

Atlantic States Marine Fisheries Commission
Lobster Conservation Management Team (LCMT) Area 2
Meeting – January 22, 2025

LCMT Members present: L. Dellinger (chair), A. Eagles, B. Thibeault, T. Field

Other LMA 2 harvesters present: P. Brodeur

Summary

The LCMT for Area 2 met virtually on January 22, 2025 at 4:30 pm. The basis of the meeting was to discuss the Plan Development Team’s summer 2024 analysis, provide input on the management measures implemented in NOAA Fisheries’ interim rule for LCMA 2, and provide recommendations for management measures moving forward.

Overall, the Team maintained its perspectives from the April 2024 LCMT 2 meeting regarding measures implemented in the NOAA interim rule, which include ownership caps and trap cap reductions corresponding to measures implemented in the Commission’s Addenda XXI and XXII (2013). The LCMT’s perspective is that the fishery has already responded to the reduced size of the lobster biomass, as indicated in the PDT analysis showing the reduced effort and landings for the LCMA 2 fishery since the Addenda were approved. One harvester also noted that the increased targeting of Jonah crab has removed some of the fishing pressure from lobster, further reducing lobster fishery effort beyond what is reflected in the overall number of traps fished. Given these points, the group feels there is no need for the measures put forth in the Interim Rule.

The LCMT expressed a need to allow harvesters to bank traps beyond their 800 actively fished traps. With the reduction in the size of the fishery, the few harvesters remaining should have increased flexibility in operating their businesses. This includes having the ability to bank traps in case of future trap allocation reductions. The group also unanimously agreed that the sunset clause should be removed completely. The group supports *status quo* management measures for the LCMA 2 fishery (i.e., maintenance of regulations in place prior to the federal interim rule).

LCMT 2 members highlighted the need for consistency between federal and state regulations moving forward. For state regulations, they support maintaining existing owner-operator rules for Rhode Island and Massachusetts, with a cap of 800 actively fished traps and an allowance for each state permit to bank up to an additional 800 traps. For federal regulations to be consistent with state regulations, they recommend maintaining the existing federal cap of 800 active traps per federal vessel permit with a federal entity ownership cap at 1600. With these rules, if an individual owned one federally permitted vessel, they could own and fish up to 800 traps, but also accumulate up to an additional 800 “banked” traps. In cases where a vessel owner had two boats with two separate federal permits under the same LLC or entity, they would be limited to the entity ownership cap of 1600 traps overall. Owners of two or more federal vessel permits could include them in the same entity as long as they do not exceed the entity ownership cap. The Team members specified that there should be no limit on the number of federal licenses an

individual could own; this flexibility is needed because it might require the purchase of more than one permit with few traps to build up a full allocation.

There were suggestions to allow individuals to transfer traps within an entity and not pay a transfer tax. This would allow owners of multiple boats to rearrange trap allocations among vessels without a tax, offering improved adaptability in cases of breakdowns, vessel upgrades, or other changes in fishing businesses. One member also mentioned that the 10% transfer tax should be eliminated completely.



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfc.org

MEMORANDUM

TO: Spiny Dogfish Management Board
FROM: Spiny Dogfish Advisory Panel
DATE: January 28, 2025
SUBJECT: Advisory Panel Review of Draft Addendum VII

The Spiny Dogfish Advisory Panel (AP) met via webinar on Thursday, January 16th, 2025, to review the management options presented in Draft Addendum VII. Only two AP members were present. Comments and recommendations are summarized below.

AP Members in attendance: John Whiteside (MA), James Webber (RI)

ASMFC Staff: James Boyle

Other: Sonny Gwin, Angel Willey, Jenny Couture, Laura Deighan, Chris Batsavage, Ella Mack

Draft Addendum VII

James Webber initially supported Option 1 on the call, but after discussions with spiny dogfish harvesters, he expressed the apparent need for sturgeon protection and **supported Option 2.**

Comments were made by Sonny Gwin regarding the potential negative impacts on Maryland harvesters that participate in both the striped bass and spiny dogfish fisheries and who begin harvesting in mid-March at the end of the proposed Maryland and Virginia overnight soak prohibition window. It was unknown whether these fishers possess a Maryland Spiny Dogfish Permit or whether they harvest spiny dogfish under the trip limit allowed under the Maryland Striped Bass Permit.

John Whiteside indicated that while he generally prefers that the Commission's FMP and the federal FMP align in complementary management, he was concerned about the potential impacts to the Maryland fishery described in the public comment and declined to offer support for any options.

Atlantic States Marine Fisheries Commission

Atlantic Striped Bass Management Board

February 4, 2025

3:00 – 5:00 p.m.

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.

1. Welcome/Call to Order (*M. Ware*) 3:00 p.m.
2. Board Consent 3:00 p.m.
 - Approval of Agenda
 - Approval of Proceedings from December 2024
3. Public Comment 3:05 p.m.
4. Review and Consider Stock Assessment Schedule 3:15 p.m.
 - Review Timeline for 2027 Benchmark Stock Assessment and Technical Committee Recommendation on Assessment Schedule (*K. Drew*)
 - Consider Whether to Conduct 2026 Stock Assessment Update **Possible Action**
5. Discuss Scope of Draft Addendum III for 2026 Measures 3:45 p.m.
 - Review Timeline and Initial Scope (*E. Franke*)
 - Provide Guidance to Plan Development Team
6. Review and Populate Advisory Panel Membership (*T. Berger*) **Action** 4:55 p.m.
7. Other Business/Adjourn 5:00 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
February 4, 2025
3:00 – 5:00 p.m.

Chair: Megan Ware (ME) Assumed Chairmanship: 1/24	Technical Committee Chair: Tyler Grabowski (PA)	Law Enforcement Committee Rep: Sgt. Jeff Mercer (RI)
Vice Chair: Chris Batsavage (NC)	Advisory Panel Chair: Vacant	Previous Board Meeting: December 16, 2024
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 December 2024

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. Stock Assessment Schedule (3:15-3:45 p.m.) Possible Action
Background <ul style="list-style-type: none"> • Work on the 2027 Benchmark Stock Assessment for Atlantic Striped Bass will begin in 2025 and is scheduled to be presented to the Board in May or August 2027. • A 2026 Stock Assessment Update is tentatively scheduled as well. • The Technical Committee (TC) and Stock Assessment Subcommittee (SAS) met to discuss concerns about the timing of the 2026 Assessment Update since it would directly overlap with work on the 2027 Benchmark Assessment (Supplemental Materials).
Presentations <ul style="list-style-type: none"> • Overview of stock assessment timeline and TC recommendation by K. Drew
Board action for consideration at this meeting <ul style="list-style-type: none"> • Consider whether to conduct a 2026 stock assessment update

5. Draft Addendum III (3:45-4:55 p.m.)

Background

- After receiving updated projections and potential 2025 management options in the [December 2024 TC Report](#), the Board maintained status quo measures for 2025 and initiated an addendum to consider 2026 management measures to support stock rebuilding.
- Board guidance on the scope of potential management options for 2026 is needed to inform the Plan Development Team's (PDT) analyses (**Briefing Materials**).

Presentations

- Overview of timeline and initial scope of Draft Addendum III by E. Franke

Board guidance for consideration at this meeting

- Provide guidance to the PDT for Draft Addendum III

6. Advisory Panel Membership (4:55-5:00 p.m.) Action

Background

- Peter Fallon from Maine has been nominated to the Atlantic Striped Bass Advisory Panel.

Presentations

- Nomination by T. Berger

Board actions for consideration at this meeting

- Approve Advisory Panel nomination

7. Other Business/Adjourn (5:00 p.m.)



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • 703.842.0741 (fax) • www.asmfmc.org

MEMORANDUM

TO: Atlantic Striped Bass Management Board

FROM: Atlantic Striped Bass Technical Committee and Stock Assessment Subcommittee

DATE: January 28, 2025

SUBJECT: Recommendation on Stock Assessment Schedule

The Atlantic Striped Bass Technical Committee (TC) and Stock Assessment Subcommittee (SAS) met via webinar on January 14, 2025 to review the timeline for the 2027 Benchmark Stock Assessment and discuss concerns about a potential 2026 stock assessment update.

The 2027 Benchmark Stock Assessment is scheduled for peer review through the Northeast (NRCC) Research Track assessment process in March 2027 and will be presented to the Board in May or August 2027 depending on the availability of the peer review report (Table 1). Work on the benchmark stock assessment will begin over the next few months with the Data Workshop expected this Summer 2025. The benchmark assessment will include data through 2025, including the re-calibrated MRIP time series expected to be released in Spring 2026 based on NOAA Fisheries' evaluation of potential bias in the Fishing Effort Survey.

In addition to the 2027 Benchmark Assessment, a 2026 stock assessment update is tentatively scheduled per the typical two-year schedule for striped bass following the 2024 Stock Assessment Update. The TC-SAS discussed concerns about the timing of a 2026 Stock Assessment Update since it would directly overlap with work on the 2027 Benchmark Stock Assessment, specifically overlapping with the benchmark's Assessment Workshop and development of the benchmark report. If a 2026 assessment update were conducted, the TC-SAS would not only be simultaneously working on two different assessments with potentially two different models but would also have to submit data earlier in the year to complete both assessments. This would be particularly challenging since the MRIP data being released in 2026 will be a new, re-calibrated time series.

A 2026 stock assessment update would be presented to the Board in October 2026, which would be followed only ~6-8 months later by the 2027 Benchmark Stock Assessment. The results of a 2026 stock assessment update would quickly be replaced by the 2027 Benchmark Assessment with a potentially new assessment model and reference points.

The completion of any assessment is highly dependent on the contributions of the TC and SAS. These committee members have other obligations in addition to striped bass and may not have the bandwidth to dedicate the time needed for both an update and benchmark to be completed so close together.

M25-10

For these reasons, the TC-SAS recommends not conducting a 2026 stock assessment update for striped bass. The TC-SAS can provide the Board with data check-ins throughout the benchmark assessment process (e.g., summary of removals and key indices) as well as updated projections when preliminary 2025 data are available if desired, but emphasizes the priority should be completing the 2027 Benchmark Assessment to inform future management.

Table 1. 2027 Benchmark Stock Assessment Timeline for Atlantic Striped Bass

	Milestone	Date
✓	Initial TC call to review timeline	Jan. 14, 2025
	TC Call to review TORs	March 2025
	TORs and SAS presented to Board for approval	May 2025
	2024 Data Submission Deadline	June 15, 2025
	Data Workshop	July/August 2025
	Methods Workshop	December 2025
	2025 Data Submission Deadline	June 15, 2026
	Assessment Workshop	August 2026
	Report Components to Staff	Oct. 1, 2026
	Final Report to SAS	Nov. 1, 2026
	SAS call to approve report for TC review	Dec. 1, 2026
	Report to TC for review	Dec. 15, 2026
	TC Call to Approve Report	Week of January 18, 2027
	Report to review panel	Last week of February 2027
	Peer Review Workshop	Mid-March 2027
	Report to Board (Meeting Materials)	Mid-April or Mid-July 2017
	Assessment presented at Spring/Summer Meeting	First week of May or August 2027



Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • www.asmfc.org

MEMORANDUM

January 23, 2025

To: Atlantic Striped Bass Management Board
From: Tina Berger, Director of Communications
RE: Advisory Panel Nomination

Please find attached a new nomination to the Atlantic Striped Bass Advisory Panel – Peter Fallon, a charterboat captain from Maine. Peter replaces David Pecci on the Panel.

Please review this nomination for action at the next Board meeting.

If you have any questions, please feel free to contact me at 703.842.0749 or tberger@asmfc.org.

Enc.

cc: Emilie Franke

Atlantic Striped Bass Advisory Panel

Maine

Peter Fallon (charterboat)
824 Main Road
Phippsburg, ME 04562
Phone: 207.522.9900
pfallon@mainestripers.com

Bob Humphrey (for-hire)
727 Poland Range Road
Pownal, ME 04069
Phone (day): 207.688.4966
Phone (eve): 207.688.4854
bob@bobhumphrey.com
Appt. Confirmed 2/18/20

New Hampshire

Peter Whelan (rec)
100 Gates Street
Portsmouth, NH 03801
Phone (o): (603) 205-5318
Phone (h): (603) 427-0401
pawhelan@comcast.net
Appt. Confirmed 2/24/03
Appt Reconfirmed 5/10

Massachusetts

Patrick Paquette (rec/for-hire/comm)
61 Maple Street
Hyannis, MA 02601
Phone: (781)771.8374
Email: basicpatrick@aol.com
Appt. Confirmed 8/16

Craig Poosikian (comm. rod & reel)
19 Giddah Hill Road
PO Box 1878
Orleans, MA 02653
Phone: 508.240.2345
bhge@gmail.com
Appt. Confirmed 11/22

Rhode Island

Andrew J. Dangelo (for-hire)
1035 Liberty Lane
West Kingston, RI 02892
Phone: 401.788.6012
Maridee2@gmail.com
Appt. Confirmed 2/3/21

Peter Jenkins (rec)
36 Third Street
Newport, RI 02840
Phone: (508)735-7350
peter@saltwateredge.com
Appt. Confirmed 5/1/24

Connecticut

Kyle Douton (rec/tackle shop owner)
5 Rockwell Street
Niantic, CT 06357
Phone (day): (860)739-7419
Phone (eve): (860)739-8899
FAX: (860)739-9208
kyle@jbtackle.com
Appt. Confirmed 5/13/14

Toby Lapinski (rec/freelance writer)
10 Dogwood Drive
Old Lyme, CT 06371
Phone: 860.227.1872
toby.lapinski@gmail.com
Appt Confirmed 1/24/24

New York

Bob Danielson (rec)
86 Balin Avenue
South Setauket, NY 11720
Phone: 631.974.8774
BDan93@optonline.net
Appt. Confirmed 10/22/20

Captain Julie Evans (comm)
43 South Dewey Place
Montauk, NY 11954-5056
Phone (day): 305.747.0604
Phone (eve): 631.668.5070
jevansmtk@gmail.com
Appt Confirmed 1/24/24

New Jersey

Tom Fote (rec)
22 Cruiser Court
Toms River, NJ 08753
Phone: (908) 270-9102
tfote@jcaa.org
Appt. Confirmed 8/6/24

Atlantic Striped Bass Advisory Panel

Eleanor A. Bochenek (retired fisheries scientists with experience in Mid-Atlantic rec. and comm fisheries)

117 Alexander Avenue
Villas, NJ 08251
Phone: (609) 425.0686
eboch@hsrl.rutgers.edu
Appt. Confirmed 11/5/21

Pennsylvania ***Vacancy (rec)***

Delaware

Leonard Voss, Jr. (com)
2854 Big Oak Road
Smyrna, DE 19977
Phone: (302) 653-7999
Appt. Confirmed 4/21/94
Appt. Reconfirmed 7/27/99; 7/03 and 7/07

Steven Smith (rec)
59 Burnham Lane
Dover, DE 19901
Phone (day): (302)744-9140
Phone (eve): (302)674-5186
smithbait@verizon.net
Appt. Confirmed 10/23/18

Maryland

Charles E. Green Jr. (for-hire)
7327 Woodshire Avenue
Chesapeake Beach, MD 20732
Phone: 301.233.0377
greeneddie@verizon.net
Appt. Confirmed 8/3/21

Vacancy (rec)

Virginia

Chair - Kelly Place (comm; reappted chair 10/2010)
213 Waller Mill Road
Williamsburg, VA 23185
Phone (h): (757) 220-8801
Phone (c): (757) 897-1009
FAX: (757) 259-9669
kelltron@aol.com
Appt. Confirmed 5/23/02

Appt Reconfirmed 5/06 and 5/10

William Edward Hall Jr. (rec)
PO Box 235
26367 Shoremain Drive
Bloxom, VA 23308
Phone (day): (757)854-1519
Phone (eve): (757)894-0416
FAX: (757)854-0698
esangler@verizon.net
Appt. Confirmed 5/13/14

North Carolina

Jon Worthington (rec)
405 Japonica Drive
Camden, NC 27921
Phone: (252) 562-2914
ncpierrat@gmail.com
Appt Confirmed 5/5/21

Jamie Lane (estuarine and ocean gillnetter)
602 South Main Street
Robersonville, NC 27871
Phone: (252) 312-6832
Jlwinsl3@ncsu.edu
Appt Confirmed 5/4/22

District of Columbia

Will Poston
1712 17th Street, NW
Washington, DC
Phone: 202.577.8990
will@saltwaterguidesassociation.org
Appt. Confirmed 8/6/24

Potomac Fisheries River Comm.

Dennis Fleming (fishing guide; seafood processor/dealer)
P.O. Box 283
Newburg, MD 20664
Phone: 240.538.1260
captaindennisf@gmail.com
Appt. Confirmed 2/3/21



ATLANTIC STATES MARINE FISHERIES COMMISSION

Advisory Panel Nomination Form

This form is designed to help nominate Advisors to the Commission's Species Advisory Panels. The information on the returned form will be provided to the Commission's relevant species management board or section. Please answer the questions in the categories (All Nominees, Commercial Fisherman, Charter/Headboat Captain, Recreational Fisherman, Dealer/Processor, or Other Interested Parties) that pertain to the nominee's experience. If the nominee fits into more than one category, answer the questions for all categories that fit the situation. **Also, please fill in the sections which pertain to All Nominees (pages 1 and 2). In addition, nominee signatures are required to verify the provided information (page 4), and Commissioner signatures are requested to verify Commissioner consensus (page 4). Please print and use a black pen.**

Form submitted by: Megan Ware State: Maine
(your name)

Name of Nominee: Peter Fallon

Address: 824 Main Rd

City, State, Zip: Phippsburg, ME 04562

Please provide the appropriate numbers where the nominee can be reached:

Phone (day): 207-522-9900 Phone (evening): _____

FAX: _____ Email: pfallon@mainestripers.com

FOR ALL NOMINEES:

1. Please list, in order of preference, the Advisory Panel for which you are nominating the above person.

1. Striped Bass
2. _____
3. _____
4. _____

2. Has the nominee been found in violation of criminal or civil federal fishery law or regulation or convicted of any felony or crime over the last three years?

yes _____ no X

3. Is the nominee a member of any fishermen's organizations or clubs?

yes X no _____

If "yes," please list them below by name.

Maine Association of Charterboat Captains

Fly Fishers International

American Saltwater Guides Association

National Association of Charterboat Captains

Bonefish and Tarpon Trust

Trout Unlimited

4. What kinds (species) of fish and/or shellfish has the nominee fished for during the past year?

striped bass

bluefin tuna

false albacore

atlantic bonito

bluefish

black sea bass, scup, mahi, spanish mackerel

5. What kinds (species) of fish and/or shellfish has the nominee fished for in the past?

redfish

sharks

cobia

blackfin tuna, king mackerel, grouper, snapper, triggerfish, amberjack,

atlantic mackerel

lobster

FOR COMMERCIAL FISHERMEN:

1. How many years has the nominee been the commercial fishing business? _____ years

2. Is the nominee employed only in commercial fishing? yes _____ no _____

3. What is the predominant gear type used by the nominee? _____

4. What is the predominant geographic area fished by the nominee (i.e., inshore, offshore)? _____

FOR CHARTER/HEADBOAT CAPTAINS:

1. How long has the nominee been employed in the charter/headboat business? 25 years

2. Is the nominee employed only in the charter/headboat industry? yes _____ no X _____

If "no," please list other type(s) of business(es) and/occupation(s): Fly fishing instructor and guide

3. How many years has the nominee lived in the home port community? 24 years

If less than five years, please indicate the nominee's previous home port community.

FOR RECREATIONAL FISHERMEN:

1. How long has the nominee engaged in recreational fishing? _____ years

2. Is the nominee working, or has the nominee ever worked in any area related to the fishing industry? yes _____ no _____

If "yes," please explain.

FOR SEAFOOD PROCESSORS & DEALERS:

1. How long has the nominee been employed in the business of seafood processing/dealing? _____ years

2. Is the nominee employed only in the business of seafood processing/dealing?

yes _____ no _____ If "no," please list other type(s) of business(es) and/or occupation(s):

3. How many years has the nominee lived in the home port community? _____ years

If less than five years, please indicate the nominee's previous home port community.

FOR OTHER INTERESTED PARTIES:

1. How long has the nominee been interested in fishing and/or fisheries management? _____ years

2. Is the nominee employed in the fishing business or the field of fisheries management?

yes _____ no _____

If "no," please list other type(s) of business(es) and/or occupation(s):

FOR ALL NOMINEES:

In the space provided below, please provide the Commission with any additional information which you feel would assist us in making choosing new Advisors. You may use as many pages as needed.

- SEE ATTACHED -

Nominee Signature: 

Date: 01/17/2025

Name: PETER FALLON
(please print)

COMMISSIONERS SIGN-OFF (not required for non-traditional stakeholders)

Megan Ware - ON BEHALF OF MAINE COMMISSIONERS
State Director Proxy State Legislator

Governor's Appointee

Additional Information

ASMFC Striped Bass AP Nomination – Peter Fallon

I am a full-time for-hire operator based in Phippsburg, Maine. I started my current charter business (Gillies & Fallon Guide Service, LLC) in 2004 with a focus on the striped bass fishery in Maine. I expanded my area of operation to include extended time running for-hire trips in Massachusetts and North Carolina.

I previously taught science to middle and high school students. While my undergraduate work was primarily focused on agriculture I took numerous courses in wildlife ecology, resource economics, and biochemistry and was thus able to design my own environmental science curriculum that included significant segments of fisheries ecology and management. Since then I've been involved in several research projects on a variety of species during the past 20 years.

Other career experience has included fishing commercially for lobster and bluefin tuna, managing a small dairy farm, private school administration, and working as a ski industry executive.

I've been serving as the president of the Maine Association of Charterboat Captains since 2020. I attended the Marine Resource Education Program (MREP) that same year. I also completed The Rutgers Cooperative Extension Introductory Fisheries Science for Stakeholders (IFISSH) course.

I've been an active participant in fisheries management at the state, ASMFC, and federal level and currently sit on the ASMFC Bluefish Advisory Panel. I've attended numerous ASMFC Striped Bass Board meetings in person. I was the program administrator for Guiding for the Future Maine, an advanced training program for striped bass charterboat captains. I've successfully engaged stakeholders to build effective participation in the management process, have experience soliciting and reporting a range of viewpoints, and have worked effectively with managers to make meaningful changes to our fisheries.

1075 Tooker Avenue
West Babylon, NY 11704
January 24, 2025

Emilie Franke
Atlantic States Marine Fisheries Commission
1050 N. Highland St., Suite 200A-N
Arlington, VA 22201

Atlantic Striped Bass Management Board
Atlantic States Marine Fisheries Commission
1050 N. Highland St., Suite 200A-N
Arlington, VA 22201

Dear Ms. Franke and Members of the Management Board:

I am writing to address one issue that will be considered is part of the planning for the proposed new addendum to the striped bass management plan, an issue that Ms. Franke raised in her January 21 memorandum to the Board when she asked, "For recreational measures, should the PDT consider different measures for the for-hire modes vs. private/shore anglers (i.e., mode split options)?"

I ask that such issue not be considered in connection with the proposed addendum, as it was already considered, thoroughly discussed, and ultimately rejected one year ago, when the Board adopted *Addendum II to Amendment 7 to the Interstate Fishery Management Plan for Atlantic Striped Bass*. At that time, it was also overwhelmingly rejected by the public, who provided nearly 2,300 oral and written comments in opposition to any mode split options, compared to only 160 comments in favor.

When well over 90 percent of the stakeholders who comment on an issue reject it, it would be a mistake for the Board to consider it such issue again.

In 2023, anglers fishing from for-hire vessels accounted for less than 1.5 percent of all directed striped bass trips. To grant such anglers special privileges which are not available to the great majority of recreational striped bass fishermen, who generate the overwhelming majority of social and economic benefits derived from the recreational fishery, is inherently inequitable. Worse, it is counterproductive, as many private boat and shore-based anglers resent the special treatment afforded the for-hire patrons and taking an "if they can do it, why can't I attitude" that eroded support for and compliance with recreational striped bass regulations. We experienced that unfortunate situation in New York for many years after Amendment 5 to the Interstate Fishery Management Plan for Atlantic Striped Bass was adopted, and the state established a two-bass bag limit for for-hire patrons, and a one-fish bag for every one else. The Board should not make the same mistake on a coastwide level.

But the biggest argument against a mode split is that the underlying premise for such management, the argument that the for-hire industry will suffer if anglers' ability to retain striped bass is impaired, is

demonstrably untrue. That is clearly illustrated by the Marine Recreational Information Program (MRIP) data for the years 2021-2023.

Those years span a period when the availability of legal-sized striped bass in the coastal fishery was constantly changing. 2021 saw relatively few bass falling into the 28- to 35-inch slot size limit; fishing mortality had fallen so low that the 2022 stock assessment update found a high likelihood that the stock would be fully rebuilt by the 2029 deadline. 2022 saw the 2015 year class enter the slot, causing a sharp increase in recreational landings that, according to the 2024 stock assessment update, was severe enough to result in a modest level of overfishing. 2023 saw landings reduced after the Board adopting a narrow, 28- to 31-inch coastal slot limit, which was in effect for the last half of the year.

If it was true that the ability of for-hire patrons to take a bass home is a major determinant of the number of trips made by the for-hire fleet, one would expect for-hire effort to be relatively low in 2021, when legal bass were relatively scarce, increase markedly along with landings in 2022, and then decline in 2023 as the narrower coastal slot went into effect. But that didn't happen. Instead, *of the ten states between Maine and Virginia that host significant for-hire striped bass fisheries, only Massachusetts, conformed to the expected pattern.*

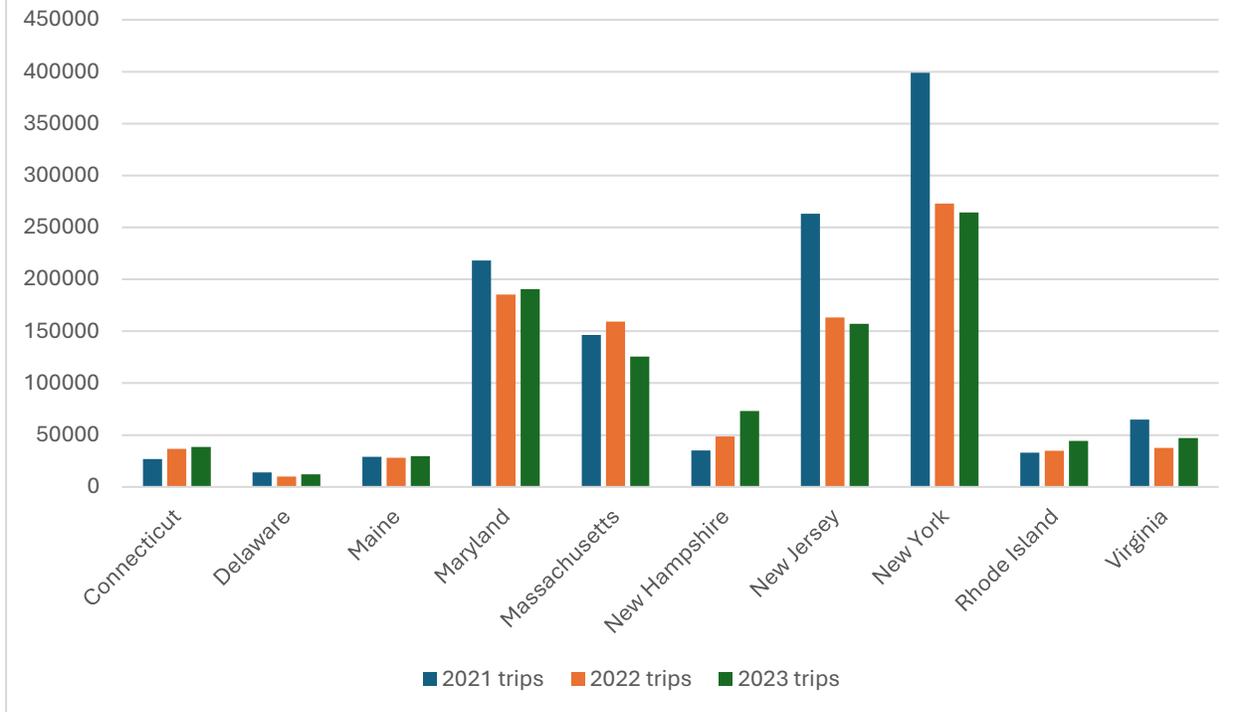
The two states which generate the greatest number of overall for-hire trips, New York and New Jersey, instead saw overall for-hire trips fall sharply between 2021 and 2022, by 32 percent and 38 percent, respectively, despite the fact that it was far easier for anglers to catch a legal-sized bass in 2022. And in 2023, despite the adoption of the narrower slot limit that allegedly made it much harder to catch a legal bass, the further decline in for-hire trips was trivial, between three and four percent in both states.

In New York, the decline in for-hire striped bass trips in 2022 was about 31 percent, roughly the same decline as for all for-hire trips, despite the greater availability of legal sized striped bass; in 2023, directed for-hire striped bass trips were off about 33 percent, but overall for-hire trips were down by just over three percent, meaning that for-hire operators made up most of the lost striped bass revenues by targeting other species. In New Jersey, on the other hand, for-hire striped bass trips never fell off as much as overall for-hire trips did, dropping just 20 percent (compared to a 38 percent decline in overall for-hire trips) in 2022 and remaining just about flat (but showing a statistically insignificant increase) in 2023.

But whether we look at New York or New Jersey, there is no suggestion that year-to-year changes in the availability of legal striped bass had a material impact on the number of for-hire trips taken in either state.

In four other states, Maine, Delaware, Maryland, and Virginia, we see a pattern that is just the opposite of what we'd expect if the availability of legal striped bass drove for-hire effort. In those states, for-hire trips declined in 2022, when legal-sized bass were most available, and then increased in 2023, the year that the narrow coastal slot limit was adopted (although we should acknowledge that in Maryland and Virginia, there are large for-hire fisheries in the Chesapeake Bay, the abundance of legal bass in the bay could have skewed the data).

ANNUAL FOR-HIRE TRIPS (ALL SPECIES) MAINE TO VIRGINIA 2021-2023



Finally, we note that three New England states, Connecticut, Rhode Island, and New Hampshire, don't show any decline in overall for-hire trips at all. Instead, for-hire effort increased in 2022, and then increase again in 2023.

So, with the exception of Massachusetts, no state's data provides a clear correlation between the number of legal-sized striped bass available to for-hire anglers and the number of for-hire trips taken.

Thus, there seems little statistical support for the proposition that mode splits which lead to regulations making more fish available to for-hire anglers are necessary to preserve the health of the for-hire industry, although such splits might benefit particular for-hire operations that have intentionally cultivated a customer base intent on catching and killing striped bass.

There is thus no compelling reason for the Board to consider mode splits in the proposed addendum.

Thank you for considering my views on this issue. I have provided the MRIP data that I have referenced in an appendix to this letter.

Sincerely,

Charles A. Witek, III

APPENDIX

TOTAL FOR-HIRE TRIPS IN EACH STATE

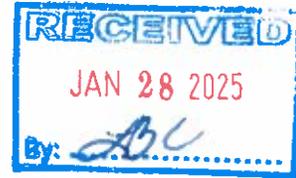
	2021 trips	2022 trips	2023 trips
Connecticut	26985	36662	38564
Delaware	13931	9876	12061
Maine	28937	27991	29539
Maryland	218121	185291	190523
Massachusetts	146363	159383	125600
New			
Hampshire	35236	48693	73154
New Jersey	263230	163285	157081
New York	398951	272953	264343
Rhode Island	33113	34962	44376
Virginia	64939	37573	46996

TOTAL FOR-HIRE STRIPED BASS TRIPS IN EACH STATE

	2021 trips	2022 trips	2023 trips
Connecticut	7445	11121	15567
Delaware	18	0	0
Maine	11239	12614	16316
Maryland	137250	105021	122434
Massachusetts	45964	76237	58560
New			
Hampshire	3493	5331	8821
New Jersey	33322	26663	26758
New York	96124	66434	44265
Rhode Island	8778	7652	7040
Virginia	1715	917	3044

Colin Yager
83 Garrison Drive Eliot Maine 03903

Tina Berger Director of Communications
Highland Street Suite 200A-N Arlington, VA 22201



1/3/25

Dear Ms. Berger,

I grew up fishing for striped bass, it has grown into an important part of my life.

I got into striped bass fishing when I was 13, I would bike to a local river and fish whenever the weather was nice. Striper fishing started my love for saltwater fishing, it has led me to buy commercial permits for my boat (not for stripers). If I couldn't fish as much as I did, I wouldn't have found this passion. Restricting fishing days will deter people from getting into the fishing industry which will lead to many problems like local tackle shops seeing less business and fewer people getting commercial permits, so there will be even less locally caught seafood.

Striper fishing brings a lot of tourism to Maine and other areas in New England during the summer because stripers are the best inshore gamefish, that's why they need to be protected, but the fishing industry also needs to be protected. Restricting fishing days will affect charter captains the most because they need to be able to have charters every day to make a living, many charter boats already struggle with the high costs of maintaining the boat, and if the days they can fish are restricted, they will have to find other ways of making a living. Also, charter captains know how to handle the fish and ensure proper releases, they are not the people killing high amounts of fish.

I understand that new regulations have to be put in place to help protect the striper population. There are solutions that are more beneficial to the fishing industry than restricting fishing days. If the slot limit is lowered or even eliminated for the recreational harvest category (recreational harvest makes up 49% of striper deaths) instead of restricted fishing days then the stripers will have much lower mortality rates and people will still be able to fish for stripers recreationally. Additionally, enforcing a regulation where no stripers can be kept for recreational fishermen will be easier than just a small limit because people often get confused about the size limits.

I appreciate that public support is welcomed when making these decisions and I also want to thank you for your time.

Sincerely,

Colin Yager
colinyager13@icloud.com

No-Targeting Closures a Real Threat for Striped Bass Fishermen

Guest Essay

by [Capt. John McMurray](#) January 15, 2025



Capt. McMurray is the owner of One More Cast Charters in Oceanside, NY.

While there has been a lot going on with striped bass management over the last few years, I've only been tangentially involved. I no longer have a seat at the Atlantic States Marine Fisheries Commission (ASMFC) table, and I'm no longer associated with any fisheries advocacy group.

For the most part, that's intentional. The politics, the failure to communicate nuance, and the level of hate that occurs on both sides of the aisle is uncomfortable. But the biggest reason I'm no longer directly involved with managing striped bass is that I'm spending all my time catching them rather than talking about them. Because the fishing has been *really* good. This fall was arguably the best I've ever seen on the South Shore of Long Island. I said that last year and the year before, too. It just keeps getting better.

Does that mean all is well in the world of striped bass? No, it doesn't. Not at all. However, the reality of the striped bass fishery is complicated.

Striped Bass are Overfished but Rebuilding

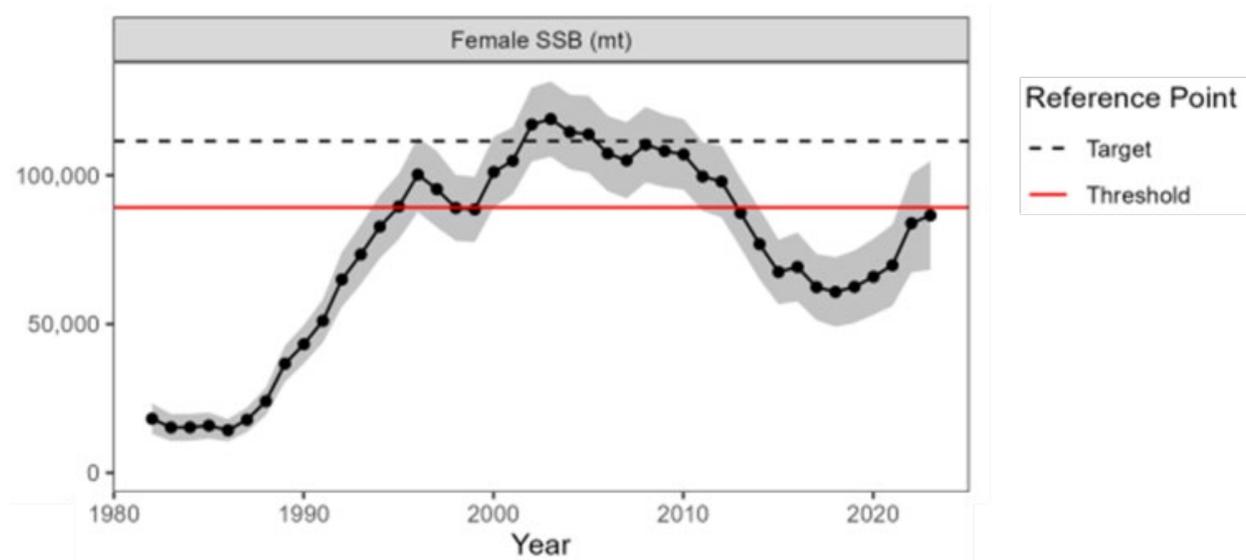
Striped bass aren't endangered. No reputable scientist would say they are. Are they in trouble, given [recent consecutive years of poor recruitment](#) (the number of juvenile fish entering the population)? Unfortunately, yes. Yet there are a lot of fish in some regions during certain times of the year. The fishing isn't so hot in some places—the Chesapeake being the glaring example—but, overall, it's hard to ignore that there are more striped bass around than we've seen in quite some time.

There are at least five good year-classes moving along the coast right now (2003, 2011, 2014, 2015, and 2018), and even a few 2000/2001s still around. A constraining slot limit (28" to less than 31") is limiting recreational harvest. Fishing mortality, a measure of the fish removed from the population by fishing activity, is estimated to be at a 30-year low.

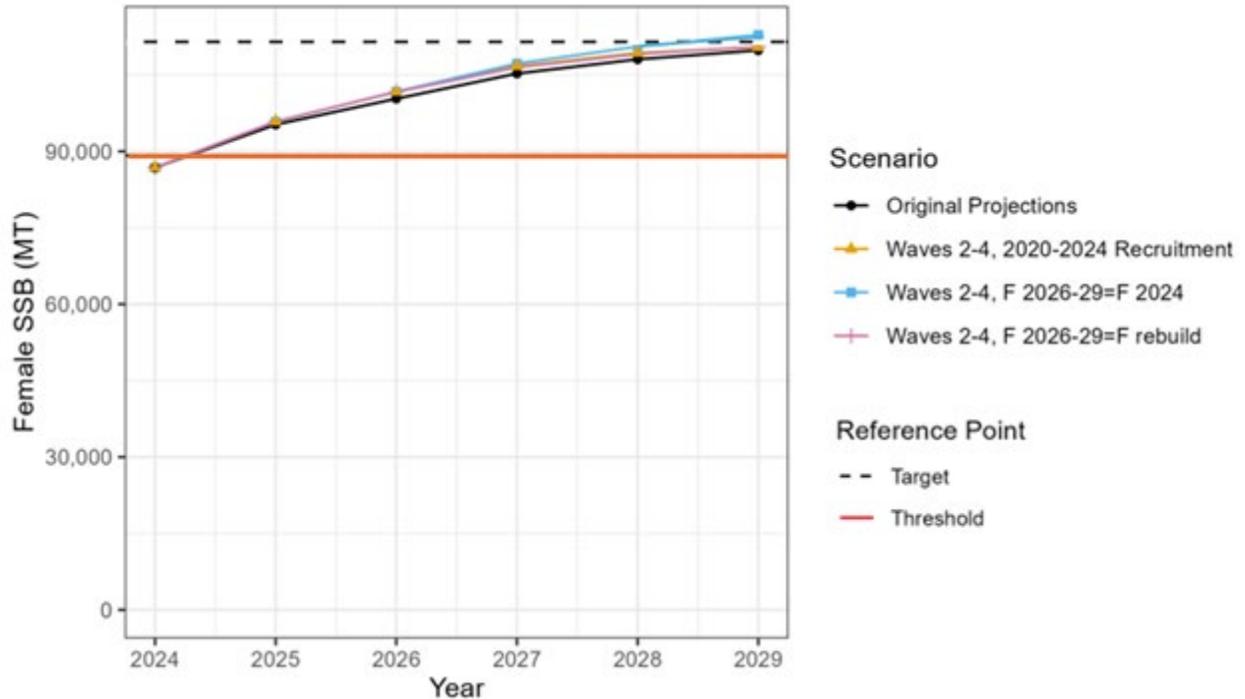
[The striper stock is increasing and rebuilding.](#) Projections show that in 2025, the spawning stock biomass (the total weight of all female striped bass mature enough to reproduce) will reach the rebuilt level of 1995. In other words, we're close to the same spawning stock biomass of 1995, which was when striped bass were previously declared rebuilt after the stock declined in the 1980s.

However, the management plan defines the spawning stock biomass target as 25% higher than that level and requires that we reach the target by 2029. So, managers are under the gun to get striped bass spawning stock biomass to that level by 2029—a level that we've seen in only four years out of the past 40.

It's reasonable to believe that the target may be too high. After all, it is an empirical reference point based on achieving 125% of the 1995 level. But, right now, 125% of the 1995 spawning stock biomass is the target, and the ASMFC remains committed to achieving that goal.



Striped bass female spawning stock biomass estimates through 2023 plotted with the respective target and threshold reference points. The shaded area indicates 95% confidence intervals of the estimates.



Female spawning stock biomass rebuilding projection scenarios from 2024 to 2029 (rebuilding deadline) under different future assumptions about fishing mortality and low recruitment.

Chesapeake Bay Recruitment Failure is a Concern

Around 80% of coastal striped bass come from the massive Chesapeake Bay watershed. There are smaller producer areas (i.e., the Hudson and Delaware) that can add to the Chesapeake, but they can't replace it.

The last six years of recruitment in the Chesapeake were bad. In fact, we haven't seen that sort of recruitment failure since the 80s. Today, when spawning stock biomass is far higher than it was in the 80s, Mother Nature has returned some of the worst recruitment.

The science is clear that [unfavorable environmental conditions are the cause of poor recruitment](#). While it makes sense to preserve spawning-age fish for when we are blessed with more favorable environmental conditions, we should also understand that significantly lower levels of spawning stock biomass have resulted in strong year-classes. In other words, a higher abundance of spawning females will not fix the recruitment problems in the Chesapeake.

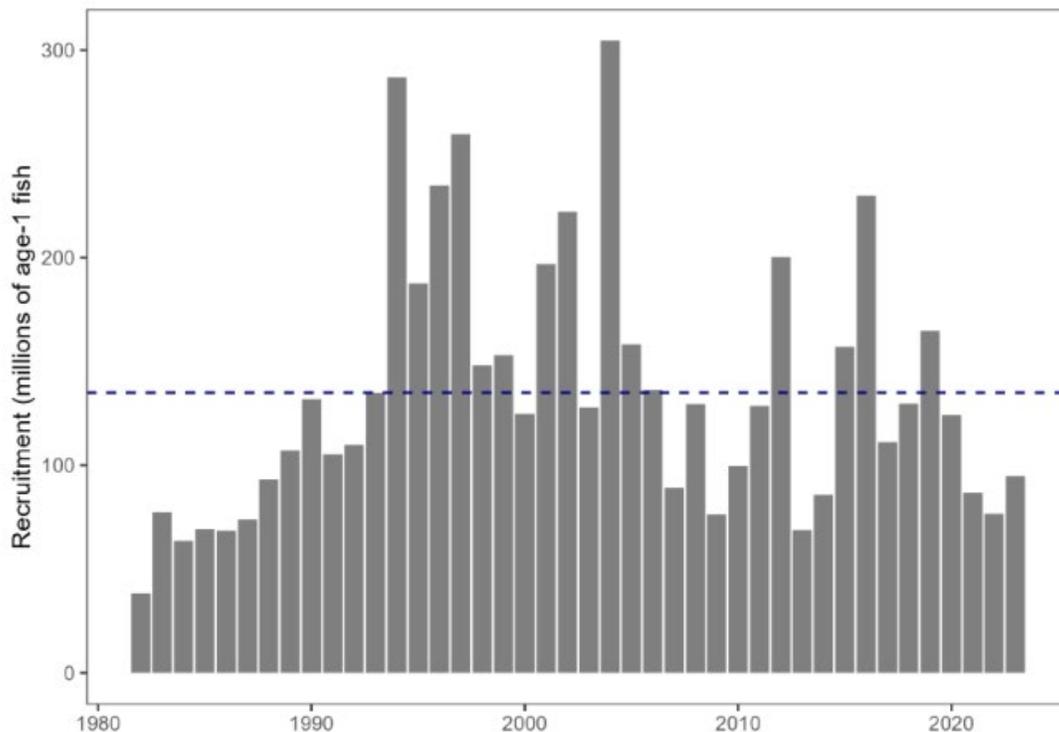


Figure 8. Estimates of striped bass recruitment plotted with the time series mean.

Six of the last seven year-classes since 2015 have been below average, although generally not as low as the levels seen in the 1980s; the 2018 year-class was above average (Figure 8). The below-average 2022 and 2023 recruits will start contributing to female SSB in 2029 and 2030 as those fish approach full maturity.

Recreational Fishermen Account for 90% of Total Removals

With continued poor recruitment and a biomass target to reach, we are likely facing seasonal closures in the future, which has led to finger pointing.

Some anglers point at commercial fishing. However, commercial striped bass landings make up about 10% of total removals, and commercial fishermen are tightly managed with quotas, timely reporting, and penalties for overages.

Some people seem intent on pointing the finger at the charter/party-boat fleet. According to the data, they account for even less landings than the commercial fishery.

Who contributes the most to striped bass fishing mortality? It's the recreational fishery, and it isn't only people who keep fish. In fact, about 45% of total removals comes from recreational harvest, while another 45% results from catch-and-release fishing. (It's estimated that 9% of released striped bass do not survive, and when you multiply that across recreational fishing effort, it adds up.)

The problem is that while harvest can be controlled by size and bag limits, there are no good management tools to regulate catch-and-release mortality other than telling people they cannot fish for striped bass. These “no-targeting closures” would clearly be bad for anglers and businesses that depend on striped bass fishing.

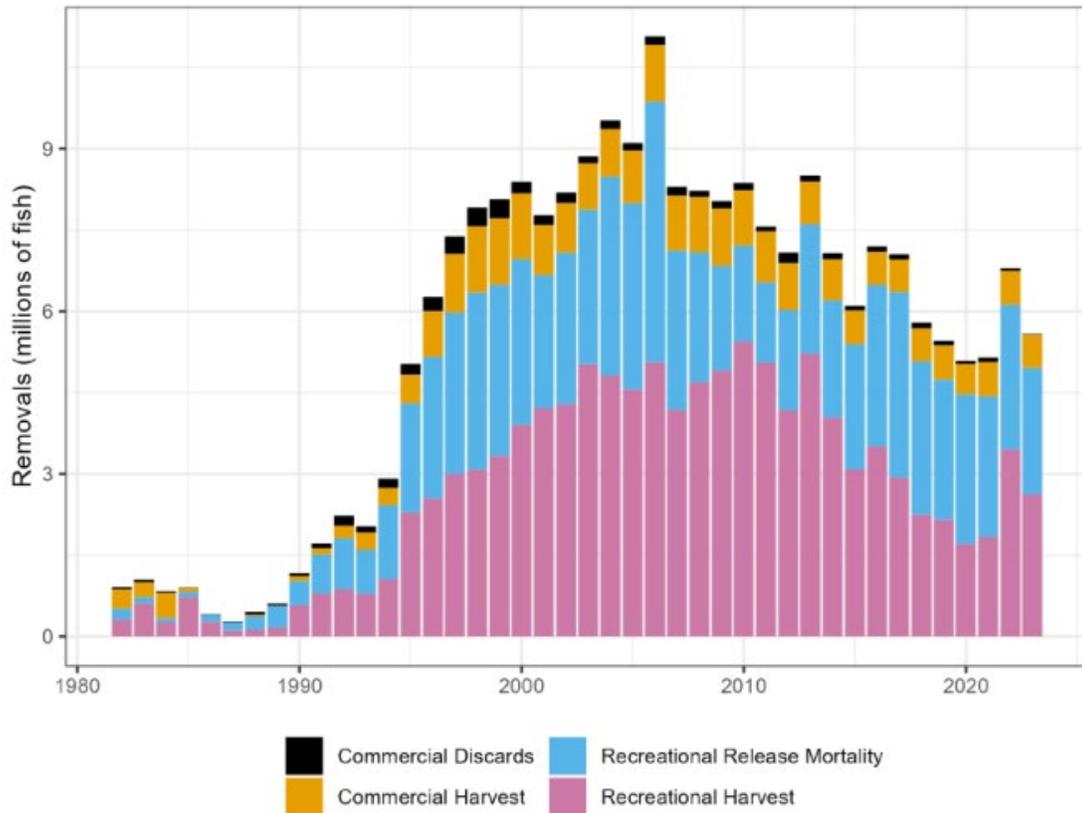


Figure 2. Total striped bass removal by sector, 1982-2023.

From 2022 to 2023, recreational release mortality made up 40% of total removals, with recreational harvest making up 49%, commercial harvest making up 10%, and commercial discards making up 0.5% of the total.

Commissioners are Shifting Focus to Release Mortality

From a practical perspective, no-targeting closures should be a non-starter because they are unenforceable. People can simply claim that they’re targeting a different species. Guides and charter captains will be hurt the most because we must comply. Even if I chose to be non-compliant, I couldn’t advertise striper fishing trips or promote good fishing on social media to drive business.

Yet, no-targeting closures are gaining momentum as a management tool. The argument about unenforceability does not seem to be gaining traction, especially since some states have no-targeting closures in place within spring spawning areas, and the entire ocean beyond 3 nautical miles is a striped bass no-targeting closure.

Furthermore, if catch-and-release mortality is tallying up approximately 45% of all dead fish, is it fair to ask only those who harvest fish to take on the burden of constraining regulations through a reduced bag limit, narrow slot, and no-harvest closures? While I hate to admit it, it isn't.

So, I understand why some commissioners are pushing no-targeting closures and why others seem to agree with them. And, frankly, that's scary.

Closures Gained Traction at Recent Striped Bass Board Meeting

In December 2024, the [Striped Bass Board met to review updated stock projections](#) and decide whether to change regulations for 2025 since more than one projection suggested that the probability of achieving the spawning stock biomass target by 2029 was below 50%. (Note: there was also a projection that indicated the probability was above 50%.)

However, to achieve a reduction in fishing mortality that might bring us to a 50% probability under most of the projections, commissioners were looking at severe options to constrain the fishery, including no-targeting closures.

The meeting made it clear that seasonal closures, particularly no-targeting closures, are a big decision point. Most commissioners seemed to believe it was a decision that should be vetted through a thorough addendum process rather than rushed under Board action for 2025.

By going through an addendum process, commissioners would have complete 2024 catch data and better information to make decisions that carry such gravity for all stakeholders. Still, there were a lot of folks who said it was just another excuse to delay action and "kick the can."

I don't see it that way. For the time being, there isn't a catastrophic threat to the stock. Is no action in 2025 taking on more risk and perhaps jeopardizing meeting the rebuilding target by 2029? Maybe, but the alternative we were looking at may have been untenable.

I think striper fishermen dodged a bullet. Should no-targeting closures get traction, and they certainly had some at that meeting, it'll be awfully hard to stop the momentum.

The Addendum Process is an Opportunity to Move Forward

Fishery managers/commissioners are smart, competent people trying to navigate incredibly difficult and complex decisions. To imply they're just a bunch of hacks or accuse them of being spineless and caving to industry shows a lack of understanding about who these people are and what they do.

Currently, the ASMFC is proceeding with caution on striped bass, as they should. As this addendum develops, there will be more contentious debate. My advice is to get your information from more than one source, do as much research as you can, and take the time to understand the tradeoffs related to each decision.

The striper stock is a public resource, and no single stakeholder has a greater right to it than another. It's clear the ASMFC intends to balance the needs of all user groups. So, be careful what you wish for. Rather than no-targeting closures, I'd prefer a slightly lower, science-based target, but that isn't even an option until the peer-reviewed benchmark stock assessment is conducted in 2027.

In the meantime, if we want a striper fishery at all, we must figure out a path together, one that ensures there are plenty of fish in the water for us to target and that we have reasonable, sustainable access to them.

Without sport fishing, we lose the people who care most about the resource. And, at that point, it's real trouble for striped bass.

Capt. McMurray is the owner of One More Cast Charters in Oceanside, NY and former president of the American Saltwater Guides Association. He served three terms on the Mid Atlantic Fishery Management Council and six years as NY's legislative proxy at ASMFC.



UNITED STATES DEPARTMENT OF COMMERCE
**National Oceanic and Atmospheric
Administration**
ACQUISITION AND GRANTS OFFICE

December 4, 2024

Robert Beal
Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 2220

Subject: Extension Request to Provide a Response to the Audit Resolution Determination Letter issued October 2, 2024

Dear Mr. Beal:

The National Oceanic and Atmospheric Administration Grants Management Division (NOAA GMD) has reviewed the Atlantic States Marine Fisheries Commission (ASMFC) extension request submitted on October 22, 2024, to allow ASMFC the necessary time for:

- The State of New Jersey's Department of Environmental Protection to compile the necessary documentation to address the findings in the State of New Jersey audit.
- The State of New Jersey to conduct multiple adjudication hearings regarding the direct assistance payments.
- ASMFC to compile additional information requested on the payments that have already been returned to NOAA, allowing these payments to be attributed to specific assistance recipients.
- The States of New Jersey and Florida have additional time to engage with their fishery assistance recipients and potentially recoup some of the funds deemed unallowable.
- ASMFC and NOAA Fisheries to work together to address the partnership's impacts in support of shared fishery management and science goals.

NOAA would like to address the following comments issued in the extension request letter:

The Commission is startled by the tone of the Letter, which was an overwhelming departure from the decades-long partnership between the Commission and NOAA Fisheries. The Commission values this partnership, however, there is concern among our 45 Commissioners, representing the 15 member states, that NOAA's support for this partnership may be diminishing.

NOAA included as a part of the Audit Resolution Determination letter the required language to address the demand for payment following 31 CFR 901.2; written demand shall be made promptly upon a debtor of the United States in terms that inform the debtor of the consequences of failing to cooperate with the agency to resolve the debt. According to 31 CFR 901.2(b), demand letters shall inform the debtor of the basis for the indebtedness and the rights the debtor may have to seek review within the agency; the applicable standards for imposing any interest, penalties, or

administrative costs; the date by which payment should be made to avoid late charges (i.e. interest, penalties, and administrative costs) and enforced collection, which generally should not be more than 30 days from the date that the demand letter is issued.

Additionally, NOAA, as a part of its demand for payment, must follow 31 CFR 901.2(g) before referring a debt to litigation ; agencies should advise each person determined to be liable for the debt that, unless the debt can be collected administratively, litigation may be initiated. This notification should comply with Executive Order 12988 and may be given as part of a demand letter. The demand for payment included the following statement: payment of this debt is entitled to priority treatment following 31 U.S.C. § 3713, that the United States government will be paid first, and failure to satisfy NOAA's claims before paying the claims of other creditors may result in the personal liability of one or more of the ASMFC's officers, employees, or other ASMFC representatives.

NOAA values its long-established relationship of working cooperatively with ASMFC to administer federal financial assistance awards. NOAA acknowledges the commission's central role in administering the Atlantic Coastal Fisheries Cooperative Management Act and the efforts to promote federal-state cooperation in fisheries management and looks forward to ASMFC resolving the findings identified in the audit reports as quickly as possible.

Your request for an extension to December 4, 2025, to respond to the Audit Resolution Determination letter is granted. During the 12-month extension period, ASMFC will submit reports updating the status of the cases for the state of New Jersey, as well as the progress of the documentation submission and payment collection for both Florida and New Jersey. The progress reports should contain supporting documentation for the progress report. The deadlines to submit progress reports will be January 15, 2025, April 15, 2025, July 15, 2025, and October 15, 2025. Documentation should be submitted to the Grants Management Division, Lead Audit Specialist Andrea Sexton, at Andrea.Sexton@NOAA.gov.

The request to pause the accrual of interest, penalties, and fees associated with the CARES Act and CAA unallowed costs is also granted, following 15 CFR § 19.5 (c). Department of Commerce entities may suspend the accrual of any or all of these charges when accrual would be against equity and good conscience or not in the United States' best interest.

If you have any questions, please contact Arlene Simpson Porter, Director, Grants Management Division at 301-628-1314 or Arlene.S.Porter@NOAA.gov or Andrea Sexton, Lead Audit Specialist, at (240) 621-0292 or Andrea.Sexton@NOAA.gov.

Sincerely,

PORTER.ARLENE.SIM
PERSON.1365896824

Digitally signed by
PORTER.ARLENE.SIMPSON.13658
96824
Date: 2024.12.04 12:26:48 -05'00'

Arlene Simpson-Porter
Director, Grants Management Division
NOAA Acquisition and Grants Office