about taking a look at the quota system more holistically, and potentially updating the reference data for that. Before I wrap up, I just want to give a brief reminder of the Technical Committee report we heard a couple of hours ago. The Board again tasked the TC with running specific projections for quota utilization scenarios, and I'll just pull up here on the next slide the TCs final conclusions and discussion on this issue.

The TC noted that the impact of additional quota utilization on fishing mortality and rebuilding is negligible, and the projected scenarios were sort of the worst-case scenarios, and that small change that we saw was largely due to population dynamics between 2022 and 2023, and really the scale of the commercial fishery removals is very small, compared to the overall removals. With that I am happy to take questions.

CHAIR GARY: Thank you, Emilie, for your presentation. We'll go to the Board for questions for Emilie. John Clark.

CONSIDER FINAL APPROVAL OF ADDENDUM I

MR. CLARK: As I mentioned earlier, I just wanted to clarify that on those projections we're talking about pretty much the worst of the worst-case scenarios,

because they operated with an estimated fishing mortality that first of all used 2019 before Addendum VI went into effect, and then to estimate the fishing mortality for 2023, I know Mike Celestino said it would be a small change in the F, but was that quantified as to how much of a change it was to the F? I mean was it over 5 percent?

MS. FRANKE: For the quota utilization scenarios that projected F was at worst-case scenario, and it was only about 2 percent higher than the scenario without the additional quota. Was that your question?

MR. CLARK: Okay, so you're saying that with, well I meant that just using these into 2023, adding that in, you know it's no longer a constant F, right? It was more of a constant catch formula, so it increased the estimated F, and then as you carry that out to 2029, of course that accumulated, did it not? Even with that, it was still a very negligible change. Just wanted to clarify.

MS. FRANKE: Exactly, so there were a slightly different set of assumptions used for those quota utilization projections, and so those different assumptions the TC noted that it was those different assumptions that largely led to that small increase that we saw.

CHAIR GARY: Any other questions for Emilie? Jason.

DR. McNAMEE: It just kind of popped into my head as you were going through, and thank you, Emilie, for the review and the information on the options. A couple times during the presentation there is a statement about, you know a pound is not a pound, you know they are not equal. I think I know what that means, but I just wanted to check. I mean is it, you know if you're talking about 9 pounds, it could be 3, 3-pound fish, or one 9-pound fish, and the spawning potential is sort of different between those two scenarios. Is that what that means?

MS. FRANKE: Exactly right, so with states harvesting different size striped bass, you know 100 pounds of quota is a much different number of fish in some states than others, depending on the size of the

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striped bass, and all that comes along with it, like spawning potential.

CHAIR GARY: Other questions for Emilie? Seeing none; we'll turn to Board discussion, and I would encourage Board members, whenever they have opportunity to make a motion, and John Clark you start.

MR. CLARK: Yes, I would like to amend the motion, the postponed motion, and I would like to amend it to change it from Option D to Option E, and if I can get a second, I will speak to that.

CHAIR GARY: Thanks, John, is there a second to John's motion? Justin. Go ahead, John the floor is yours.

MR CLARK: Clearly, we've heard through this whole process about all the concern about this, and with that it is a very small amount of change in removals we're talking about here. Changing from Option D to Option E introduces two safeguards for the stock. First of all, there won't be any transfers if the stock status is overfished, and then the Board has full discretion over transfers beyond that.

I would say that we have it very well covered there that the Board would have to be comfortable with any transfers before they could go forward. Once again, the reason that Delaware has been pushing this, and I think some of the other states are also interested, is in our case it's a fairness issue based on this very outdated quota set up, where it's going back to the 1970s, which fades further and further into the past.

We knew that to go back, or at this point to do a full reallocation amendment, would probably be a very, very lengthy process. We figured this would get some relief sooner. I just wanted to put it into perspective that with the scale of our fishery, even if we were to bring ourselves back to where the quota was before Addendum IV.

We would only be looking at about another 3,900 to 4,000 striped bass, which is based on 2022 removals. That is well less than 1 percent of total removals. As

I said, between the fact that we have all the safeguards in place with this option, and the scale of the request from certain states, such as ours, and the Board's discretion over granting any transfers. I think this is something that I hope the Board can approve, because I think it will help some of these small-scale fisheries, and it will not harm the stock.

CHAIR GARY: Justin, would you like to comment, as the seconder?

MS. KERNS: Marty, before Justin comments, there actually wasn't a postponed motion that you had made, so John, could you just read this motion in?

MR. CLARK: Okay, I'm sorry, so in other words, the motion I had made was substituted, right? Sorry, and we just had that whole course of Roberts Rules of Order. Messing up already. **Okay, move to approve Option E (Board discretion of commercial quota transfer provision, except no transfers if stock is overfished).**

CHAIR GARY: Justin, you've already seconded it, okay. All right, so we finished with a comment, we've corrected the motion, and Justin would you like to comment?

DR. DAVIS: I think this is a reasonable option, it is very conservative. We had some projections we saw earlier today that show this as a very small amount of removals that is not going to put rebuilding at risk. Certainly, Connecticut is sensitive to the fact we were recently challenged by quota allocations for some of our species, and we took action around this table to correct that.

I think whenever any one of our members around the table is sort of feeling like they are disadvantaged by their quota, we should try to take reasonable action to adjust quota allocations. I just think it is time to dispense with this management action, it's been hanging for a while. We started Addendum II this morning, we should wrap up Addendum I before we get going on Addendum II. I think there are a lot of controls in place with this.

The Board is going to have discretion to allow quota transfers to happen or not. You know certainly my

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intent, or what I see as the intent of this is to essentially provide some more commercial quota to Delaware. If this program starts to grow beyond that, I think the Board has got to consider whether they want to reauthorize this program in subsequent years. I just think this is a really reasonable, conservative option, and I would hope the rest of the Board sees it that way too. Thanks.

CHAIR GARY: I might turn to staff. I just got a message that Doug Grout is not here, but he has a proxy. Do I have it wrong?

MS. KERNS: Ritchie White is Doug's proxy, sorry.

CHAIR GARY: All right, Jason.

DR. McNAMEE: Just to first thank the Technical Committee. We had asked for that extra work to be done. You know the point of doing the extra work was to just really verify, you know this notion that allowing the transfers might have significant impacts to a whole host of things in the population.

I think what we've seen, at least from the work that they've done is, you know this is a small proportion of a small proportion. The impacts of allowing this on the population are very small. Just to speak for a minute about, this maybe seems a little incongruent for folks, given what we just did before lunch.

I'm not ignoring a lot of the public comment that ended up in my inbox, and the meeting materials supported status quo. But a lot of the reasoning behind that, the status quo meaning no transfers. A lot of the reasoning behind that was fear about rebuilding and the current state of the population, which you know I think those are well founded. But this option in the motion that is up before us, there would be no transfers. Now, while the stock is not doing well, both because there is Board discretion to not allow it, and stock status that wouldn't allow it. For me that kind of assuages those fears, and I think we could put this infrastructure in place. We'll work hard to get the stock back into good shape, and then we have this mechanism in place for allowing some flexibility within the commercial fishery. I think it's a good idea. It's nothing that's going to happen

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immediately, but it's something we can put into place that could have benefit for the very small commercial component in the future, so I support the motion.

CHAIR GARY: Megan Ware.

MS. WARE: I appreciate Delaware putting up a motion that is considering stock status, in terms of when quota transfers may be permitted. I wanted to think about this a few years out and be honest about what I think my reaction may be. I'm thinking in the 2024 stock assessment, I'm hopeful we will have a result that says we are no longer overfished.

That is at least what the projections indicate we may get. But I'm also expecting that assessment to tell us we need more work to hit rebuilding by 2029. I think we could have a situation where we are asking the fishery for more reductions in F, and at the same time considering quota transfers.

I'm personally going to struggle in that situation with approving quota transfers, because I think it's kind of doing two different types of actions at the same time, or two different outcomes at the same time. I'm not sure how I'm going to vote on this, but I just wanted to be up front, particularly to the Delaware stakeholders about what my thoughts on this may be while we're rebuilding the stock.

CHAIR GARY: We'll go to Chris Batsavage and then Max Appelman.

MR. BATSAVAGE: While I appreciate the safeguards and limited scope of transfers that could occur under Option E, I cannot support it at this time, and just quickly explain why. You know although the stakeholder input in North Carolina was largely opposed to transfers, the commercial industry in North Carolina generally supported the concepts of transfers.

My opposition isn't from reluctance to transfer quota, we do that with other species. If we found through the projections through 2022 that F was still in that range where it was in 2020 and 2021, and we had a high chance of rebuilding the stock by 2029, I could probably support this motion.

But even with the actions that we took earlier today to address stock rebuilding, I think it's still going to be a major challenge over the next several years to actually constrain F enough. Even though the increase in catch would be very small compared to the overall catch, I think we should really focus on whatever we can do to keep F low enough to rebuild the stock, especially when we consider the low recruitment that we're currently seeing in the population.

CHAIR GARY: We have Max Appelman and then Tom Fote.

MR. APPELMAN: I'm going to abstain on this motion for state-to-state transfers today, but I want to just comment for a minute on commercial quota transfers as a general policy. We support quota transfers to address a number of different challenges and issues that can arise with quota management, especially with what might come down the pike with climate change and shifting stocks, and providing that flexibility. We supported developing this Addendum through the public process, but we also recognize that this is a somewhat unique situation, considering the actions that we just took to reduce F, and so we're going to abstain today.

CHAIR GARY: Tom Fote.

MR. FOTE: It looks like we're going to wind up with a three-inch opportunity to catch fish recreationally in New Jersey, if we get this in place by 180 days. Under that veil and under all the things that went on this morning, I can't vote for this. I had no support for it in any of the people I heard from in New Jersey. It's just a difficult situation.

What I would support, and what I've said for the last, I don't know 10 years, since we got actually longer, about 15 to 20 years since we are no longer considered producing areas in the Delaware River and the Hudson River, that we revisit this issue, because the Chesapeake Bay seems to have more problems than the Delaware River does and the Hudson River.

For what I've been told that some of the tagging studies over the years that said that 40 percent of the coastal migratory stock is coming out of the Delaware River and the Hudson River now in certain years. We should be looking at the role those contribute into the whole system, and should allow us to do what Maryland, Virginia, and Potomac River can do in the Chesapeake Bay, and look at it, would Delaware be able to do some things differently than what we do?

It's not going to change New Jersey, because we're pretty much set with our regulations, the same thing in New York in the harbor. New York was really shut down because of PCBs commercially, anyway in the Hudson River. That is why I can't support this motion at this time. I don't know what New Jersey will vote, but I know I can't support it.

CHAIR GARY: Next in the queue is Eric Reid.

MR. REID: I do appreciate the fact that Delaware put up Option E, with all the sideboards on it. Just to remind everybody that it is highly unlikely that a limited access fishery like the commercial fishery will exceed its allotted quota in any given year by let's say 40 percent, it's highly unlikely.

Commercial fishery is well regulated, we carry observers, we get a lot of data from that fishery, and the notion that we would not adopt the ability to consider having that particular segment of the industry catch 100 percent of their allocated quota is mind numbing to me why we wouldn't do it. Being mind-numbed, Mr. Chairman, that's all I have to say at the moment.

CHAIR GARY: Renee Zobel.

MS. RENEE ZOBEL: I wasn't going to ask this question unless this was proposed in interest of time, but this is a clarifying question that Doug Grout had, and I thought it was a good one. When can the Board consider their discretion to do this, is it after a stock assessment specifically has a status of no longer being in that stock status, or is it projection? Say the stock assessment comes out and says the stock is overfished but projects in the subsequent year it will

no longer be overfished. Can the Board consider it based on the projection?

MS. FRANKE: Thanks for that question. It would be the results of a stock assessment, so the stock status would have to change to not overfished.

CHAIR GARY: Mike.

DR. ARMSTRONG: Just a clarifying question, then a comment. I think this is true, the Board will have discretion to not do transfers, even if we're not overfished, correct? I hate to go against all the public opinion, but I think there is enough restrictions on E that at many times it's going to approach A. I can see scenarios where we are not overfishing, but we're heading to an overfished condition, and I would vote not to do transfers. I think there are enough safeguards on this one, so we can support it.

CHAIR GARY: Before we ask for any final comments in this discussion. I just want to remind everyone, this has already gone out to public comment, so I wasn't planning on taking any at this time. I will ask if there are any final comments or any additional discussion by the Board members before we put this to a vote. Jason.

DR. McNAMEE: Actually, so I'm not going to make a comment now. If this were to pass, I would like to make a comment, so I just wanted to get that in front of you. Thank you.

CHAIR GARY: All right, final call, any last words from anyone before we take a vote? Let's do a one-minute caucus. Okay, Board members, let's get ready to call the question. Everyone in favor of the motion, please raise your hand.

MS. KERNS: Potomac River Fisheries Commission, Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Virginia, District of Columbia, Maryland, Delaware.

CHAIR GARY: All those opposed raise your hands.

MS. KERNS: New Hampshire.

CHAIR GARY: Any null votes?

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MS. KERNS: Maine, North Carolina, Pennsylvania.

CHAIR GARY: Any abstentions?

MS. KERNS: Fish and Wildlife Service and NOAA Fisheries.

CHAIR GARY: The motion passes 10 to 1 to 3 to 2. Do we need to read the motion in? Jason, to your comment.

DR. McNAMEE: Just a comment. As has been mentioned, we do quota transfers in other species. I think back in the day everybody was sort of racing to get out first for things like bluefish, I'll use as an example. It wasn't very collegial; it was kind of competitive. I think we've developed a nice rapport amongst the states that participate in trying to get transfers. I know folks have been focused on Delaware as the kind of keystone transfer state, but Rhode Island would also potentially be interested in transfers, and so I hope that we can develop a same sort of process where we sort of consult ahead of time, and make our requests in a collegial way.

CHAIR GARY: Thank you, Jason, well put. That takes care of Item Number 6 so far. We need a motion to approve the Addendum. John Clark. Do we have a second? Ray Kane. John, could you read it into the record?

MR. CLARK: **Move to approve Addendum I as modified today with an implementation date effective today.**

CHAIR GARY: Any discussion on the motion? None. Any objections to the motion? Seeing none; it passes unanimously. A long meeting. That takes care of Item Number 6.

OTHER BUSINESS

CHAIR GARY: Item Number 7, Other Business. Is there any other business to bring before this Board? Tom.

MR. FOTE: I brought up before what I was talking about is the contribution of the Hudson River and Delaware River to the overall coastal migratory stock, I've been asking this question for about 15 years and still haven't gotten an answer. I know the Technical Committee has looked at it a couple times, and didn't have the necessary information to pull out.

But some of the tagging studies that I've seen over the year proved that we're a lot bigger than we were with the 15 or the 25 percent that we started, and it's a bigger percentage of the fisheries right now. I also want the Technical Committee to look at what would be needed for the Delaware River to be considered again what it rightly should be, a spawning area, and the same thing with the Hudson River.

MS. FRANKE: Thanks, Tom, this is Emilie, I'll just respond. I'll say, I think maybe during the next benchmark assessment the TC will probably look at, you know any new studies on the contribution of each spawning area to the stock, and provide any updated information on that.

CHAIR GARY: All right, thanks, Tom, for that question. Any other new business to bring before the Commission. Toni.

MS. KERNS. Not new business, but just to set up some expectations for the Addendum that was approved earlier. As Bob said, we didn't really talk about timing. It's our intention to bring a draft document to the Board in August, and depending on if the Board makes any changes to that document or not. Whether or not we feel we can actually get the document out, comment and summarized in time for the annual meeting, or we may need to hold a special meeting of the Board, probably early in November to finalize that document, in order to have states implement those measures for 2024. I just wanted to put that on folks' radar now, and then Emilie will reach out, probably either today or tomorrow, looking for nominations for a Plan Development Team.

CHAIR GARY: All right, thank you, Toni, any other business? Seeing none; I would seek a motion to adjourn. Dave Sikorski, seconded by Ray Kane. We are adjourned, folks.

(Whereupon the meeting adjourned at 2:15 p.m. on Tuesday, May 2, 2023)

ADJOURNMENT

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Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: Atlantic Striped Bass Management Board

FROM: Emilie Franke, FMP Coordinator

DATE: July 17, 2023

SUBJECT: Emergency Action Implementation Update and Public Hearing Summaries

This memorandum provides an update on implementation of the striped bass emergency action and summarizes the four public hearings on the emergency action.

Approved Board Motion May 2, 2023

Move that the Striped Bass Board, by emergency action as outlined in the Commission's ISFMP Charter, implement a 31" maximum size to all existing recreational fishery regulations where a higher (or no) maximum size applies, excluding the Chesapeake Bay trophy fisheries. All other recreational size limits, possession limits, seasons, gear restrictions, and spawning protections remain in place. Jurisdictions are required to implement compliant measures as soon as possible and no later than July 2, 2023.

Emergency Action Implementation Update

As of the July 2 implementation deadline, all states have implemented regulations consistent with the required 31-inch maximum size limit for striped bass recreational fisheries. The effective date and recreational maximum size limit implemented by each state is summarized in Table 1. As clarified following the May 2023 Board meeting, the approved Board motion language should be interpreted as a 31.0" maximum harvestable fish. However, nothing precludes a state from implementing a less than 31" upper bound if they so choose.

The emergency action is effective for 180 days from May 2, 2023 through October 28, 2023. If it deems necessary, the Board may extend the emergency action for two additional periods of up to one year each at a future Board meeting. The Commission's Summer 2023 Meeting (early August) and 2023 Annual Meeting (mid-October) will occur prior to the current October 28 expiration date of the action.

Table 1. Implementation of 2023 Emergency Action for striped bass.

State	Effective Date	Recreational 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

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State	Effective Date	Recreational Maximum 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

Public Hearings on the Emergency Action

Following Board approval of the emergency action, four public hearings were held from May 17 to May 31, 2023 to inform the public about the action and identify next steps for management. All hearings were conducted via webinar and all hearings were open to anyone from any state.

Each public hearing summary is enclosed in the following pages, and each hearing summary lists the total number of attendees as well as the number of people who provided comments. Full attendance lists are provided following the summaries. 224 members of the public (not including state staff, ASMFC staff, or Board Members/Proxies) attended the hearings, and some of these individuals attended multiple hearings. 94 of those public attendees provided comments.

Below is a brief summary of common comment themes. Each enclosed hearing summary provides more detail on comments provided at each hearing.

62 people, including representatives from 11 organizations, commented in support of the emergency action. Comments noted support for taking proactive, swift action to protect the strong 2015-year class so those fish can contribute to the spawning stock biomass and rebuild the stock. Comments noted the importance of the 2015-year class and the need to get those fish out of the slot limit, especially considering recent low recruitment and the lack of strong younger year classes. Some comments noted the importance of all sectors contributing equally to stock rebuilding, and some noted concern about the potential for states to be out of compliance.

24 people, primarily charter captains, and including representatives from 3 organizations, commented in opposition to the emergency action. Comments noted the narrow slot limit will increase recreational releases and mortality due to fishing longer to find a fish within the slot. Comments noted this action only targets those who harvest striped bass, and that there should be measures to address the catch-and-release fishery. Comments noted the negative economic

impacts of the narrow slot limit on for-hire businesses, and expressed support for managing the for-hire sector separately from private recreational anglers. Some noted concern about the accuracy and use of MRIP data.

Some comments addressed other striped bass management topics, including the need for increased outreach/education on best handling and release practices, and better understanding the contribution of spawning grounds north of the Chesapeake Bay to the population.

ASMFC Virtual Public Hearing – May 17, 2023
Striped Bass 2023 Emergency Action

Total Attendees: 83 (see enclosed attendee list)

ASMFC Staff: Emilie Franke, Toni Kerns, Madeline Musante

17 attendees provided comments, including comments from the New York Coalition for Recreational Fishing (NYCRF).

Commenters from:

MA	1	NY	3
VT	1	NJ	5
CT	5	MD	2

11 commenters (NYCRF, 9 recreational anglers, 1 charter captain) support the emergency action with the following comments:

- Every state must implement the emergency action for it to be effective.
- Concern that New Jersey would not comply with the emergency action.
- Concern about how long the process of addressing a non-compliant state would be.
- Action was necessary to rebuild the fishery, and support for more conservation through Addendum II process to protect large breeding fish.
- Fish are worth more in the water than harvested, and management should focus on abundance.
- Support more protection for all year classes, including juveniles and large breeding fish.
- Concern the Chesapeake Bay trophy fishery is exempt from the action.
- Frustration that the fishery went from being on track to rebuild to needing an emergency action within a short period of time; concern the 2022 assessment did not highlight that a large year class becoming exploitable would lead to an increase in harvest and fishing mortality. The Technical Committee should be tasked with improving methods to forecast the impact of large year classes, and this should be factored into future decisions.

4 commenters (4 charter captains) oppose the emergency action with the following comments:

- Emergency action only affects those who harvest striped bass, and does not address catch/release mortality. Catch/release mortality is still high and has been higher than harvest in recent years, and this should be highlighted.
- Catch/release mortality needs to be reduced, for example by prohibiting treble hooks or setting a catch/release limit (e.g., catch/release 5 fish then move on). Catch/release anglers are killing fish by using treble hooks and holding fish out of the water for long periods of time.
- For-hire sector should be managed separate from private recreational anglers. This emergency action is negatively affecting people's livelihoods.

- There was no process for public comment and no public notification of this action before it happened. Public comment should have been used as a forum to discuss 2022 removals before the Board took action.
- Harvest shouldn't be focused in such a narrow slot removing one particular year class. Harvest should be distributed across multiple year classes. For example, options could be considered to exclude a year class slot and allow harvest around it (e.g., allow harvest from 28-31" and 33-36").
- Charter captains only target striped bass for a few hours before switching to other species.
- Concern about discard mortality with the emergency action. On charter trips, several fish are caught before catching keeper sizes. This action doesn't make sense since this would require even more releases. Trips may have to change target species to find fish for customers, and this may lead to overharvesting another species if all charter businesses start doing the same (e.g., overharvesting black sea bass).

Other comments:

- Concern that menhaden harvest was allowed to increase when menhaden should be protected as prey for striped bass.
- Concern that people are too quickly assuming New Jersey will be out of compliance before the process is complete on July 2.
- Catch/release is underrepresented in the data.
- Data access should be more transparent and readily available.
- Need to work harder to educate the public on best catch/release fishing practices, like not using treble hooks. It is up to recreational anglers to be responsible when releasing fish back in the water.
- A recreational fisherman fishes a few times a month, whereas charter boats fish more often and catch many more fish. Something should be done to restrict the catching of those big fish.
- Concern about changes to MRIP data availability in the online query tool (e.g., cannot query data by wave).
- Support for coastwide regulations, and against the use of CE and special programs.

ASMFC Virtual Public Hearing – May 22, 2023
Striped Bass 2023 Emergency Action

Total Attendees: 76 (see enclosed attendee list)
ASMFC Staff: Emilie Franke, Toni Kerns, Chelsea Tuohy

20 attendees provided comments, including comments from Plum Island Surfcasters (PIS), New Jersey Council of Divers and Clubs, Backcountry Hunters and Anglers Massachusetts Chapter (BHA-MA).

Commenters from:

NH	1	CT	2
MA	10	NY	1
RI	1	NJ	5

11 commenters (PIS, BHA-MA, 8 recreational anglers, and 1 charter captain) support the emergency action with the following comments:

- Previous action to rebuild striped bass was delayed, so now we have to catch up.
- This decision is supported by science and proactive action should be taken to protect the resource.
- Important to protect the 2015 year-class to rebuild the stock.
- Proactive action needs to continue to reduce harvest, and states need to implement and enforce those actions.
- Concern about New Jersey being out of compliance.
- All sectors should contribute equally to rebuild the resource.
- Charter industry should be under a moratorium.
- Noticed a long-term decrease in the number of fish and concern for the health of the fishery, including concern about low recruitment.
- MRIP data is correct in showing an increase in the 2022 recreational fishery; there are a lot of fish in the slot right now and people are going to fish more when there is a large year class available.

6 commenters (6 charter captains) oppose the emergency action with the following comments:

- Management needs to balance addressing slot limit and decreasing catch/release mortality in order to rebuild the stock; catch/release mortality must be addressed.
- Action disregards the science, and the stock is healthy.
- A narrow slot means more, large breeding fish will have to be released to find one in the slot limit; slot limits are causing more mortality as the season progresses, and there will be more pressure on the stock catching more fish to keep one in the narrow slot.
- Charter industry should have different regulations; charter and private/shore anglers are very different modes.
- VTR data should be considered instead of just MRIP data.

- Only limiting which fish can be taken home creates a social and economic injustice.
- Concern about charter industry and not seeing as many trip bookings as we should see.
- All sectors (charter, recreational, and commercial) should contribute.
- Concern about taking action based on one year of data.

Other comments:

- Need more outreach and education on best practices for handling and releasing fish.
- Support for consistent size limits for the commercial fisheries should be considered to protect large breeding fish.
- Opposition to maximum size limits for commercial fisheries, as this will increase dead discards.
- Consider a lower slot of 20-28" instead of allowing harvest of larger fish.
- Need to educate anglers on where striped bass breeding grounds are.
- Spearfishing and narrow slots don't align, and the Board should consider something other than such a narrow slot.
- Fish are moving north as water temperatures increase, and there should be more studies following the fish outside the Chesapeake Bay.
- Slot limits are not a sustainable approach for the long-term, as the fishery needs multiple size classes available.
- Management needs to focus on the larger problem of a fishery with too much effort; gear restrictions and mode splits won't solve this bigger issue.
- Split modes should not be discussed at an addendum level but rather an Amendment discussion; the first question to address would be allocation to each mode and funding since recreational license fees pay for most services.

ASMFC Virtual Public Hearing – May 23, 2023
Striped Bass 2023 Emergency Action

Total Attendees: 52 (see enclosed attendee list)

ASMFC Staff: Emilie Franke, Toni Kerns, Madeline Musante

17 attendees provided comments, including comments from the Rhode Island Party & Charter Boat Association (RIPCBA), Connecticut Surfcasters Association (CSA), Stellwagen Bank Charter Boat Association (SBCBA), Plum Island Surfcasters (PIS), Connecticut Catch and Release Fly Fishing Group (CCRFF), and Backcountry Hunters and Anglers New England Chapter (BHA-NE).

Commenters from:

ME	1	CT	3
NH	1	NY	2
VT	1	NJ	2
MA	1	DE	1
RI	4	MD	1

14 commenters (CSA, PIS, CCRFF, BHA-NE, 8 recreational anglers, and 2 charter captains) support the emergency action with the following comments:

- Support for swift action by the Board to rebuild the stock and address long-term downward trend.
- Support for moving the 2015 year class out of the slot, and generally protecting abundant year classes so they can contribute to the population.
- The striped bass populations is not dispersed evenly across their range; fishermen fishing in sub-optimal habitat areas see more of the population decrease.
- All sectors should participate equally.
- Shore anglers are the first to see a decline. Shore anglers tend to be the least financially secure so it's not equitable to limit access for shore anglers and not others.
- It can be difficult to separate local/seasonal conditions from the long-term trends and overall health of the stock.
- The striped bass population needs a boost to survive all direct and indirect factors contributing to population size (invasive species, overharvest of prey species, climate change, ocean acidification, etc.) to keep them around for future generations.
- Concern that New Jersey stakeholders supporting the action are not being heard.
- Concern about potential New Jersey non-compliance, and the need to address that issue quickly.
- Concern about the use of slot limits until the fishery is rebuilt to a healthy abundance.
- Support for stronger action like a moratorium or catch/release only fishery.
- Concern about some anglers being more inclined to harvest striped bass now (instead of release) due to less prevalence in certain areas.
- Everyone benefits from more fish in the water.
- Action should be extended for the entire year.

2 commenters (RIPCBA, SBCBA) oppose the emergency action with the following comments:

- Public comments were not part of the decision, and would have provided the Board with perspective on the impacts of these measures. The emergency action process was not transparent.
- The for-hire sector should have been exempt, especially considering the decrease in coastwide for-hire harvest vs. increase in private/shore sector. There is a negative impact on for-hire businesses, both in the short- and long-term, especially with the last-minute regulatory change.
- The action occurred mid-season, which has an inequitable impact along the coast since it impacts the entire season for northern states while only affecting part of the season for southern states.
- Concern about the precision/accuracy of MRIP data driving this action.
- MRIP data should be averaged across multiple years instead of using one year of data.
- Action does not reflect the abundance of striped bass seen on the water.
- Charter businesses have already seen trip cancellations due to the emergency action, and there are cuts to regulations for other species as well.
- For-hire sector should be managed separate from private/shore sector.
- Changing the size limit only impacts those who harvest striped bass, and the catch/release sector should not be ignored. Addendum II should take action to address the catch/release sector. Could implement a daily catch limit (catch/release included) instead of a harvest limit so all modes are participating in the measures.

Other comments:

- There should be additional research into spawning areas outside the Chesapeake Bay (i.e., there may be more spawning in other areas along the coast than are currently accounted for). The impact of dams block spawning areas should also be considered.
- Concern about Canadian management not properly managing a potentially high number of striped bass migrating into Canadian waters during salmon runs.
- Concern that climate change is moving the striped bass population more into the EEZ, and that may not be captured in the stock assessment.
- Concern about seal predation and temperature affecting striped bass movement patterns.
- Concerned the Maryland trophy season (1 fish min. size of 35") is against the interest of Board and should be eliminated.
- Private anglers should be required to complete mandatory reporting (same as charter and commercial).
- Concerned about poaching and fish not being accounted for, which could lead to population numbers being lower than they seem.
- Concern about MRIP survey methods.
- Need for better outreach/communication to new, younger anglers about proper catch/release methods.

ASMFC Virtual Public Hearing – May 31, 2023
Striped Bass 2023 Emergency Action

Total Attendees: 123 (see enclosed attendee list)

ASMFC Staff: Emilie Franke, Toni Kerns, James Boyle

40 attendees provided comments, including comments from Montauk Boatmen and Captains Association (MBCA), Stripers Forever (SF), American Saltwater Guides Association (ASGA), Chesapeake Bay Foundation (CBF), and Maine Association of Charterboat Captains (MACC)

Commenters from:

ME	5	NY	7
MA	8	NJ	7
RI	6	MD	2
CT	3	VA	1
		NC	1

26 commenters (including SF, ASGA, CBF, MACC, 18 recreational anglers, and 4 charter captains/guides) support the emergency action with the following comments:

- This action protects the strong 2015-year class so those fish can become spawners and contribute to rebuilding. If we don't protect this year class, in 3-5 years the year class will be dramatically reduced.
- Support implementing proactive measures to protect the stock.
- While big fish are around, there still aren't as many small fish as there should be. There is good fishing now with the 2015-year class, but there are no strong year-classes coming behind the 2015s.
- This type of early action was necessary to save the stock and protect the important 2015 year-class, which makes up a lot of the striped bass biomass.
- The previous slot targeted the 2015 year-class, so the change was needed.
- Management in the 1980s showed how effective it was to protect a strong year class to rebuild the stock.
- There are many industries and fisheries that are based on catch-and-release fishing, and there should shift away from the mindset that fish need to be killed.
- The stock should be managed to abundance.
- Support taking swift action in response to future stock assessment updates as well to rebuild the stock and prevent the need for more extreme measures later.
- While there is a short-term impact on businesses, this action will protect livelihoods in the long-term.
- This action is a result of management decisions over the past decade and not taking enough action to support stock rebuilding and address overfishing.
- The emergency action should be extended beyond the 180-day period.

12 commenters (MBCA and 11 additional charter captains) oppose the emergency action with the following comments:

- The narrow slot limit is too drastic for the for-hire sector to be able to operate; business is being driven away by these changes because people don't want to just catch and release.
- The narrow slot limit will increase recreational release mortality and discards to find a fish in the slot limit, and there has not been enough time to determine the effects of this measure.
- For-hire modes should be separated from other recreational anglers because for-hire modes make their primary income from striped bass. Either different slot limits for the for-hire sector should be considered, or a different possession limit.
- MRIP data are not reliable and are incomplete; VTRs and industry-collected data should be used to inform these decisions and stock assessments.
- These trends and issues need to be identified earlier so management changes are not so drastic.
- Charter sector is being targeted by these regulations, and the impacts on small businesses should be considered.
- Conservation should be reasonable and based on reliable data, and this action is neither.
- Spring spawning runs indicate the stock is recovering.

Other comments:

- This action was not required by the management triggers in the FMP. If the Board is taking action outside the management triggers, then the management triggers should be changed.
- Increased education is needed on best handling and release practices (e.g., not holding the fish out of water for longer than necessary).
- Frustrated that public hearings are occurring after action was taken, instead of before.
- Better research on contribution of spawning grounds, especially considering climate change and migration.
- The commercial sector, particularly the Chesapeake Bay which has not taken a reduction, should also take a reduction to rebuild the stock.

Striped Bass Emergency Action Public Hearing

May 17, 2023

Webinar – 83 attendees

Last Name	First Name	State
Abeles	Ken	New Jersey
Abbott	Dennis	New Hampshire
Andresino	Mike	Massachusetts
Appleseed	John	Massachusetts
Augustine	Pat	New York
Bailor	Ed	Maryland
Bartush	Quint	Connecticut
Batsavage	Chris	North Carolina
Beato	Frank	New Jersey
Bellavance	Rick	Rhode Island
Bentley	Capt Kevin	Connecticut
Blanchard	Kurt	Rhode Island
Bowen	Eric	Maryland
Celestino	Michael	New Jersey
Christopher	Anthony	New Jersey
Clark	John	Delaware
Creighton	Jack	Massachusetts
Cvach	Sarah	Maryland
Davis	Justin	Connecticut
Denno	Patrick	Massachusetts
Dentler	Ashley	New Jersey
Devine	Thomas	New Jersey
Dillon	Dennis	Rhode Island
Drago	Randy	Massachusetts
Emerson	Clay	New Jersey
Friedman	Justin	New York
Friedrich	Tony	Maryland
Fuda	Tom	Connecticut
Gary	Marty	Virginia
Gillingham	Lewis	Virginia
Giuliano	Angela	Maryland
Godon	Jesse	New York
Hardy	John	New York
Harrison	Brendan	New Jersey
Hasbrouck	Emerson	New York
Herrick	Daniel	Maryland
Higgins	Jaclyn	Virginia

Last Name	First Name	State
Hornick	Harry	Maryland
Houde	Edward	Maryland
Humphrey	Thomas	Massachusetts
Jewkes	James	Massachusetts
Kaelin	Jeff	New Jersey
Kane	Raymond	Massachusetts
Karbowski	TJ	Connecticut
Kosinski	Thomas	New Jersey
Leo	Benjamin	Delaware
Maganza-Ruiz	Jill	New York
Maniscalco	John	New York
McDonnell	Laura	Florida
McGilly	Joshua	Virginia
McKinnon	Claire	Connecticut
Meserve	Nichola	Massachusetts
Meyers	S	Virginia
Miko	Andrew	Connecticut
Molton	Kyle	Massachusetts
Moore	Chris	Virginia
Moore	Capt. Jason	New Jersey
Mugherini	Tim	Massachusetts
Munro	Bob	Maryland
Newman	Thomas	North Carolina
Pirri	Michael	Connecticut
Patterson	Cheri	New Hampshire
Patterson	Ryan	Maryland
Ramsey	Jill	Virginia
Reading	Benjamin	North Carolina
Rudman	Patrick	Maine
S	Renee	Connecticut
Sandvoss	Mitch	Connecticut
Sarcona	Tony	Maine
Sikorski	David	Maryland
Smith	Bob	Massachusetts
Squire	Ross	New York
Staunton	Norm	Vermont (fish RI, NH, ME, others)
Stoehr	Joel	New York
Tiska	Carl	Rhode Island
Tolbert	David	Maryland
Travers	Scott	Rhode Island

Last Name	First Name	State
Watt	Dan	Pennsylvania
Williams	Al	Massachusetts
Wilson	Sean	NJ
Wright	Chris	MD
Yuschak	John	New Jersey
Zlokovitz	Erik	MD

ASMFC Staff: Emilie Franke, Toni Kerns, Madeline Musante

Striped Bass Emergency Action Public Hearing

May 22, 2023

Webinar – 76 attendees

Last Name	First Name	State
Abbott	Dennis	New Hampshire
Aguiar	Adam	New Jersey
Amtower	Heather	Massachusetts
Borgatti	Christopher	MA, NH, ME, RI, CT, NY, NJ
Berger	Marc	Connecticut
Borden	David	Rhode Island
Brightman	Tom	New Hampshire
Brust	Jeffrey	New Jersey
Conroy	Margaret	Delaware
Chou	Luyen	New York
Collins	Matt	Massachusetts
Corbett	Heather	New Jersey
Corbett	Heather	New Jersey
Cudnik	Greg	New Jersey
Davis	Justin	Connecticut
Deangelis	Mark	New Jersey
Deanzeris	Michael	Massachusetts
Delzingo	Mike	Massachusetts
Duane	John	Massachusetts
Dubrulle	Greg	Connecticut
Dudus	Roman	Connecticut
Friedrich	Tony	Maryland
Fullmer	Jack	New Jersey
Gary	Marty	Virginia
Golden	Rick	Massachusetts
Gordon	Jesse	New York
Hardy	John	New York
Harrison	Brendan	New Jersey
Henrich	Georgette	Massachusetts
Higgins	Jaclyn	Virginia
Hornick	Harry	Maryland
Kane	Raymond	Massachusetts
Karbowski	TJ	Connecticut
King	Ashley	Virginia
Kull	Laura	New Jersey
Laflamme	Gregory	Massachusetts
Maganza-Ruiz	Jill	New York

Last Name	First Name	State
Manning	Zach	New Jersey
Masse	Benjamin	Rhode Island
Miko	Andrew	Connecticut
Molinaro	James	New Jersey
Moore	Capt. Jason	New Jersey
Morgan	Jerry	Connecticut
Needham-Wood	John	Massachusetts
Nelson	Eric	Massachusetts
Nesius	Theodore	Massachusetts
Newman	Thomas	North Carolina
Noonan	Chris	New Hampshire
Notaro	Anthony	Connecticut
Oliver	Zane	Virginia
Pirri	Michael	Connecticut
Papciak	John	New York
Paquette	Patrick	Massachusetts
Parker	Doug	Connecticut
Patterson	Cheri	New Hampshire
Poosikian	Craig	Massachusetts
Poston	Will	Maryland
Robichaud	Steven	Massachusetts
Roller	Christopher	Massachusetts
Roy	Marshall	Massachusetts
Scheule	Randall	New Jersey
Schofield	Austin	Massachusetts
Shanley	James	New Hampshire
Simeoli	Nick	New Jersey
Smith	Kelly	Rhode Island
Treped	Scott	Connecticut
Tu	Edward	Massachusetts
Waine	Mike	North Carolina
Witthuhn	Steven	New York
Walsifer	Peter	New Jersey
Williams	Al	Massachusetts
Wood	Rich	Massachusetts
Woods	Michael	Rhode Island
Wright	Chris	Maryland
Yenkinson	Harvey	New Jersey
Zlokovitz	Erik	Maryland

ASMFC Staff: Emilie Franke, Toni Kerns, Madeline Musante

Striped Bass Emergency Action Public Hearing

May 23, 2023

Webinar – 52 attendees

Last Name	First Name	State
Armstrong	Mike	Massachusetts
Baldwin	George	Connecticut
Batsavage	Chris	North Carolina
Bellavance	Capt. Rick	Rhode Island
Blinken	David	New York
Boghdan	Kalil	Massachusetts
Borden	David	Rhode Island
Borgatti	Christopher	Massachusetts
Conroy	Margaret	Delaware
Carpenter	John	Rhode Island
Chou	Luyen	New York
Cimino	Joe	New Jersey
Conroy	Peter	Massachusetts
Craig	Caitlin	New York
Delzingo	Mike	Massachusetts
Etzel	Richard	New York
Ferri	Paul	Connecticut
Fleming	Rick	New Hampshire
Friedrich	Tony	Maryland
Gary	Marty	Virginia
Hamilton	Patrick	Massachusetts
Hardy	John	New York
Ingraham	Taylor	Connecticut
Jenkins	Peter	Rhode Island
Kane	Raymond	Massachusetts
Lindsey	Chris	New Jersey
M	Nick	New Jersey
Maganza-Ruiz	Jill	New York
Mcmenamin	Kevin	Maryland
Meserve	Nichola	Massachusetts
Meyers	S	Virginia
Molton	Kyle	Massachusetts
Moore	Chris	Virginia
Oneill	Tyler	Delaware
Olsen	Bob	Vermont
Patterson	Cheri	New Hampshire
Pierdinock	Michael	Massachusetts

Last Name	First Name	State
Poosikian	Craig	Massachusetts
Prockop	David	Rhode Island
Schaefer	Kyle	Maine
Seigel	Buddy	Maryland
Shea	Matthew	New Hampshire
Sheffield	Phillip	Connecticut
Small	Amanda	Maryland
Smith	Kelly	Rhode Island
Toole	Michael	New Hampshire
White	Merritt	New York
Williams	Al	Massachusetts
Williams	Capt Brian	New Jersey
Woods	Michael	Rhode Island
Wright	Chris	Maryland
Zlokovitz	Erik	Maryland

ASMFC Staff: Emilie Franke, Toni Kerns, Madeline Musante

Striped Bass Emergency Action Public Hearing

May 31, 2023

Webinar – 123 attendees

Last Name	First Name	State
Aaronson	Robert	New York
Abbott	Dennis	New Hampshire
Ames	Z	Massachusetts
Amorello	Jeff	Connecticut
Armstrong	Mike	Massachusetts
Baumgardner	Robert	Pennsylvania
Bean	Ned	Massachusetts
Bellavance	Rick	Rhode Island
Bello	John	Virginia
Berger	Alan	New York
Blanchard	Kurt	Rhode Island
Blank	Russell	Rhode Island
Boghdan	Kalil	Massachusetts
Bravo	Peter	Connecticut
Brust	Jeffrey	New Jersey
Conroy	Margaret	Delaware
Cassidy	Patrick	Massachusetts
Chocklett	Blane	Virginia
Church	Wayne	Connecticut
Cohn	Josh	DC
Colden	Allison	Maryland
Corbett	Heather	New Jersey
Coutu	Jasper	Rhode Island
Corayer	Todd	Rhode Island
Cusimano	Thomas	New York
Daley	Bob	New Jersey
Darrigo	Anthony	New York
Davidson	Maureen	New York
Deflumeri	Dominic	New York
Dinardo	Gregg	Massachusetts
Dicostanzo	Donald	New York
Dougherty-Johnson	Bran	New York
Douma	Peter	New Jersey
Drew	Rick	New York
Dudus	Roman	Connecticut
Erickson	Max	Connecticut

Last Name	First Name	State
Etzel	Richard	New York
Eustis	Mark	Maryland
Fallon	Peter	Maine
Fiore	Jim	New York
Ford	Alex	New Jersey
Forrester	Darryl	Rhode Island
Frank	Julien	New York
Friedrich	Tony	Maryland
Gaff	Jerry	Maryland
Gary	Marty	Virginia
Geer	Pat	Virginia
Geilfuss	Jim	Massachusetts
Giangreco	Paul	New York
Gilmore	James	New York
Griswold	Alec	Massachusetts
Hardy	John	New York
Harrison	Brendan	New Jersey
Hassan	Bill	Massachusetts
Hejducek	Ken	New York
Herz	Christopher	Rhode Island
Hornick	Harry	Maryland
Hornstein	Jesse	New York
Howard	Stephen	Maine
Howell	Jason	Rhode Island
Jackson	Jocelyn	Massachusetts
Jewkes	James	Massachusetts
Kane	Raymond	Massachusetts
Kaye	Alexander	Maine
King	Ashley	Virginia
Koch	Greg	New Jersey
Lacroix	Kevin	Massachusetts
Landry	Aaron	Maine
Larrabee	Jonathan	Maine
Leggett	Doreen	Massachusetts
Letourneau	Rene	Rhode Island
Lewis	Lloyd	Maryland
Louie	Michael	New York
Maganza-Ruiz	Capt Jill	New York
Mauck	Parker	Massachusetts
Mayer	Andrew	Maine
Mcdermott	Sean	Massachusetts

Last Name	First Name	State
Mcmenamin	Kevin	Maryland
Mcgowan	Bret	New York
Meserve	Nichola	Massachusetts
Messina	Ed	New York
Michael	Ed	Massachusetts
Molton	Kyle	Massachusetts
Mustari	Joseph	New Jersey
Omrod	Dick	New Jersey
Opsatnic	Levi	New York
Pantaleon	Carlos	New York
Papciak	John	New York
Parker	Joshua	Massachusetts
Passie	John	new york
Perrotto	Patrick	New Jersey
Pesce	Matt	Connecticut
Pheifer	Joe	New Jersey
Phinney	Timothy	Massachusetts
Piatek	Chris	Maine
Platt	Michael	Connecticut
Poston	Will	Maryland
Rainone	John C	Rhode Island
Rubner	Cody	Massachusetts/Florida
Ruggiero	Nick	New York
Ruiz	Capt Steve	New York
Slinger	Zento	Oregon
Smith	Kelly	Rhode Island
Smith	Sean	Massachusetts
Smith	Cheri	Rhode Island
Soldati	Gary R.	Massachusetts
Spinney	Mike	Massachusetts
Stormer	David	Delaware
Straus	Rob	Massachusetts
Susca	Peter	Connecticut
Temple	Colin	Massachusetts
Thompson	Nat	Maine
Townsley	Aaron	Massachusetts
Vavra	Taylor	Massachusetts
Vieira	Paul	Rhode Island
Waine	Mike	North Carolina
Whalley	Capt Ben	Maine
Williams	Al	Massachusetts

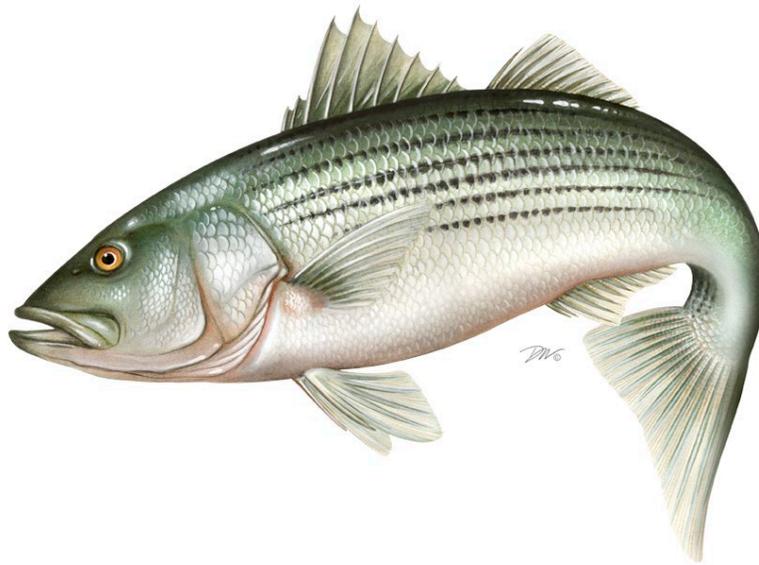
Last Name	First Name	State
Williams	Logan	Connecticut
Woods	Michael	Rhode Island
Wright	Chris	Maryland
Yenkinson	Harvey	New Jersey
Zlokovitz	Erik	Maryland

ASMFC Staff: Emilie Franke, Toni Kerns, James Boyle

Atlantic States Marine Fisheries Commission

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

2024 Management Measures



This draft document was developed for Management Board review and discussion. This document is not intended to solicit public comment as part of the Commission/State formal public input process. Comments on this draft document may be given at the appropriate time on the agenda during the scheduled meeting. If approved, a public comment period will be established to solicit input on the issues contained in the document.

**Draft for Board Review
07.17.2023**



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

Draft for Board Review. Not 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 2024 management measures designed to reduce fishing mortality to the target, and consider allowing 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 striped bass; the addendum process and timeline; and a statement of the problem. This document also provides 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 **XX Month, XX Day, 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 Toni Kerns, Fisheries Policy Director, at tkerns@asmfc.org or 703.842.0740.

Mail: Toni Kerns
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington VA. 22201

Email: comments@asmfc.org
(Subject: Striped Bass Draft
Addendum II)

Date	Action
May 2023	Board initiated the Draft Addendum
May – July 2023	Plan Development Team (PDT) develops Draft Addendum document
August 2023	Board reviews and approves Draft Addendum II for public comment
August – September 2023	Public comment period, including public hearings
October – November 2023	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, 2023). Harvesting or targeting striped bass in federal waters has been prohibited by NOAA Fisheries since 1990.

In May 2023, the Management 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%.”

For measures beyond 2024, the Management 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 in 2024 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 assessment updates (i.e., 2024 and 2026) 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 the 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 2021¹. Prior to this, the 2018 Benchmark Stock Assessment had determined that striped bass were overfished and experiencing overfishing in the terminal year (2017)². 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

¹ ASMFC. 2022. Atlantic Striped Bass Stock Assessment Update, Atlantic States Marine Fisheries Commission, Arlington, VA. 191p.

² NEFSC. 2019. Summary Report of the 66th Northeast Regional Stock Assessment Review Committee (SARC 66), Northeast Fisheries Science Center, Woods Hole, MA. 40p.

bass were below the long-term average in 2018, 2020, and 2021. Recruitment in 2021 was estimated at 116 million age-1 fish, which is below the time series average of 136 million fish.

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 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. Removals data showed that while commercial removals in 2022 were similar to 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 no longer experiencing overfishing as per the 2022 stock assessment update. 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, 2023).

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 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.³ 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 conservation equivalency (CE).⁴ 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 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 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

³ 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.

⁴ Conservation equivalency 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.

for non-quota managed recreational 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). 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 recreational 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).⁵

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 Management Board can decide every one to two years whether it will allow voluntary transfers of unused ocean commercial quota. The Management 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 Management Board was presented with updated stock rebuilding projections that included preliminary removals 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

⁵ To better explain this stipulation, consider some of the CEs adopted under Addendum VI. Addendum VI’s 28” to <35” Ocean recreational slot limit was estimated to reduce Ocean recreational removals by 18% when applied coastwide, but had variable impacts at the state-by-state level. States projected to achieve a greater than 18% reduction at the state-level were able to liberalize their regulations to target an 18% reduction rather than the higher amount achieved by the FMP standard. Under Amendment 7, CE proposals would have to achieve the higher reduction rate associated with the FMP standard applied at the state level.

near doubling of recreational harvest in 2022, the new projections estimated that the probability of rebuilding by 2029 drops to 15% if the higher fishing mortality rate associated with the 2022 removals continues each year.

In addition to initiating this draft addendum to consider coastwide changes to the commercial and recreational regulations for 2024 to bring *F* back to the target level of 0.17, the Management Board approved an Emergency Action to more immediately address the source of the increase in fishing mortality. Specifically, the Management 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, meaning the expiration date of the 31" recreational maximum size limit is October 28, 2023, unless sooner rescinded or extended by the Management Board. If it deems necessary, the Management Board may extend the emergency action for two additional periods of up to one year each 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, 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.

For the recreational sector, changes in gear restrictions, in spatial or seasonal closures, bag and size limits, and other effort controls 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

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.

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 for 2024 measures, 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. 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 narrow slot limit implemented through the 2023 emergency action and the narrow slot options considered for 2024 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.

Implementing seasonal no-harvest closures (i.e., catch and release fishing is allowed) is intended to reduce the number of fish harvested; however, angler behavior may shift to catch-and-release fishing, thereby increasing the number of recreational releases. It is important to note that fishing trips targeting other species that incidentally catch and release striped bass would also still occur during a closure. Additionally, seasonal closures for striped bass may shift effort to targeting other species and/or shift effort to other times of year when the striped bass fishery is open.

For the commercial sector, implementing commercial maximum size limits could impact the size of fish brought to market. In states where a new maximum size limit significantly changes the size of commercially harvested fish, dealers, processors, and consumers will have to adjust

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.

to the new smaller fish size, potentially requiring changes in the supply chain and marketing. In the short-term harvesters may also be more limited to adjusting to market demand if they are operating within a narrow slot limit. Additionally, the harvest of smaller fish by the commercial sector will likely result in longer effort and an increased number of fish being removed, although the total poundage will not change as that is governed by state-specific commercial quotas.

2.2.3 Status of the Fishery

In 2022, total Atlantic striped bass removals (commercial and recreational, including 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 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 an 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

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

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 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%.

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, and seasons, where applicable.

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 (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 has a commercial size slot with lower and upper bounds (26" – 38") at this current time.

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.

Commercial striped bass fisheries operate differently in each state with a wide range of varying gears, seasons, and a range of current size limits, which results in different size fish being harvested in each state. 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 spring trophy fishery. The Chesapeake Bay 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.

Projecting 2024 Reduction to Achieve the Fishing Mortality Target and Option Development

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 total). 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 results¹⁰.

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.

The proposed commercial fishery options consider maximum size limits. Depending on the option selected by the Board, quota reductions may or may not be implemented with these size limit changes. If such quota reductions were to occur, those reduction calculations would be state-specific and would vary depending on the option selected. For these reasons, a reduction in commercial removals could not be assumed, and so is assumed to be 0%. Consequently, to achieve the required overall reduction, the recreational sector must take a 16.1% reduction.

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 account for year-class strength in the ocean, catch-at-length data from 2020 were used to characterize ocean fish availability for 2024 and develop ocean slot limit options. 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. To develop ocean harvest closure options, 2022 harvest data were used to characterize what percent of harvest would occur during each two-month Wave during the year (i.e., Jan/Feb, Mar/Apr, etc.). For the

¹⁰ June 5 and June 28, 2023 Technical Committee Meeting Summaries: <http://www.asmfc.org/species/atlantic-stripped-bass#meetingsummaries>

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. Similar to the ocean region, the 2022 harvest data were used to develop the Chesapeake Bay harvest closure options. When changes in the bag limit were assumed, 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.

3.1 Recreational Fishery Management: Size Limits, Bag Limits, and Seasons

Proposed options for the ocean and Chesapeake Bay recreational fisheries are presented below. The recreational options presented herein are designed to achieve at least a 16.1% reduction in the ocean and at least a 16.1% reduction in the Chesapeake Bay. All size limits are in total length. Bag limits are per person per day. The Board will choose one option for each region.

Note on Conservation Equivalency: Since the stock is currently overfished, 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.

In the criteria for CE proposals for Addendum VI, the TC noted season closures less than two weeks duration are unlikely to be effective. However, there are options for 10-day closures included for consideration. If a 10-day closure option is selected, the closure must include two consecutive weekends from a Friday to the following Sunday.

3.1.1 OCEAN OPTIONS

All ocean options besides the status quo are a combination of a slot limit and seasonal closure. The seasonal closures are no-harvest closures (i.e., catch and release fishing is allowed). Most of the ocean slot options continue the use of the 28" minimum size limit given the long-standing nature of this measure (with benefits to compliance) and in consideration of environmental justice issues (e.g., providing access to shore-based anglers to legal-sized fish). To continue providing some protection to the strong 2015-year class, none of the ocean slot options exceed a 34" maximum size since the age-9 2015 year-class in 2024 has an estimated average length of about 34".

Regarding seasonal closures, a coastwide closure with the same closure dates for each state would ensure consistency in the timing of closures across all states, but would present an equitability challenge. Recreational fisheries operate very differently along the coast based on timing (availability of fish), among other biological, environmental, and socioeconomic considerations, so coastwide closures would result in different levels of harvest reduction for each state. 2022 harvest data by Wave were used to calculate what level of harvest reduction would be expected for the seasonal closure options presented below. For broader reference, Figure 6 shows state harvest by Wave combined for 2018-2022, which shows the varied timing of each state's harvest throughout

the year. To partly address this equitability issue, some options include regional closures, which intend to implement closures in Waves with relatively high harvest in each region, to the extent possible. However, regional closures may mean that states sharing a waterbody may have different closure dates (e.g., NY and CT), which is problematic for enforcement and may lead to effort being shifted to the neighboring state during the other state's closure. Overall, no closure option is completely equitable.

For all ocean options, New York, Pennsylvania, and Delaware would be required to submit area-specific measures as part of their state implementation plans for the following areas. 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).

- New York is required to submit an implementation plan with measures to achieve the 16.1% reduction relative to 2022 levels for the Hudson River management area.*
- Pennsylvania is required to submit an implementation plan with measures to achieve the 16.1% reduction relative to 2022 levels in its state waters.*
- Delaware is required to submit an implementation plan with measures to achieve the 16.1% reduction relative to 2022 levels for their July-August 20"-25" slot fishery.*

Option A. Status Quo: 1 fish at 28" to less than 35" with 2017 season dates for all ocean recreational fisheries. This option allows for the continuation of the existing Addendum VI CE plans. Status quo does not achieve the objective of this addendum to achieve *F* target in 2024.

Options B through D. All ocean options besides the status quo are a combination of slot limit and seasonal closure options summarized in the following table. NOTE:

- Any new size limit also applies to the Chesapeake Bay trophy fisheries with 2022 trophy season dates.
- All closure dates will be specified by the Board during final adoption of this addendum (or shortly thereafter). For coastwide closures, all states will have the same closure dates. For regional closures, all states within a region will have the same closure dates.
- *The public is encouraged to provide comments on which period during certain Waves they would prefer the closure to occur (e.g., if Wave 4 closure, note preference for early or late July or August).*

Draft for Board Review. Not for Public Comment

Ocean Options	Overall Reduction	Harvest Change	Rec. Release Mortality Change
Option B. 1 fish at 28" – 31" with 2022 seasons plus harvest closure, as follows:			
B1. 14 days Wave 6 for all states	-16.8%	-53.1%	+2.7%
B2. 10 days Wave 4 for ME-CT and 10 days Wave 6 for NY-NC	-17.0%	-53.3%	+2.7%
B3. 14 days Wave 4 for ME-MA, and 14 days Wave 3 for RI-NC	-16.6%	-52.8%	+2.6%
B4. 10 days Wave 4 for ME-MA, and 10 days Wave 6 for RI-NC	-16.8%	-53.1%	+2.7%
B5. 15 days Wave 4 ME-NH, and 15 days Wave 3 MA-NJ, and 15 days Wave 6 DE-NC	-16.2%	-52.4%	+2.5%
B6. 21 days Wave 4 ME-NH, and 21 days Wave 5 MA-NJ, and 21 days Wave 6 DE-NC	-16.7%	-52.9%	+2.7%
Option C. 1 fish at 28" – 32" with 2022 seasons plus harvest closure, as follows:			
C1. 14 days Wave 3, plus 14 days Wave 4, plus 14 days Wave 6 for all states <i>(6 weeks total for all states)</i>	-17.7%	-48.4%	+3.2%
C2. 21 days Wave 4 for ME-CT, and 21 days Wave 6 for NY-NC	-17.4%	-48.0%	+3.1%
C3. 21 days Wave 4 for ME-MA, and 21 days Wave 6 for RI-NC	-17.0%	-47.4%	+3.0%
Option D. 1 fish at 30" – 33" with 2022 seasons plus harvest closure, as follows:			
D1. 14 days Wave 4, plus 14 days Wave 6 for all states <i>(4 weeks total for all states)</i>	-17.4%	-51.2%	+3.0%
D2. 14 days Wave 4 for ME-CT, and 14 days Wave 6 NY-NC	-16.9%	-50.5%	+2.8%
D3. 21 days Wave 4 for ME-MA, and 21 days Wave 3 for RI-NC	-16.6%	-50.1%	+2.8%
D4. 14 days Wave 4 for ME-MA, and 14 days Wave 6 for RI-NC	-16.6%	-50.2%	+2.8%

3.1.2 CHESAPEAKE BAY OPTIONS

All Chesapeake Bay options propose a maximum recreational size limit. Maximum size limits range from 23" to 28"; the higher maximum size of 28" would allow harvest of a portion of the above average 2018 year-class, which will be age-6 with an average estimate length of just over 26" in 2024. Some options also change the minimum size limit and/or bag limit, and some options propose additional seasonal closures. Although the Board did not specifically request additional seasonal closures for the Chesapeake Bay options, they were included to allow for a range of options that include both narrow and wider slot sizes.

While differences in striped bass seasons have long differed between the Chesapeake Bay jurisdictions, in 2020 those seasons were further differentiated via approved CE plans (i.e., new summer no-targeting closures in some Bay jurisdictions). Due to the complexity of Addendum VI CE plans and associated uncertainty with estimating increased harvest from removing a closure, all options maintain 2022 seasonal closures. It should be noted that recreational closures implemented in some Bay jurisdictions from 2020-2022 were part of approved CE plans to account for taking a lower reduction in the commercial sector, to overall achieve the previous Addendum VI reduction. By maintaining these shorter 2022 recreational seasons, those previous CE programs cannot be entirely 'wiped clean', so that may be considered when addressing the starting point for commercial quotas (see next section).

Some options propose additional closures on top of those existing closures. The additional seasonal closures proposed in the options are no-harvest closures (i.e., catch and release fishing is allowed). The additional closures consider when current harvest occurs throughout the year in each Bay jurisdiction. 2022 Wave-specific harvest data were used to calculate the level of harvest reduction expected for the seasonal closure options presented below. For broader reference, Figure 7 shows state harvest by Wave combined for 2018-2022, which shows the varied timing of Maryland and Virginia's harvest throughout the year based on their current closures. MRIP data are not available for DC, and while MRIP collects data from locations along the Potomac River, these intercepts are designated as part of Chesapeake Bay and included in the estimates for the state (MD or VA) the fish were landed in. While catch can be estimated by sub-setting sample sites to those along the river, wave-specific intercept sample sizes for the Potomac River are very small and uncertain.

Option A. Status Quo: 1 fish at 18" minimum size with 2017 season dates for all Chesapeake Bay recreational fisheries. This option allows for the continuation of the existing Addendum VI CE plans. Status quo does not achieve the objective of this addendum to achieve *F* target in 2024.

Options B through I. All Chesapeake Bay options are summarized in the following table. NOTE:

- All closure dates will be specified by the Board during final adoption of this addendum (or shortly thereafter). The Board should work to align Chesapeake Bay jurisdiction closures as much as possible, acknowledging that perfect alignment may not be possible given existing, differing closure dates.
- *The public is encouraged to provide comments on which period during certain Waves they would prefer the closure to occur (e.g., if Wave 4 closure, note preference for early or late July or August).*

Chesapeake Bay Options with Consistent Maximum Size							
	Min. Size	Max. Size	Bag Limit	Season	Overall Reduction	Harvest Change	Rec. Release Mortality (RRM) Change
Option B	Same as 2022: 18" DC, 19" MD, 20" VA & PRFC	23"	same as 2022*	same as 2022 ⁺	-17.8%	-31.6%	+4.9%
Option C	Same as 2022: 18" DC, 19" MD, 20" VA & PRFC	24"	same as 2022*	16 day harvest closure in Wave 4 for MD, and Wave 6 for PRFC/DC [^] /VA (on top of 2022 ⁺ seasons)	-16.2%	-27.0%	+4.8%
Chesapeake Bay Options with Consistent Minimum and Maximum Size							
	Min. Size	Max. Size	Bag Limit	Season	Overall Reduction	Harvest Change	RRM Change
Option D	20" (all jurisdictions)	24"	same as 2022*	same as 2022 ⁺	-17.2%	-30.5%	+4.7%
Option E	20" (all jurisdictions)	25"	same as 2022*	20 day harvest closure in Wave 6 for all jurisdictions (on top of 2022 ⁺ seasons)	-16.1%	-27.6%	+4.6%
Option F	20" (all jurisdictions)	26"	same as 2022*	16 day harvest closure in Wave 4 for MD, and Wave 6 for PRFC/DC [^] /VA (on top of 2022 ⁺ seasons)	-16.5%	-27.5%	+4.9%
Option G	20" (all jurisdictions)	28"	same as 2022*	22 day harvest closure in Wave 4 for MD, and Wave 6 for PRFC/DC [^] /VA (on top of 2022 ⁺ seasons)	-16.4%	-26.9%	+4.9%
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 H	19" (all jurisdictions)	23"	1 fish (all modes)	same as 2022 ⁺	-22.4%	-38.4%	+6.7%
Option I	20" (all jurisdictions)	26"	1 fish (all modes)	same as 2022 ⁺	-17.0%	-29.1%	+4.8%

[^]Note: DC can choose either Wave 4 or Wave 6 for their closure for Options C, F, and G.

***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

3.2 Commercial Fishery Management: Size Limits

The following options propose implementing a maximum size limit for striped bass commercial fisheries in the ocean and Chesapeake Bay. The intent of the size limit options is to protect the largest, mature female striped bass contributing to the spawning stock biomass.

Commercial striped bass fisheries operate differently in each state with varying gears, seasons, and size limits. Consequently, implementing a standard maximum size limit across all commercial striped bass fisheries would result in a range of impacts that differ by state and by gear type. Current commercial size limits vary by state, particularly in the ocean where they range from a 20" minimum to 35" minimum, with only one fishery having a maximum size limit (38"). In the Chesapeake Bay, the minimum size is uniform across jurisdictions (18") but the use of a maximum size varies in length (28" or 36") and duration (year-round or seasonal).

In the past, when individual states have changed their commercial size limits through CE, states simultaneously adjusted their quotas up or down to account for maintaining the same spawning potential under new size limits as compared to their previous size limits. This process of adjusting commercial quotas to maintain the same spawning potential under new commercial size limits has been standard practice for approved CE programs under the FMP. If a commercial maximum size limit is implemented and there are corresponding quota adjustments to account for spawning potential, many state quotas will likely decrease to account for lost spawning potential due to harvesting smaller fish (e.g., implementing a maximum size where there was none).

As maximum size limits decrease (i.e., become more restrictive), harvested fish size will also decrease along with the degree of corresponding quota reductions, as illustrated in the following table. Additionally, a new maximum size limit may lead to states requesting a lower minimum size limit through CE to expand their harvest slot, which would further contribute to changes in quota and changes to the size of commercially harvested fish. States that already

harvest smaller fish (e.g., Chesapeake Bay, Delaware Bay) would likely see less of a quota reduction from a new maximum size limit since their fisheries already select for smaller fish.

If a commercial maximum size limit is implemented without corresponding quota adjustments, the number of fish harvested may increase since the average size of commercially harvested fish may decrease in some states, along with potential increased discards.

If a maximum size limit is implemented, there is also significant concern about the potential for increased dead discards from anchored gill nets. The concern is any intended benefit of releasing larger striped bass caught in anchored gill nets will be offset by the high mortality rate of discarded fish from these gill nets and the resulting need to continue fishing, possibly with a greater amount of gear, to meet the quota.

Example Quota Reductions Associated with Changing Size Limits

State	Describe Change	Example Starting Size Limit	Example New Size Limit	Percent Quota Change to Maintain Same Spawning Potential
MA	Apply new maximum size and lower minimum size <i>(change to slot almost entirely below prior size)</i>	34" min.	28 – 35" slot	36% quota reduction
MA	Apply new maximum size and maintain same minimum size <i>(add upper bound where none existed before)</i>	28" min.	28 – 35" slot	28% quota reduction
RI		34" min. for H&L 26" min. for FFT	34 – 38" slot HL 26 – 38" slot FFT	25% quota reduction
RI		28" min.	28 – 35" slot	27% quota reduction
RI		28" min.	28 – 38" slot	24% quota reduction
RI		28" min.	28 – 40" slot	19% quota reduction
RI		28" min	28 – 42" slot	12% quota reduction
DE		20" min	20 – 42" slot	0.3% quota reduction
Ches Bay	Apply year-round maximum size to all three Bay jurisdictions	Combined Ches Bay: MD 18-36" slot; PRFC 18" min/ seasonal 36" max; VA 18" min/ seasonal 28" max	MD, PRFC, VA at 18 – 36" slot	3% quota reduction
Ches Bay			MD, PRFC, VA at 18 – 28" slot	3.5% quota reduction
MD Bay	Lower maximum size limit	18 – 36" slot	18 – 34" slot	5% quota reduction

Note: Example calculations from 2019 Add VI CE analysis (MA, MD) and 2023 PDT example analysis (RI, DE, Ches Bay). H&L is RI's general category fishery, which is primarily hook & line. FFT is RI's floating fish trap fishery.

3.2.1 OPTIONS for Implementing a Commercial Maximum Size Limit

If no maximum size limit is implemented, Option A (status quo) would be selected. If a commercial maximum size limit is implemented, there are four sets of options that must be considered. Option Set B considers whether commercial quotas should be adjusted to maintain equivalent spawning potential under a new maximum size limit. Option Set C considers whether the maximum size limit is applied to 2022 commercial quotas and minimum sizes (accounting for past CE adjustments) or to FMP standard quotas and standard minimum size limits. Option Sets D and E consider what the commercial maximum size limit would be for the ocean and Chesapeake Bay, respectively. All size limits are in total length. One sub-option from each Option Set B, C, D, and E must be selected in order to implement a commercial maximum size.

States are allowed to submit CE proposals to transfer commercial quota to quota-managed recreational fisheries (i.e., recreational bonus programs), but would not be allowed to exceed the selected maximum commercial size limit. The Board continues to have discretion to decide whether or not to approve a CE proposal if it proposes size limits the Board considers to be inconsistent with the intent of this addendum.

Option A. Status Quo: No commercial maximum size limit is established within the plan; all commercial fisheries maintain 2017 size limits (or Addendum VI approved CE plans). Amendment 7 quotas (and Addendum VI approved CE-adjusted quotas) remain unchanged.

Option Set B: Spawning Potential Quota Adjustments (*select one sub-option*)

Option B1. No Quota Adjustment: Quotas would not be adjusted using spawning potential analysis to account for implementing a new maximum size limit. This would not account for change in spawning potential resulting from harvesting different size fish.

Option B2. With Quota Adjustment: Quotas would be adjusted using spawning potential analysis to account for implementing a new maximum size limit. State-specific analysis would be required to maintain the same spawning potential under the new size limit. Most state quotas would likely decrease as a result of implementing a maximum size limit where there was none previously.

Option Set C: Starting Point for Applying Maximum Size to Quota (*select one sub-option*)

C1. 2022 as Starting Point. Apply new maximum size limit to 2022 commercial quotas (including quotas adjusted through approved Addendum VI CE plans) and 2022 size limits. States could submit CE proposals to change their size limits using spawning potential analysis to adjust their quotas accordingly. Under no circumstances will states be allowed to institute minimum sizes below 18 inches or maximum sizes above the selected maximum size.

C2. FMP Standard as Starting Point. Align quotas with FMP historical standard size limits and then implement selected maximum size limit for each region, resulting in a standard commercial slot limit for each region. This option is intended to put the states on more equal footing for the application of a commercial maximum size limit. States could still submit CE proposals to change their size limits using spawning potential analysis and adjust their quotas accordingly. Under no circumstances will states be allowed to institute minimum size limits below 18 inches or maximum sizes above the selected maximum size.

For the ocean, use Amendment 6 28" minimum standard quotas as starting point and determine what quotas would be if no CE had occurred since then. Apply the new size maximum size limit as a standard ocean slot from 28" up to the selected maximum size limit. Consistent with Amendment 6, Delaware Bay gill net fisheries would have a slot from a 20" minimum up to the selected maximum size limit.

For the Chesapeake Bay, use the Addendum IV base Chesapeake Bay quota with an 18" minimum as a starting point¹¹, and determine what quotas would be if no CE had occurred. Apply the new size limit as a standard Chesapeake Bay slot from an 18" minimum up to the selected maximum size limit.

NOTE: This option 'wipes the slate clean' of both Add IV and Add VI CEs (e.g., states that took a less than 18% quota reduction in 2020 would now be subject to that full 18% reduction plus potentially additional reduction from spawning potential analysis). For the Chesapeake Bay, since the recreational options do not completely 'wipe the slate clean' to the FMP standard, this commercial FMP standard approach may not be consistent. For the ocean, the implications of the FMP standard approach for states that took a less than 18% quota reduction in 2020 should be considered.

Option Set D. Ocean Commercial Maximum Size Limits (select one sub-option)

D1. 38-inch maximum size limit for all ocean commercial fisheries. A 38-inch maximum size limit is currently implemented by New York.

D2. 40-inch maximum size limit for all ocean commercial fisheries.

D3. 42-inch maximum size limit for all ocean commercial fisheries.

Option Set E. Chesapeake Bay Commercial Maximum Size Limits (select one sub-option)

E1. 36-inch maximum size limit for all Chesapeake Bay commercial fisheries, except from January 1 to May 31 when the maximum size limit is reduced to 28 inches to provide extra protection for spawning fish and pre-spawn fish entering the Bay. This option expands Virginia's current 28-inch seasonal size limit and combines it with Maryland's year-round 36-inch size limit.

E2. 36-inch maximum size limit for all Chesapeake Bay commercial fisheries.

¹¹ Addendum IV was first management document to specify a Chesapeake Bay quota.

Summary of Commercial Size Limit Implementation Options

***Starting Quotas may be adjusted per Option B to account for maintaining the same spawning potential under a new maximum size limit. For most states, this would likely result in a reduction from the selected starting quota.*

	C1. 2022 Size Limit and Quotas as Starting Point <i>Incorporates commercial CE programs (e.g., some states took less than 18% Add VI reduction)</i>			C2. Quotas under Uniform FMP Standard Size Limits as Starting Point <i>Assumes no commercial CE occurred (i.e., quotas are full 18% reduction from Add IV base quotas)</i>		
		Starting Size Limit	Starting Quota**		Starting Size Limit	Starting Quota**
B. Would quotas be adjusted for new maximum size limit via spawning potential analysis?	ME	N/A (28" min)	154	ME	N/A (28" min)	154
	NH	N/A (28" min)	3,537	NH	N/A (28" min)	3,537
	MA	35" min	735,240	MA	28"	713,247
	RI	26" min FFT; 34" min GC	148,889	RI	28"	149,830
	CT	N/A (28" min)	14,607	CT	N/A (28" min)	14,607
	NY	26 - 38"	640,718	NY	28"	652,552
	NJ	bonus program 24 - <28"	215,912	NJ	28"	197,877
	DE	28", except 20" for gill nets in DE Bay/River 2.15-5.31	142,474	DE	28", except 20" for gill nets in DE Bay/River	118,970
	MD	24" min	89,094	MD	28"	80,909
	VA	28" min	125,034	VA	28"	113,685
B1. No	NC	28" min	295,495	NC	28"	295,495
B2. Yes	MD Ches Bay	18 - 36"	3,001,648	Ches Bay	18" min	2,558,603
	PRFC	18" min, 36" max during 2.15-3.25				
	VA Ches Bay	18" min, 28" max during 3.15-6.15				
Option D. Apply Ocean Maximum Size Limit						
D1. 38-inch maximum; D2. 40-inch maximum; D3. 42-inch maximum						
Option E. Apply Chesapeake Bay Maximum Size Limit						
E1. 28-inch max. Jan-May/36-inch max. Jun-Dec; E2. 36-inch maximum						

3.3 Response to Stock Assessment Updates

If an upcoming stock assessment update (e.g., currently scheduled for 2024, 2026) 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.

- 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]: Management 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.

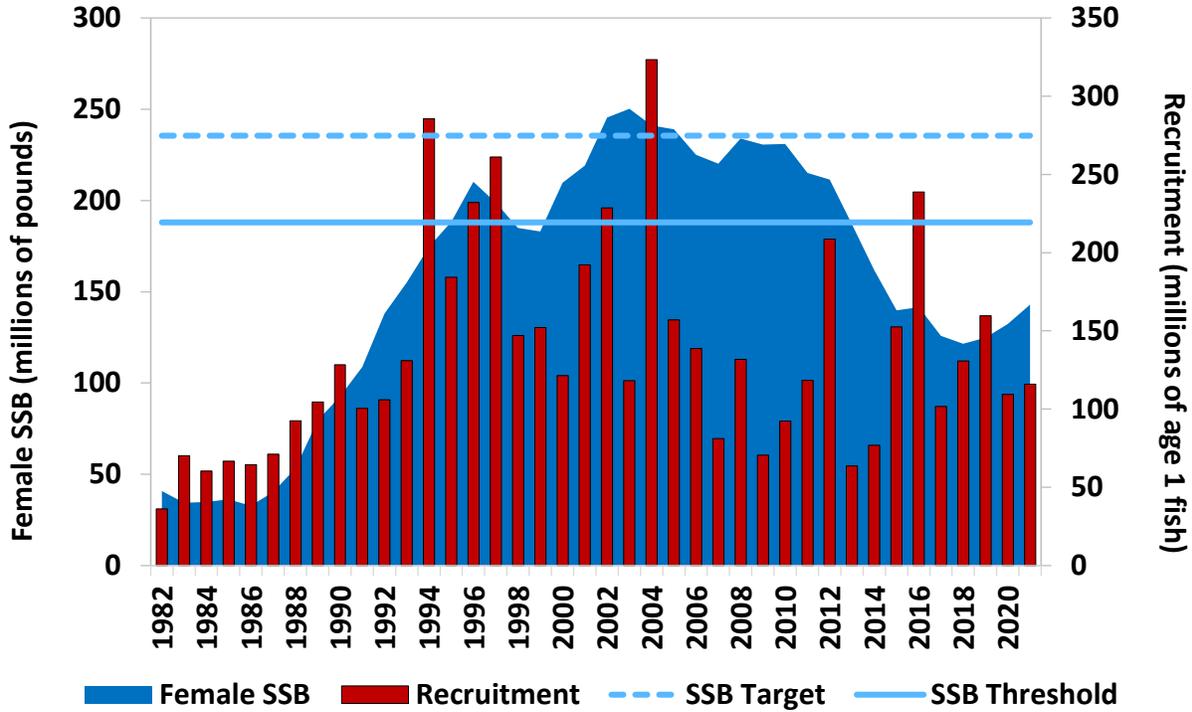


Figure 2. Atlantic striped bass fishing mortality, 1982-2021. Source: 2022 Stock Assessment Update.

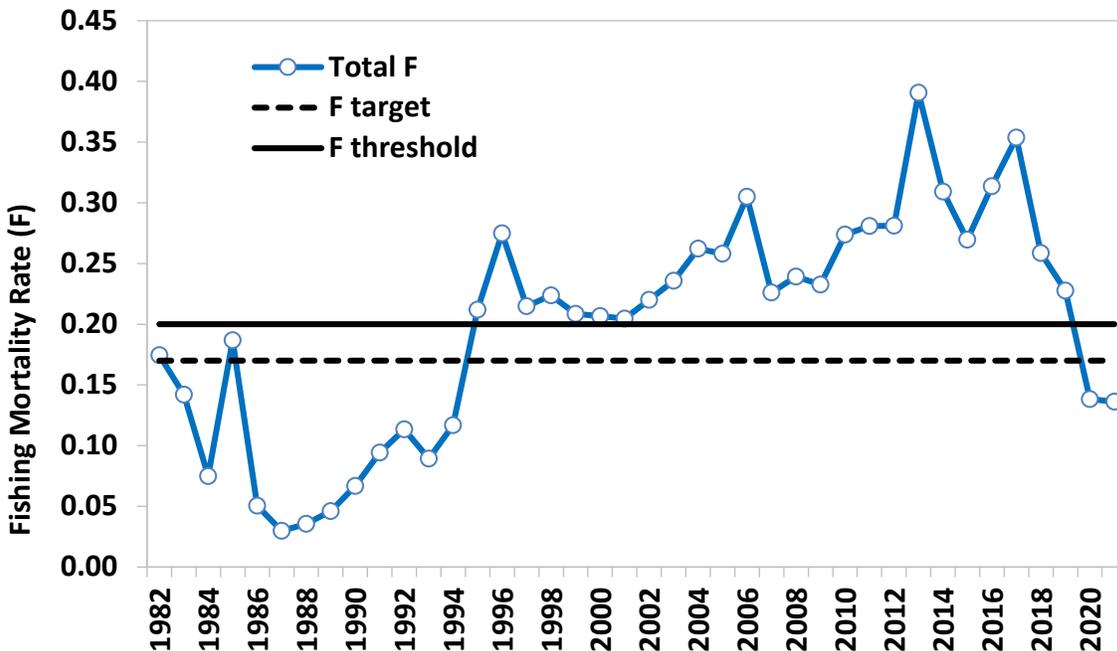


Figure 3. Stock rebuilding projections using 2021 data (from 2022 assessment update) and 2022 data.

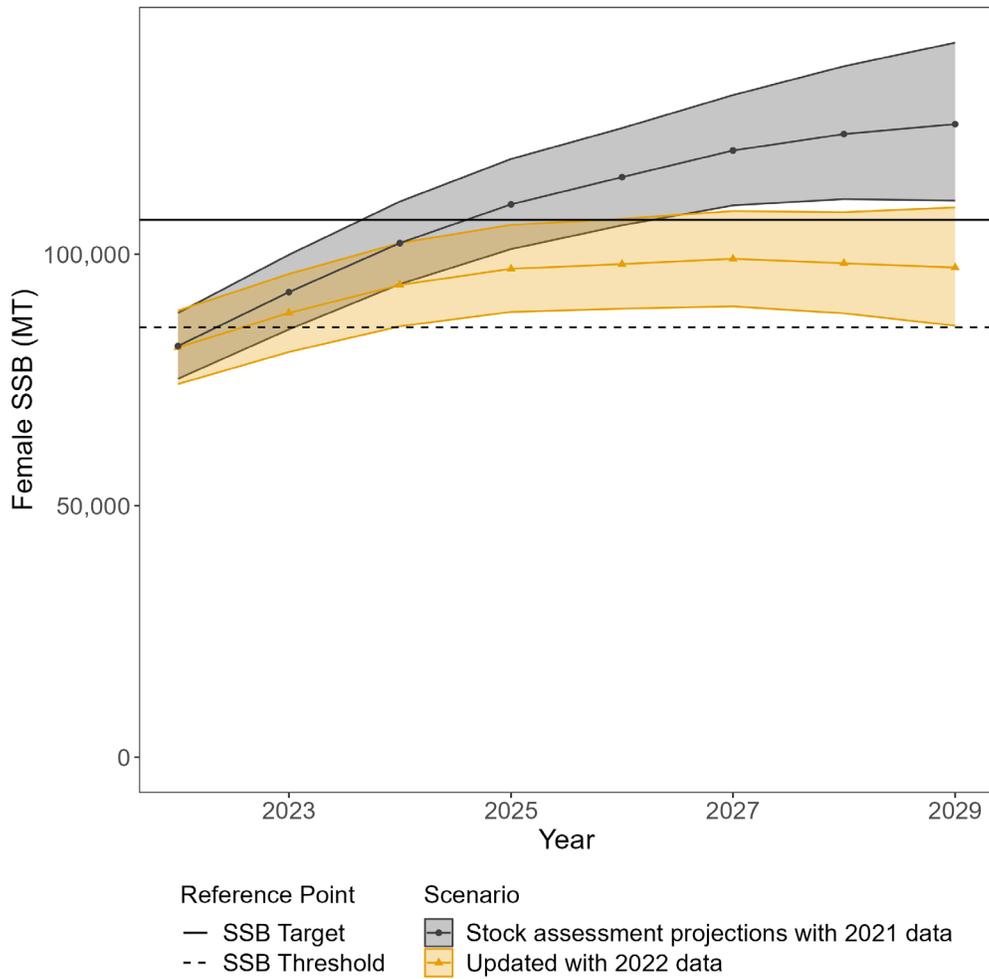


Figure 4. Average size-at-age of the 2015 year-class (not scaled to abundance) from 2022 (top panel), 2023 (middle panel), and 2024 (bottom panel) relative to the Addendum VI/Amendment 7 ocean standard 28”-<35” slot (solid lines) and the emergency action 31” maximum size (dashed line).

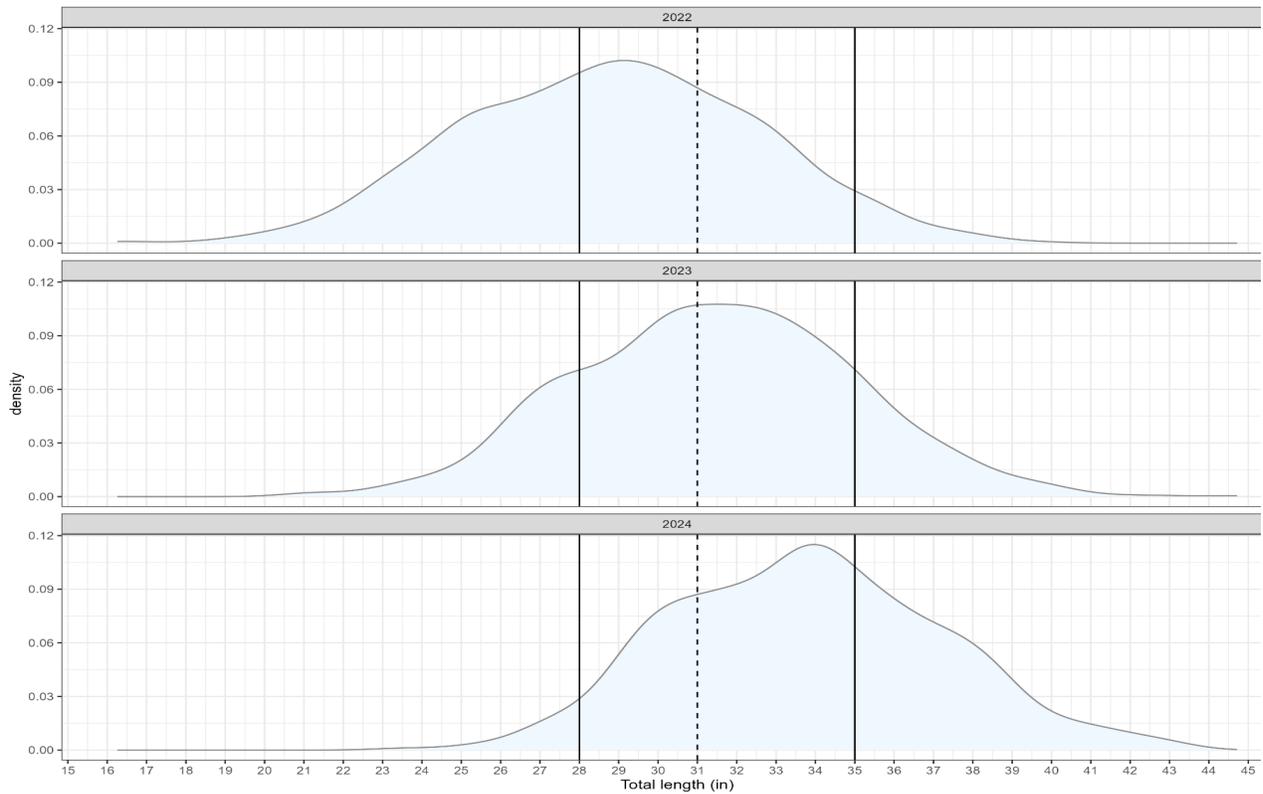


Figure 5. Total Atlantic striped bass removals by sector in numbers of fish, 1982-2022. Note: Harvest is from state compliance reports/MRIP, discards/release mortality is from ASMFC.

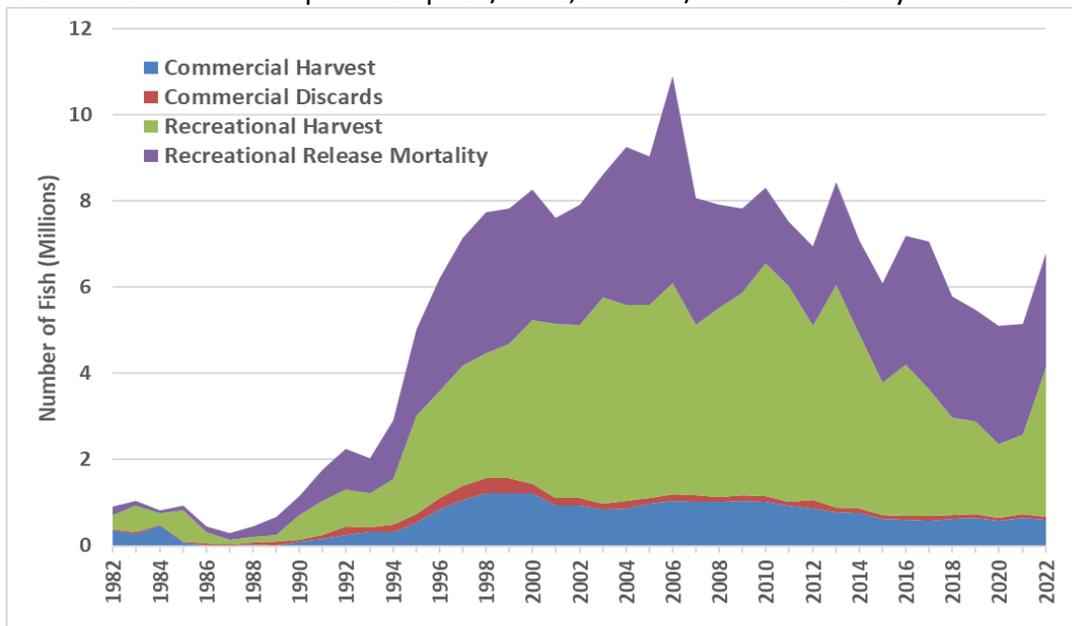


Figure 6. 2018-2022 harvest by state and by wave in the OCEAN. The bottom panel is scaled to the same y-axis (number of fish) to show relative difference in harvest levels among states.

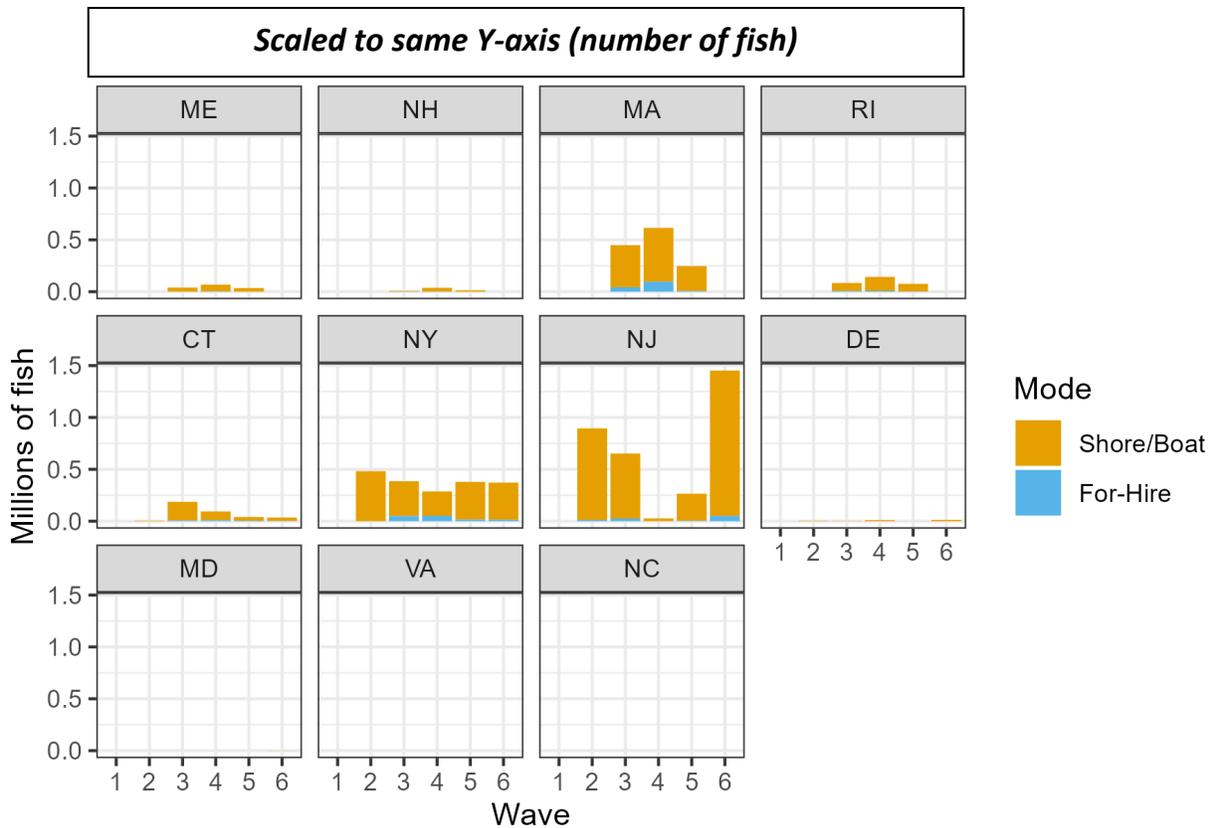
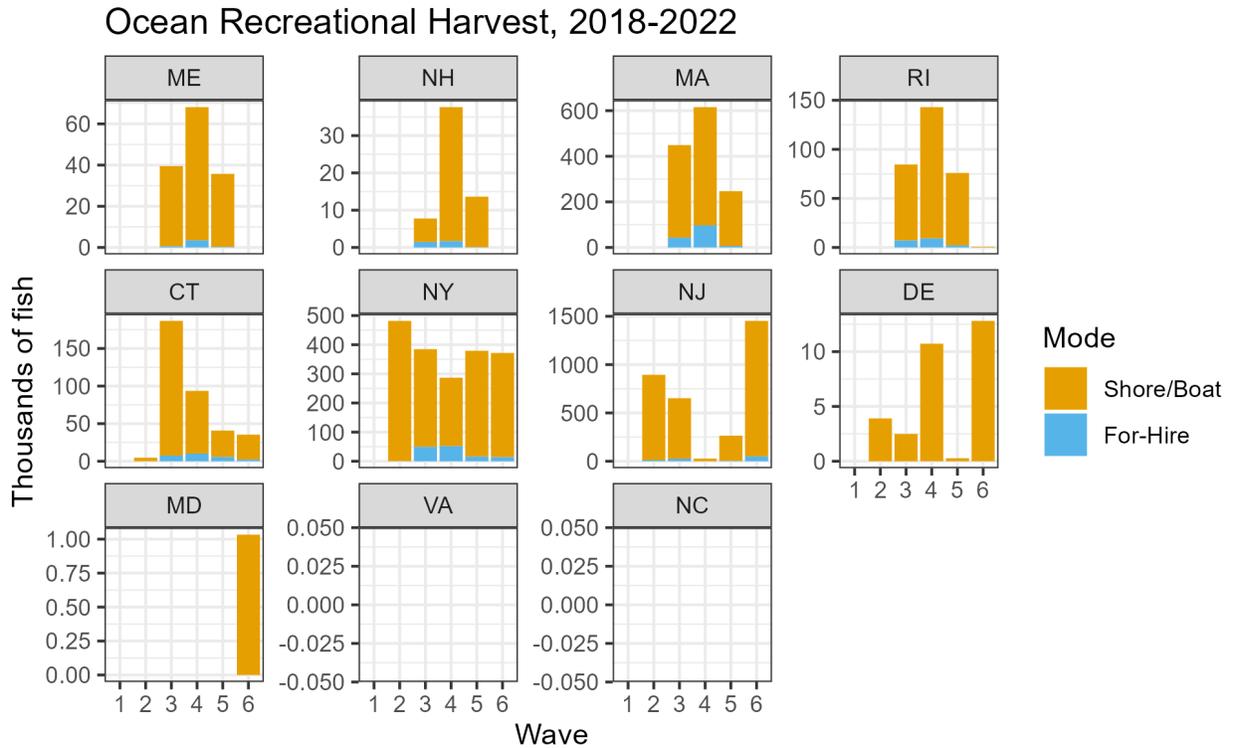
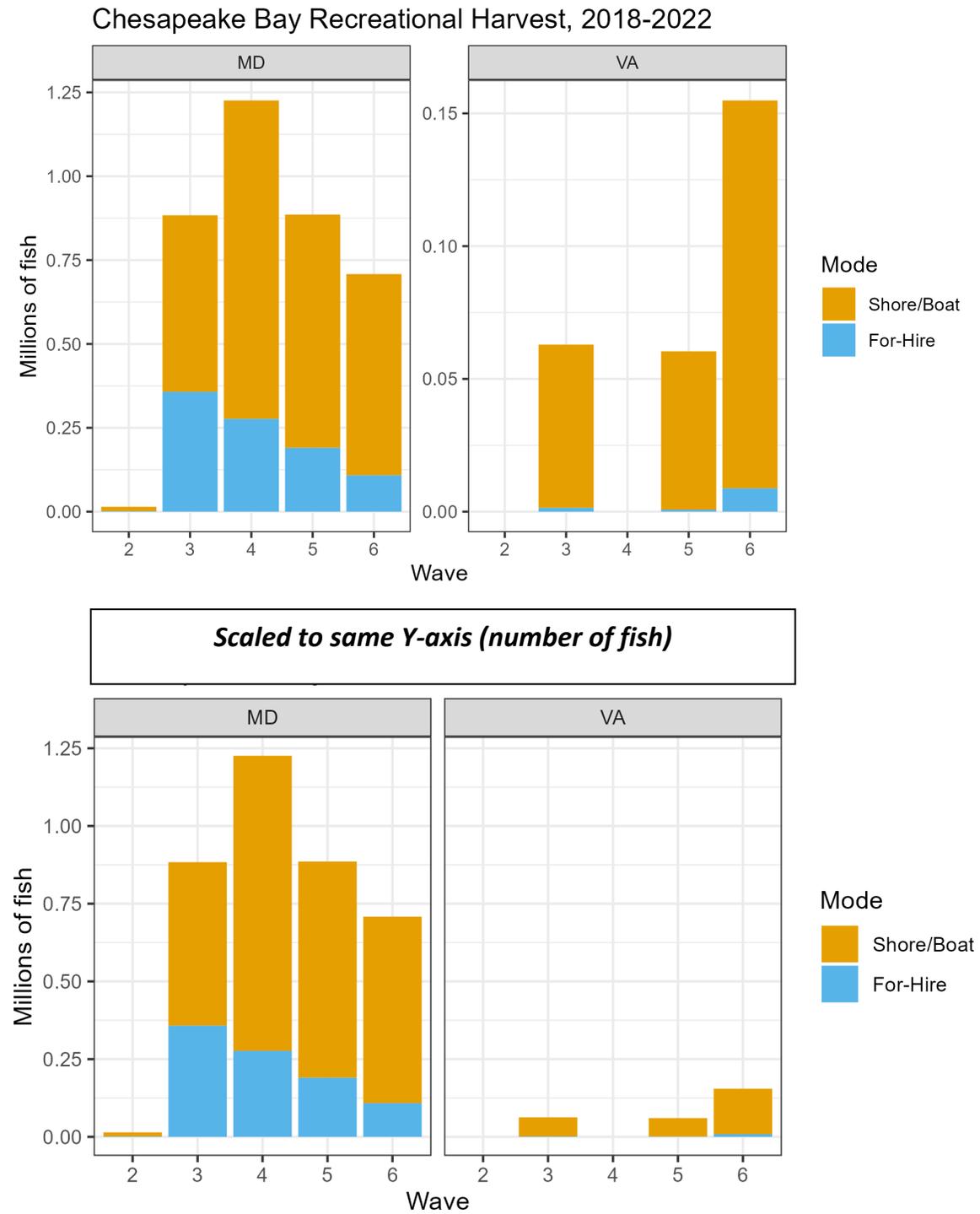


Figure 7. 2018-2022 harvest by state and by wave in the CHESAPEAKE BAY. The bottom panel is scaled to the same y-axis to show relative difference in harvest levels among states.



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. 5 fish/vessel/day limit.		5.20-6.30; 7.1-12.31, or until quota reached. Closed Fridays, Saturdays, and Sundays during Jul-Dec.
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

(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

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 noncircle 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

(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"		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. 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).

(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

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

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

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).

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	ageing ongoing
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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MEMORANDUM

TO: Atlantic Striped Bass Management Board
FROM: Atlantic Striped Bass Plan Development Team
DATE: July 17, 2023
SUBJECT: Draft Addendum II Board Discussion and Additional Topics

In May 2023, the Atlantic Striped Bass Management Board (Board) initiated an addendum to bring fishing mortality to the target in 2024 with options to include modifications to the ocean slot limit, ocean harvest closures if needed, maximum size limits for all commercial fisheries and Chesapeake Bay recreational fisheries, and a Board action provision for future stock assessment response. The Plan Development Team (PDT) developed those types of options which are included in Draft Addendum II in the Board's meeting materials for the Summer 2023 Meeting.

This memorandum highlights two discussion points for the Board's deliberations on these options: 1) potential quota adjustments associated with commercial size limit changes, and 2) addressing existing conservation equivalency (CE) measures in the new options. Depending on the Board's intent, the number of currently drafted options could be reduced prior to approving the document for public comment.

This memorandum also outlines additional topics raised by the PDT throughout the addendum development process: recreational mode-split, recreational no-targeting seasonal closures, commercial mesh size for anchored gill nets, commercial tagging, and at-sea filleting. If these additional topics align with the Board's intent for this draft addendum, the Board could add the potential options herein to the draft addendum via Board motion before the document is approved for public comment.

Board Discussion Point: Commercial Size Limit Changes and Quota Adjustments

As noted in the draft addendum, past changes to commercial size limits (allowed via approved state CE plans) have been accompanied by corresponding changes to that state's commercial quota to account for maintaining the same spawning potential under new size limits as compared to previous size limits. This process has been standard practice for approved commercial size CE programs under the FMP, and this was noted by the Technical Committee (TC) at their [June 5](#) meeting.

If a commercial maximum size is implemented and there is a corresponding quota adjustment to account for spawning potential, many state quotas will likely decrease to account for lost spawning potential due to harvesting smaller fish (i.e., implementing a maximum size where there previously was none). If a commercial maximum size limit is implemented without a

corresponding quota adjustment, the number of fish harvested may increase since the average size of harvested fish will decrease.

The PDT recognizes that during the May 2023 Board meeting, it was noted that Addendum II was not intended to consider a quota reduction. So, it is unclear how the Board would like to proceed with commercial size limits and corresponding quota adjustments. As such, the current draft addendum includes options that would not require spawning potential quota adjustments (Option B1) and options that would require spawning potential quota adjustments (Option B2).

The PDT recommends the Board discuss their intent and make a decision at the August meeting regarding how to move forward with commercial size limits and quota adjustments before approving Draft Addendum II for public comment (i.e., choose one approach and eliminate commercial option set B).

If the Board decides to require spawning potential analysis and quota adjustments for any commercial size limit change, that analysis would require state-specific calculations based on state-specific selectivity curves. Each state's calculation would be unique, even for states that have the same size limit, and most states have different commercial size limits to begin with. So, resulting quota adjustments (e.g., percent reduction) will likely vary by state. The draft addendum includes a table of example spawning potential calculations for different states/size limits on page 18.

The Board should also consider *when* this analysis would be conducted. States could conduct the analysis after the final Addendum II is approved with the selected commercial size limit as part of their state implementation plan; the drawback of this approach is the public will not know the amount by which their state quota would change for each proposed size limit option during the public comment process. An alternative approach could be to add the spawning potential calculations for each proposed option for each state to the draft addendum before approving the document for public comment, but that would delay the document by one meeting cycle. Another approach would not include the analysis in the draft addendum, but each state could prepare draft analyses to have on hand during the public hearings. In this case, a Technical Committee meeting in August would be helpful to review spawning potential analysis methodology.

If the Board decides not to require quota adjustments for maximum size limits based on spawning potential analysis, those options requiring such analysis would be removed from the draft addendum before the public comment period.

Board Discussion Point: Starting Point for Options Development

The PDT discussed two approaches for developing options: using the 2022 measures as the starting point (i.e., incorporating the Addendum VI CE programs) or using the Amendment 7 FMP standards as the starting point (i.e., "wiping the slate clean" of the Addendum VI CE programs). The distinction is most relevant to the Chesapeake Bay recreational options and the commercial size limit options given the breadth of CE programs in place that distance the

current measures from the FMP standards. This issue was not significant for the ocean recreational fishery since the only CE measures in the ocean were alternative size limits, and size limits are already being modified by the ocean options.

For Chesapeake Bay recreational options, using 2022 measures as a starting point manifests as maintaining state-specific 2022 bag limits, minimum size limits, and/or seasons, which were adjusted via Addendum VI CE, and that these *become part of the new FMP standard* (e.g., under Option B, the FMP specifies that PRFC's bag limit is 2-fish at a 20–23" slot with their existing 6-week summer targeting closure, while Maryland's bag limit is 1-fish private/2-fish charter at a 19–23" slot with their existing 2-week summer targeting closure). The Chesapeake Bay recreational options in the draft addendum range in the number of 2022 measures they maintain versus the number of measures which are standardized across the Bay jurisdictions. No Chesapeake Bay recreational option in the draft addendum creates a truly consistent set of measures across the Bay. Seasons among Chesapeake Bay jurisdictions have differed, even prior to Addendum VI, since the fisheries reopened in the late 1990s, and "wiping the slate clean" to arrive at a common set of measures with consistent seasons across jurisdictions was not feasible due to the complexity of current measures and associated uncertainty. However, Options H and I, in which the size limits and bag limits are standardized and the 2022 seasons maintained, are most consistent with the approach of modifying the Amendment 7 FMP standard (i.e., 1-fish at 18" minimum with the 2017 seasons). Options that maintain aspects of the current CEs, particularly the current bag limits, reduce uncertainty in the calculations, for example, by not requiring development of catch estimates for the Potomac River by extracting Potomac River data from the Maryland and Virginia MRIP data.

The Board should consider to what extent formalizing the CE measures as part of the FMP is consistent with the intent of Amendment 7's restrictions and requirements for CE. The PDT notes one possible consequence of working off the 2022 seasons for all Chesapeake Bay recreational options; some recreational season closures implemented in 2020 (and still in place in 2022) were intended to account for a smaller reduction in the commercial sector at that time. Since those closures will be maintained, "wiping the slate clean" for Chesapeake Bay commercial quotas may not be consistent, as described next.

For the commercial fishery, the PDT included one option where a maximum size limit would be applied to 2022 quotas and 2022 size limits (Option C1), and one option where a maximum size limit would be applied to theoretical FMP standard quotas based on an Amendment 6 starting point, since Amendment 6 was associated with uniform FMP standard minimum size limits of 28" in the Ocean and 18" in the Chesapeake Bay (Option C2). The latter option applies the Addendum IV and VI commercial quota reductions but assumes no CE programs occurred, and thus puts the states on more equal footing (i.e., a consistent minimum size limit) for the application of a commercial maximum size limit. One of the implications of wiping the slate clean of past commercial CE programs is states that took a less than 18% quota reduction in 2020 would now be subject to that full 18% reduction (plus potential additional reduction from any required spawning potential analysis, as discussed above).

If the Board's intent is to proceed one way or the other in adopting past CE programs as part of the new FMP standard (2022 starting point) or not (original FMP standard 'wipe the slate clean'), the Board can eliminate options as such before approving the draft addendum for public comment (i.e., choose one approach and eliminate commercial option set C). For the Chesapeake Bay, since the recreational options do not completely 'wipe the slate clean' to the FMP standard, the commercial FMP standard 'wipe the slate clean' approach may not be consistent. For the ocean, the Board should consider the implications of the FMP standard approach on states that originally took a less than 18% quota reduction for their commercial fisheries in Addendum VI.

Additional Topic: Recreational Mode-split

The PDT discussed the topic of separate recreational measures for for-hire modes vs. private vessel/shore modes. During the May 2023 Board meeting, the Board discussed a potential exemption for for-hire modes from the 2023 emergency action due to the lateness of the rule-change, but that motion failed due to lack of majority. Some Board members also noted they have overarching concerns about even considering separate for-hire measures as part of the striped bass management program. The PDT acknowledges these comments by the Board, but also recognizes that some members of the public expressed support for considering separate for-hire measures during the May 2023 emergency action public hearings. Considering these public comments and the Board's initial discussion, the PDT explored potential recreational options with different size limits or bag limits for private vessel/shore anglers and for-hire modes (options below). The PDT recognizes there are several issues the Board would likely consider, including concerns about equity and enforcement of different regulations, and developed these possible options to not delay the addendum's schedule should it be the Board's desire to consider a recreational mode-split at this time.

For ocean recreational measures, potential options could propose a wider slot limit for the for-hire modes for some of the draft addendum options (see below). Mathematically, wider slot options for the for-hire sector are feasible in the ocean because for-hire removals are a small proportion of total ocean removals (average 6% of ocean recreational harvest and 3% of total ocean recreational removals over the past three years), and therefore do not impact each option's achievement of the reduction. For the ocean recreational mode split options below, allowing the for-hire modes to harvest a wider slot only decreases each option's reduction by 0.1% compared to if the for-hire modes were under the same slot as private vessels/shore anglers. All ocean recreational options include a harvest closure component, and for-hire modes would still be subject to the same harvest closure as private vessel/shore anglers.

For Chesapeake Bay recreational measures, potential options could propose an increased bag limit of 2-fish for for-hire modes across all jurisdictions, instead of 1-fish (see below). 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). To account for the for-hire 2-fish bag limit, some of these mode split slot options propose a narrower slot limit as compared to the existing options where all modes have a 1-fish bag limit.

For example, to have a 2-fish for-hire bag limit, the slot limit would 20"-24" instead of 20"-26" for the same scenario.

The PDT recognizes the type of mode split options differs between the ocean (wider slots for the for-hire sector) and the Chesapeake Bay (increased bag limit the for sector), but this difference reflects how each fishery operates considering fish availability. In the ocean, the wider slot addresses concerns heard from for-hire operators about the potential for increased discards with narrow slots and the general desire for anglers on for-hire trips to harvest a fish. While in the Chesapeake Bay, the increased bag limit makes up for only accessing smaller fish.

Example Ocean Recreational Options (for Section 3.1.1)

Option B alternative. Private vessel/shore modes would have a size limit of 28" to 31.0" and for-hire modes would have a size limit of 28" to 33.0". All modes subject to the same corresponding seasonal closure. – 16.2%-16.9% reduction depending on closure

Note: For sub-option B5, the for-hire wider slot option would add one day to the harvest closure for each region, increasing from 15 to 16 days.

Option C alternative. Private vessel/shore modes would have a size limit of 28" to 32.0" and for-hire modes would have a size limit of 28" to 34.0". All modes subject to the same corresponding seasonal closure. – 16.9%-17.3% reduction depending on closure

Option D alternative. Private vessel/shore modes would have a size limit of 30" to 33.0" and for-hire modes would have a size limit of 30" to 34.0". All modes subject to the same corresponding seasonal closure. – 16.5%-17.3% reduction depending on closure

Example Chesapeake Bay Recreational Options (for Section 3.1.2)

Option H alternative. All modes would have a size limit of 19" to 23". Private vessel/shore modes would have a 1-fish bag limit, and for-hire modes would have a 2-fish bag limit. All modes subject to the 2022 seasons. – 17.9% reduction

Option I alternative. All modes would have a size limit of 20" to 24". Private vessel/shore modes would have a 1-fish bag limit, and for-hire modes would have a 2-fish bag limit. All modes subject to the 2022 seasons. – 18.1% reduction

Additional Topic: Recreational No-Targeting Seasonal Closures

During the May 2023 Board meeting, the Board specified considering no-harvest seasonal closures, and it was noted that Addendum II was not proposing to address recreational releases. As such, the PDT only included options for no-harvest seasonal closures in the draft addendum. However, the PDT noted that recreational release mortality is still an issue which was also raised by the TC at their [June 5](#) meeting.

To address releases, the Board could consider presenting an option to set any proposed recreational seasonal closures as either no-harvest or no-targeting. Because the TC has not

established a standardized method for estimating the reduction in removals from a no-targeting closure, considering no-targeting closures in this draft addendum would not add any additional reduction from the no-harvest closures. If no-targeting closure reduction methods are standardized in the future, for example reviewing Maryland's no-targeting calculation methodology from Addendum VI, subsequent management documents could consider reductions from no-targeting closures. The PDT also recognizes there are continuing questions and concerns about enforcement of no-targeting closures and changes in angler behavior and effort.

Example Options (additional option set for Sections 3.1.1 and 3.1.2)

Option A. Any recreational seasonal closure implemented through Addendum II would be a no-harvest closure.

Option B. Any recreational seasonal closure implemented through Addendum II would be a no-targeting closure.

Additional Topic: Commercial Mesh Size for Anchored Gill Nets

The PDT discussed concerns about the potential for increased dead discards, particularly for anchored gill nets, if a commercial maximum size limit is implemented. The concern is any intended benefit of releasing larger striped bass caught in anchored gill nets will be offset by the high mortality rate of discarded fish (e.g., 45% discard mortality rate assumed in stock assessment) and the resulting need to continue fishing to meet the quota. To address this concern, the draft addendum could consider provisions specific to anchored gill nets that would implement maximum mesh size requirements instead of maximum fish size limit requirements for that gear.

Changing mesh size will change the selectivity of fish captured in anchored gill nets; larger mesh sizes are intended to capture larger fish. A maximum mesh size requirement (i.e., no mesh larger than x") could be implemented to protect fish above a certain size. A maximum mesh size would not fully guarantee that large fish wouldn't be captured (e.g., a large fish could still be incidentally lip-snagged in smaller mesh), but it would greatly reduce how many large fish are captured by the gear (Hager 2005)¹. If a maximum mesh size were implemented instead of a maximum fish size limit for anchored gill nets, the number of large fish captured would be greatly reduced, and harvesters would be allowed to keep the occasional incidental catch of large fish so as to prevent new dead discards. If a maximum fish size limit were in place, any large fish would have to be discarded with a relatively high mortality rate (Clark and Kahn 2009,

¹ Hager, C. 2005. Mesh-Specific Catch Compositions and Size Distributions Occurring in Virginia's 2005 Winter-Spring Striped Bass Gill Net Fishery. Submitted to Virginia Marine Resources Commission. VIMS Marine Resource Report No. 2005-7, VSG 05-06.

Shepherd 2004)², and additional fish would be captured to meet the quota potentially causing longer soak times and/or placement of more gear.

This type of provision could be added as a specific exemption in the FMP or as a CE provision (example options below). In either case, additional Board review and approval of any maximum mesh size in lieu of a maximum fish size would be required prior to state implementation. It would likely take some time to determine what size mesh would be appropriate; information needs to be compiled, and new data potentially collected, to review information on mesh size selectivity and striped bass. There are some past studies on this topic, but additional information from observer data may be necessary.

Example Options (additional option set for Section 3.2.1, select one sub-option)

Option F1. Anchored gill net fisheries are subject to the same maximum size limits as all other commercial striped bass gears.

Option F2. Anchored Gill Net Exemption

Anchored gill net fisheries are not subject to a maximum size limit, but instead are subject to maximum mesh size requirements. Mesh size requirements will be designed to protect the same size fish as specified in the addendum as other commercial gears. Until such time the appropriate mesh size requirement is determined and reviewed by the TC and Board, anchored gill nets will be subject to the selected maximum fish size limit. Commercial tagging must occur at the point of harvest for states with an exempted fishery, and tags for the exempted anchored gill net fishery must be discernible from other fisheries (e.g., tags are of gear-specific colors or are inscribed with gear-specific size limits).

Option F3. States may submit CE proposals requesting an exemption to maximum fish size limits for anchored gill nets with the addition of maximum mesh size requirements. CE proposals should include sufficient data documenting mesh size selectivity for striped bass, and are subject to review and approval by the TC, PRT, and the Board. Commercial tagging must occur at the point of harvest for states with an exempted fishery, and tags for the exempted anchored gill net fishery must be discernible from other fisheries (e.g., tags are of gear-specific colors or are inscribed with gear-specific size limits).

² Clark, J.H. and D.M. Kahn. 2009. Amount and Disposition of Striped Bass Discarded in Delaware's Spring Striped Bass Gill-Net Fishery during 2002 and 2003: Effects of Regulations and Fishing Strategies. *North American Journal of Fisheries Management*, 29:3, 576-585.

Shepherd, G. 2004. Estimation of Striped Bass Discards in the Multispecies Groundfish Fishery during 2002 Fishing Year (May 2002-April 2003). U.S. Dept. of Commerce, NOAA National Marine Fisheries Service Northeast Fisheries Science Center Reference Document 04-09.

Additional Topic: Commercial Tagging Programs

During commercial option discussions, one PDT member raised concerns about commercial tagging programs that tag striped bass at the point of sale (vs. at the point of harvest). Striped bass commercial tagging programs were first required through Addendum III to Amendment 6 and provide states the option to implement tagging at the point of harvest or point of sale. Currently, three states implement tagging at the point of sale only. One PDT member noted that point-of-sale tagging may not be as effective from an accountability/enforcement perspective, as compared to point-of-harvest tagging, especially if states have overlapping commercial and recreational size limits. There was a difference of opinion among PDT members on this issue. Another PDT member noted that point-of-harvest tagging has the same potential accountability/enforcement issues, and states with point-of-sale tagging have effectively addressed overlapping sector size limits by requiring recreational fin clipping provisions.

If the Board is concerned about enforcement issues or would like to initiate a review of state striped bass commercial tagging programs, the Board could task the Law Enforcement Committee and/or Plan Review Team with conducting such a review. At their annual FMP review meeting in July, the Plan Review Team recommended a holistic review of the commercial tagging program since it has now been 10 years since these programs were implemented coastwide.

If the Board wanted to add an option to the Draft Addendum to require that commercial tagging be at point-of-harvest, the Board should consider a delayed implementation schedule to account for the extensive administrative and regulatory changes required for those states that currently implement point-of-sale tagging.

Additional Topic: At-sea Filleting

During recreational size limit option discussions, one PDT member raised concerns about state allowances for at-sea 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. With the expected narrowing of legal-sized fish, incentive to exploit this loophole for keeping non-conforming sized fish is heightened. Enforcement with *maximum* size limits in particular may be more challenging with at-sea filleting allowances (i.e., fillets can be trimmed to correspond to maximum fish size). The PDT compiled relevant state regulations as best as possible in the time available, and found that across the management unit, states vary in whether they allow at-sea (and shore-side) filleting, for which recreational fishing modes, and with what stipulations to aid enforcement, such as racks retained, skin intact, fillet:fish ratio, fillet size limits, receipts required, etc. (see the table below).

Summary Table for Filleting Allowances for Striped Bass; Refer to Regulations for Exact Language and More Detailⁱ

ME	No filleting
NH	Filleting allowed (all modes) with rack retained, skin intact, only 2 fillets per 1 fish
MA	For-hire filleting allowed for customers with skin intact, only 2 fillets per 1 fish
RI	Unspecified, although racks cannot be disposed at sea
CT	Filleting allowed (all modes) with rack retained*
NY	For-hire filleting allowed for customers with rack retained, receipt required
NJ	For-hire filleting allowed with Special Fillet Permit, rack retained, fillet size limits
PA	For-hire filleting with rack retained, receipt required; or if for immediate consumption
DE	No filleting
MD	For-hire filleting allowed with rack retained
PRFC	Regulatory interpretation unclear
DC	No filleting
VA	Filleting allowed if rack retained and skin intact
NC	Filleting allowed if rack retained*

* State interpretation of regulation for enforcement purposes; refer to notes in regulatory language

If the Board is concerned about enforcement issues or the variation in state regulations, the Board could task the Law Enforcement Committee and/or Plan Review Team with furthering this review for future consideration by the Board. If the Board wanted to add options to Draft Addendum II to address this issue, such options could establish requirements for allowing at-sea/shore-side filleting. The PDT acknowledges there are likely additional considerations for establishing such provisions and how states would implement them, which may require additional time for consideration and development. However, including options in Draft Addendum II would provide public feedback on this topic.

Example Options (new section 3.1.3 under Recreational Fishery Management)

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

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

ⁱ 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 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 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).*

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).*

From: [info](#)
To: [Emilie Franke](#)
Subject: FW: [External] Atlantic fisheries, stripped bass
Date: Thursday, May 18, 2023 10:05:31 AM

-----Original Message-----

From: Ed Bailor <bailor@comcast.net>
Sent: Wednesday, May 17, 2023 5:41 PM
To: info <info@asmfc.org>
Subject: [External] Atlantic fisheries, stripped bass

Charter boats catch second most stripped bass after pound netting.

A charter boat goes out 30 times a month, usually having a six pack (6 fishermen) and does it mostly twice a day.

That's $30 \times 6 \times 2 = 360$ fish a month

A recreational guy possibly goes out 2 or three times a month if they are lucky with two guys on board = 12 possible fish Big difference

Simple problem solver

Stop pound netting and limit charter numbers.

Inspector Ed Bailor
USCP retired

From: [Comments](#)
To: [Emilie Franke](#)
Subject: FW: [External] Why don't you just close the whole damn thing down you idiots won't be happy till you do that any way fuck you the mor laws you make the more outlaws you make these decisions are being made because of politics not science there are plenty
Date: Monday, May 22, 2023 9:25:14 AM

[External] Why don't you just close the whole damn thing down you idiots won't be happy till you do that any way fuck you the mor laws you make the more outlaws you make these decisions are being made because of politics not science there are plenty ...

From: bobfestacabinetmaker <bobfestacabinetmaker@gmail.com>
Sent: Saturday, May 20, 2023 7:38 PM
To: Comments <comments@asmfc.org>
Subject: [External] Why don't you just close the whole damn thing down you idiots won't be happy till you do that any way fuck you the mor laws you make the more outlaws you make these decisions are being made because of politics not science there are plenty ...

Sent from my Verizon, Samsung Galaxy smartphone

From: [George Buck](#)
To: [Comments](#)
Subject: [External] New striper regulations
Date: Friday, May 19, 2023 10:33:13 AM

I sent the following note into the Ct. DEEP's Marine Fisheries unit. Your over 90% increase in striped bass mortality due to possession of legal/illegal kept stripers plus mortality of released stripers is bogus or at the very least a poor application of statistical analysis. There has been no observed increase in the striper fishing community nor an increase of any statistical significance in the number of hours of striper fishing from one year over the next in the recent past.

"The new striper regulations are being based off of an analysis that indicated a over 90% increase in the recreational catch of striped bass. That would have to mean an increase in the possession catch and/or an increase in the mortality of released stripers. Statistically, this would also mean either an increase in striper fisher-people and/or in their hours of striper fishing, since the size and possession limits did not change from one year to another in this assessment. A near doubling of the number of people fishing for stripers and the mortality rates for released stripers simply did not happen and therefore, the over 90% increase that was used to now lower the band width for possession to 28" to 31" is a false flag indicator. Fishing Blogs have been discussing this at length and no one believes the over 90% number. For the DEEP's fisheries unit to not challenge the Feds on this issue is to blindly follow the blind. That does not shed light on the issue at all."

George R Buck
203-746-2389

From: [M](#)
To: [info; Emilie Franke](#)
Subject: [External] Fwd: Critical support for Addendum 2
Date: Saturday, May 27, 2023 3:05:02 PM

I wish my concerns to be read by the Commissioner before or during the meeting for May 31. I apologize as I am having technical difficulties with a connection to participate in the online event.

I hope this finds you all well!

Tight lines,

Kindly,
Mr. Caggiano

----- Forwarded message -----
From: M <mcagg1@gmail.com>
Date: Sat, May 27, 2023 at 2:52 PM
Subject: Critical support for Addendum 2
To: <jamie.green@mrc.virginia.gov>

Dear Commissioner Green,

My name is Michael Caggiano and I help bring veterans, young adults to the sport of fishing. This Memorial Day it is even more omni-present to sustain this fishery not just for being good stewards to the species that delivers us enjoyment, but respecting future generations to come. It is my hope that you find the urgency from outspoken conservationists and examine their concerns with due diligence.

My good will and conservatism is reliant on healthy striped bass stocks, and I support the Emergency Action and Addendum 2. Striped bass is indeed “every man's fish” in that you can catch it in bait, lures, and flies, from the surf or a boat and from April to November in Southern New England.

It is critical we get the 2015's out of the slot.

This is especially true given the poor spawns in the Chesapeake the last few years.

I would also point out that the public is overwhelmingly supportive of Addendum 2 and that over 3000 letters were submitted in support.

Again I support this Emergency Action and Addendum 2

And I'd like to thank Mike Armstrong and David Borden for the motion and the second. Peter Jenkins for his advocacy.

I'd ask ASMFC to take more substantive and effective actions in the future earlier so as to avoid Emergency Actions.

I thank you Commissioner for taking the time to read my overwhelming concern.

respectfully,

Mr. Michael R. Caggiano

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] Thank you for considering this question.
Date: Tuesday, May 23, 2023 11:02:12 AM

From: Bob Campbell <bobcampbell2010@gmail.com>
Sent: Tuesday, May 23, 2023 9:47 AM
To: G2W2
Subject: [External] Thank you for considering this question.

In a recent email to you as our key decision-makers about the future of striped bass, I wrote that leadership of corporations and government agencies clearly proves, "*Proactive action* on an issue benefits all stakeholders, no matter their divergent interests, far more than reactive remediation."

My specific question to our New Jersey representatives here is this: In the face of data telling us that delay on proactive action means a 14.6% probability of rebuilding to target biomass by 2029, as the Commission must do for protection of these fish and for the greatest overall economic benefit for states' residents, what scientific or economic data causes your reluctance to now do what other states have committed to do?

Again, thank you for your efforts for this Atlantic states treasure,
Robert Campbell
Holmdel, New Jersey

From: [Cantelmo, Craig](#)
To: [Emilie Franke](#)
Subject: [External] Capt. Craig Cantelmo Van Staal Striped Bass Emergency Action
Date: Thursday, June 1, 2023 6:04:43 AM

Emilie,

I was unable to attend the public meetings on the emergency action on striped bass but would like to write in my support of this action.

I support the EA to reduce the slot limit that many people appose and unfortunately I don't think it will do enough to reduce the effort and mortality. The ASMFC has been slow to act since the striped bass was determined to be overfished and has avoided enacting tougher/tighter regulations we find ourselves in a position that will only get tougher as we approach 2029.

As the Sales Manager for Van Staal, a fishing brand that is synonymous with striped bass I've had the opportunity to see how important this species is to the fishing tackle industry and the opportunity for anglers to participate is directly related to the number of fish we have in the water. From 2000-2013 80% of most fishing tackle retailers walls were stocked with lures and gear to catch striped bass but since 2014 that has changed dramatically and that it has dropped to about 50%. Without taking immediate action tackle shops and manufacturers are at risk for more serious action taken as we get closer to 2029. The underestimations on the 2022 harvest was not a surprise to anyone that fishes or is in the fishing tackle industry because of the increase in participation due to COVID 19 and was shocked and disappointed that this wasn't captured through MRIP and the increase in fishing licenses.

If the groups opposing the action to reduce the slot limit 4" to help protect one of few successful year classes, what will they be happy with when we "REALLY" have to start taking action to reduce effort and F to reach the target? We need to start implementing meaningful measures to curb removals.

Thank You,

Capt. Craig Cantelmo

Sent from [Mail](#) for Windows

From: [Emilie Franke](#)
To: [Emilie Franke](#)
Subject: FW: Striped bass
Date: Friday, May 26, 2023 9:30:15 AM

From: mark cartona <cartona21@hotmail.com>
Sent: Friday, May 26, 2023 9:20 AM
To: Emilie Franke <EFranke@asmfc.org>
Subject: [External] Re: Striped bass

Thanks for responding. I appreciate the information and will look more into how they determined 9% I feel they are overestimating the kill rate, by a lot, from recreational fishing. When is your organization going to recognize the real reason striped bass and other fish populations are declining? The over population of seals. With next to no predators to natural control their population, it's just going to get worse. Just on cape cod alone there's a population of 50,000 seals. With an average weight of 500lbs, knowing they eat about 6 percent of their body weight in fish A DAY, that's about 1.5 MILLION pounds of fish A DAY they are consuming. Blaming it on recreational fishing is wrong and will do more harm than anything.

Sent from my Verizon, Samsung Galaxy smartphone
Get [Outlook for Android](#)

From: [Toni Kerns](#)
To: [Emilie Franke](#)
Subject: FW: [External] forwarding request
Date: Tuesday, June 20, 2023 11:02:21 AM

Toni Kerns | Fisheries Policy Director
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 22201
Phone: 703.842.0718 | Fax: 703.842.0741
tkerns@asmfc.org | www.asmfc.org

From: Dean Clark <seaflycapecod@gmail.com>
Sent: Monday, June 19, 2023 2:17 PM
To: Toni Kerns <Tkerns@asmfc.org>
Subject: [External] forwarding request

Re: striped bass (rockfish) Time sensitive

Attention: Toni Kerns, Fisheries Policy Director, (tkerns@asmfc.org)

Request: Toni, I hope that you will be able to forward this to all members of the Commission. Thank you. dc

To the members of the ASMFC,

Personal background: I write as an independent angler that has chased, caught and been involved in attempting to conserve wild Atlantic coast striped bass from New England to N. Carolina.... And have been doing so for the past 70 plus years.

Every ASMFC member State and District has agreed to follow and comply with all ASMFC regulatory directives. For many years a few States/Districts have been allowed to flaunt these regulations via the Conservation Equivalency (CE) Clause. ***CEs are an ASMFC sanctioned policy that, in truth, results in over-harvesting***.... like it or not!

Current ASMFC focused efforts have been to prioritize the conservation of large breeder females. Why then allow the harvesting of ANY bass over 31 inches? In Massachusetts the 35-inch ***minimum*** length regulation for commercial harvest (currently approx. 750,000 lbs.) ensures that each one of these large, commercially harvested stripers

are fecund females.... The “would have been” future of the species!

Stripers are running out of time. If they are to recover, the ASMFC must bite the bullet, put aside petty bickering and join together in any and all efforts to protect our breeders and the future of our fishery.

1 of 2

The ASMFC falls under the Department of Commerce and should be prioritizing the economic value of these fish. **According to NOAA data**, a recreationally caught (kept or not) striper is approximately 100 times more valuable to our economy than the same fish if harvested and sold commercially. Or, to put it another way, **the greatest economic value to be derived from striped bass is as a game – not commercial – species**.

Suggestions: This should be a no-brainer: 1) eliminate CEs and impose sanctions for not complying; 2) eliminate all commercial harvesting for striped bass (the economic argument is irrefutable and each day becomes less deniable); and 3) shorten the **maximum** length for recreational harvesting to 30 inches for everyone.

There are other steps that you could take that could help but first let's stop encouraging the killing off of the female breeders. And, do not continue to allow New Jersey special compensation that would further exacerbate the spiraling downward trend of the welfare of the Atlantic Coast Striped Bass.

Thank you for your attention and hopefully for taking a strong stand in favor of conservation instead of “kicking the can down the road.”

Folks we are running out of road (choices/opportunities).

Dean Clark

Franklin Street

Duxbury, MA 02332

508 769-9765

seaflycapecod@gmail.com

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] Comment: Striped Bass Emergency Action Public Hearings
Date: Wednesday, May 24, 2023 10:04:37 AM

From: Mike DeAnzeris, III <miked@embraceherace.com>
Sent: Tuesday, May 23, 2023 8:52 PM
To: G2W2
Subject: [External] Comment: Striped Bass Emergency Action Public Hearings

Hi

Thank you for the call yesterday.

I'd like to see a survey of:

who supports
Who is against

Categorized by type / technique of fisherman

- Recreational
- Commercial
- Charter Boat Captain/Crew
- Head Boat Captain / Crew

Technique

- Light tackle/ Fly
- Standard tackle

On water or off

- Shore
- Boat
- Kayak

If on water

- Private
- Charter Boat

- Head boat

Where do you fish

- SE Mass
- Cape south - buzzards bay and vineyard sound
- Nantucket
- Outer Cape backside and Monomoy
- Cape Cod Canal
- Cape Cod Bay
- south shore
- Boston
- North shore

Then also cross reference that data with amount of fish caught aka population success in each of those areas absorb

I also believe there is a massive needs/ and an opportunity exists to serve that need - on proper techniques for fishing- aka light tackle and fly can over tax fish, standard but harsh release tactics can as well,

And make more readily available tagging programs. In all tackle shops - distribute with your mass fishing regulations -

Thank you.

Best,

Mike DeAnzeris

From: [T. DEVINE](#)
To: [Emilie Franke](#)
Subject: [External] Re: recreational data for striped bass
Date: Wednesday, May 24, 2023 9:40:41 PM

Dear Emilie,

Thank you very much for the follow-up on my question of where to find the data. Looking at all the data that is compiled, I can understand the enormity of your and your co-workers' job, and I thank you for your work.

I have some observations and comments below. I do not need direct answers to them. I would hope that you will consider them in future analysis. (I may ask them in future webinars!)

I freely admit that I am disappointed in the further restrictions on striped bass for recreational anglers. I understand the reasoning behind it, but I wonder if the model used to estimate the data has some weak assumptions.

I saw some "oddities" when I compared the data for 2021 and 2022 overall and by state. Here are some of what I would take as "red flags" indicating suspect changes

1. New York Private/Rental Boat (2021 - 2022) 0.9 kklbs - 9.1 kklbs How could there be a 10 fold increase? The data collection and modelling must have some issue. I just cannot believe a 10 fold increase. Something is very wrong here.
2. In 2021 of the coast wide private/rental harvest of 11.3 kklbs, New Jersey (my state) had 7.0 kklbs or 62% of the total harvest. Do we have 62% of all the boats? Are we just better fishermen? Are anglers just not catching stripers in the Chesapeake anymore? Are the Hudson, Raritan, Passaic and other rivers, Long island Sound, Raritan Bay, and Barnegat Bay much more important breeding grounds than anyone has considered? Do you understand why NJ has such a big harvest?
3. The Private/Rental increase in harvest was 160% in 2022 over 2021. This was the largest % increase of the Shore, Charter, Party and Private categories. Why?
4. Although NJ "only" increased its private harvest by 75%, when you begin with 7 kklbs the 2022 take is 12.4 kklbs. Can this large a share be explained?

Sometimes it is useful to identify data that "sticks out" and ask "why". That is what I have tried to do above.

I have three other comments below. They are opinions not backed up by data. However, I think they are logical questions/theories.

1. Release mortality. The hook mortality basis is primarily the study done in a large salt water pond in MA, was it 1996? Although NOAA references other studies, the MA study estimated 9% and that is still the estimate. If that estimate is too high, we really harvest fewer stripers and have a larger biomass.

The salt water pond averaged 3 m deep with a max depth of 5 m. I struggle to

remember the temperature but I think it said the temperature was always or almost always below 25C (75F)

I think translating data from a salt pond to ocean and deep bay (raritan and new york lower harbor) is a source of error. Ocean depths are much greater and temperatures are much lower in the Spring and Fall when most stripers are caught in New Jersey. Lower temperatures usually mean higher oxygen. I expect that survivability would be higher.

If NJ catches so many fish and the large majority are caught before mid-June and after October 1, the release mortality should be lower than a saltwater pond. (I do not remember what months the study was conducted.)

I am glad MA is conducting another study. Hopefully it will quantify the credit for circle hooks. We really need an open ocean study where fish are caught and kept in a very large holding tank with circulating ocean water to see if they live for 2, 4, 8 hours.

2. NOAA currently only does trolls near/in the Delaware River/Bay. The Hudson River and Raritan Bay and adjoining rivers are alive with stripers. If new Jersey catches so many fish, is it because we are a fertile breeding area? Fishermen catch egg laden stripers each spring in the Raritan Bay, so they must be laying eggs. So they are not all laying their eggs in the Chesapeake Bay. We need surveys in the area where so many fish are estimated to be caught.

3. As I stated in the webinar, all commercial menhaden catch for reduction is banned in NJ waters. Commercial catch for bait sales must be 0.6 mi from shore. Lots of bunker and stripers with eggs in Raritan Bay and the Hudson, equals a vibrant striper population regardless of the young of the year in Chesapeake Bay.. (PS - That is why anglers shake their heads and NOAA's decision to increase bunker harvest by 20%. Bait = Fish = Baby Fish

On Tuesday, May 23, 2023 at 02:26:55 PM EDT, Emilie Franke <efranke@asmfc.org> wrote:

Hello Mr. Devine,

I'm following up on your question during last week's striped bass hearing about available recreational data. The source of recreational data for striped bass and most other recreational species is the NOAA Marine Recreational Information Program (MRIP). The MRIP website has a query tool where you can look up recreational catch, including separated by harvest and live releases, by species and state.

You can access the query tool here: <https://www.fisheries.noaa.gov/data-tools/recreational-fisheries-statistics-queries>

Under the first box "Catch Data", click on the GoTo Query button and you can select your search parameters.

From: [Savannah Doss](#)
To: [Comments](#)
Subject: [External] Raritan Bay
Date: Friday, May 5, 2023 7:35:54 PM

Hello. I'm reaching out as a fisher woman who fishes in the Raritan Bay, New Jersey. I disagree with the decision to change the slot from 28-38 to 28-31. The bay is more than plentiful and there is no reason for this drastic change. This will make it so that the small guys get screwed over and the commercial guys make out better. There are a lot of disgruntled people in this area over this decision. It's going to deter people from coming to this area and will affect small businesses in a major way. Please reconsider this decision. Thank you.

Savannah Doss
570-616-2102

Sent from my iPhone

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] Emergency Striper Regulations
Date: Monday, May 22, 2023 7:42:49 PM

From: RomanAround5246 <romanaround5246@gmail.com>
Sent: Monday, May 22, 2023 7:41 PM
To: G2W2
Subject: [External] Emergency Striper Regulations

Hi,

I have a few questions and comments from the webinar presentation.

The first is how many more striped bass will be killed by anglers trying to get a fish between 28 inches to 31 inches? The numbers given to us from 2022 was with 28 inches to 35 inches gave us a huge overage that took us from 97 % from the 2021 year to 15 % probability in 2022.

During the meeting, it was mentioned that the breeding size is around 31 inches and 8 years old. Why is the commercial fishery given the opportunity to take those important breeding fish? According to some of the organizations, when the commercial fishery doesn't catch it's quota, you taken more steps for them to try and deplete the stocks. Just like the ridiculous quota sharing, you are just trying to eliminate this stock. That is going against everything that we are trying to accomplish. Your telling us that the stock is going in the wrong direction and then you go allow quota sharing. That makes no sense whatsoever!

I also heard alot about proper release techniques being taught to all anglers. You can teach people all that you want but how does that work on a boat with high sides? How do you properly release a fish from a jetty? There are some situations that you can't safely release a fish no matter how much you want to.

I am happy that the board is taking proactive steps to preserve this fishery. But I think that focusing on a slot limit of 28 inches to 31 inches, that is the next spawning group and we are heading for the same problem in the near future.

We need a better way to account for the fish being caught. I am a Volunteer Angler for the state of Connecticut and I am honored to be doing it. Somehow, we need to get the Marinas involved by handing out survey books and make people aware of the digital units available online.

Thank you for giving us the opportunity to voice our opinions and concerns. I am glad to see steps are being taken to preserve this fishery. I have been to some of the hearings on lobsters and Cod. No one wanted to do anything for these species except push the can down the street and now look at them? Lobsters are scarce in Long Island Sound and Cod has a slot limit below Cape Cod and has limited fishing north of Cape Cod. Do we want to make the Striped Bass disappear? I hope not. I would like to see Striped Bass with a closed season from January 1st until April 30th to protect the spawning stock everywhere. Thank You.

Sincerely,

Roman Dudus

Sent via the Samsung Galaxy Z Flip3 5G, an AT&T 5G smartphone

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] Emergency Striped Bass Regulations
Date: Monday, June 5, 2023 8:32:18 AM

From: RomanAround5246 <romanaround5246@gmail.com>
Sent: Friday, June 2, 2023 11:03 AM
To: G2W2
Subject: [External] Emergency Striped Bass Regulations

Hi,

My name is Roman Dudus and I attended the meeting concerning the Striped Bass Regulations. I was listening to people say that it is a good thing and people are all for helping the stock get better.

I was doing some number crunching and I was on a cellphone and unable to speak. Here is my concern, the regular mortality rate is 9%(no it's or buts about it). People are still going to be catch and releasing those fish. And of course, anglers are going to still try for the big ones, use light gear because it's sporting and fish are still going to be snag hooked in the winter (Housatonic River). There is a video of someone snagging a fish so it could be tagged. Unfortunately, if we want to see the numbers come back, not only do we need a closure but to stop fishing for them all together for a year or two. We are still going to fish for them and how many more will die with this small slot limit? Nothing that has been suggested by the board has worked so far? No one believes or trusts the board for that reason. Has anyone come up with a figure as to how many more fish will die from this new Emergency Action?

Even when we had a slot limit, people were still fishing for the big spawners. Just because they were only taking them out of the water for a picture, 9% of them still died. Catching those spawners before they have a chances to free their eggs still takes those numbers out of the population. There at least needs to be a closure from January 1st thru May 1st for the spawners to be able to do their job stress free. Anyone who is telling you that they are properly releasing fish in the winter time is lying. No one is sticking their hands in the freezing water to properly aerate a fish. Most of those fish are being snag hooked.

Thank you for giving me the opportunity to voice my opinion.

Sincerely,

Roman Dudus

Sent via the Samsung Galaxy Z Flip3 5G, an AT&T 5G smartphone

From: [info](#)
To: [Emilie Franke](#)
Subject: FW: [External] The new striped bass emergency regulations
Date: Friday, May 26, 2023 8:46:45 AM

-----Original Message-----

From: dan feeney <wapitiwop@gmail.com>
Sent: Thursday, May 25, 2023 7:53 PM
To: info <info@asmfc.org>
Subject: [External] The new striped bass emergency regulations

I do not believe you folks anymore. You mention that bass can reproduce for up to twenty years and that larger bass can produce more eggs. I agree

But then you cut the limits for recreational fishermen in half then in half again.

All the while you let the commercial fishermen catch all the large breeders, fail to make them use circle hooks, and extend their seasons to allow for "Filling the quota"

I took wildlife biology in college and i am sure you are a corrupt Bunch of liars.

I surely hope we can get the word out and have you all fired Marine fisheries has a great track record of destroying the cod, scup, bass, fluke, tuna, mako shark, and other fisheries In favor of Commercial interests.

I surely will do what i can to get the word out to those of us who truly care about sustainability.

Sent from my iPhone

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] Comments from NH
Date: Tuesday, May 23, 2023 11:01:54 AM

From: Richard Fleming <rfleming4@gmail.com>
Sent: Monday, May 22, 2023 9:01 PM
To: G2W2
Subject: [External] Comments from NH

Our states share in the enjoyment of striped bass fishing, and our economies benefit from this resource. Collectively we need to do everything we can to rebuild the population. We are all responsible. I am strongly in favor of Addendum II. It's a very reasonable set of steps, and the time to act is now.

Rick Fleming

Richard K. Fleming, PhD
Freedom, NH

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] Striped Bass fishing
Date: Wednesday, May 31, 2023 7:20:30 PM

From: Darryl <darrylforrester@gmail.com>
Sent: Wednesday, May 31, 2023 6:00 PM
To: G2W2
Subject: [External] Striped Bass fishing

My name is Darryl Forrester, and I live in RI. I do not have any financial ties with fishing for striped bass, but I do think that I represent a huge segment of our local and regional population who are for the most part unheard, but are out for recreational fishing every possible chance that they get.

As you know, there are enormous financial considerations for the bait and tackle shops, lodging, restaurants, etc. , but underlying that are the mainstays- the men and women out there in good, bad, or ugly weather, doing what they love, and supporting many other tangential families and businesses. It is critical that we get the 2015 class out of the slot. I supported Addendum 2, and I hope that we get this right so that we can avoid emergency action in the future.

Thank you.

Sent from my iPhone

From: [Jules](#)
To: [Emilie Franke](#)
Cc: [Comments](#)
Subject: [External] Public Hearing: Striped Bass Emergency Action
Date: Wednesday, May 31, 2023 6:01:56 PM

Hello Emile and/or administrators,

My name is Julien Frank and I'm a avid recreational fisherman and member of the Hill Hill Striper Club

I writing today to express my support for the emergency action and the initiation of Addendum II.

Stripers are our flagship species - anglers travel from near and far and spend countless amounts of money chasing these fish, but their value goes way beyond economics. For generations families and friends have forged lifelong bonds around these fish. In addition I've met veterans and other people who have suffered trauma find healing; and I've seen addicts recover from their afflictions through Striper fishing - these fish have an incalculable value to the community and this emergency action is the first step on the road to recovering this iconic species.

Thank you.

From: [upfrontbaitandtackle](#)
To: [Comments](#)
Subject: [External] Fluke and striper
Date: Monday, June 5, 2023 1:27:31 PM

Why are ny water fluke regulations different from nj regulations when we share the same water in raritan bay and sandy hook. If nj is conserving with 2 fish 17 to under 18in and 1 fish above and ny is 4 at 18.5in how is that conserving anything.

The striper regulations make no sense 1 fish at 28 to 31in when the population of fish has grown in the last 5 years.i haven't seen this many striper around in over 40years the population of them have been since in was 2 at 28 and above.now the fish are eating all of our other game fish from.winter flounder ,fluke,schoolie blues,weakfish and more I think you need to rethink this

Sent via the Samsung Galaxy S10e, an AT&T 5G Evolution capable smartphone

From: [Hunter Hamilton](#)
To: [Comments](#)
Subject: [External] Striped Bass
Date: Thursday, May 18, 2023 7:59:02 PM

I welcome the new striped bass regulations. I do however believe that commercial regulation also need to be updated accordingly.

Hunter Hamilton

From: [Wallie Hammer](#)
To: [Comments](#)
Subject: [External] 28-31
Date: Friday, May 19, 2023 8:04:02 AM

It's a good idea
Wallie

From: [Costas Karam](#)
To: [Comments](#)
Subject: [External] Striped bass
Date: Saturday, May 20, 2023 4:56:06 PM

Hi that law is bullshit law because the season is already opened and to do it 28-31 is unfair Either close for the year and that would mean for everyone even for commercial if there is a shortage but I really don't think there's a shortage everyone should obey the same law throughout the state that fish the stripe bass ... For me I would close the stripe bass at August 1 2023 for everyone !! That would make more sense then to shorten the size limit that fast there is so many bass out there ..

Sent from my iPhone

From: [Capt. TJ Karbowski](#)
To: [Comments; Justin Davis](#)
Subject: [External] Striped Bass
Date: Thursday, May 11, 2023 12:07:24 PM

I don't even know where to begin but this entire process was done in the dark. Last minute mrip data. More fish out there than we've had in 10 years. 1 fish bag and the current slot were working just fine. No public hearings, no warnings, no options to the slot. Mrip data no longer accessible from their website. A bogus emergency. A spring meeting in which only select people were allowed to comment and only able to speak for 60 seconds. Your own website currently states that with the 2022 stock assessment that there is a 78.6% chance of rebuilding the stock by 2029. Then you go ahead and RAISE the menhaden quota 20% , the majority of which is going to come out of the Chesapeake, the very epicenter of striped bass reproduction. Then to top it off you are doing ZOOM meetings! Those meetings are a joke! Have public meetings at 7:00 at night IN PERSON, IN EACH STATE like you used to. Covid is over. You are severely screwing with people's livelihoods. ESPECIALLY MINE. THE WAY THIS ENTIRE PROCESS HAS BEEN HANDLED HAS BEEN NOTHING SHORT OF DISGUSTING.

Thank you,
Capt. TJ Karbowski
Rock & Roll Charters
Clinton, CT
203.314.3765
<https://rockandrollcharters.com/>

From: [Capt. TJ Karbowski](#)
To: [Emilie Franke](#)
Subject: [External] Striped Bass meetings
Date: Monday, June 26, 2023 4:26:39 AM

Good morning. I heard there are more some striped bass meetings coming up. As a for-hire operator this is just not fair. This is our busiest time of year. WE NEED SEPERATE FOR-HIRE REGS. There is NO SHORTAGE OF STRIPERS. The 28 -35 slot was working just fine. It left every year class from 35" all the way to 50 + inches free to live and spawn. I have never thrown so many stripers back in my life. 28 - 31 is totally ridiculous. Instead of catching 4 -6 for the table to satisfy the customers and then moving on to bottom fish, now we are spending hours driving around from spot to spot to find fish small enough to keep. These light tackle clowns or "guides" pushing for this slot DO NOT DO THIS FOR A LIVING. It's their hobby and literally play catch and release with the fish like playing fetch with a dog. THIS IS NOT HOW TRUE 6-PACK FULL TIME CHARTER BOATS OPERATE. As I'm typing this at 4:15am before heading to the boat, I guarantee you these "guides" are fast asleep with their alarm set to make it to the office for 9am. You are invited to ride along on a trip with me any day and see how a charter boat really works and you'll realize how asinine this 28 -31 slot is. You would realize why the ASMFC has lost it's credibility and you would likely be embarrassed. - TJ

Thank you,
Capt. TJ Karbowski
Rock & Roll Charters
Clinton, CT
203.314.3765
<https://rockandrollcharters.com/>

From: [Bill LeConey](#)
To: [Emilie Franke](#); [info](#)
Subject: [External] NJ striped bass concerns
Date: Wednesday, May 31, 2023 4:47:04 PM

Good afternoon, I will not be able to attend the webinar tonight, however I wanted to at least reach out and express my views about the recent changes to the striped bass slot limit. I am a recreational angler, born and raised in NJ, own my own boat and primarily target striped bass in shallow water. My son is 6. He is quickly becoming enamored with them, and I am teaching him as much as he can tolerate. That being said, I want the striped bass to be around so he can enjoy them in 10/20/30 years.

The fishing has been excellent the past few years, I won't pretend it hasn't. Every year, I fish up and down the coast of NJ from Cape May, to Point Pleasant, to the Raritan Bay. The sheer number of 35" + fish I've seen caught the last few years is amazing. From the sod banks to the inlets... it's been consistent. Once considered back bay monsters are becoming normal. The slot limits have worked to this point. But I also know conservation is fluid. Weather patterns, availability of food, temperatures, and pressure all change from year to year. We need to be able to adapt and make changes when necessary and protect the stock we have.

Thanks for your time

Bill LeConey

Sent from my iPhone

From: [David Licks](#)
To: [Comments](#)
Subject: [External] Striper Regulation Changes
Date: Thursday, May 18, 2023 7:54:39 PM

I support the updates to the striper regulations. I believe that we should be proactive in preserving the striped bass fishery and this is a good step in that direction.

David Licks

From: [Comments](#)
To: [Emilie Franke](#)
Subject: FW: [External] Striper Regulations
Date: Friday, May 26, 2023 8:44:52 AM

-----Original Message-----

From: David Licks <davidlicks@gmail.com>
Sent: Thursday, May 25, 2023 1:30 PM
To: Comments <comments@asmfc.org>
Subject: [External] Striper Regulations

I support the new registration changes to help protect our Striper population in the northeast. I also believe commercial striper fishing should be ended.

Thank you for your consideration.

David Licks

Sent from my iPhone

From: [M.T](#)
To: [Emilie Franke](#)
Subject: [External] Emergency Action
Date: Wednesday, May 3, 2023 1:30:49 PM

If this is such an Emergency why don't you shut down commercial fishing of the Atlantic Striped Bass? I watched over the years the commercial fisherman rape the waters of Cape Cod!

Sent from my iPhone

From: [Parker Mauck](#)
To: [Comments](#)
Subject: [External] Emergency Action and Amendment 2
Date: Thursday, June 1, 2023 7:22:54 AM

To the ASMFC and Striped Bass Advisory Board,

My name is Parker Mauck. I am co-owner of Westport Fly a saltwater fly-fishing and light tackle charter/guide service based in Westport, Massachusetts. I am also a member of the American Saltwater Guides Association. Our business relies on catching, not keeping, fish. We operate catch and release vessels for Striped Bass anglers who understand and support the need to protect the species. There are *hundreds* of guides with *thousands* of angler clients along the Atlantic seaboard, and these guiding/charter businesses will thrive if we have abundant Striped Bass and Bluefish populations.

I recently participated in the May 31, 2023 webinar to listen, learn, and comment on the recent Emergency Action to modify the Striped Bass slot sizes. Thank you for providing this opportunity to comment. I would also like to compliment the moderators who did a good job trying to manage the questions and comments. Not everyone followed the clear direction given by the moderators and it was frustrating how many people chose to force their opinions into the question segment of the program.

Emergency Action to change the slot to 28'-31"

I fully support this action. The spawning successes in the years before and after 2015 have been frighteningly poor. The 2015 year class emerged as very strong and I applaud your action to do what you can to protect this group of fish. If we do not try to help some of them survive I believe we will be facing a future of very poor fishing – *for all sectors*.

Amendment II

I support the ASMFC's commitment to science based conservation measures as proposed in Amendment II.

Fisheries Sector Impacts

There were lots of comments that party boat, for-hire, businesses should have different regulations from the recreational sector. The regulations for the recreational, for-hire, and commercial sectors should be based on impacts. It is probably a good idea to do a comprehensive study to quantify the mortality impacts from each sector in order to create fair and equitable regulations...*that ensure abundance*. If the ASMFC needs better data sources, please state what you need and ask the individual states to provide the data you need.

Striped Bass Conservation

I fully recognize the challenges facing the ASMFC as you work to fulfill your obligation to manage Striped Bass. There are many different viewpoints that are being voiced by very

passionate, if not desperate people.

If we are going to successfully manage fish populations along our coast we need to change our thought process. We cannot manage populations based on what we WANT or what helps our businesses this year. We need to manage based on what is needed to improve or maintain the species populations – period. It will not be easy, in fact it may be painful at times, but ABUNDANCE must be the overriding driver for all decisions, not who will like the management actions.

Thank you for providing an opportunity to comment.

Respectfully,
Parker Mauck

Capt. Parker G. Mauck
pgmauck@gmail.com
(508) 496-8682
www.westportfly.com



From: captmcbride@optimum.net
To: [Emilie Franke](#)
Subject: [External] Montauk Boatmen and Captains Association re: For Hire Industry
Date: Friday, June 30, 2023 3:37:51 PM

Dear Ms Franke,

Please be advised that the for hire industry is the medium that services all the recreational fishermen who are not affluent enough to own a boat.

The annual activities of the ASMFC, unfortunately, appear to be an attempt to remove the for hire industry from servicing the public.

You appear, to us, to gradually reduce the bag limits and increase the size limits on an annual basis. These regulations will cause the fishing public to become concerned that their ability to take home some fish to eat will be curtailed. These regulations are based on poor science and are indefensible. You are destroying a respected industry along the coast of the Eastern United States.

Respectfully,

Capt. Rick Etzel, MBCA President

Capt. Joe McBride, MBCA Legislative Representative

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] Comments for webinar 5/31/23
Date: Wednesday, May 31, 2023 11:19:57 AM

From: Charles Mello <cwmello165@gmail.com>
Sent: Wednesday, May 31, 2023 9:33 AM
To: G2W2
Subject: [External] Comments for webinar 5/31/23

Dear ASMFC,

I apologize that I can't make the webinar. I will be fishing for striped bass with my father. I really appreciate the measures taken to help conserve this hyper important species. My biggest concerns remain release mortality, and the commercial license.

1. The Canadians are doing it right with single barbless hooks. Multiple hooks, especially multiple trebles really mess the fish up. Unhooking and release is way cleaner with single barbless.
2. Live bait / chunking for striped bass should be for commercial guys only. Everyone knows that if you want to catch bass, throwing live eels and bunker is the way. Make us recreational guys get creative for a few years, or encourage the states to create Sport/ hardware only licenses for the same price. Measure and analyze the number who opt in. I bet the people who are catching fish to save money at the grocery store are largely throwing scup and eels in the cooler.
3. Lottery for commercial striped bass license. Several people in my circle are just buying commercial licenses in mass so they can keep more striped bass. Excercise the MA commercial control date.

Thank you for all you have done for this important species. I'd really like my kids to catch them with my father too.

V/r,

Charles Mello
South Coast MA

From: [dennis mitchell](#)
To: [Comments](#)
Subject: [External] Emergency Striped Bass regulation
Date: Monday, May 22, 2023 1:17:44 PM

Hi,

I'm writing in support of the recently enacted emergency striped bass regulations providing for a 28-31" slot. I only pray it isn't too little, too late. Thank you.

Dennis Mitchell

From: [Mark Molinsky](#)
To: [Comments](#)
Subject: [External] Proposed NJ Striper Regulations
Date: Monday, May 8, 2023 7:31:28 PM

Dear Commissioner, I as a recreational angler fishing out of Keyport NJ am opposed to the new proposal - This will hurt the small time angler like myself and many others Do Not Change The Current Regulations - Mark Molinsky - 54 Bickel Road , Washington ,NJ 07882

Sent from my iPhone

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] Emergency Action
Date: Wednesday, May 24, 2023 10:04:27 AM

From: Teddy Nesius <nesius40@gmail.com>
Sent: Tuesday, May 23, 2023 8:35 PM
To: G2W2
Subject: [External] Emergency Action

My name is Ted Nesius, I live and work in Boston. I'm a recreational catch and release fisherman. I believe in the science and support the emergency action taken. I'm happy to see conservation action being taken now to prevent more drastic measures having to be implemented later. I have noticed more podcasts, blogs, newsletters, social media posts and from meeting other angler's on various beaches an increase in catch and release education. Some of the steps I have personally taken are, I don't measure or weigh any of the fish I catch. I am either in waders or a wetsuit so I rarely need to remove fish from the water. The most recent improvement I've made is for the entire 2022 and so far the 2023 season I have removed the rear hooks from all of my lures. This actually minimizes unnecessary damage to the fish and increases my probability of catching and landing the fish. I also wanted to say thank you for having options at different times for the webinar, that was really helpful. Thanks for taking the time to send emails, hold webinars, and explaining what the emergency action is and why it was taken. You always speak very clear and keep the same tone no matter how rude some people can be. I understand it's a difficult task to manage an east coast fishery and not everyone will support the same ideas. I just hope that everyone can eventually except making sacrifices now for a better future. Thank you, Ted Nesius

From: bluedragonnick@aol.com
To: [Comments](#)
Subject: [External] 2023 Atlantic Striped Bass Emergency Action
Date: Thursday, May 11, 2023 9:03:20 PM

You do what you need to do to preserve the Stripped bass population. I love fishing for these fish and I am willing to catch fewer or none as long as it makes fishing for them in the future possible.

Cheers
Nick

From: [Amy Padro](#)
To: [Comments](#)
Subject: [External] Bass limit
Date: Saturday, May 20, 2023 12:17:42 PM

There needs to be monitoring along the housatonic River. Many fish the banks and are not adhering the size limits.
(shelton side / Milford industrial side.

Cheers.

Sent from my iPhone

From: [Craig Poosikian](#)
To: [Emilie Franke](#)
Subject: [External] Webinars
Date: Wednesday, May 24, 2023 8:16:57 AM

Hi Emilie,

I just wanted to reach out to you to say thanks for hosting the SB webinars. You are a very good diplomat, maybe you should consider running for political office someday, haha! I missed the first one but Ray implored me to tune in to the remaking events. It was totally worth it. I had to tune out early last night to make a board meeting and can't tune in tonight because of another board meeting (where we will be talking about the new regs) even though I would rather be tuned into the webinars. I didn't comment because I get a bit passionate sometimes which can be misconstrued as anger or frustration. I do have one comment though which I will share with you in hopes that you pass it along to the policy makers: Establishing a maximum size limit for commercial harvest is a HUGE mistake!!! Just like when the daily limit in Massachusetts went from 30 to 15 fish it will turn honest fishermen into law breakers when some of them decide to top grade their catch. 15 thirty pounders are worth way more money than 15 twenty pounders. If a maximum size is put in place some people will most definitely keep fishing past their daily limit to try and catch larger fish at which point they will dump the smaller ones or even hand them off to other fishermen. Both practices are unethical and probably illegal. I realize there is a push for this, I really hope it doesn't happen. That's all I have for now except to say thank you all at the ASMFC for trying your best to enact quality fisheries regulations for today and tomorrow.

Sincerely,

Craig Poosikian

Chief Cook and Bottle Washer at
Utility Oyster Research Kitchen

Sent from my iPhone

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] Further Comment
Date: Thursday, May 25, 2023 11:14:37 AM

From: Dave Prockop <dprockop@groton.org>
Sent: Thursday, May 25, 2023 8:46 AM
To: G2W2
Subject: [External] Further Comment

Thanks very much for soliciting further comments by email. I was able to listen to the hearing on May 23 but for some reason I was not able to get my computer settings right to speak.

I urge you to continue to make decisions based on the best information available and with the long term in mind. At this point, that approach clearly means holding onto the tighter slot limits in order to leverage one good recruitment year to rebuild the striper population as quickly and completely as possible. Please do not be swayed by anecdotes of good fishing in one year when we all know that the striper population as a whole is still far from fully rebuilt.

Many thanks for the thoughtful work you are doing on behalf of so many of us whose lives are greatly enhanced by a robust striper population on the east coast.

Sincerely,

Dave Prockop
Providence, RI

From: [G2W2](#)
To: [Emilie Franke](#)
Subject: Fw: [External] New Striped Bass Regulations
Date: Thursday, May 25, 2023 6:33:57 PM

From: Salty Fly <saltyflycapecod@comcast.net>
Sent: Thursday, May 25, 2023 2:49 PM
To: G2W2
Subject: [External] New Striped Bass Regulations

I wholly support the new slot limit. Preserving the larger breeding fish is so important to keeping the fishery strong.

Also, may I suggest a move to measuring fish in centimeters, perhaps as an awareness campaign for the new slot. Two reasons, it's kind of fun to say I caught a 71.3 cm fish and secondly, we can be more accurate in our fish sizes when bragging about our fish.

Just a thought!

avery

Capt. Avery Revere
www.saltyflycapecod.com

508-362-5482



From: [Patrick @ Old Maine Outfitters](mailto:Patrick@OldMaineOutfitters)
To: [Patrick Keliher](mailto:Patrick.Keliher@maine.gov); [Stephen Train](mailto:Stephen.Train@maine.gov); [ALLISON HEPLER](mailto:ALLISON.HEPLER@maine.gov); Cameron.reny@maine.legislature.gov; [Megan Ware](mailto:Megan.Ware@maine.gov); [Cheri Patterson](mailto:Cheri.Patterson@maine.gov); [Renee Zobel](mailto:Renee.Zobel@maine.gov); [DOUG GROUT](mailto:DOUG.GROUT@maine.gov); [RITCHIE WHITE](mailto:RITCHIE.WHITE@maine.gov); dhw@cisunix.unh.edu; [Dennis Abbott](mailto:Dennis.Abbott@maine.gov); [Dan Mckiernan](mailto:Dan.Mckiernan@maine.gov); [Raymond Kane](mailto:Raymond.Kane@maine.gov); Sarah.Peake@mahouse.gov; [Sarah Ferrara](mailto:Sarah.Ferrara@maine.gov); [Jason E. McNamee](mailto:Jason.E.McNamee@maine.gov); [DAVID BORDEN](mailto:DAVID.BORDEN@maine.gov); [Susan Sosnowski](mailto:Susan.Sosnowski@maine.gov); [Eric Reid](mailto:Eric.Reid@maine.gov); [Justin Davis](mailto:Justin.Davis@maine.gov); [Matthew Gates](mailto:Matthew.Gates@maine.gov); [WILLIAM HYATT](mailto:WILLIAM.HYATT@maine.gov); [ROBERT LAFRANCE](mailto:ROBERT.LAFRANCE@maine.gov); [BASIL SEGGOS](mailto:BASIL.SEGGOS@maine.gov); [Emerson Hasbrouck](mailto:Emerson.Hasbrouck@maine.gov); [Joe Cimino](mailto:Joe.Cimino@maine.gov); [HEATHER CORBETT](mailto:HEATHER.CORBETT@maine.gov); [TOM FOTE](mailto:TOM.FOTE@maine.gov); [Peter J. Clarke](mailto:Peter.J.Clark@maine.gov); [VIN GOPAL](mailto:VIN.GOPAL@maine.gov); [Adam S. Nowalsky](mailto:Adam.S.Nowalsky@maine.gov); [TIM SCHAEFFER](mailto:TIM.SCHAEFFER@maine.gov); [LOREN W.LUSTIG](mailto:LOREN.W.LUSTIG@maine.gov); john.clark@state.de.us; [Roy Miller](mailto:Roy.Miller@maine.gov); william.carson@state.de.us; [LYNN FEGLEY](mailto:LYNN.FEGLEY@maine.gov); [Russell Dize](mailto:Russell.Dize@maine.gov); [Dana Stein](mailto:Dana.Stein@maine.gov); davidsikorski@ccamd.org; robert.t.brown@shopcove.net; [MICHAEL LUJISI](mailto:MICHAEL.LUJISI@maine.gov); jamie.green@mrc.virginia.gov; [Bryan Plumlee](mailto:Bryan.Plumlee@maine.gov); [Monty Mason](mailto:Monty.Mason@maine.gov); [Patrick Geer](mailto:Patrick.Geer@maine.gov); [KATHY RAWLS](mailto:KATHY.RAWLS@maine.gov); [Jerry Mannen Jr.](mailto:Jerry.Mannen@maine.gov); [Mel Bell](mailto:Mel.Bell@maine.gov); [CHAD THOMAS](mailto:CHAD.THOMAS@maine.gov); [Chris Batsavage](mailto:Chris.Batsavage@maine.gov); [MALCOLM RHODES](mailto:MALCOLM.RHODES@maine.gov); [Ronnie Cromer](mailto:Ronnie.Cromer@maine.gov); [Doug Haymans](mailto:Doug.Haymans@maine.gov); [TREY RHODES](mailto:TREY.RHODES@maine.gov); [JESSICA MCCAWLEY](mailto:JESSICA.MCCAWLEY@maine.gov); [GARY JENNINGS](mailto:GARY.JENNINGS@maine.gov); [Thad Altman](mailto:Thad.Altman@maine.gov); [info](mailto:info@OldMaineOutfitters.com); [Emilie Franke](mailto:Emilie.Franke@maine.gov)
Subject: [External] Striped Bass Emergency Action Comments
Date: Wednesday, May 31, 2023 1:58:50 PM

Hi,

I am unable to attend today's meeting so I just wanted to say how much I support this action. Thank you very much for understanding the situation striped bass are in and putting measures in place to help give them a fighting chance. Everyone at the ASMFC should be proud they were able to work quickly and make a decision that supports striped bass. Striped bass are our only real saltwater fishery in Maine and losing them would be a real hit to our economy and countless guides, tackle shops, and businesses that need them around in abundance.

Please do not let states like New Jersey undermine, and flat-out insult the ASMFC by ignoring this action. If so, they should be dealt with with harsh penalties as it completely undermines the goal and effects states that actually have striped bass best interest in mind.

Thank you again! I fully support this.

--

Patrick Rudman
26 Bellevue Ave, South Portland Maine, 04106
www.oldmaineoutfitters.com

From: [Richard samalonis](#)
To: [Emilie Franke](#)
Subject: [External]
Date: Thursday, May 11, 2023 8:39:13 AM

Bass REGS. Where do you get your numbers from? REAL TIME CATCH OR GUESSING?



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June 23, 2023

Mr. Daniel J. McKiernan, Director
Commonwealth of Massachusetts
Division of Marine Fisheries
251 Causeway St., Suite 400
Boston, Massachusetts 02114

RE: Recreational Slot Limit for Striped Bass & Draft Addendum II

Dear Mr. McKiernan:

On behalf of the Stellwagen Bank Charter Boat Association (SBCBA), representing charter/party boat captains and recreational anglers that fish state and federal waters of Massachusetts, comments concerning the recreational slot limit for striped bass and Draft Addendum II is set forth below.

- As a result of the recent change to the striped bass slot limit there are many SBCBA members and clientele that are disturbed by the recent emergency measure (“EM”) as a result of lack of transparency, details and public participation the date it was approved by ASMFC. This is unfortunately part of an EM process that has resulted in many disappointed SBCBA members and members from the public specifically those that catch and retain a fish for food on the table. Ultimately after all the dust has settled and additional public outreach was conducted after the EM, SBCBA understands why the EM was necessary and why such needs to be implemented.
- What added to disappointment in the process is that the for hire bag limit was not considered as part of the EM and was not approved the day of the EM. SBCBA recommends that for hire seasons and bag limits be assessed by the PDT as part of Addendum II, especially since the for hire striped bass catch was down last year while the private angler catch more than doubled that resulted in a significant increase to the catch and/or mortality.



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- SBCBA assumes that for hire measures as well as shore side angler and private boater measures will be evaluated by the PDT as part of Addendum II that are fair and equitable to all three user types. Each user type have different goals and objectives (catch & release, catch & eat), financial constraints and access limitations to the fishery resulting from increased temperatures and/or climate change. For example the shore side angler may not have access to the fishery during certain times of the year as a result of climate change/increased temperatures moving the fish to deeper and cooler waters, cannot afford buying a private vessel and as a result look to the for hire fleet for access to the fishery to put food on the table. Seasons and bag limits need to correspond to charter booking cost in order for it to make economic sense for clientele to book a trip. Seasons and bag limits need to consider equity and environmental justice (EEJ) to the different user types that is fair and equitable and not one sided to benefit one user type over another.
- We are sad to report that bookings are down 50 percent by SBCBA Captains especially those that rely on multi species trips that include striped bass, black sea bass and scup May 20 to June 30. Clientele are cancelling trips and indicating they are booking charters in New Jersey that have a favorable black sea bass bag limit of 10 per person (May 17 to June 19) in comparison to the Massachusetts, 4 fish black sea bass bag limit. Our typical clientele catch and eat the fish.
- There are for hire seasons and bag limits in other states for black sea bass but not Massachusetts, as well as for hire measures for bluefish, scup (all three modes), bluefin (6 pack and party boat), etc. The historical and recent reductions and cumulative cuts to black sea bass, scup, cod, haddock striper slot, and other species seasons and bag limits and zero retention of wolfish and mako impacting Massachusetts anglers and Captains north and south of Cape Cod and/or the latitude 42 line has caught up to the Massachusetts for hire fleet with clientele that retain fish for food on the plate, resulting in cancellations and reduction in bookings. The for hire seasons and bag limits in Massachusetts in comparison to other states speaks for itself of the need for a change with seasons and bag limits for the for hire fleet and all user types that are fair and equitable, consider climate change and EEJ that



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considers the need for seasons and bag limits necessary for the for hire fleet to operate a viable business.

- Our for hire members are typically targeting multiple species and hook into striped bass quickly then move on to target other species. As a result of the slot change, in general they are catching and releasing more fish over a longer period of time until they catch the slot fish. In the past “quick catch” and move on to the next species. Naturally light tackle catch and release captains that fish for striped bass only, do this all day but that’s not the operating model of our typical SBCBA member targeting multiple species as well as clientele that retain fish to put food on the plate.

As detailed above, the SBCBA request that Addendum II assess seasons and bag limits for the for hire fleet and other modes detailed above in order to operate a viable business that provides the public fair and equitable access to the fishery. Such is long overdue in Massachusetts for other species such as black sea bass noted above that are not part of Addendum II.

The cumulative historical and recent cuts to multiple species noted above is to the detriment of the for hire fleet as well as the public that relies on the for hire fleet to provide cost effective and reasonable access to the fishery. Reasonable seasons and bag limits to provide the public access the fishery to put food on the plate for those anglers that cannot afford a private vessel nor have access to the fishery due increased temperatures and climate change that are subject to financial constraints and EEJ factors need to be considered in the decision making process.

Thank you for your consideration and attention to this matter. If you have any questions, please reach out to the emails below.

Very truly yours,

Capt Timothy Brady

Capt. Timothy Brady
SBCBA, Vice President
tcbship874@gmail.com

Capt Rick Golden

Capt. Rick Golden
SBCBA, Secretary
captrick@1620anglers.com



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From: [Devin Schibi](#)
To: [Comments](#)
Subject: [External] Emergency bass regulations
Date: Saturday, May 20, 2023 6:55:07 PM

My name Devin Schibi I fish long island sounds for most of my life. My question is if this is an emergency why is there no regulations set on commercial fishing for a straight bass? Also why is the slot limit different from Chesapeake and Delaware fishing?
If this is an emergency why don't we all follow the same slot limit.

Devin schibi
Sent from my iPhone

From: [john winder](#)
To: [Comments](#)
Subject: [External] Striped bass regulation
Date: Sunday, May 21, 2023 10:39:54 AM

I am all for preserving our natural resources on land and at sea. What I would like to know is why commercial fishing is almost never affected by these “emergency” changes? One would think that the goals you are trying to achieve would happen much quicker if everyone was held to the same standards. Commercial boats take far greater numbers of fish that are detrimental to preserving our striper population. Why dont we have a level playing field here? Also, continuing to tighten regs on recreational guys is, in my opinion, possibly going to lead to the increased taking of illegal sized fish. Its a slippery slope. Thank you.

Sent from my iPhone

From: [Steve Winters](#)
To: [Comments](#)
Subject: [External] Striped Bass
Date: Sunday, May 21, 2023 6:28:57 AM

Thank you for trying to help our wonderful resource. I would say take the next step please to game fish status. Been fishing here for 48 years and has it changed.

Sent from my iPad