



Atlantic States Marine Fisheries Commission

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MEMORANDUM

January 28, 2019

To: Atlantic Striped Bass Management Board
From: Atlantic Striped Bass Technical Committee
RE: Technical Review of Addendum VI State Implementation Plans and Conservation Equivalency Proposals

States implementation plans and conservation equivalency (CE) proposals for Addendum VI were due November 30, 2019 for technical review. The Atlantic Striped Bass Technical Committee (TC) met December 17-18, 2019 to review technical merit of state implementation plans and CE proposals, and to ensure the accepted criteria outlined in M19-084 were followed. The following TC members and proxies were in attendance:

Nicole Lengyel Costa, RI, Chair
Kevin Sullivan, NH, Vice-Chair
Alex Aspinwall, VA
Jessica Best, NY-Hudson
Jason Boucher, DE
Mike Celestino, NJ
Bryan Chikotas, PA
Ellen Cosby, PRFC
Sean Darsee, NC

Angela Giuliano, MD
Kurt Gottschall, CT
Brendan Harrison, NJ
Carol Hoffman, NY
Luke Lyon, DC
Steve Minkkinen, U.S. FWS
Gary Nelson, MA
Alexei Sharov, MD

Some additional analysis was requested and reviewed via conference call on January 15, 2020. Below is a list of analytical uncertainties and caveats pertaining to all state implementation plans that should be considered when reviewing state-specific management options for 2020. This is followed by a summary of the proposed management options and technical reviews by state. Finally, summary tables of TC accepted measures are provided (these tables replace those provided in Briefing Materials). Please see respective state implementation plans for more information, which are provided in Briefing Materials.

M20-013

Uncertainties, Caveats, General Comments, and Recommendations

- The TC maintains that there is a high level of uncertainty in the percent reductions calculated due to the effect of changes in angler behavior (effort) and the size structure and distribution of the population (availability of legal and sub-legal fish). These changes are difficult to account for and cannot be accurately quantified.
- There is greater certainty in the percent reductions calculated for simple management measures (changes in bag limits or minimum size limits) relative to more complex measures (slot limits, trophy fish options, and sector-specific regulations).
- The predicted coastwide reduction in total removals may be different than 18% after accounting for conservation equivalency measures. The TC has not evaluated the expected impact of the combined management scenarios.
- The TC notes, based on state proposals, there is some potential for consistent recreational regulations along the coast (with certain caveats) or almost no consistency. There is little potential for regulatory consistency in the Chesapeake Bay recreational fishery.
- The TC stresses that predicted savings from a “no targeting” provision are highly uncertain due to current data limitations. While the TC supports the use of closed seasons to reduce effort and discard mortality, determining a reasonable assumption to predict the level of savings that could be expected under a “no targeting” provision remains a challenge. Furthermore, the TC recommends the Board consider providing guidance for similar decisions in the future.
- Enforcement of proposed regulations needs to be considered including, but not limited to, slot limits and how they may be interpreted by states and enforcement officers and the potential to have differing regulations in neighboring states.
- The TC was unable to review proposed circle hook requirements at this time. Most states are using 2020 for scoping and to develop angler education programs and outreach materials and, therefore, have not drafted regulatory language yet. The TC recommends states resubmit implementation plans for circle hook provisions, including draft regulatory language, later in 2020 for review by the Plan Review Team. Implementation plans should justify any proposed exemptions to the provision through quantitative analysis (e.g., how many anglers are estimated to be exempt, and how does that translate to striped bass interactions in terms of numbers of fish caught and released?).

Summary of Proposed Measures for 2020 and Technical Reviews by State

All proposed measures were accepted unless stated otherwise

Maine

Recreational

- Addendum VI measure (1 fish at 28" to < 35"); no TC Comment

Commercial

- No commercial fishery; no TC comment.

New Hampshire

Recreational

- Addendum VI measure; no TC Comment

Commercial

- No commercial fishery; no TC comment.

Massachusetts

Recreational

- Addendum VI measure; no TC comment.

Commercial

- Proposed suite of quota options based on:
 - Different size limits
 - Methods (SPR vs. Target F)
 - Baseline quota assumptions (see proposal for details).
- TC accepted options using the SPR method and a baseline quota under current minimum size limit
- TC does not support getting credit for implementing more conservative measures under previous management programs.

Rhode Island

Recreational

- 3 options that follow the TC criteria including:
 - Addendum VI measure
 - Higher slot size option, and
 - An option with separate measures for the private/shore and for-hire sector.
- The TC expressed concern regarding enforcement of different sector measures.
- Also considering regional management with NY and CT (see below)

Commercial

- 18% reduction in quota; no TC comment

Connecticut

Recreational

- Proposed suite of options to provide potential for consistent regulations, including the Addendum VI measure
- All options achieve less than an 18% reduction.
- TC empathized with CT but could not endorse the other options per Board direction (i.e., CE proposals must demonstrate an 18% reduction in total removals relative to 2017 levels)
- Considering regional management with RI and NY (see below)

Commercial

- No commercial fishery, and discontinued recreational bonus fish program
- 18% reduction in quota; no TC comment

New York

Recreational

- Proposes a suite of measures for the ocean fishery including:
 - Minimum size limit or slot size limit
 - 4 ocean options have an Apr 15 – Dec 15 season. There are also options with a May 1 – Nov 30 season including the same 4 options, and several others
 - All May 1 season options include the option to add a 31” minimum size for the for-hire sector
 - 3 options for the Hudson River and 1 option for the Delaware River; achieves 18% reduction when combined with any ocean fishery option
 - Some ocean options were not accepted because they do not meet an 18% reduction after accounting for both Hudson River and Delaware River removals, and are not included in NY’s final implementation plan
 - Also considering regional management with RI and CT (see below).
- The TC expressed similar concerns regarding enforcement challenges with sector-specific regulations.

Commercial

- Proposed suite of quota options based on:
 - Different size limits
 - Methods (SPR vs. Target F)
- TC accepted the SPR-based options which is consistent with prior decisions (e.g., MA).

Region Proposal (Rhode Island – Connecticut – New York)

Recreational

- Proposes consistent regulations across within Long Island Sound and around Block Island.
- 3 options that follow the TC criteria including:
 - Addendum VI measure
 - Higher slot size option, and
 - An option with separate measures for the private/shore and for-hire sector.
 - Performed analysis to address concerns with MRIP live releases (B2) estimates in CT
- The TC determined the methods are appropriate and accepted the proposed measures.

Commercial

- 18% reduction in all active commercial fisheries; no TC comment
 - RI and NY to implement an 18% reduction in quota (see above)
 - CT does not have a commercial fishery (see above)

New Jersey

- Combines recreational and “bonus program” measures, and time/area closures to achieve the required reductions (most notably for Raritan Bay).

Recreational

- Proposes 5 options including:
 - The Addendum VI measure
 - Another slot size option developed following the TC criteria
 - 1 minimum size limit
 - 2 smaller slot sizes following an SPR approach and using state logbook data
 - Catch rates are assumed to remain constant during the closed season
 - Predicted reductions account for proposed changes in “bonus program” quota (see below)
- The TC accepted the proposal, but noted the high contribution of NJ removals to total coastwide removals and that the CE measures would achieve less reduction than the Addendum VI measure would.

Commercial

- No reduction in quota; 18% reduction achieved entirely through the recreational sector
 - No commercial fishery; quota allocated to a recreational “bonus program”
 - Commercial quota heavily underutilized
 - Managed via permit system to ensure the quota is not exceeded
- Proposes 7 options developed following the recreational methods described above
 - Options 4-7 are a slot size limit and a limited number of trophy fish permits

Pennsylvania

Recreational

- Addendum VI measure and reducing the spring slot limit by 1"; no TC Comment

Commercial

- No commercial fisheries; no TC comment.

Delaware

Recreational

- Option 1 is 18% reduction; 1 fish at 28" to < 38"
- Option 2 is 20% reduction; Addendum VI measure
- No TC comment

Commercial

- Option 1 is an 18% reduction in quota
- Option 2 is a 1.8% reduction in quota and recreational sector takes a 20% reduction
- No TC comment

Maryland

- Proposes a 1.8% reduction in commercial quota and a 20.6% reduction to the recreational sector to make up the difference

Recreational

- Addendum VI measure for ocean fishery; no TC comment
- Proposes 5 options for Chesapeake Bay which include:
 - Spring trophy fishery: 1 fish at 35" from May 1 – 15.
 - Summer/fall fishery: 2 fish at 19" minimum size (only one fish can be > 28")
 - Bag limit drops to 1 fish during August (and September for some options)
 - Charter captains and crew cannot keep fish for personal consumption
 - Closed season from Jan 1 – Apr 30
 - Additional closed season during summer fishery (e.g., July and/or Aug)
 - Targeting prohibited during part of the spring and/or summer closures
 - For "no targeting," the analysis assumes that some trips that previously targeted striped bass will still occur and continue to encounter striped bass at a lower non-target release rate
- The TC supports the use of closed seasons to reduce effort and dead discards, but stresses that the predicted savings, particularly from a "no targeting" provision, are highly uncertain due to current data limitations and predicting changes in angler behavior.

Commercial

- 1.8% reduction in quota for the ocean and Chesapeake Bay; no TC comment

Potomac River Fisheries Commission

- Proposes a 1.8% reduction in commercial quota and a 20.5% reduction to the recreational sector to make up the difference

Recreational

- Proposes 4 options that include:
 - Spring trophy fishery: 1 fish at 35" from May 1 – 15.
 - Summer/fall fishery: 2 fish at 20" minimum size
 - No targeting during July and August closure (option 1 only)
- The TC accepted the proposal but reiterates the same concerns regarding uncertainty in the calculations from predicting changes in angler behavior.

Commercial

- 1.8% reduction in quota for the ocean and Chesapeake Bay; no TC comment

District of Columbia

Recreational

- Addendum VI measure (1 fish at 18" minimum size); no TC Comment

Commercial

- No commercial fisheries; no TC comment.

Virginia

Recreational

- Proposes status quo measures:
 - 1 fish at 20" - 36" slot (inclusive) for Chesapeake Bay
 - 1 fish at 28" - 36" slot (inclusive for the ocean).
 - Achieves a 23.4% reduction to achieve an 18% reduction overall.
 - Discontinued its spring trophy fisheries.
 - The option to include a 1 fish >36" per person per year to provide anglers opportunity to harvest a trophy fish.
 - The TC accepted the proposal; proposal demonstrates reductions through a reduction in bag limit, not via changes in size limit.

Commercial

- Proposes a 9.8% and a 7.7% reduction to the ocean and Chesapeake Bay quota, respectively

North Carolina

Recreational

- Addendum VI measure; no TC Comment

Commercial

- 18% reduction in quota; no TC comment.

Circle Hooks

The Board set a January 2021 implementation schedule for circle hook provisions to provide time to explore appropriate regulations. Therefore, most states were unable to provide draft regulatory language at this time, although regulatory development and outreach processes were described. Accordingly, the TC recommends states resubmit implementation plans for circle hook provisions by August 1 for review and approval at Annual Meeting 2020.

The TC notes that if a state is considering exemptions to the circle hook requirement (e.g., any sector or group of anglers that would not be required to use circle hooks) it should include quantitative analysis to justify the exemption. For example, how many anglers are estimated to be exempt, and how does that translate to striped bass interactions in terms of numbers of fish caught and released?

Implementation Timelines

States are required to implement commercial and recreational fishery regulations by April 1, 2020 (circle hook requirements by January 1, 2021). All states indicated that regulations would be implemented by that date, or earlier. MD indicated that due to the “no targeting provisions, regulations for the Chesapeake Bay summer/fall season including closed days and bag limits will have to be scoped but should be in place by July 1, 2020. The TC noted that the summer/fall season is to start May 16th under all options. MD said they would look into whether the state could pursue emergency action (or a similar action) to alleviate that concern.

Table 1. Proposed 2020 recreational fishery regulations for Atlantic striped bass by state. No predicted reduction calculated if implementing the Addendum VI measure. Numbering of options matches the convention used in state implementation plans for cross referencing, when possible.

Option	Predicted Reduction	Mode/Region	Size Limit	Bag Limit	Open Season	Other
Maine						
ME-1	Add VI	All	28" to < 35"	1	All Year	
New Hampshire						
NH-1	Add VI	All	28" to < 35"	1	All Year	
Massachusetts						
MA-1	Add VI	All	28" to < 35"	1	All Year	
Regional Proposal (Rhode Island/Connecticut/New York)						
REG-A	-20.9%	All	28" to < 35"	1	All Year	Predicted reductions account for Hudson/Delaware River removals from New York.
REG-B	-20.1%	All	30" to < 40"	1	All Year	
REG-C	-20.0%	Private/Shore	30" to < 40"	1	All Year	
		For Hire	28" to < 37"	1	All Year	
Rhode Island						
RI-A	Add VI	All	28" to < 35"	1	All Year	
RI-B	-25.7%	All	32" to < 40"	1	All Year	
RI-C	-19.0%	Private/Shore	32" to < 40"	1	All Year	
		For Hire	30" to < 40"	1	All Year	
Connecticut						
CT-A	Add VI	All	28" to < 35"	1	All Year	

Table 1, continued. Proposed 2020 recreational fishery regulations for Atlantic striped bass by state.

* NY-10 is any NY option plus a 31" min size for the for-hire sector where captain and crew may no longer keep a fish.

^ NJ-R1 and NJ-R2 achieve at least a 35.9% and 34.9% reduction depending on which bonus program measure is selected. Additional closure days added for Raritan Bay to achieve required reduction in some cases (see New Jersey proposal for details).

Option	Predicted Reduction	Mode/Region	Size Limit	Bag Limit	Open Season	Other
*New York Ocean						
NY-1	Add VI	All	28" to < 35"	1	5.1 - 11.30	Predicted reductions account for Hudson and Delaware River removals. Also considering NY-1 and NY-3 with no season change (4.15 – 12.15). This results in a 22.2% reduction for NY-3.
NY-2	-21.0%	All	28" to < 38"	1	5.1 - 11.30	
NY-3	-25.5%	All	30" to < 40"	1	5.1 - 11.30	
NY-4	-20.0%	All	30" to < 42"	1	5.1 - 11.30	
NY-5	-27.0%	All	32" to < 40"	1	4.15 - 12.15	
NY-6	-21.7%	All	32" to < 44"	1	5.1 - 11.30	
NY-7	-20.3%	All	28" to < 35" or > 44"	1	5.1 - 11.30	
NY-8	-19.9%	All	34" min	1	5.1 - 11.30	
NY-9	-19.7%	All	35" min		4.15 - 12.15	
NY-10	-18.7%	For Hire	31" min	1	5.1 - 11.30	
New York Hudson River - North of George Washington Bridge (River Mile 12)						
NYH-1	-5.2%	Hudson River	18" to < 28"	1	4.1 - 11.30	Achieves at least 18% reduction when combined with any ocean measure
NYH-2	-6.6%	Hudson River	18" to < 28" or > 44"	1	4.1 - 9.30	
NYH-3	-6.7%	Hudson River	18" to < 28"	1	4.1 - 9.30	
New York Delaware River						
NYD-1	-	Delaware River	28" to < 35"	1	All Year	See note above
^ New Jersey						
NJ-R1	-35.9%	All	24" to < 28"	1	All Year^	Closed 1.1 - 2.28 in all waters except Atlantic Ocean and 4.1 - 5.31 in the lower DE River and tributaries
NJ-R2	-34.9%	All	24" to < 29"	1	All Year^	
NJ-R3	Add VI	All	28" to < 35"	1	All Year	
NJ-R4	-46.0%	All	28" to < 34"	1	All Year	
NJ-R5	-27.0%	All	35" min	1	All Year	

Table 1, continued. Proposed 2020 recreational fishery regulations for Atlantic striped bass by state.

† Charter captains cannot keep a fish for personal consumption under all of Maryland’s proposed measures.

Option	Predicted Reduction	Mode/Region	Size Limit	Bag Limit	Open Season	Other
Pennsylvania - Delaware Estuary and River						
PA-1	Add VI	DE Estuary	28" to < 35"	1	1.1 - 3.31, 6.1 - 12.31	
	-19.0%	DE Estuary	21" to < 24"	2	4.1 - 5.31	
	Add VI	DE River (NonTidal)	28" to < 35"	1	All Year	
Delaware						
DE-1	-18.0%	Ocean	28" to < 38"	1	All Year	Catch and release only on spawning grounds 4.1 -5.31
DE-2	-20.0%	Ocean	28" to < 35"	1	All Year	
DBAY-1	-	Bay, River, Tribs	20" to < 25"	1	7.1 - 8.31	
Maryland Ocean						
MD-1	Add VI	Ocean, All	28" to < 35"	1	All Year	Achieves reduction when combined with any Bay option
† Maryland Chesapeake Bay						
MD-2a	-20.8%	All	35" min	1	5.1 - 5.15	No targeting March - April and during July closure
		All	19" min; only 1 fish > 28"	2	5.16 - 7.4, 9.1 - 12.6	
		All	19" min	1	8.1 - 8.31	
MD-2b	-20.6%	All	35" min	1	5.1 - 5.15	No targeting during July closure
		All	19" min; only 1 fish > 28"	2	5.16 - 7.4, 9.1 – 11.30	
		All	19" min	1	8.1 - 8.31	
MD-2c	-20.7%	All	35" min	1	5.1 - 5.15	No targeting April and during July closure
		All	19" min; only 1 fish > 28"	2	5.16 - 7.9, 10.1 - 12.6	
		All	19" min	1	8.1 - 9.30	
MD-2d	-20.7%	All	35" min	1	5.1 - 5.15	No targeting April and during August closure
		Private/Shore	19" min	1	5.16 - 8.16,	
		For-hire	19" min; only 1 fish > 28"	2	9.1 - 12.10	

Table 1, continued. Proposed 2020 recreational fishery regulations for Atlantic striped bass by state.

Option	Predicted Reduction	Mode/Region	Size Limit	Bag Limit	Open Season	Other
District of Columbia						
DC-1	Add VI	All	18" min	1	5.16 - 12.31	
Potomac River Fisheries Commission						
TROPHY-1	20.5%	Spring	35" min	1	5.1 - 5.15	Downstream of Rt. 301 bridge
PRFC-1	20.5%	Fall	20" min	2	5.16 - 7.6, 8.21 - 12.31	No direct targeting during closed July and August closure
PRFC-2	20.5%	Fall	20" min	2	5.16 - 6.30, 9.1 - 12.31	
PRFC-3	20.5%	Fall	20" min	2	8.8 - 12.31	
PRFC-4	20.5%	Fall	20" min	2	5.16 - 6.6, 11.18 - 12.31	
Virginia						
VA-1	-23.4%	Ocean	28" to <= 36"	1	1.1 - 3.31, 5.16 - 12.31	Also considering allowing 1 fish/ person/year @ >36" in all areas (does not affect calculations).
		Bay	20" to <= 36"	1	5.16 - 6.15, 10.4 - 12.31	
North Carolina						
NC-1	Add VI	Ocean	28" to < 35"	1	All Year	

Table 2. Proposed 2020 commercial ocean fishery regulations for Atlantic striped bass by state. Numbering of options matches the convention used in state implementation plans for cross referencing, when possible. H&L = hook and line; GC = general category; FFT = floating fish trap.

Option	Proposed Change in Quota	Gear/Region	Size Limit	Quota (pounds)	Open Season	Other
Maine, New Hampshire, Connecticut, Pennsylvania, District of Columbia						
No commercial fishery, no reallocation of commercial quota						
Massachusetts						
MA-2a	Add VI	H&L	34" min	713,246	6.23 - 12.31 or until quota reached. Mon and Thurs only. 2-fish or 15-fish limit depending on permit.	
MA-2c-1(a)	-18%	H&L	28" min	658,260		
MA-2c-2(a)	-18%	H&L	35" min	735,240		
MA-2c-3(a)	-18%	H&L	28" to < 35"	454,027		
Rhode Island						
A	-18%	GC	34" min	90,822	5.20 - 6.30, 7.1 - 12.31	61% of state quota
		FFT	26" min	58,067	4.1 - 12.31	39% of state quota
New York						
NY-A	Add VI	All	28" to < 38"	652,552	6.1 - 12.15 or until quota reached. Limited entry permit only. 6-8" stretched mesh for GN	
NY-D1	-18%	All	24" to < 36"	622,122		
NY-D2	-18%	All	26" to < 38"	640,718		
New Jersey (no commercial fishery, reallocate quota to recreational sector)						
NJ-C1	0%	H&L	24" to < 28"	215,912	1 fish/permit. Opening 5.15 or 9.1. Limited number of permits issued to ensure quota not exceeded	
NJ-C2	0%	H&L	24" to < 29"	218,464		
NJ-C3	0%	H&L	35" min size	459,898		
NJ-C4	0%	H&L	24" to < 28" OR >= 43"	215,912		500 trophy permits
NJ-C5	0%	H&L	24" to < 28" OR >= 43"	215,912		1000 trophy permits
NJ-C6	0%	H&L	24" to < 29" OR >= 43"	218,464		500 trophy permits
NJ-C7	0%	H&L	24" to < 29" OR >= 43"	218,464		1000 trophy permits

Table 2, continued. Proposed 2020 commercial ocean fishery regulations for Atlantic striped bass by state. H&L = hook and line; GN = gill net; TRL = trawl.

Option	Proposed Change in Quota	Gear/Region	Size Limit	Quota (pounds)	Open Season	Other
Delaware						
DE-1	-18%	GN	28" min	113,021	2.15 - 5.31 (Nanticoke River closes 3.30), 11.15 - 12.31	Drift nets only 2.15 - 2.28, 5.1 - 5.31; no fixed nets in DE River. No trip limit.
		GN (Spring)	20" min			
		H&L	28" min	5,948	4.1 - 12.31	200 lbs/day trip limit
DE-2	-1.8%	GN	28" min	135,350	2.15 - 5.31 (Nanticoke River closes 3.30), 11.15 - 12.31	Drift nets only 2.15 - 2.28, 5.1 - 5.31; no fixed nets in DE River. No trip limit.
		GN (Spring)	20" min			
		H&L	28" min	7,124	4.1 - 12.31	200 lbs/day trip limit
Maryland						
MD-3a	-1.8%	TRL, GN	24" min	89,094	1.1 - 5.31, 10.1 - 12.31	
Virginia						
VA-1	-9.8%	Ocean	28" min	125,034	1.16 - 12.31	9" max mesh size for GN
North Carolina						
NC-1	-18%	Ocean	28" min	295,495	12.1 - 11.30	

Table 3. Proposed 2020 commercial Chesapeake Bay fishery regulations for Atlantic striped bass by state. When possible, numbering of options matches the convention used in state implementation plans for cross referencing. H&L = hook and line; GN = gill net; HS = haul seine; PN = pound net.

Option	Proposed Change in Quota	Gear/Region	Size Limit	Quota (pounds)	Open Season	Other
Maryland Chesapeake Bay						
MD-4a	-1.8%	GN	18" to < 36"	1,445,394	1.1 - 2.29, 12.1 - 12.31	
		H&L, HS			6.1 - 11.30	
		PN			6.1 - 12.31	
Potomac River Fisheries Commission						
PRFC-1	-1.8%	GN	18" min	349,405	1.1 - 3.25, 9.9 - 12.31	36" max, 2.15 - 3.25
		PN		127,748	2.15 -3.25, 6.1 - 12.15	
		H&L		81,959	1.1 - 3.25, 6.1 - 12.31	
		Misc.		13,749	2.15 -3.25, 6.1 - 12.15	
Virginia Chesapeake Bay						
VA-1	-7.7%		18" min	983,393	1.16 - 12.31 (28" max 3.15 - 6.15)	7" max mesh size for GN



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Law Enforcement Committee Recommendations on the Enforceability of Measures in the Bluefish and Striped Bass Conservation Equivalency Proposals

January 23, 2020

Participants: Doug Messeck (Chair, DE), Jason Snellbaker (Vice Chair, NJ), Tim Donavon (NOAA OLE), Keith Williams (CT), Pat Moran (MA), Tom Gomanski (NY), Jason Walker (NC), John Riley (NY), Katie Moore (CG),

ASMFC Staff: Toni Kerns, Max Appelman, Dustin Colson Leaning, Caitlin Starks

The Law Enforcement Committee (LEC) met via conference call to review conservation equivalency proposals in the striped bass and bluefish fisheries, specifically to discuss the enforceability of proposed management measures. The LEC addressed several concerns regarding specific types of management programs. In general, voluntary compliance for the casual or infrequent angler (the most common type) is tied to regulatory simplicity; more complex regulations become more difficult to enforce and increases the likelihood of violations. The following bullets present consensus recommendations and comments from the call.

Slot Limits

- Slot limits are enforceable, but may increase unintentional violations particularly in states or regions where slot limits have not been used previously. This is because anglers are not used to having this type of regulation, and education becomes an integral component to garner compliance.
- A slot limit creates additional compliance challenges because now there is potential for illegal harvest both under and over the slot limit, as opposed to just sublegal harvest.
- The narrower the slot the likelihood of violations increases because it is more difficult to find a legal-sized fish.

No Targeting Provisions

- Absent of a definition of “targeting” (including provisions for gear type, tackle and bait) it is impossible to enforce this measure. This may be particularly difficult to define when anglers use the same (or similar) fishing methods to target species other than striped bass (e.g., bluefish)
- Officers may not prioritize enforcement of certain FMP regulations if they know it is not enforceable and will not stand in court.

Differing Regulations by Mode

- The more divided recreational fishing modes are (for-hire vs private), the more difficult it is to adequately enforce any restrictions.
- A single size and bag limit for all recreational anglers is preferred to ensure the greatest enforceability on the water, dockside or on land.

- Creating separate size or bag limits for the for-hire and private mode presents significant additional enforcement challenges at marinas or dockside where the two types of anglers are likely to co-mingle.
- For a field officer on land, having sector-specific regulations is difficult to enforce because officers often don't know if a boat offshore is private or for-hire.
- Anglers may "switch modes" mid trip depending on regulations and the size of the catch and (i.e., if a charter trip catches a fish that is legal size for private anglers only, it may claim to be fishing privately to keep the fish).
- References to "private" and "shore" angler modes are a concern if these distinctions point to a possibility of separate regulations for private boat anglers vs. private shore anglers. The onus is on the officer to do his due diligence to figure out what type of fishing was occurring (private, shore, charter). One size limit across modes keeps enforcement simple. Introduction of size limits that differ across modes pose enforcement challenges

Season Closures (specific to multiple season closures)

- When there are multiple closures within a fishing year, fishermen are often caught off guard which can lead to unintentional violations.
- When establishing season closures, have them in place for several years. If closures change year-to-year, the likelihood of unintentional violations increases. Education takes time to set in.

Enforcement of Shared Water Bodies or Neighboring States

- Enforcement is not an issue, but compliance in closely adjoining states would be greatly enhanced if the regulations are consistent. Different regulations between two neighboring states (e.g., NY and CT) presents special enforcement challenges, and are often confusing to anglers.
- Officers tend to enforce strict possession, i.e., anglers are held to the regulations in force at the location where they are stopped by an officer.
- Inconsistent seasons poses a problem between neighboring states (e.g. NY and NJ), especially when fishermen unintentionally pass into another states waters.
- Catching a fish in one state's waters and traveling through another poses problems in possession enforcement.
- Consistency of regulations for shared water bodies is important for enforcement, e.g. consistency within the Chesapeake Bay among the jurisdictions of MD, VA, PRFC and DC would greatly enhance enforceability and compliance.

General Comments on Regulation Changes

- Adds education/outreach effort to enforcement.
- Frequent regulatory changes lowers compliance.
- Officers issue more warnings than citations following a change in regulation.



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

January 23, 2020

To: Atlantic Striped Bass Management Board

From: Tina Berger, Director of Communications

RE: Advisory Panel Nominations

Please find attached two nominations to the Atlantic Striped Bass Advisory Panel – Bob Humphrey, a commercial rod and reel fisherman and for-hire Captain from Maine, and Bill Gorham, a recreational angler from North Carolina. Please review these nominations 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: Max Appelman

M19-94rev

ATLANTIC STRIPED BASS ADVISORY PANEL

Bolded names await approval by the Atlantic Striped Bass Management Board

January 23, 2020

Maine

Vice-Chair - David Pecci (rec)
144 Whiskeag Road
Bath, ME
04530

Phone (o): (207) 442-8581
Phone (c): (207) 841-1444
FAX: (207) 442-8581
dave@obsessioncharters.com
Appt. Confirmed 5/23/02
Appt Reconfirmed 5/10

Bob Humphrey (comm. rod and reel/for-hire)
727 Poland Range Road
Pownal, ME 04069
Phone (day): 207.688.4966
Phone (eve): 207.688.4854
bob@humphrey.com

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

Douglas M. Amorello (comm. rod & reel)
68 Standish Street
Pembroke, MA 02359
Cell: (774)766-8781
sashamysportfishing@gmail.com
Appt. Confirmed 3/23/11
Appt. Reconfirmed 8/18

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

Rhode Island

J. Edwin Cook (rec)
106 Briarbrook Drive
North Kingstown, RI 02852
Phone: (401) 885-0679
edcookcharters@cox.net
Appt. Confirmed 2/22/06
Appt Reconfirmed 5/10

Vacancy (rec)

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

Vacancy (rec)

New York

John G. McMurray (charter/conservation)
2887 Alfred Court
Oceanside, NY 11572
Phone: (718)791-2094
FAX: (212)362-4831
john@nycflyfishing.com
Appt. Confirmed 8/15/07

Vacancy (comm)

New Jersey

C. Louis Bassano, Chair
1725 West Central Avenue
Ortley Beach, New Jersey 08751
Phone (c): (908) 241-4852
FAX: (908) 241-6628
lbassano@comcast.net
Appt. Confirmed 10/15/01
Appt. Reconfirmed 2/9/06; 5/17/10; 4/14/14

Capt. Al Ristori (charterboat)
1552 Osprey Court
Manasquan Park, NJ 08736
Phone: (732) 223-5729
FAX: (732) 528-1056
cristori@aol.com
Appt. Confirmed 10/17/94
Appt. Reconfirmed 9/15/98; 9/15/02; 2/9/06;
5/17/10

Pennsylvania

John Pedrick (rec)
936 Langstroth Lane
Bensalem, PA 19020
Phone: (215) 633-6777
jjpedrick@verizon.net
Appt Confirmed 3/23/11

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

Vacancy – for-hire

David Sikorski (rec)
4637 Willowgrove Drive
Ellicot City, MD 21042
Phone: (443) 621-9186
FAX: (410) 772-5805
Davidsikorski@mac.com
Appt Confirmed 3/23/11

Virginia

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

Riley W. Williams (com)
336 Selwin Road
Belvidere, NC 27919
Phone: (252) 312-8457
Appt. Confirmed 11/10/04
Appt Reconfirmed 11/08; 8/18

Bill Gorham (rec)

25 12th Avenue
Southern Shores, NC 27949
Phone: 703.919.0886
Getbowedup40@gmail.com

District of Columbia

Joe Fletcher (rec)
1445 Pathfinder Lane
McLean, VA 22101
Phone: (703) 356-9106
Email: jmfletcher@verizon.net
Appt. Confirmed 10/30/95
Appt. Reconfirmed 9/15/99; 9/03 and 9/07

Potomac Fisheries River Comm.

Kyle J. Schick (marina owner, seafood
restaurateur, rec/com)

901 Irving Avenue

PO Box 400

Colonial Beach, VA 22443

Phone (o): (804) 224-7230

Phone (c): (804) 761-1729

FAX: (804) 224-7232

Email: kyle@cbycmarina.com

Appt. Confirmed 8/15/07



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: Pat Keliher, Commissioner State: Maine
(your name)

Name of Nominee: Bob Humphrey

Address: 727 Poland Range Road

City, State, Zip: Pownal, ME 04069

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

Phone (day): (207) 688-4966

Phone (evening): (207) 688-4854

FAX: _____

Email: bob@bobhumphrey.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 _____ no X

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

4. What kinds (species) of fish and/or shellfish has the nominee fished for during the past year?
striped bass tuna
groundfish mackerel
sharks

5. What kinds (species) of fish and/or shellfish has the nominee fished for in the past?
striped bass sharks
bluefish tuna
groundfish sailfish

FOR COMMERCIAL FISHERMEN:

1. How many years has the nominee been the commercial fishing business? 2 years
2. Is the nominee employed only in commercial fishing? yes _____ no X
3. What is the predominant gear type used by the nominee? rod and reel
4. What is the predominant geographic area fished by the nominee (i.e., inshore, offshore)? offshore

FOR CHARTER/HEADBOAT CAPTAINS:

1. How long has the nominee been employed in the charter/headboat business? 22 years
2. Is the nominee employed only in the charter/headboat industry? yes _____ no _____
If "no," please list other type(s) of business(es) and/occupation(s): Outdoor Writer, consulting biologist
3. How many years has the nominee lived in the home port community? 30 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? 55 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.

I was a commercial salmon fisherman in Alaska in 1983 and a commercial tuna fisherman in Maine in 2018 and 2019

FOR SEAFOOD PROCESSORS & DEALERS:

- 1. How long has the nominee been employed in the business of seafood processing/dealing? 2 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):

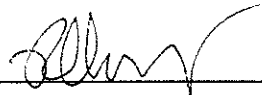
- 3. How many years has the nominee lived in the home port community? 30 years
If less than five years, please indicate the nominee's previous home port community.

FOR OTHER INTERESTED PARTIES:

- 1. How long has the nominee been interested in fishing and/or fisheries management? 55 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:

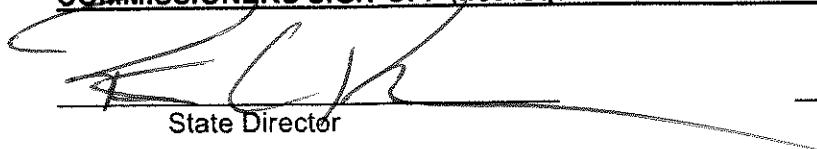
In the space provided below, please provide the Commission with any additional information which you feel would assist us in making choosing new Advisors. You may use as many pages as needed.

Nominee Signature: 

Date: 12/23/19

Name: Bob Humphrey
(please print)

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



State Director

State Legislator

Governor's Appointee

APPENDIX B: ADVISORY PANEL NOMINATION FORM



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: Bill Gorham State: NC
(your name)

Name of Nominee: Bill Gorham

Address: 25 12th Ave

City, State, Zip: Gorham Shores NC 27949

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

Phone (day): 703 919-0886

Phone (evening): 703 919-0884

FAX: _____

Email: Getbowedup40@gmail.com

FOR ALL NOMINEES:

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

1. Rock Fish

2. Cobia

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? No

yes _____ no x

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

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

<u>Cobia</u>	<u>Rock</u>
<u>Spanish</u>	<u>Trout</u>
<u>Tuna</u>	<u>Megalo don</u>

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

<u>Rock fish</u>	<u>Sea mullet</u>
<u>Cobia</u>	<u>Red Drum</u>
<u>Tuna</u>	_____

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? _____

FOR CHARTER/HEADBOAT CAPTAINS:

1. How long has the nominee been employed in the charter/headboat business? _____ years
2. Is the nominee employed only in the charter/headboat industry? yes _____ no _____

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

1. How long has the nominee engaged in recreational fishing? 25 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.

W/ a manufacturer bowed up 1 year

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.

Nominee Signature: 

Date: 8-1-19

Name: Bill Gorkham
(please print)

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


State Director

State Legislator

Governor's Appointee

December 19, 2019

Robert E. Beal,
Executive Director
Atlantic States Marine Fisheries Commission

Dear Bob,

Earlier this year, I decided against accepting reappointment as the Fisheries Representative of the Town of East Hampton, feeling that after 40 years of trying to give a voice to the commercial fishermen here at home, it was time to focus entirely on my own interests.

However, the decision at our annual meeting this year regarding the striped bass fishery prompts me to register with you my disgust with the members who voted to impose on commercial fishermen an 18 per cent reduction in landings.

Consider, Bob, these points:

1. The overfishing of striped bass has been caused entirely by the recreational sector, in particular by the extremely high mortality of catch-and-release fishing.
2. Reducing the commercial landings by 18 per cent does almost nothing to reduce the overfishing problem, since the commercial sector lands only 10 per cent of the total landings.
3. The 18 per cent reduction, however, is a significant hardship for the commercial fishermen—in New York, that reduction takes away 40 of the landings tags issued to striped bass permit holders (in 2019, each person was issued 219 tags). This curtailment equals \$2,400 or more in lost income for each fisherman, and that is about the cost of monthly truck payments. That is a significant hardship.
4. At the recent joint MAFMC/ASMFC meeting in Annapolis (December 9 – 12), the for-hire industry was assisted by decisions to maintain *status quo* management measures instead of imposing extremely large reductions in landings that were actually required because of overfishing by the recreational sector in both the scup and black sea bass fisheries. How is it that such concern is shown for the economic welfare of the for-hire industry but not for the commercial striped bass fishermen?
5. It seems apparent to me that there is, among Commissioners who favor the recreational sector, a motive to eliminate the commercial sector altogether so that the commercial allocation of striped bass may be transferred to the recreational sector. Why else would such unreasonable measures be imposed on the commercial fishermen?

We first met when you were the staff person for the Striped Bass Advisory Panel, and I have always had only the highest regard for your intelligence and integrity, so it pains me to have to send you this letter as a farewell statement.

Cordially yours,
Arnold Leo
agleo@sover.net



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

OFFICERS

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Jane P. Batten
VICE CHAIR

Arnold I. Richman
VICE CHAIR

William C. Baker
PRESIDENT

David A. Fogle
TREASURER

William A. Agee
SECRETARY

January 22, 2020

Atlantic States Marine Fisheries Commission
c/o Max Appelman
1050 N. Highland Street, Suite 200
Arlington, Virginia 22201

Submitted electronically via email to mappelman@asmfc.org

Dear Atlantic Striped Bass Management Board Members:

Please find enclosed the comments of the Chesapeake Bay Foundation on the Maryland conservation equivalency proposal for the management of the striped bass recreational fishery.

We hope you will find these comments constructive as you consider the approval of conservation equivalency proposals for the 2020 striped bass fishing season at the Winter ASMFC meeting.

Should you require any further information, please do not hesitate to contact me (acolden@cbf.org; 410.268.8816).

Sincerely,

Allison M. Colden, Ph.D.
Maryland Fisheries Scientist

TRUSTEES

R. Bruce Bradley

George L. Bunting Jr.

D. Keith Campbell

Michael J. Chiaromonte

Thomas M. Davis III

Robert S. Evans

Harry S. Gruner

Michael J. Hanley

Jeanne Trimble Hoffman

Ann D. Horner

Mark J. Hourigan

Otis S. Jones

Robert A. Kinsley II

Burks B. Lapham

Katie Z. Leavy

Pamela B. Murphy

Devan B. Ogburn

Elizabeth Oliver-Farrow

Mark S. Ordan

Anna R. Pauletta

Ann Pelham

J. Sedwick Sollers III

Sandra E. Taylor

Preston M. White

Susan P. Wilmerding

Stephen M. Wolf

HONORARY
TRUSTEES

Donald F. Boesch, Ph.D.

W. Russell G. Byers Jr.

Louisa C. Duemling

Richard L. Franyo

Alan R. Griffith

Carolyn Groobey

Ann Fritz Hackett

C.A. Porter Hopkins

Robert A. Kinsley

T. Gaylon Layfield III

Byron F. Marchant

M. Lee Marston

Wayne A. Mills

Marie W. Ridder

James E. Rogers

Truman T. Semans

Simon Sidamon-Eristoff

Jennifer Stanley

Thomas H. Stoner

Bishop Eugene Taylor Sutton

Alan L. Wurtzel



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

January 21, 2020

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VICE CHAIR

William C. Baker
PRESIDENT

David A. Fogle
TREASURER

William A. Agee
SECRETARY

Maryland Department of Natural Resources
Fishing and Boating Services
Regulatory Division Staff
580 Taylor Avenue, B-2
Annapolis, Maryland 21401

Submitted electronically via email to fisheriespubliccomment.dnr@maryland.gov

TRUSTEES

R. Bruce Bradley

George L. Bunting Jr.

D. Keith Campbell

Michael J. Chiaromonte

Thomas M. Davis III

Robert S. Evans

Harry S. Gruner

Michael J. Hanley

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Burks B. Lapham

Katie Z. Leavy

Pamela B. Murphy

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Elizabeth Oliver-Farrow

Mark S. Ordan

Anna R. Pauletta

Ann Pelham

J. Sedwick Sollers III

Sandra E. Taylor

Preston M. White

Susan P. Wilmerding

Stephen M. Wolf

Dear Sir or Madam:

On behalf of the Chesapeake Bay Foundation (CBF), I wish to provide the following comments on the proposed regulatory changes to the Atlantic striped bass spring recreational fishery. We appreciate the opportunity to provide input on this action.

CBF is the largest conservation organization dedicated solely to saving the Chesapeake Bay watershed. Our motto, **Save the Bay**, defines the organization's mission and commitment to reducing pollution, improving fisheries, and protecting and restoring natural resources such as wetlands, oyster reefs, living shorelines, maritime forests, and underwater grasses. CBF has over 300,000 members, including more than 107,000 members in Maryland, who support the wise management of the region's living resources.

CBF has participated in the management process for striped bass for over 25 years because the population of striped bass and its fisheries are of great importance to both our members and staff. Despite their current decline in biomass, striped bass remain one of the most popular and valuable recreational fisheries in the Chesapeake Bay region.

Striped bass are an iconic species in the Chesapeake Bay region and the state fish of Maryland, a designation that reflects not only the cultural foundation it provides to Maryland fisheries, but its important biological connection to Maryland's waters. Chesapeake Bay striped bass spawning areas and nursery habitat account for the production of more than 70 percent of the coastal migratory striped bass population.

Unfortunately, the recently released benchmark stock assessment paints a concerning picture for the current status of the striped bass population, with the stock being both overfished and currently experiencing overfishing.¹ Although the stock is not yet considered collapsed, it is at a point that requires decisive action in order to restore this important resource along the Atlantic Coast and in the Chesapeake Bay.

¹ Northeast Fisheries Science Center (NEFSC). 2019. 66th Northeast Regional Stock Assessment Workshop (66th SAW) Assessment Report. US Dept Commerce, Northeast Fish Sci Cent Ref Doc. 19-08; 1170 p.

HONORARY
TRUSTEES

Donald F. Boesch, Ph.D.

W. Russell G. Byers Jr.

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Alan R. Griffith

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James E. Rogers

Truman T. Semans

Simon Sidamon-Eristoff

Jennifer Stanley

Thomas H. Stoner

Bishop Eugene Taylor Sutton

Alan L. Wurtzel

The Department of Natural Resources (Department) has proposed a suite of options to address these issues in response to the Atlantic States Marine Fisheries Commission (ASMFC) Addendum VI to the Interstate Fishery Management Plan for Striped Bass. We understand that because of regulatory timelines, these regulations are being promulgated in parts although the necessary reductions required to achieve compliance will rely on the full suite of regulatory actions listed in the proposal. These regulations are also being moved forward before full consideration by ASMFC. Unfortunately, this introduces a great deal of uncertainty in the regulatory process as it must be assumed that ASMFC will approve Maryland's proposal and that subsequent regulations will reliably fill whatever gap is necessary following the implementation of regulations through this action.

Considering the poor status of the stock and the failure of previous conservation equivalency (CE) proposals implemented by Maryland to meet their intended objectives, CBF supports only those measures that are both quantifiable and verifiable. We do not support the use of conservation equivalency as a means to circumvent the consensus of the Board or the processes of ASMFC. Conservation equivalency should be reserved only for those instances in which the biology of the species, the statutory or procedural requirements of the state, or a desire to enact stricter conservation measures preclude the implementation of the ASMFC Interstate Fishery Management Plan.

Comments on Specific Regulatory Proposals:

Issue 1: Mandatory use of circle hooks

CBF supports the continuation of mandatory use of circle hooks when fishing with natural baits. Studies have indicated that the primary control of post-release survival in striped bass is hook location and associated hooking injury. The use of circle hooks has been shown to reduce deep hooking and reduce post-release mortality of fish to less than 1% in water temperatures less than 95 degrees.² Given the demonstrated improvement in post-release survival associated with the use of circle hooks, we support the continued requirement for their use.

We commend the Department's support of continuing the mandatory use of circle hooks and encourage continued angler education to help reduce post-release mortality of striped bass. We stand ready to work with the Department in implementing angler outreach and education initiatives, as we have done previously through our circle hook distribution and *Careful Catch* program.

Issue 2: May 1 start of trophy season

CBF supports delaying the start of the trophy fishing season. This action is directly linked to the issue of declining spawning stock biomass that has triggered this management action. Resiliency of striped bass recruitment has been linked to female age diversity.³ Protecting larger, older females that are targeted in the trophy fishery will help preserve this diversity and hopefully improve the probability of successful recruitment in the coming years.

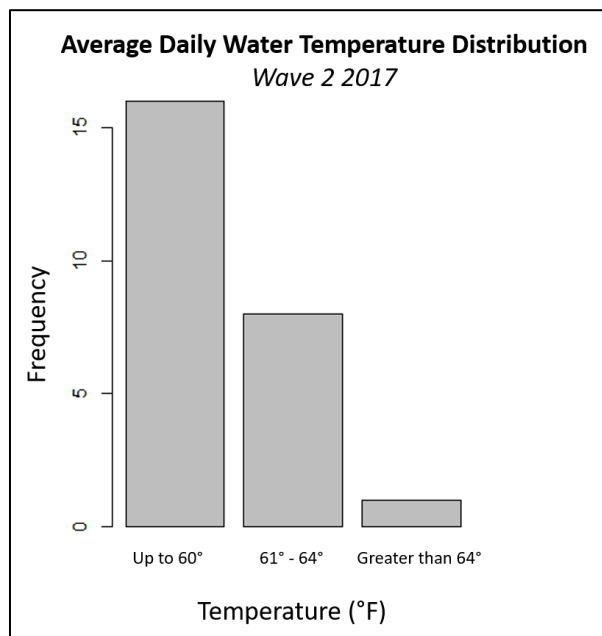
² Lukacovic, R. 1999 Striped bass catch and release results. MD DNR Fisheries Feature Story.

³ Secor, D. H. 2000. Longevity and resilience of Chesapeake Bay striped bass. ICES Journal of Marine Science, 57: 808-815.

Issue 3: Closure of March-April catch and release fishery

CBF maintains concerns about the reduction in removals associated with this proposed closure. It is our understanding that the Department is utilizing an assumption of 9% post-release mortality for all fish released in Wave 2. This is despite data from the Department indicating that mortality rate scales with temperature and is as low as 1.6% at temperatures between 57 and 59 degrees.⁴ When combined with the use of circle hooks, post-release mortality can be reduced to less than 1%.

The graph below shows average daily water temperature measured at the Susquehanna Chesapeake Bay Interpretive Buoy System data buoy for March 1-April 30, 2017. The maximum observed water temperature was 64 degrees observed on only one day. The average water temperature for the majority of days in Wave 2 ranged from 57 to 60 degrees. Similar data were observed in 2016.



The 9% post-release mortality estimate is applied to an estimate of the total number of fish released alive in Wave 2, as determined by the Marine Recreational Information Program (MRIP). For the years 2015 to 2018, the estimate of live releases had a percent standard error (PSE) of 29.9 to 57.1%. Percent standard error is a measure of the precision of the estimate. PSEs of 25% or less are considered a good estimate, PSEs of 40% are to be considered with caution, and estimates with PSEs greater than 50% are considered very imprecise.^{5,6} MRIP estimates for live releases in 2016 and 2018 had PSEs greater than 50%.

⁴ Lukacovic, R. Recreational catch-and-release mortality research in Maryland. MD DNR Fisheries Feature Story.

⁵ Maryland Department of Natural Resources. Recreational Striped Bass Fishery Study on Harvest Data. Report to the Maryland Senate Committee on Education, Health and Environmental Affairs and House Committee on Environment and Transportation. December 1, 2014. 10 pp.

⁶ Personal communication from the National Marine Fisheries Service, Fisheries Statistics Division, January 21, 2020.

Therefore, the mortality rate estimate used is likely higher than that realized in Wave 2 and is being applied to highly imprecise estimates of live releases. Functionally, this will likely result in an overestimation of the conservation benefit of this closure, resulting in less conservative management overall as this reduction is applied toward the total required reduction of 20%. While we are not opposed to the proposal to close the March and April catch-and-release fishery and restrict targeting of striped bass, we do not support crediting this action in the overall reduction due to assumptions and estimate uncertainty that prevent accurate quantification of this reduction. Additional quantifiable and verifiable conservation actions should be included in the proposal to cover the reduction currently attributed to this action.

Issue 4: Summer closure

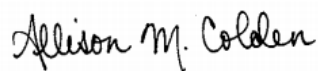
Beyond hooking injuries, the most important factors controlling post-release mortality are water temperature and salinity.⁷ According to Maryland Eyes on the Bay water quality monitoring and comments by Department staff, July is the most challenging month for water quality conditions that cause physiological stress to striped bass. High water temperatures and low dissolved oxygen have been shown to stress striped bass, making them more susceptible to post-release mortality and disease.^{8,9}

CBF supports regulatory options that include summer closures in July. July is the worst month for water quality and a time period of increased angler effort. The coincidence of poor water quality and high effort poses the greatest risk for post-release mortality of striped bass. Closures in July are the most likely to achieve the Department's stated goal of addressing post-release mortality.

Generally, the conservation benefit of season closures, both spring and summer, rely on managers' assumptions about shifts in angler behavior in response to regulatory action. Prior to the implementation of any season closure, the Department should devise a monitoring plan or strategy to validate their assumptions about angler behavior to improve future regulatory proposals.

Thank you for your consideration of these comments. Should you require any further information, please to not hesitate to contact me (acolden@cbf.org; 410.268.8816).

Sincerely,



Allison M. Colden, Ph.D.
Maryland Fisheries Scientist

⁷ Lukacovic, R. 1999 Striped bass catch and release results. MD DNR Fisheries Feature Story.

⁸ Lukacovic, R. Recreational catch-and-release mortality research in Maryland. MD DNR Fisheries Feature Story.

⁹ Lapointe D, Vogelbein WK, Fabrizio MC, Gauthier DT, Brill RW (2014) Temperature, hypoxia, and mycobacteriosis: effects on adult striped bass *Morone saxatilis* metabolic performance. Dis Aquat Org 108:113-127. <https://doi.org/10.3354/dao02693>

Virginia Saltwater Sportfishing Association, Inc (VSSA)

3419 Virginia Beach Blvd #5029

Virginia Beach, VA 23452

www.ifishva.org



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JAN 24 2020

ASMFC

Mike Avery
President

January 13, 2020

John Satterly
Vice President

Mr. Robert E. Beal
Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland St.
Suite 200 A-N
Arlington, VA 22201

Mike Ruggles
Treasurer

Lanie Avery
Secretary

Re: Striped Bass

Dear Mr. Beal,

The Virginia Saltwater Sportfishing Association (VSSA) objects to the manner in which "Conservation Equivalency" is being and applied by Virginia and possibly other states.

Board of
Directors

As stated on page 1 of Addendum VI to Amendment Six of the Atlantic Striped Bass Fishery Management Plan, an equal 18% reduction to both the recreational and commercial harvests is called for.

Curtis Tomlin,
Chairman

"The Board approved Addendum VI in October 2019. The Addendum implements measures to reduce total striped bass removals by 18% relative to 2017 levels in order to achieve the fishing mortality target in 2020. The Addendum applies the needed reductions equally (proportionally) to both commercial and recreational sectors. Specifically, the Addendum reduces all commercial quotas by 18% and changes recreational bag and size limit requirements to achieve an 18% reduction in recreational removals relative to 2017 levels."

Mike Avery

John Bello

Mike Ruggles

Jerry Hughes

Lanie Avery

Mark Roy

It is our understanding states are combining the reductions in recreational and commercial harvests to achieve a net overall reduction of 18% for the state. We object to allowing states to use the combined reduction in the recreational commercial harvest to achieve a "Conservation Equivalent" net overall reduction of 18% for the state. Virginia's plan to ASMFC is calling for a 24% cut for recreational and a much lighter cut of 9% to commercials. There were 325 emails from Virginia anglers to VMRC objecting to this.

David Tobey

Stan Sutliff

VSSA believes the intent of the addendum VI was clear and directed both the recreational and commercial harvests to be reduced individually by 18%. Accordingly, VSSA urges the Atlantic States Marine Fisheries Commission to reject any state plans that do not achieve a minimum 18% reduction to the recreational and 18% reduction to the commercial harvests.
Respectfully,

Steve Atkinson

John Bello
Chair - Government Relations Committee

Cc: Max Appelman - ASMFC Fishery Management Plan Coordinator

From: pfallon.mainestripers.com
To: [Comments](#)
Subject: [External] Comment Submission for Feb. 4 2020 Striped Bass Board Meeting
Date: Tuesday, January 28, 2020 4:34:31 PM

Dear Chair David Borden,

I am submitting written comment in advance of the Jan. 28, 2020 5:00 pm deadline and hope you and the other Atlantic Striped Bass Management Board Members will consider this input as you take final action on Conservation Equivalency proposals to Addendum VI.

My name is Peter Fallon, owner/operator of Gillies & Fallon Guide Service, LLC, based in Phippsburg, ME. I operate two charter boats in Maine and Massachusetts with the vast majority of my trips focused on striped bass.

While I had advocated that ASMFC adopt the option of 1 fish greater than 35 inches, I am pleased to see Maine supporting the decision of the striped bass board to move to a coastwide slot limit of 1 fish between 28 and 35 inches and not submitting a Conservation Equivalency proposal. I urge the Board to approve only those CEs that would result in one consistent slot limit size coastwide and to only approve the most conservative CE proposals for all other waters.

Listening to the May 2019 striped bass board meeting, I came away with the clear understanding that the majority sentiment on the board was to implement one set of rules for the entire coast. The various sub-options presented by the council to the public as a part of the recent Addendum process were developed on a coastwide level, as stated by Max Appelman at the October ASMFC meeting. He went on to say that "...the intent is that all states would implement the selected sub-options in order to achieve the projected reduction." Striped Bass Board Chair Mike Armstrong followed by saying "one of the goals that we voted on in Amendment 6 is uniform rules along the coast and to have each state craft their own rules would be against what we voted for in the last Amendment."

How many people are talking about the need to see the 2015 year class spawn at least once? How effectively will we be able to evaluate the success or failure of a coastwide slot limit for striped bass if New Jersey, with one of the larger harvests, is targeting fish between 24 and 28 inches long? The state has incredible shore and boating access and draws large numbers of out-of-state anglers every season. Will we really reach the intended reduction in mortality if the board allows them to harvest fish smaller than the adopted slot limit?

This Addendum was built with the understanding that the new regulations would be effective coastwide. It was presented to the public in the same way. ASMFC has significant issues with credibility and trust among stakeholders and the general public. Multiple striped bass board members, including John Clark and Andrew Sheils, raised concerns about this failing at the October meeting. In the course of many conversations with other guides, clients of mine, recreational anglers, and tackle/fishing business owners since the last ASMFC meeting, most have the perception that this rule will be in effect coastwide. When I've encouraged them to become involved in the management process and contribute to decisions, I'm struck by how many people throw up their hands and exclaim "It's no use! ASMFC is a joke" and other sentiments in a similar vein.

At the last Board meeting Dr. Justin Davis stated “We’ve gotten a very strong signal from the public they want us to take strong action on striped bass conservation.” Speaking about the various options the board was considering at the time, Max Appelman reminded all to keep in mind that there is a fair amount of uncertainty with these types of analyses. It is clear to me from my days on the water and from reviewing your data that recruitment of the 2011 year class falls far below what CE calculations predicted in the recent Addendums.

The road to recovery for this fishery and repairing confidence in the Striped Bass Board and ASMFC begins with exercising the obligation to approve only those Conservation Equivalencies that meet the stated objectives of the board, the expectations of the vast majority of stakeholders, and the needs of the species.

Respectfully,

Capt. Peter Fallon

Gillies & Fallon Guide Service, LLC

Phippsburg, ME