

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

**Crowne Plaza - Old Town
Alexandria, Virginia
May 13, 2014**

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1. **Approval of Agenda** by consent (Page 1).
2. **Approval of Proceedings** by consent (Page 1).
3. **Move to include in Draft Addendum IV a modification of Management Trigger 3 under Section 4.1 in Amendment 6 to require the board to adjust the fishing mortality to a level that is at or below the target within three years instead of one year** (Page 24) . Motion by Thomas O’Connell; second by Rick Bellavance. Motion carried (Page 28).
4. **Move that the states move forward with options in Draft Addendum IV to achieve the necessary reduction over three years with each year achieving a third of that reduction level** (Page 28). Motion by Thomas O’Connell; second by Rob O’Reilly. Motion carried (Page 31).
5. **Move to develop an Option C for public comment that will be a one-fish bag limit with a 28- to 40-inch slot limit** (Page 30). Motion by Dr. Louis Daniel; second by Pat Augustine. Motion carried (Page 31).
6. **Move to add to Section 3.2.2 an option for a two-fish bag limit with one fish at a slot limit between 24 to 34 inches and one fish above 40 inches, subject to technical committee review to adjust the open slot limit to achieve a 31 percent reduction.** Motion by David Simpson; second by David Borden. Motion amended.
7. **Move to amend the slot limit to one fish between 28 to 34 inches and one fish over 36 inches** (Page 33). Motion by Adam Nowalsky; second by Pat Augustine. Motion carried (Page 36).
8. ***Main Motion as amended:* Move to add to Section 3.2.2 an option for a two-fish bag limit with one fish at a slot limit between 24 to 34 inches and one fish above 40 inches, subject to technical committee review to adjust the open slot limit to achieve a 31 percent reduction** (Page 38).
9. **Move to add Option D in Section 3.2.2 to have a two-fish bag limit at 33-inch minimum size limit for the coastal fishery (ocean) and to allow the bay to have one fish at 18 to 28 inches and one fish 36 inches or greater, subject to technical committee review to adjust the slot limit to achieve a 31 percent reduction** (Page 38). Motion by Rob O’Reilly; second by Martin Gary. Motion carried (Page 41).
10. **Move to remove the second sentence that pertains to the Chesapeake Bay two-fish bag limit and the 18 to 21-inch slot under Section 3.2.2** (Page 42). Motion by Thomas O’Connell; second by Martin Gary. Motion carried (Page 43).

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11. **Move to add an option to reduce the Chesapeake Baywide recreational quota to account for the required reduction** (Page 43). Motion by Rob O'Reilly; second by Thomas O'Connell Motion carried (Page 45).
12. **Move to reconsider motion to put options in Addendum IV to achieve the necessary reduction over three years with each year achieving a third of that reduction level** (Page 49). Motion by David Simpson; second by Ritchie White. Motion was defeated (Page 50).
13. **Move to eliminate Option C under Section 3.3.1** (Page 50). Motion by Dr. Daniel; second by Russ Allen. Motion carried (Page 50).
14. **Move to add to the commercial quota allocation the option of reinstating the final Amendment 5 coastal commercial allocations as approved in 2001. Because this would result in a 34 percent reduction from the Amendment 6 allocations, the technical committee shall adjust the state reductions to achieve the 31 percent reduction from the Amendment 6 allocations** (Page 51). Motion by John Clark; second by Steve Train. Motion was defeated.
15. **Move to remove Option D under Section 3.3.1.3 (Chesapeake Bay)** (Page 52). Motion by Rob O'Reilly; second by David Simpson. Motion carried (Page 53).
16. **Move to add William Hall from Virginia and Kyle Douton from Connecticut to the Striped Bass Advisory Panel** (Page 53). Motion by David Simpson; second by Tom Fote. Motion carried (Page 53).
17. **Move that the board approve a revision to the Hudson River Young-of-the-Year Sampling Program from the six-week index to a nine-week, 13-site subset index as accepted by the technical committee** (Page 54). Motion by James Gilmore; second by Tom Fote. Motion carried (Page 54).
18. **Move to add Beth Versak from Maryland to the Plan Development Team** (Page 54). Motion by Tom O'Connell; second by Russ Allen. Motion carried (Page 54).
19. **Motion to adjourn** by consent (Page 54).

ATTENDANCE

Board Members

Patrick Keliher, ME (AA)	Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA)
Rep. Walter Kumiega, ME (LA)	Leroy Young, PA, proxy for J. Arway (AA)
Steve Train, ME (GA)	Mitchell Feigenbaum, PA, proxy for Rep. Vereb (LA)
G. Ritchie White, NH (GA)	Loren Lustig, PA (GA)
Doug Grout, NH (AA)	Bernie Pankowski, DE, proxy for Sen. Venables (LA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Roy Miller, DE (GA)
Rep. Sarah Peake, MA (LA)	David Saveikis, DE (AA)
Paul Diodati, MA (AA)	John Clark, DE, Administrative proxy
Bill Adler, MA (GA)	Tom O'Connell, MD (AA)
Mark Gibson, RI, proxy for B. Ballou (AA)	Russell Dize, MD, proxy for Sen. Colburn (LA)
David Borden, RI, proxy for B. McElroy (GA)	Bill Goldsborough, MD (GA)
Rick Bellavance, RI, proxy for Sen. Sosnowski (LA)	John Bull, VA (AA)
David Simpson, CT (AA)	Rob O'Reilly, VA, Administrative proxy
Lance Stewart, CT (GA)	Catherine Davenport, VA (GA)
Rep. Craig Miner, CT (LA)	Louis Daniel, NC (AA)
James Gilmore, NY (AA)	Mike Johnson, NC, proxy for Sen. Jenkins (LA)
Emerson Hasbrouck, NY (GA)	Martin Gary, PRFC
Pat Augustine, NY, proxy for Sen. Boyle (LA)	Bryan King, DC
Russ Allen, NJ, proxy for D. Chanda (AA)	Steve Meyers, NMFS
Tom Fote, NJ (GA)	Sherry White, USFWS

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

Ex-Officio Members

Charlton Godwin, Technical Committee Chair	Kelly Place, Advisory Panel Chair
Kurt Blanchard, Law Enforcement Representative	

Staff

Robert Beal	Mike Waine
Toni Kerns	Katie Drew
Kirby Rootes-Murphy	

Guests

Wilson Laney, USFWS	Kelly Denit, NMFS
Mike Millard, USFWS	Elizabeth Silleck, PEW Trusts
Megan Stachine, NOAA	Bruno Vasta, S. MD/MSSA
Emily Menashes, NOAA	John Pedrick, Bensalem, PA
Phil Langley, PRFC	Brandon Muffley, NJ DFW
Alexei Sharov, MD DNR	Aaron Kornbluth, PEW Trusts
Ken Hastings, Stripers Forever	Purcie Bennett-Nickerson, PEW Group
Arnold Leo, E. Hampton Baymens Assn.	Ed O'Brien, MCBA
Dick Brame, CCA	Dave Smith, MD Saltwater Sportfishing Assn.
Ed Liccione, CCA	Patrick Paquette, MA Striped Bass Assn.
Raymond Kane, CHOIR	Rob Vandermark, MFCN
Jack Travelstead, CCA	

Proceedings of the Atlantic Striped Bass Management Board Meeting May 2014

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Presidential Ballroom of the Crown Plaza Hotel Old Town, Alexandria, Virginia, Tuesday afternoon, May 13, 2014, and was called to order at 1:00 o'clock p.m. by Chairman Douglas E. Grout.

CALL TO ORDER

CHAIRMAN DOUGLAS E. GROUT: Good afternoon, everybody. This is a meeting of the ASMFC Striped Management Board. Our primary task today, amongst all the things on the agenda, is to consider Draft Addendum IV for public comment. My name is Doug Grout; I'm the new chair of the Striped Bass Board. I would like to welcome you all here.

APPROVAL OF AGENDA

CHAIRMAN GROUT: First of all, we have an agenda here. Does anybody have any changes to the agenda? Pat.

MR. PATRICK H. AUGUSTINE: Mr. Chairman, on behalf of Mr. Gilmore, we would like to add an item on the year of the year under new business. I think you got the details from Mr. Gilmore on that.

CHAIRMAN GROUT: Okay, I'll put that under other business. Wilson.

DR. WILSON LANEY: Mr. Chairman, if I could, just a moment or two other business just to update the board on the potential for funding for 2015 and 2016 Cooperative Winter Tagging Cruises; both the hook and the line and the trawling.

CHAIRMAN GROUT: Okay, thank you. Anybody else? Tom.

MR. THOMAS O'CONNELL: Just a question; we wanted to add a member to the plan development team; and if that needs board approval, I would like to add that to the agenda.

CHAIRMAN GROUT: Anything else? Any objection to the agenda as modified today?

APPROVAL OF PROCEEDINGS

CHAIRMAN GROUT: Seeing none, we'll move on to the approval of the proceedings from the February 2014 meeting. Does anybody have any changes or adjustments? Seeing none, I will see those stand approved as is.

PUBLIC COMMENT

At this point on our agenda we have the opportunity for the public to comment on things that are not on the agenda. I have one person, Ken Hastings, that signed up. Is this something that is not on the agenda; i.e., it is not related to Addendum IV? We will have public comment on that as we get to that point.

MR. KEN HASTINGS: I guess I'm not sure if there is anything on this agenda that isn't related to Addendum IV. Somehow it is a big deal. I was going by the second item in the policy document from the website. It says for topics that are on the agenda but have not gone out for public comment. Did I read that wrong? If so, I apologize.

CHAIRMAN GROUT: No; as I said, on things that are on our agenda, we will be taking public comment at a different time in this agenda. We will be glad to take your comment on Addendum IV once we get to that point on the agenda. This is just if the public wants to comment on something is not part of today's agenda.

MR. HASTINGS: Is the stock assessment part of today's agenda? I'm sort of in no-man's land here. It's not clear to me what the rules are.

CHAIRMAN GROUT: That's the key, if it's in regard to Addendum IV, we will take comment then; but if you just want to have a general comment about the stock assessment irrelevant of any the options we have in Addendum IV, then you can go ahead right now.

MR. HASTINGS: I will limit my comments accordingly. My name is Ken Hastings. I'm a recreational fisherman from Maryland; and I'm here today representing Stripers Forever. Stripers Forever sent you some information where they adopted a 50 percent. That came from the stock assessment; and I think it is important to note that the stock assessment had that information there as a starting point for a very conservative risk-averse approach.

Stripers is also concerned that something wasn't mentioned before that there are way too few large fish. Being people from Maine and up in New England that catch a lot of big fish, they recognize when they're not catching very many fish; and so they started a Release a Breeder Club, a voluntary thing for recreational fishermen, to release a fish 36 inches or longer.

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There is a guide category and fishermen category. There is free membership, decals and certificates that is sponsored by Strippers Forever; and there is a year-end drive drawing for prizes. The other thing that has happened that the recreational people are doing – and I'm sure there are people here from CCA-Maryland – they have a one fish per day.

My limit is one to counteract the efforts to exploit the 2011 year class in the Chesapeake Bay. They're looking at 24 to 36 inches to try to protect those fish; and it is designed to help conserve that 2011 year class a little more than has been done in the past. Thank you.

CONSIDER CATCH-AND-RELEASE FISHING IN THE EEZ

CHAIRMAN GROUT: Thank you, Mr. Hastings. Anybody else? Seeing none; we will move down to the next agenda item, and that is to consider catch-and-release fishing in the EEZ. This is a possible action item, looking to see if we do or not want to include this into Addendum IV. We have reports from the law enforcement, technical committee and AP; and I'll turn to Kurt Blanchard first to give the Law Enforcement Report.

LAW ENFORCEMENT REPORT

MR. KURT D. BLANCHARD: At the Winter 2014 Meeting the Atlantic States Marine Fisheries Commission and the Striped Bass Management Board requested input on how enforcement is working within the EEZ. The context of the discussion is the board is considering making a recommendation to NOAA Fisheries to allow catch-and-release fishing in the EEZ.

However, before doing so, the board wants to fully understand how the current prohibition on targeting, harvest and possession is working in the EEZ. The ASMFC Law Enforcement Committee met via conference call on February 16, 2014, to address the issue. Committee members present were from the states of Rhode Island, jurisdictions of the U.S. Coast Guard, Maine, New Jersey, Pennsylvania, U.S. Fish and Wildlife Service, Virginia, NOAA OLE and NOAA Office of General Counsel, New York, Delaware, Maryland, Connecticut, South Carolina and North Carolina.

Law Enforcement offers the following comment relating to striped bass fishing regulation in the EEZ. The first point was illegal harvest activity. LEC members reported that varying levels of illegal

harvest activity have occurred in New Hampshire, Massachusetts, Rhode Island, New York, New Jersey, Maryland and Virginia.

Enforcement is ongoing and a number of successful cases have been publicized. I think most of you have read about them. However, enforcing a prohibition of harvest in the EEZ can be complicated by local factors. For example, in Virginia recently the fish were concentrated farther offshore, making it difficult to locate and monitor activity with the use of aircraft. This was actual beneficial to stock, also. Less people made the trip to get those fish.

In federal waters in the vicinity of Block Island, private and for-hire vessels have attempted to take advantage of the contiguous state boundaries to elude enforcement checks. The second point was second was current enforcement and the activities. LEC members reported successful enforcement efforts to address illegal take and possession in the EEZ.

However, there was agreement that enforcement of possession in the EEZ is a very involved process when fish are otherwise legal to take in state waters. We've attempted to address that through covert and overt operations are used to target areas of known activity. States are coordinating cases with NOAA and the United States Coast Guard where appropriate.

When cases have been made and publicized in local areas, this has resulted in a diminishment of illegal activity for some period of time. This is the issue that seems to be of most concern, I guess, enforcement of targeting versus possession. The consensus of the LEC was that enforcing targeting prohibitions in the EEZ is extremely difficult and in fact not occurring to any degree.

Some reports reported that targeting does occur but making cases in court is difficult where intent must be proven. Most state regulations are written to address possession and take. Successful cases citing targeting generally require a level of surveillance that is not feasible. Further, such cases would need to demonstrate fishing behavior that is consistent with repetitive effort and techniques for catching striped bass in the EEZ in order to be successfully prosecuted.

Other complications ensue when anglers may be legally targeting other species; for example, bluefish off of New Jersey. Catch-and-release allowance in the EEZ; the consensus of the LEC was that allowing catch-and-release fishing would only exacerbate enforcement of illegal harvest and possession.

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In many cases allowing catch-and-release fishing would offer a reason to be fishing in the EEZ at a time and location where an angler might not otherwise be fishing. This provides additional cover to the illegal take of fish and transport it back to state waters. The LEC discussed existing catch-and-lease opportunities for striped bass in the Chesapeake Bay; but in that circumstance fishing activity can be more closely monitored and is allowed in a relatively small area.

We went through a whole discussion on penalties and what we're doing with penalties. Some states have been able to increase their penalties with an understanding of what is going on at the federal level. I'm not going to get into all that unless there are questions on that. That's it, Mr. Chairman.

CHAIRMAN GROUT: Are there any questions for Kurt?

TECHNICAL COMMITTEE REPORT

CHAIRMAN GROUT: Okay, seeing none, we will then move on to the technical committee report. Charlton Godwin, our technical committee chair, will give a report on that.

MR. CHARLTON GODWIN: The Striped Bass Technical Committee met via conference call to discuss the biological implications of allowing catch-and-release fishing for striped bass in the EEZ. We've talked about this topic several times; and our conclusions haven't really changed. From a biological standpoint, the technical committee concluded that opening the fishery for striped bass in the EEZ would not decrease fishing mortality; and it is at a time when the current F estimates are above the target level.

Additionally, large female striped bass are known to overwinter offshore in the EEZ and allowing a fishery for these individuals may be reduce the reproductive output of striped bass spawning stock. Lastly, it is impossible for the technical committee to predict whether opening the EEZ will result in a shift or an increase in fishing effort; but any fishing that occurs in the EEZ will result in a source of mortality that is currently minimized by the current prohibition. The technical committee does not support opening the EEZ.

CHAIRMAN GROUP: Are there any questions for Charlton?

CHAIRMAN GROUT: Seeing none; we will go to the AP Report, Kelly Place.

ADVISORY PANEL REPORT

MR. KELLY PLACE: This report will be rather short because the advisory panel unanimously was opposed to the EEZ Proposal much for the same reasons as the technical committee and the law enforcement. Apparently, hell has frozen over because to get the advisory panel unanimous on anything, I guess the democrats and republicans must be making love on Capitol Hill.

The only thing that they might have elaborated on was the various mechanisms, temporal and spatial, by which there would be additional mortality and on the parts of the stock that could least afford it, where there could be an EEZ fishery. There are lots of different mechanisms, whether it is pulling fish from deep water or any number of other things that would be inherent to opening up that type of fishery that we think would probably – and according to different people and for different reasons – have a mortality rate than the normal 8 percent or so that is normally charged for a normal fishery.

Therefore, I will just leave it that, that we are unanimously, for the all the reasons you already know, opposed to that. I guess I will say that many of the different members came to that conclusion for different reasons. Some members didn't think that the state of the stock needed some of the actions that we're taking; others think it is absolutely urgent that the F needs to be reduced. Regardless of that wide range of opinions on how much or if the benchmarks pertaining to F need to be change, it didn't make much difference because everyone recognizes that right now an additional source of mortality would be unwise. Thank you.

CHAIRMAN GROUT: Are there any questions? Pat, did you have your hand up for this or something else?

MR. AUGUSTINE: Well, it says action and I have a motion when you're ready. It seems like in response to the three reports we have, it is obvious it detrimental. We're in a decline. We're taking action to reduce the mortality rate. Whether it is 5 percent or 10 percent, it is an additional strain on the existing female stock. When you're ready, I'd make a motion to remove this from the document.

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CHAIRMAN GROUT: If we don't want to have it in the document, we don't need to do anything. It is not in there. Louis.

DR. LOUIS B. DANIEL, III: I brought this up. I think it was me, only me, and it sounds like it is only me that likes the idea; and that is typical on certain things. I either get a unanimous vote or no votes. The point that I was trying to bring up is that this is occurring. It is happening and being enforced I think differentially along the coast.

It could provide some pretty extraordinary opportunities for our recreational fishing community and particularly our charterboat fleet. What I had kind of hoped would happen through the deliberations and the discussions of the technical committee and the advisory panel and the law enforcement committee – maybe not so much the law enforcement committee – would have been maybe some options that would have allowed this to happen.

I certainly didn't expect that we were going to have a 28-inch minimum size limit and a two-fish limit and open hog-wild in a catch-and-release-only fishery in the EEZ. But, narrowing the slot, reducing the bag limit, you know, having it be part of the suite of reductions that would not result in any increase in mortality and make it up in another way might have been a better approach. Maybe that's the way I should have couched it in the beginning. I think there may be a few more people than just one that thinks it is a good idea; but I just at least wanted to put my reasoning on the record for the board's consideration. Thank you.

MR. AUGUSTINE: The response is that you don't get a little bit pregnant. You're either all pregnant or you're not pregnant. We are going to increase mortality whether it is 1 percent, 5 percent or 10 percent. I've fished the EEZ for 13 years; and we on occasion caught some real cows.

When you're on a shark line at a hundred pound test and you're pulling them in 300 feet or 200 yards, boy, they're beat up pretty back. No matter what method you use, whether you're up-and-down fishing or not, it is a tremendous strain on them. Again, go back to what our concern is about striped bass in total. Until the science gets better – and we've talked about it today; it is not the greatest, but it's what we have.

We have identified the fact that this stock is borderline in trouble. We've heard the public cry and we've heard the technical committee put together

their report. We've had substantiating comments from the law enforcement as to here is another monster we're going to create. Maybe not this year or maybe next year or in 2016 when the stock has made that measureable turn and goes back up; I wouldn't kill it completely. I would sure as all heck would keep it on the back burner, Dr. Daniel, for further consideration in 2015 and 2016 as the stock genuinely makes the turn up.

MR. ROB O'REILLY: I agree to the back-burner approach. In fact, there is a group of anglers in Virginia called the Focus Group – Recreational Fishermen; and they'll probably be looking to other states in the near future. They're very aware of the condition that they're under now and the timing of this. I think really – and I mentioned this at the last board meeting – the interest is really at some point, which is a daunting task after 25 years, to have the jurisdiction be different than what it is right now.

However, my concern is make sure we indicate the stock condition and situation that Pat is talking to; but the other part is we don't have the information from what I remember. We don't get a whole lot of surveys that would capture that segment of the stock. The state survey is probably a spawning survey and probably do not pick up enough biological information to adequately characterize that particular component of the stock. I think that is the real question as we move some time in the future; and I think it is going to be very difficult unless we have that information to do a whole lot.

MR. PAUL DIODATI: I'm not opposing or supporting anything on this one; but striped bass has been the most successful recovery of all of our fisheries that we manage not only here but I think in the whole country. Now we have got a very odd situation where a state like North Carolina because of perhaps environmental condition can't get any commercial benefits out of this resource; and now because of this discussion we're having now, they can't even have any fun with the resource. They can't even catch and release fish.

It seems that we've got to figure out a practical, sensible approach in the near future for how fishermen could continue to get benefits out of the resource. I recognize that the resource is on the decline. We want to be careful about how we characterize the condition of stock. It is not as in good shape I guess as it has been over the past 15 years. Right now it is experiencing some fluctuations in abundance and biomass.

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That is pretty clear; but under the current management approach we can't forget the rules that we do have in place in the directed fishery are pretty stringent and very protective of this resource with nowhere near where we've been historically with this fishery in terms of the type of pressure that is put on it. Both the recreational and the commercial limits are pretty stringent. I would like us to have an opportunity for this conversation to go on somehow.

I honestly don't know how enforcement could enforce no catching and releasing of any fish. I just don't see how that stands up. I don't see how you issue a citation for that and how that translates in the real world. Nevertheless, it is a discussion that we need to continue; and I'm appreciative that we're not going to do that today.

MR. DENNIS ABBOTT: Obviously, the board at any future date can bring this subject up or any other subject up; but I think that until the time that we know by having the feeling that law enforcement has different opinion, that the technical committee has a different opinion and the advisors have a different opinion and we also have some inkling that our federal partners would think this might be a good idea, that we're just spinning our wheels and wasting our time. I think we probably ought to go into the next agenda item.

CHAIRMAN GROUT: Any objections to that? Seeing none; we will move on. Mike wants to make the board aware of some late materials that came to you regarding this issue.

MR. MICHAEL WAINE: I just wanted to update the board that in supplemental materials our colleague, Wilson Laney, has put together a chronology of the striped bass EEZ regulations and related actions by the commission and our partner agencies. That document was included in your supplemental materials. It is just intended to be an update from the last time you saw this issue regarding everything that had occurred since then.

TECHNICAL COMMITTEE REPORT ON REFERENCE POINTS

CHAIRMAN GROUT: Okay, Charlton, you're up next with the Technical Committee Report on Reference Points.

MR. GODWIN: The statement of the problem: The Chesapeake Bay has operated under a target F reference point that is different from the target F for the coast-wide population. The target and threshold

F reference points for the coast-wide population were redefined in the 2013 benchmark assessment.

At the last meeting the board tasked the technical committee to develop reference points for the Chesapeake Bay and the Albemarle/Roanoke that were consistent with the new coast-wide reference points. To talk about some of the data and model limitations; there is a disconnect between what we know about the biology of striped bass and what we're able to model.

The main two things, as we know, are stock structure and the sex composition of the catch by fleet. First, to talk about the stock structure; we recognize four biologically distinct stocks of striped bass, of course; primarily the Chesapeake Bay, Delaware Bay, Hudson River and the Albemarle Sound/Roanoke River.

The coastal migratory population is made of primarily on individuals from the three northern stocks. Based on tagging data, the Albemarle/Roanoke stock contributes minimally to the coastal migratory population. As we know, coastal fish tend to be larger and older than fish in the bays and the rivers due to the different migration patterns by sex and size.

However, of course, the stock assessment model treats the striped bass on the coast as a single coast-wide stock because we do not have enough important information on the age and sex-specific migration rates between the rivers and oceans. Relative to the Albemarle/Roanoke stock, it is treated separately and data including the harvest and survey indices from the internal waters; so the Albemarle Sound and the Roanoke River is not included in the assessment. Only harvest from the Atlantic Ocean is used in the assessment.

The 2013 Statistical Catch-at-Age Striped Bass Assessment provides estimates at F and SSB for the entire coast-wide population of striped bass; and we have the 2012 numbers of F and SSB estimates up there. They have been updated with 2013. What the Statistical Catch-at-Age Model cannot provide are stock-specific estimates of F or SSB for the Chesapeake Bay or any other stock. Currently the statistical catch at age provides an estimate of the bay fleet F relative to the coast-wide population.

Talking a little bit about the sex composition of the catch by fleet; the Chesapeake Bay Fleet harvests more males than females, especially compared to the coastal fleet. There is not as much sex ratio

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information available for harvest in other areas. We have pretty good sex information available for the Chesapeake Bay but not the total harvest in all areas.

We don't have the exact ratio because it is not monitored the way the structure of the catch is. We feel we can probably calculate this with some additional data. The model does not know what proportion of the total catch is male and female. It only gets information on age. It models all individuals as sexless and then applies an observed proportion of female at age from fishery-independent data to estimate SSB.

This was discussed extensively at the last benchmark assessment. The peer review panel discussed this and agreed that the non-sex specific model and the coast-wide reference points were acceptable for management use at that time. I think one of the most important differences in the statistical catch-at-age model versus the VPA model, of course, is the three different selectivity patterns.

In the previous VPA model, there was one selectivity pattern that tried to account for the different harvests that went on in the bay versus the harvest that went on in the coast. The size composition of that harvest; now we have three fleets that are included in the most recent model. We have a selectivity pattern for the Chesapeake Bay, which is dome-shaped; a selectivity pattern for the coastal fleet and then a selectivity for the commercial discards.

This is one of the key differences and will be important to remember moving forward discussing the reference point issue. As I said, this was an improvement on the previous assessment, which combined all landings into a single fleet. The F of the Chesapeake Bay is estimated by the statistical catch-at-age model; and this F could be compared to the Chesapeake Bay Fleet reference point to assess overfishing status for the Chesapeake Bay Fleet on the coast-wide population.

The technical committee explored a number of ideas developing reference points for the Chesapeake Bay Fleet that would ensure the impact of the Chesapeake Bay harvest on the entire coast-wide population would remain sustainable. We looked at five models. A couple of them are various forms of spawning potential ratio and yield-per-recruit models.

The limitation with these models is they do not take into account the impacts of the coastal harvest. The only way to measure the Bay F against the reference points would be through tagging. Of course, we have

some concerns over the tax-based F estimates that show a different trend from the statistical catch-at-age F estimates.

The overall Z, as we've talked about it from the tagging before, kind of matches the overall Z from the statistical catch-at-age and yet it is difficult to parse out the F in fishing mortality and natural mortality from the tagging-based models. Another option was to look at historical tag-based data for a target. This would be an empirical method; the F target and limit selected based on what we think is a suitable target and limit and not model-based.

The concern here is over different trends in F from the statistical catch-at-age and tagging-based models. Lastly, a third way that we explored would be to take the Bay F that comes from the statistical catch-at-age model as a component of the total coastwide; but this method ignores the sex ratio of the resident population and harvest in the Bay, which is skewed towards males, especially for the 18- to 28-inch fish is largely male dominated. Therefore, these reference points would be pretty conservative because of this male-based fishery.

The technical committee looked at various methods of adjusting this F rate for this sex-ratio difference; but currently at this time could not agree to a method to determine the amount of adjustment that should be made to account for the sex ratio in the bay harvest. At this time the technical committee could not come to a consensus on which option for reference points were most appropriate or how to correct for the fact that the Chesapeake Bay Fleet harvests more males than the coastal fleet.

The population could probably sustain a higher F rate – talking about adjusting that ratio – because the Chesapeake Bay Fleet operates primarily on males rather than if it operated equally on males and females as the model assumes. Therefore, the Chesapeake Bay Fleet reference points that do take not take into account the sex structure of the catch are more than likely to be conservative.

Adjusting the Chesapeake Bay Fleet biological reference points to take into account the sex ratio of the catch would require significant changes to the peer-reviewed projection model that is used to estimate the reference points. The coast-wide reference points approved by the board for management use would also have to be recalculated if we came up with a specific reference point for the point because currently the Bay F is incorporated into the coast-wide F.

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If a Bay Fleet F is calculated, the coastal fleet and commercial discards F would have to be calculated. The ideal way to manage striped bass would be manage them with stock-specific reference points for F and SSB for all of the producer areas, the Chesapeake Bay, Hudson, Delaware and Albemarle/Roanoke.

However, current data and model limitations prevent the technical committee from developing accurate and internally consistent reference points for the separate stocks at this time. In conclusion, the coast-wide reference points approved by the peer review panel and the board represent the best available science for managing the fishery mortality on the coast-wide population at this time.

The technical committee and the stock assessment subcommittee will continue to work on developing a sex-specific model that incorporates stock structure and the sex-specific migration rates to improve the regional management advice provided to the board in time for the next benchmark or earlier. That concludes the presentation.

CHAIRMAN GROUT: Are there questions from the board? Paul.

MR. DIODATI: Charlton, given the size selection curves you showed earlier, those distinct differences between the bay and the coast, using these coastal-based reference points as a proxy for the bay, which I understand the quandary or the conundrum and why you would do that; but aren't they likely more conservative than they should be?

MR. GODWIN: Is the coast-wide reference point more conservative?

MR. DIODATI: Well, they're more conservative than if you had developed bay-specific reference points. Because it seems to me like they're harvesting distinctly smaller fish there, it seems like the reference points would be different. I'm wondering is this approach more conservative or not?

MR. GODWIN: Well, no, because of the different selectivity patterns of that; the harvest on the bay is already incorporated in there, so it is not a matter of being more conservative or more liberal. It is that they're already included in this model. Unlike the VPA, which had one selectivity that tried to account for the different fisheries in the different areas – mainly the two selectivity patterns for the coast and the bay, this total F reference point that we have for the coast, its target takes that into account; and as

long as the total F for the coast is not exceeded, it should provide sustainable harvest for the future.

MR. O'CONNELL: The question I had was under the SCA option that you evaluated for the bay reference point; you mentioned that was discounted because it was overly conservative because it did not account for the sex ratio in the bay. I was just curious as to what the F target would be if that method was utilized and how that compared to the Chesapeake Bay F rate.

MR. GODWIN: As you said, without accounting for some sex-specific migration ratio or increased harvest, it was more conservative. The point estimate that came from that methodology was I believe 0.064. Somewhere in that, 0.06, 0.08 was the target threshold, which was quite a bit lower than the current reference for the bay.

We looked at different ways of adjusting that based on the male YPR analyses; but like I said at this time we just couldn't come to a consensus. We feel like that has potential; and certainly we will be able to do that as we're moving forward in the future. I think that the technical committee really wanted to express is that the harvest in the bay – with the selectivities, the harvest in the bay is already wrapped up into the target coastal F reference point; and we didn't feel that another reference point specifically for the bay is really necessary at this time.

MR. O'REILLY: The first item is on the skewness to the males – and it is really quite pronounced – I think what the technical committee looked at was the Maryland data. The Virginia data was sent as well and it is most years in the 70 percent males at the size range, something along there, and I think that's what you looked at.

The understanding I had from the technical committee was that as you moved forward with trying to do the biological reference points, you had to be careful and will have to be careful going forward to make sure that the type of reduction is really promoting what is out on the coast on females; whereas, it would be sort of a hollow promise to enact something in the bay where you have a male fishery and you're not really getting to the female part of the stock. I think the technical committee probably talked about that.

The only thing I want to mention right now is I'm wondering how this workload that you expressed – and it looked like a workload at the end that this has to be done and that will have to be done and this has

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to be done – and in the SAW Assessment Report – and I'm reading from it now – it says the Striped Bass Technical Committee recommends the preferred model be updated after peer review with finalized 2012 data before it is presented to the management board. That has been accomplished. In addition, should the board decide to take management action for the 2015 fishing year, the assessment should be updated in 2014 so the most recent stock status information is available. That has not been accomplished, obviously. Subsequently, the assessment should be updated every two years.

One thing to consider with the previous board meeting and the fleet-based reference points and we're left with a coast-wide set of reference points; you know, clearly, regardless of how this works out today, there should be some movement to get these fleet reference points but also to get an update in 2014 that includes the 2013 data.

I only eavesdropped for about ten minutes on one of the technical committee calls; and it happened to be call where there was really no commitment to do the update right now. The resolution was to go with what is whatever in the benchmark. Alexei Sharov seemed to volunteer himself to do the update.

The situation I have is I understand the amount of work, I understand the lengths to which the technical committee has worked so far; but this was pretty significant coming out of the SAW Assessment Report, because it is the technical committee talking and not reviewers. I don't know whether you can comment on that on maybe some timeline of what I don't know. Again, I heard just a little bit of that last technical committee meeting.

MR. GODWIN: Well, we did discuss updating the assessment with data through 2013; but as you indicated, there was no real timeline discussed. As far as the stock assessment subcommittee, I think as always everybody has got their plates pretty full. If the management board so desires, but at that time we did not discuss exactly when an update with the 2013 data – what kind of timeline that would take at this time.

MR. EMERSON HASBROUCK: I have two questions. One is on the model results that you had in one of your slides. It looked like the commercial discards modeled fairly strongly with the Chesapeake catch. Is that based on the fact that much of the commercial discard is also in the Chesapeake fishery or is that unrelated?

MR. GODWIN: Well, I think the commercial discards are all throughout the coast. You will see that the commercial discards are indeed higher than the Chesapeake Bay Fleet; the selectivity pattern for those. I think that is because that there are indeed some commercial discards that will occur on the coastal commercial fisheries, which were fishing on 28-inch fish and greater as opposed to the Chesapeake Bay that is fishing on 18-inch fish.

It is kind of really on those older ages, 8, 9, 10 and up, is where that starts diverging from the selectivity pattern of the Chesapeake Bay; and that is due to increased discards in the coast. Obviously, I would think the majority of the commercial discards where the majority of the commercial harvest occurs. That is a combination of the bay commercial fishery and the coastal commercial fishery.

MR. HASBROUCK: My second question relates to the last slide that you had up and that going forward you want to use the sex-based model. I'm just assuming that there isn't enough information right now to inform the sex-based model or you may have looked at that; so what information or what additional data going forward do you need to collect or what is going to be used to inform that sex-based model?

MR. GODWIN: Dr. Gary Nelson on the stock assessment subcommittee spent quite a bit of time modeling the tagging results from the eight tagging programs that we have, the four in the producer areas and the four on the coast, trying to merge that with the statistical catch-at-age model, and he currently could not get that to come together.

I think as always with the tagging-based – as far as the external tagging-based estimates, they rely heavily on things like angler reporting; you know, how does the reporting change over time or angler fatigue with reporting. All of these things would need to be measured on a consistent, annual basis almost throughout the systems.

I think some of the VIM code tagging that is moving forward could possibly allow for some additional fine tuning of the tagging that does not rely on some of the limitations of the tag-based estimates. You still have the different sex migration rates throughout all of the bays and the rivers to the coast. Some of those are the limitations that we currently have.

MR. AUGUSTINE: I was going to do a follow-on question to what Emerson had. Are we looking at maybe 2016 or 2017 before you could have the

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manpower capability to develop that? Do you think that is about where we're heading?

MR. GODWIN: To develop a sex-specific model that incorporates all these migration models? The technical committee didn't discuss a specific timeframe on that. I certainly don't think it would be possible by 2016/

MR. AUGUSTINE: A follow-up, Mr. Chairman; well, if that is one of the critical issues that we have so that we can develop that model; it would seem to me that might be one of the places where you would put some funding to move it forward if it is that critical. The second question is were the folks that are being affected in the Chesapeake upset with the final approach that you used and was there a large enough discrepancy that you used in the coastwide to where they were last year. In other words, are they satisfied we've done the very best we can with what we have to work with and that we're trying to move on and just accept what we have is what you presented?

MR. GODWIN: Well, I think as always there is discussion between the states and the technical members about the best approach to move forward; but I think it is just important to keep in mind that this current approach – you know, once again with the selectivity patterns that we have in this model, we're really accounting for the best we can at this time for the harvest in the bay, the harvest on the coast and combine for target reference points.

Now, that is not to say that certainly the technical committee members, some of them still want to move forward and look at these sex-specific reference points. It is possible these sex-specific reference points for the bay could be developed without developing an entire stock-specific model like what we're talking about.

The ideal situation; I don't think we could jump to that in 2015 or '16. It is possible that reference points for the Chesapeake Bay could certainly be developed using these sex-specific migration rates before that time so it doesn't have to be from just here to a complete stock-specific reference point model. It could be a step-wise approach.

MR. AUGUSTINE: Your clarification was very helpful and I thank you. I hope that we have our technical committee move along that line. Whether it is going to take funding to do it to give you more support, if that is the way we can get at the problem so we're on the same page, if you will, I think we

really should look at that, Mr. Chairman, to see if we can't identify funding in the next couple of years to focus on that approach.

MR. DAVID SIMPSON: This is informative and I guess it shows that I don't know all the details behind the striped bass assessment that I maybe should; but the SSB calculation is just females. The average growth rates are based on growth rates of females or males and females combined? That is the first part of the question.

MR. GODWIN: The SSB is female only. The growth rates were just for females. The growth rates that would be used in the SSB calculations would also, once again, be just for females.

MR. SIMPSON: Okay; so female growth rates are in there. I guess I'm just trying to figure out where we're headed. We talked about this with summer flounder, too; different growth rates, males versus females; but we manage female biomass, really. We've ignored the subtleties. I guess the question are we headed toward two stock assessments, the male stock assessment and the female? Are we headed toward eight stock assessments because it is times four stocks; just where are we headed with this?

MR. GODWIN: No; I don't think it is headed in that direction with eight assessments; but the next thing I think would be to incorporate some of the different migration rates at least of the males and females. That is going to take additional time and data. Like I said, we could in the meantime potentially come up with a reference to measure the F in bay against coastwide that would include some sex-specific migration rates in the bay at least as a start.

MR. SIMPSON: Yes; I guess I'm just trying, being from Connecticut, thinking about what do we fish on and how much of it is from the Hudson; and what proportion of the fish that we're fishing on, are they males or females. It sort of begs the question of how you untangle all this; the commercial catch at age, males/females; the recreational catch at age, males/females; every survey index, males/females; and, gee, what stock do they come from. You understandably have to accept some level of lumping when you do this sort of management and assessment.

MR. O'REILLY: Mr. Chairman, I think some of it was covered. For a minute there I was thinking this was getting way too complicated than it really is. The main idea here, Pat, is it shouldn't be about

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happiness; but there is not a Chesapeake Bay reference point for that fleet. There is not a reference point for the coastal fleet.

The default is we have a coast-wide set of reference points; and if you remember the bay has been at a target, just a target of 0.27; and the fisheries themselves have been under that by quite a bit for several years. I think we were hoping to have Chesapeake Bay reference points to do exactly what one of the slides that Charlton showed, which would then be able to compare the current F, whatever that might be, the year, to the reference points.

The other part is that absent that, I think what you would expect is – or if there are reductions that going forward, then you would have to expect that there has to be some way to do that and just sort of for right now forget about the reference points. That is the way it stands there. I did have a question, Mr. Chairman, if I can, about the three fleets. I'm not familiar with the entire peer review that went on, but certainly remember the commercial discards was always a challenging part of past assessment. Does that remain so; are the commercial discards still a situation that the accuracy level, let alone anything else, is talked a little bit in the peer review?

MR. GODWIN: The commercial discards, due to a lack of at-sea observer coverage in a lot of these fisheries, continue to be estimated from tag returns, a proxy from recreational tags and the tag returns we get from the various commercial sectors and the various gears. Yes, the commercial discards probably has the most uncertainty around the estimates with that; so that has not changed.

MR. PLACE: Charlton, if you don't mind, if you could clarify on the three methods, SPR and the YPR; at the end it says that the technical committee is concerned over the tagging-based F estimates that show a different trend from the SCA F estimates. Could you further illustrate or characterize the different trends.

For example, we know that the SCA, much like the VPA, had a trend of retrospective bias, although the trend became more accurate over years; but the terminal year estimates obviously have strong retrospective bias and it seems to have been consistent for the last 15 years; but the VPA and the SCA; do you see a similar retrospective bias in the tag-based estimates? To conclude that; which of those two estimates, the SCA or the tag-based estimates, which do you consider more accurate?

And do you have retrospective bias or bias of any sort in the tag-based that you can put your finger on?

MR. GODWIN: The trend there is we're not referring to that retrospective bias that you're referring to. It is just simply a trend in the F estimates. The tagging-based estimates gives an estimate of Z, total mortality; and then we have to kind of parse that out into – well, it gives you an estimate of M, natural mortality and fishing mortality; whereas, the statistical catch-at-age model just gives you the Z. The overall estimates of total mortality from both of these models are similar; but it is the parsing out of the fishing mortality from each of the models; that is the trend that is a little different.

MR. PLACE: You say they're similar; we know that the SCA and the VPA estimates have always had that retrospective bias. It has led to errors in the past, which obviously become less so and more correct over time as hindsight. Have you found any sort of error or bias either way over time on the tagged-based estimates? Which have proven to be more accurate?

MR. GODWIN: Well, the tagging-based models, because of the way they are, they don't have a retrospective trend associated with –

MR. PLACE: They're an empirical method, basically.

DR. KATIE DREW: We never calculated the retrospective pattern for the tag model. We absolutely could because it would probably have – it is the potential for something similar where you add more data and your opinion of where you are changes a little bit. The statistical catch-at-age model right now does have a slight retrospective pattern where we overestimate F in the terminal year.

MR. PLACE: Exactly.

DR. DREW: It is about maybe 10 percent overestimated on average over the analysis that we've done; but that is kind of a rough ballpark. It varies from year to year depending on how you add data in. The bias that we find with the tagging model that we're concerned about is that the F estimates are very dependent on the reporting rate that you assume.

The lower your reporting rate is compared to what you assume it is, the lower your F will be. I think our concern is that we know reporting rates have gone down over time. There has been fatigue; people have lost buy-in and people are not reporting at the rates

that they once were. As that happens over time, that means your F rate is going to go down; but it doesn't mean your F is actually going down.

What is happening is instead the model is saying M is shooting through the roof, to levels that we think are unrealistic, that you would expect the entire stock to be dead within three year if those were correct. Because of that, it is hard to say which one, tagging versus SCA, is accurate because we don't have an independent – we can't go out and know what the F is. They're both coming to it from different perspectives.

MR. PLACE: Is the technical committee or the board making decisions based – let me bring up the question that Doug Grout, our chairman, asked at the annual meeting. In light of these various biases – and especially the retrospective bias is what we're talking about of the SCA and previously the VPA; he asked if the board should be taking into account the expectation that we would have that retrospective bias, because we always have, when we make our decisions.

He may have used different words, but I'm just wondering with the technical committee's work on the two types of models; are they presuming – like I'm assuming there is some presumption there will be the retrospective bias on the SCA, an overestimation of mortality in the terminal year. Should I presume that the underestimation of mortality because of reporting fatigue and other factors; is the technical committee taking those two types of bias into account when they come up with the new Chesapeake Bay, for example, reference points?

MR. GODWIN: What we have looked at, as Dr. Drew said, the retrospective bias in the statistical catch-at-age model is running from 8 to 12 percent both for SSB and F. It is within the confidence intervals of the point estimate; so those are kind of provided in with some errors around the point estimates. We currently don't calculate any sort of retrospective bias with the tag-based.

MR. PLACE: Because I see the technical committee says that they're concerned over the tagging-based F estimates; so if the technical committee is concerned, that's why I was asking for a better characterization of it.

MR. GODWIN: Well, because of this, they have done tagging studies; but there is no way to know exactly – without that information, there is no way to

know exactly what that bias on the tagging-based models.

CHAIRMAN GROUT: Thank you for that report and thank you for those questions. I hope they clarified things for our board here.

CONSIDER DRAFT ADDENDUM IV FOR PUBLIC COMMENT

CHAIRMAN GROUT: We will move on now to considering Addendum IV for public comment. Our PDT Chair will have a presentation on that.

MR. WAINE: This is Draft Addendum IV that the board is considering for public comment. This document was included in your supplemental materials. I just wanted to note we made an update to the document as we accidentally left a section out. That was redistributed to everybody. I will start with the timeline.

At this meeting the board is considering the document for public comment. If approved, we would establish a public comment period after the meeting through July. We would summarize those comments and bring that back for the board for their consideration at the August meeting for final approval of the options and wrapping up the addendum. The intended implementation was for these measures to take effect in 2015.

Just a quick outline of the document; I will start with the statement of the problem, talk about management history and the fishery performance, touch on the reference points and the status of the stock. Then I'll walk through the management options that are included in this document. Based on the 2013 benchmark assessment, there were new F reference points that were recommended.

The plan requires an addendum to adopt these new reference points for management use. With the new proposed F reference points, the current estimate of F is above the target and SSB is below the target and has been 2006; and it's approaching its overfished threshold. The concern is the firing of Management Trigger Number 3 in Amendment 6, which basically states if you're above the F target for two consecutive years and the SSB is below that target within either of those years, the board must take action within one year to reduce F to a level that is at below the target.

Additionally, we're seeing a very similar trend in total harvest as well, mainly dominated from the recreational sector because the commercial sector has

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been managed with a quota. To address all these concerns, Draft Addendum IV contains options to reduce F. Just a little history; we are currently managing under Amendment 6.

That amendment for the commercial side established their quota at the 1972 to 1979 base period. All states have implemented a two-fish bag limit with a minimum of 28 inches except for the Chesapeake Bay and Albemarle Sound/Roanoke River Management Areas that are at an 18-inch minimum size. There are some conservation equivalency proposals as well amongst the states.

Regarding the EEZ, it has been closed to harvest, possession and targeting of striped bass since 1990. I wanted to walk you through the fishery as it relates to how the PDT was setting up some of the commercial quota options. The coast-wide harvest commercially from 2003 through 2013 has averaged 2.87 million pounds.

The level of harvest is roughly a 19 percent underage from what they were allocated in Amendment 6 after accounting for the conservation equivalencies among the states. That underage in more recent years comes from a transfer of the commercial quota to bonus programs currently in both the states of New Jersey and Connecticut.

Also, migratory striped bass recently have not been available to the North Carolina Coastal Fishery. As far as the Chesapeake Bay harvest is concerned, they have averaged 4.06 million pounds over that same time period. With the Albemarle Sound/Roanoke River – the commercial fishery is only Albemarle Sound – they have harvested 165,000 pounds, roughly, over that same time period.

Moving to the recreational harvest, the coastal harvest has averaged 26.4 million pounds with the Chesapeake Bay harvest averaging 3.9 million pounds. The Albemarle Sound/Roanoke River has harvested roughly 111,000 pounds. Landings from the states of New York, Massachusetts, New Jersey and Maryland account for approximately 74 percent of the annual recreational landings since 2003.

In reference to our reference points, we have been harvesting – excuse me, our reference point for SSB is based on the 1995 level, and that has proven to be a useful reference point for striped bass. The issue was we were fishing at F_{msy}, maximum sustainable yield, and that was not maintaining our spawning stock biomass at the 1995 level. To correct for this mismatch, the benchmark assessment estimated an F

rate that would be associated with the SSB target and thresholds.

That is a little background on the history of that. Those new F reference points were adopted by the board for management use at our annual meeting last year; but, as I mentioned, an addendum is required to implement them. We heard a good amount about this with Charlton's report. We've got the Chesapeake Bay and the Albemarle Sound/Roanoke River that established separate reference points through the conservation equivalency with Amendment 6.

The two stocks contribute differently, so the Albemarle Sound/Roanoke River stock is not included in the coast wide assessment because it is thought to contribute insignificantly to the coastal migratory stock. The Chesapeake Bay stock, on the other hand, is a major contributor to the coastal migratory stock; and so it is included in the coast-wide assessment.

Some background on the current status of the stock that is based off of the results from that 2013 benchmark assessment – we are currently not overfished and overfishing is not occurring. The F in the terminal year, which was 2012, is above the target; and the SSB is below its target. For F that is the new proposed target.

The concern here is that SSB is in this downtrend towards its overfished threshold. The reason that is occurring is we had a period of strong recruitment from '93 to 2004 that was followed by a period of lower recruitment since that point. Now, in 2011 we had a really strong year class but in 2012 a weak one. This is just a graphical representation of that.

The vertical bars represent recruitment levels. The figures in the document, it is Figure 2, I believe, simply shows the time series of spawning stock biomass relative to the reference points. It also shows recruitment, which are the vertical bars; and it is just showing that lower period of recruitment is associated with that SSB downtrend. What is encouraging, as we've heard and talked about, is that we've got a strong 2011 year class. That is the action that we're considering would be hopefully to be protecting that stronger 2011 year class.

As far as fishing mortality – you probably don't have this figure either; I don't know what happened to them; but that is Figure 3 in the document and that just shows the proposed F reference points. It shows that our current estimate is above the target level. Moving into sort of the options that are contained

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within this document; we've got the proposed F reference points.

The document considers reference points for the coast-wide population, the Chesapeake Bay stock and the Albemarle Sound/Roanoke River stock. This is the reference point option for the coast-wide population. Option A is status quo. Those are based on maximum sustainable yield. The values are in this table.

Option B are measures consistent with the 2013 assessment as is in Figure 3. Those values are an F threshold of 0.22 and an F target of 0.18. As I mentioned before, both the F target and the F threshold are aimed to achieve SSB target and SSB threshold, respectively. Issue 2 is the Chesapeake Bay stock referent points. Option A is status quo; that the F target is 0.27 as established in Amendment 6.

Then Option B is use coast-wide reference points. As we just talked about on the previous agenda item, the technical committee cannot calculate separate reference points for the Chesapeake Bay at this time. Issue 3 is Albemarle Sound/Roanoke River stock. For Option A, that is status quo. The F target is 0.27.

Option B; the option that is included here is that North Carolina would manage the Albemarle Sound/Roanoke River stock using reference points from the latest North Carolina stock assessment that are accepted by the technical committee and approved for management use by the board. We had been working with the North Carolina Agency folks to get their assessment.

As they're currently going through that process internally, it wasn't available for this board meeting; but the PDT felt comfortable with basically taking reference points that came out of their peer review process, because they can estimate both SSB reference points and F reference points for the Albemarle Sound/Roanoke River stock specifically.

They have the data resolution to do that; so the intent here was to be taking those results specifically out of their assessment, taking them to the technical assessment and then also to the board for approval when they have accomplished their peer review. This feeds right into basically the constant harvest projections.

The model-estimated striped bass abundance in 2012 was projected forward using the constant harvest scenarios and randomly drawn recruitment. We were

using these projections to help understand the level of harvest that we needed to reduce that fishing mortality in 2012 back to a level that was at or level its target.

We calculated that reduction in harvest needed so that there was a 50 percent chance of being at the F target in 2015 or 2016. When you do these projections, because you're randomly drawing recruitment levels, there is some uncertainty about what the point estimates end up being; and so that's where the 50 percent chance comes from basically bootstrapping that out. That 50 percent chance has been used in other fisheries as well when running projections like this.

The next slide just shows a breakdown of what that would look like. If total harvest is reduced by 36 percent starting in 2015, there is a 50 percent probability that we will be below the target within the same year. That would be the one-year timeframe. If total harvest is reduced by 32 percent, here is a 50 percent probability the F would be reduced within two years. Just to contrast these options; if we kept harvest at the status quo level or the level on 2013, there is less than a 1 percent probability that the F will be below its target in 2015 or 2016.

Regarding the projections in all of these scenarios, the SSB is likely going to dip below the threshold. Like I was saying earlier on that figure you weren't able to see, this is because of those low recruitment years. As that low recruitment is moving through the age structure right now, we're seeing a downtrend in SSB.

This figure just shows the projections. The dotted line is the threshold; and you can see that the different colors represent the various reductions in harvest. Most notably, because of that strong 2011 year class, we will see a reversal in the SSB trend back towards the target as that strong year class moves through with the harvest reductions that the projections are suggesting.

If we stay at status quo – that is the gray line – you can see there isn't much of a change in the trajectory of that SSB projection. I will now into what proposed management options the plan development team came up with. We focused on options that were estimated to achieve that reduction that was projected.

To do that, we looked at recreational bag limit and size limit changes; and then for the commercial fishery, we looked at adjustments to the quota. I just wanted to point out that we ended up taking the same

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reduction by sector, so it was an equal reduction from both the recreational and the commercial side proportionally.

The plan development team also worked on a spawning potential ratio metric. Because a lot of options I'm about to show you achieve roughly the same percent reduction in harvest, we wanted to provide some metric that could be used to evaluate reproductively how much beneficial is one option over another.

These estimates were provided just for guidance in terms of what would be the most beneficial reproductively for striped bass. I will move into the options. Status quo would be maintaining the two fish 28-inch size. The Chesapeake Bay and Albemarle Sound are harvesting on that 18-inch minimum size with a bag limit that maintains target F at 0.27.

For all these options, this bullet that says zero percent reduction, that would be based off of 2013 harvest levels; and SPR is less than 26 percent, that is that spawning potential ratio I was talking about. Option B would be a one-fish bag limit with maintaining the same size limit. The Chesapeake Bay would do the same thing; they would go to one fish and maintain an 18 inch.

As I said, North Carolina is able to assess their stock and come up with reference points; so under this option we would allow them to be managing their resource to the reference points that we would have approved through the board and the technical committee. This option is estimated to achieve a 31 percent reduction and its SPR is less than 29 percent.

Moving into recreational size limits, status quo, once again, would be the two fish, 28, with a smaller size limit for the other management areas. Option B would be a two-fish limit and a 33-inch minimum size. The Chesapeake would be a 24-inch minimum size with a two-fish bag limit. Based on the size limit analysis, this would achieve a 31 percent reduction and its SPR is less than 35 percent.

Option C is a two-fish bag limit and a 28- to 34-inch slot limit. The Chesapeake Bay would be an 18- to 21-inch slot limit with a two-fish bag. That option is estimated to achieve a 30 percent reduction and the SPR is less than 48 percent. Just to touch on the spawning potential ratio again; the analysis suggested that the slot limit has a higher SPR benefit than the other options. Moving into the commercial fishery; Option A is the status quo, so each state will be

allocated a hundred percent of the base periods and the average coastal landings from the Amendment 6.

I'm going to skip through the wording on this and go straight to the table. It is just easier for me to walk through these options using a table and for your read-along with the text. This is also on Page 12 of the document. The status quo is just the Amendment 6 quotas. Option B; what the plan development team ended up doing was taking – remember I was saying that the reduction we split evenly from the recreational and commercial sectors.

This 69 percent of Amendment 6 quota is a 31 percent reduction from Amendment 6 allocations. That is what column represents. That column doesn't achieve the necessary reduction, because remember the reduction is from the 2013 harvest. Those are the projections we're using; so that is that last column in this table for reference.

Although it doesn't achieve a reduction from this harvest, the PDT looked at the specific harvest among the states and was able to calculate that if harvest remained the same or similar to how it went in 2013, that this option could achieve a 23 percent reduction in harvest or from this level. Option C is the 69 percent of the 2013 harvest; so this is the option that takes that 31 percent reduction from the 2013 harvest.

It takes it specifically from what the states landed in 2013; so Option C is just a 31 percent reduction in the harvest from the last column. Now, Option D is slightly trickier. What it does is it takes a 31 percent reduction right off the top, so off of this 2.479 million pounds, and then takes what is left over and reallocates it to all the states based on the same allocation percentages from Amendment 6.

That was an option that the PDT had considered because of the dynamics of the various fisheries that were occurring in 2013. That option is estimated to potentially up to a 45 percent reduction if harvest occurred similarly to how it did in 2013. Moving on, the plan development team included a quota transfer provision.

This was allowing a transfer of quota between two states that were under mutual agreement. It is quite similar wording to what we have in our other plans; so it just walks through some of the process there. As far as the Chesapeake Bay quota is concerned – I think I will jump right to the table again, so that is the next slide – Option A is status quo; so they are

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maintaining their harvest to achieve an F that is less than 0.27.

Option B just takes that and turns it into what the commercial quota would actually be. It is not this constant F approach; it is a constant harvest approach. Option B is just setting the quota at the 2013 level; and that would be maintained so that the constant harvest approach, that does not achieve a 31 percent reduction. That achieves no reduction from the 2013 harvest.

Option C is the 31 percent reduction from the commercial quota; so that is a 31 percent reduction from Option B; and that is estimated to achieve a 26 percent reduction from the 2013 commercial harvest in the bay. Option D is a direct reduction right from the harvest; so that is the one that achieves the 31 percent reduction from the 2013 harvest.

The Chesapeake Bay quota has historically been split among the three bay jurisdictions based on the percentages shown here. The document wouldn't specify that; we just included that for informational purposes. Regarding the Albemarle Sound commercial quota; status quo would be maintaining F below 0.27.

Option B gets back at North Carolina would manage their commercial striped bass fishery in Albemarle Sound based on reference points that were approved for management use; so coming out of their stock-specific reference points.

The last management option in the document deal with commercial size limits. The status quo option is that the commercial fishery would be constrained by the same size limit regime that was established for the recreational fishery. What this means is if the board hypothetically decided on a change to the size limit for the recreational sector; it would also change for the commercial sector.

The plan development team also included Option B, which was that we would keep the size limit for the commercial fishery with what it is right now. Even the size limit changed for the recreational fishery, the commercial side would maintain the limits that they had in place as of right now.

When we put this in here to be following up on the development of this plan as the board establishes options, they would develop an implementation timeline to do that. We also have a section in the document that makes a recommendation to federal waters; so if any options are adopted by the board through the addendum process, they should consider

any recommendations to NOAA Fisheries. That's a fairly extensive run-through of everything in the document. Thank you.

CHAIRMAN GROUT: I know there are many questions coming up. I just want to give folks an overview of how I'd like to handle this. Again, clearly, if you've got questions right now about the document as it is clearly written, now is the time to bring it up. Hopefully, we won't move towards decisions or debating the different options during this particular period.

After we get the questions done, I would like to go to a process where if you want to change any of the options, add an option, remove an option, then I would like to have a motion put up on the board and allow the maker and the seconder to give their justification, and then I will go to the public to get their input on it and then I will come back to the board for discussion on that. I will remind you of these rules once we start getting into the debate of things. Everybody who has a question, I will start with Ritchie, and everybody else keep your hands up so I can write this down while Ritchie is talking.

MR. G. RITCHIE WHITE: Mike, just to clarify this in my mind; if the reference points were now in place recommended by the peer review, we would be overfished and overfishing would be occurring; and therefore this addendum would not be able to have a status quo; would that be a correct assessment?

MR. WAINE: Not exactly; so we're not overfishing and we're not overfished. The management trigger that I mentioned in Amendment 6 deals with if we're between the target and the threshold for both fishing mortality and SSB, then that is what is requiring the board to take action. That is where we're at right now with the caveat that we are changing the F reference points. Prior to that change we were not exceeding the target, but we are now.

MR. WHITE: I started my question with if those reference points were now in place; if we had already adopted those, would we be now overfished and overfishing occurring?

MR. WAINE: No; we're between the reference points if we had adopted the new reference points.

REPRESENTATIVE WALTER A. KUMIEGA, III: Did the technical committee or the plan team look at the slot limit? Is there a benefit to that because it preserves the large females? I'm thinking of like with the Maine lobster fishery, we preserve oversized females and they produce copious amounts of eggs. I

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assume the same thing would be true with striped bass.

MR. WAINE: Yes; it is indicating that you're getting more reproductive output from those larger individuals; and so an option that protects them results in a higher spawning potential ratio for the stock.

MR. JOHN CLARK: I'm sorry, Mike, I'm just a little confused, and I should have had this cleared up, about the reference points. Under Amendment 6, the F threshold was the maximum sustainable point, right, from the curve; but under the new reference points F threshold, which is obviously a lower now, it will achieve the spawning stock biomass threshold; how does that relate to the maximum sustainable yield now?

MR. WAINE: This is probably more of a technical committee question than it is for me, but I'll take a stab at it. There was discussion that these are proxies for maximum sustainable yield; and so establishing – you know, the board has intended to manage SSB at the 1995 level, which is the threshold and then the 125 percent is the target; and so because of that establishment, we felt like having the F reference points that achieve that level was a proxy enough for maximum sustainable yield.

MR. CLARK: So this is still Fmsy that you saying the threshold?

MR. GODWIN: The new threshold actually ties – the new F threshold ties the SSB threshold; they're linked together. Projections were used to estimate what level of F would maintain SSB at the 1995 threshold and the target, which is 1995 plus 125 percent. Previously the SSB reference point and the Fmsy reference point were not quite linked together in that same way. The SSB reference point has always been the '95 level of – SSB is the threshold plus 125 percent and Fmsy was calculated kind of separate from that. Now they're linked together; so it just a different methodology of calculating the F reference point.

MR. O'CONNELL: I have a list of questions but I'll only ask a couple of them now and let it go around. A question for I guess probably Charlton; right now in this addendum it is looking at a 32 to 36 percent reduction to bring the F rate of 0.2 down to 0.18.

Has the technical committee looked at correcting the F rate based upon the bias? Specifically, what would

be the corrected bias F target and current F rate? Have you looked at that; and if so, what is it?

MR. GODWIN: You're talking about the retrospective bias. We have looked at that. I don't know the exact point estimate of what would be right now. We did look at that and it was roughly overall 10 percent I believe for the point estimate.

MR. O'CONNELL: The number that my staff gave me – and you can correct me if I'm wrong if you have a chance to look – is that if you correct for that bias, the current F would be 0.176 and the F target bias corrected would be 0.173. If those numbers are correct, my question is should we not be looking at the reduction scenarios to reduce that F corrected bias to the target level, which would be less than 30 percent?

DR. DREW: The technical committee did discuss correcting for the retrospective pattern; but overall we weren't comfortable with that approach, because, number one, the magnitude of the pattern changes from year from year. We could give you an average correct factor, but that doesn't necessarily mean it is more correct in terms of quantitatively trying say, okay, this is the correct number now; definitely 100 percent we found it; we fixed it.

But we recognize that qualitatively, yes, the F is probably lower than what we are measuring it at now. I think that is a management decision to decide how risky you want to be in terms of taking that into account when you choose the reductions in the management approach that you want. In general, we don't quantitatively correct for retrospective patterns really in our assessments. We did not have that approach peer reviewed through the stock assessment; so the numbers that came out of the stock assessment were not corrected for that.

MR. O'CONNELL: All right, I appreciate that. I do hope the board notes the bias that was referenced as we get into the levels of reduction. One question for Mike; when I saw the addendum, I was pretty surprised at some of the management options. I was curious as to whether or not the advisory panel had an opportunity to weigh in on those.

The reason I ask is that like a slot limit of 18 to 21 inches in the Chesapeake Bay this year would just hammer that 2011 year class; and next year we would be looking at significant amounts of discard mortality. I'm just wondering what kind of input you got from the bay jurisdictions and specifically the advisory panel at this point in time.

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MR. WAINE: Typically our process is that the AP would comment after the board approved the document for public comment. To be completely honest as PDT Chair, we just didn't have time to get their input on all these options and wrap everything up and have it presented to the board if the board wanted them to comment before the public comment draft was released. To circle back on my first point, the intent is to get their input on all these options as well as the technical committee and present those to the board in August if we continue on the timeline that's proposed.

MR. O'CONNELL: When you wrap back around, Doug, if you would put me back on the list, I would appreciate it.

CHAIRMAN GROUT: Okay, I'm giving people two shots at them. All right, Rob, go ahead.

MR. O'REILLY: This would be a big shot. It is a little bit ironic, but those who weren't around I think it was 2004 the technical committee came to the board; there was overfishing occurring with the VPA at the time; we were in New Hampshire – so Doug remembers this – and we went around the room.

We said what are your thoughts on this; and we came back with a recommendation to wait to the management board; that clearly we weren't overfishing. The model had retrospective; wait to see. It is a more modern age right now. The tools are a little more sophisticated, but that doesn't take away from my disappointment that we haven't gone forward to analyze the 2013 data and get an update, let alone worry about the retrospective, which I'm not sure is a peer-reviewed process; but all that is okay. I did want to comment on the options; and I want everyone to remember that there is a bay-wide quota. It is not commercial quota.

CHAIRMAN GROUT: Rob, could you hold comments on the options until a little bit later and ask questions. This is the period I was looking for comments and questions but not so much comments until we get into debating different parts of the addendum.

MR. O'REILLY: As long as you put me on the list again, I can do that.

CHAIRMAN GROUT: Absolutely!

MR. O'REILLY: Thank you; and I just want to comment on the commercial data that Mike showed to keep in mind that there are ITQs in the bay; so it is

difficult to monitor the trends is my point in the bay because there has been a ceiling or a cap since 1997. I will come back to that when we ask removal of the landings-based reductions. Thank you.

MR. ADAM NOWALSKY: Mike, what discussion did the PDT have, if any, about a combination recreational measures change that would implement both a slot limit and an increase in minimum size, such as one fish at 28 to 34 inches plus one fish at 36 inches over?

MR. WAINE: We didn't talk about mixing and matching options like that. If that is something the board wants the PDT to look at, we could do that. We just ended up going with the options that seemed the most straightforward that achieved the reduction that we needed to achieve without making it too complicated. I will leave it at that.

MR. NOWALSKY: And just a follow-up, if I may, based on the map that was presented of two at 28 to 34 providing the reduction and two at 33 providing the reduction; off the cuff, do you believe that there would be a split measure that introduced both a size and an increase in minimum size that would achieve a reduction in the neighborhood – I mean, is that something useful to go back to the PDT with for evaluation?

MR. WAINE: Because we ran the analysis for both instances; I think a combination of the two could also achieve the reduction that we need. Like I said, I don't even have it in my back pocket, but I wish I did.

CHAIRMAN GROUT: Tom Fote, didn't you have your hand up?

MR. THOMAS FOTE: Yes, I did, but I think I'm going to just wait until the comment period because some of the questions I'm going to ask has to do with – well, I will ask one question. When we use other models in other species and we see a bias in the other direction, then we do precautionary measures to make sure that bias isn't hit.

When we showed the bias for a couple of years down the road it's going to worse; we basically put precautionary measures in place to do that, but we're not doing it in the opposition direction. Can somebody answer my question there? I know the answer because we did in weakfish, but I'm just waiting for the information.

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MR. WAINE: I can't think off the top of my head in which other plans we do that, but –

DR. DREW: Quantitatively.

MR. WAINE: – quantitatively, but you obviously have records of us doing it qualitatively.

REPRESENTATIVE KUMIEGA: I'm a little confused on one of the slides that you had up there, the one where you did the bootstrap analysis where it randomly chose recruitment. Could you put that back up, please? It seemed to me that the resulting biomass, the scale is a lot different than what I'm looking at here in our document in terms of where we have been with spawning stock biomass.

MR. WAINE: It is just that it is a metric ton scale. I think that might what is tripping you up.

MR. WILLIAM A. ADLER: Two things; first of all, on Page 7 you have the now fresh F threshold and target, 34/30; and then the proposal is 22 to 18. Then we go to the Chesapeake Bay, which is at 0.27; and to kind of calculate the same type reduction, I don't see what the 0.27 would go down to. That is one question. The second one has to do with if these options are chosen for public hearing, can the AP add something?

MR. WAINE: The first question; what the 0.27 reference point for the bay would go down to is getting back to the technical committee's report that we weren't able to reach a conclusion on what that should be at this time.

MR. ADLER: Would that be in the document when that went out, by that time?

MR. WAINE: No; this document is being proposed basically as is with modifications, but we're not expecting that would be available for this document. The technical committee needs more time to do the sex-specific modeling and that sort of thing. With regard to your second question; can you remind me of what it was?

MR. ADLER: Yes; you had one option would be go down to one fish, let's say, and the other option was two fish and go to a different size; and what if they come up with another idea, is it too late to go out to public hearing with it?

MR. WAINE: That totally depends on the outcome of today's meeting; but as far as I'm concerned if the board approves this document with the modifications

that are made at this meeting for public comment, then anything that the AP adds after that will not be included.

MR. PLACE: Earlier Mr. O'Connell asked if the AP had had any opportunity to comment on any of these options; and the answer is no. I mention that basically for Mike's point of view because several of the AP members strongly urged me to make sure that the AP had the opportunity to comment at length on the document for public comment. It is very important to the AP; so representing them, I can't emphasize how strongly the people that are on the AP, to have that opportunity.

CHAIRMAN GROUT: Yes; and I think we all agree that it is going to be very important that we get the AP comment on this before it goes out to public hearing. Dave Borden.

MR. DAVID BORDEN: Mr. Chairman, I will be brief. There is a footnote on the bottom of Page 9, and I will just read it. It says the 50 percent probability was the minimum recommended by the technical committee; so I guess my question is all these projections use 50 percent probability; but did the technical committee evaluate higher probabilities and are those runs available so we can see how sensitive there are to that assumption.

MR. WAINE: We didn't specifically evaluate higher probabilities. The relationship stands that the higher the probability, the more reduction you would have to take. Actually, that is a qualitative statement, of course, so to quantify it we didn't look at that because we had agreed on the 50 percent.

MR. BORDEN: Just a quick follow-up, the technical committee recommendation is very specific. It says that we use a minimum of 50 percent; but that doesn't say the technical committee prefers 50 percent. Is there a preferred probability that they would rather have us use rather than 50 percent?

MR. WAINE: I don't want to speak for the technical committee; but I think that the way we left it was if the board wants a higher probability of achieving the reference point, then we could come back and tell you what that percent reduction would have to be. We ended up going with the minimum for this document.

MR. BORDEN: One last time, Mr. Chairman; I would like to comment on this when we get around to comments.

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MR. RICK BELLAVANCE: Mr. Chairman, just a clarifying question under commercial size limit. Under I think both of the options or at least Option A it says in each jurisdiction the commercial fishery is constrained by the same size limit regime as established for the recreational fishery. In Rhode Island we have two different size limits; is that just a more conservative approach from Rhode Island. We have a 34-inch commercial size but a 28-inch recreational size.

MR. WAINE: Like I said, there are some states that have conservation equivalency; so with a major management change, we would have to go through some updating for those conservation equivalency programs.

MR. LEROY YOUNG: What is that process? How would you update those conservation equivalencies? There is a lot of variation among the states right now in terms of what the actual size limits are, for example; so how would that be done or what would the process be?

MR. WAINE: We would just follow the same conservation equivalency process; so it would be a technical committee review and then we would take those to the board to be approved. I think what the technical committee would be looking for is a quantitative analysis that the option of the conservation equivalency approach that you are moving forward with matches whatever measure is chosen by the board through this document. If they make a change to achieve this reduction, then the change that you're proposing through conservation equivalency matches that reduction.

MR. MARK GIBSON: Mr. Chairman, just a couple of things. I wanted to try to elicit a better response to John Clark's question about Fmsy. If I understand this, there wasn't a complete reevaluation of reference points done from an MSY basis. We dragged forward the Bmsy or the Bmsy proxies, the threshold and target, from past analyses and recomputed an Fmsy proxy that would be consistent with those; you know, would deliver those biomass levels; but there wasn't a complete analysis of what an actual Bmsy and Fmsy estimate would be in the context of 2012 data. If that's the case, those numbers could be different in that Option B had that been done. I'm trying to get a better understanding of what was done relative to what I thought was going to be done, which was a complete reevaluation of reference points.

DR. DREW: We did reevaluate the reference points through the stock assessment process. We had a huge discussion about this because the Fmsy and Bmsy reference points are extremely sensitive to the choice of the stock-recruit relationship, which the previous assessment had struggled with as well.

If you assume one type of relationship, the Ricker, you get a different MSY, Fmsy, Bmsy than you do if you assume the Beverton and Holt. Basically, if you look at one relationship, it says at high biomasses the stock is actually less productive; so your recruits increase with the spawning stock biomass and then fall off, for whatever reason.

The other version says it increases, yes, but it kind of hits a plateau and just stays there, so the stock gets bigger but you don't get any more recruitment. The other relationship says the stock get bigger but you actually get less recruitment. Obviously, a stock that gets less recruitment at bigger stock sizes says you can fish it harder, but you have to keep it a smaller SSB; whereas, if you sort of plateau, there is a point you take a slightly lower F rate but you have a bigger stock in the water to keep at the most productive size.

The problem is if you look at the data, the data are so scattered because of environmental factors and other factors that are contributing to the stock-recruit relationship you can't say, yes, definitely this is the best fit and this relationship is the correct and true one. The stock assessment subcommittee struggled with this issue and rather than using the model-based reference points that would give you Fmsy, Bmsy, MSY values; we went with this approach which says we were satisfied that the board was satisfied with the status of the stock when we declared it recovered.

We were satisfied with the size of it; and we thought based on other analyses it could produce a strong recruitment at this size. So given the recruitment we have seen in the past and not looking at any kind of relationship, just what have we seen in the past, if you draw that over and over and over again into the future, what F is going to keep you at the stock size that the board was satisfied with in the past. That is the approach that we went with as the technical committee to try and deal with sort of the uncertainty in that relationship and the best way forward to find sort of a proxy for this relationship that is very difficult to come by. Those are in the numbers in the document now.

MR. GIBSON: Thank you; can I ask one more? On the next page, the proposed recreational fishery management, there was an SPR analysis done in

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support of these. What is happening with the commercial – when this SPR analysis was being done, what has happened on the commercial side? Are you assuming that there is a recreational-only fishery so there is nothing happening with the commercial versus you assumed some selectivity pattern with the commercial fishery and that just runs in the background constant?

DR. DREW: Right; I think the SPR numbers are – it is hard to do without tweaking everything all at once; so, yes, we assumed that the commercial fishery would remain unchanged for these values. The value in them is sort of comparing amongst individual reference points for a specific fishery to try and see how that changes it; but obviously changes to the commercial fishery and changes to the coast versus the bay will change those numbers as well.

DR. DANIEL: I have a question that I hope doesn't evolve into a comment. What was the thought process behind the option that basically zeroes out North Carolina's commercial harvest?

MR. WAINE: It is not personal, Louis.

DR. DANIEL: How could you take it any other way?

MR. WAINE: I will explain. It is based off of your 2013 harvest level. That is what I was saying is that some of these options are confounded by the – that was my point in the commercial fishery section; that some of these options are confounded by the fact that striped bass haven't been available to North Carolina's fishery in the last couple of years.

MR. MARTIN GARY: Mr. Chairman, a question for Mike. On the recreational side there are options for a minimum sizes, bag limits and even a slot limit. Are seasonal closures a tool that is available to us?

MR. WAINE: Yes; the PDT batted this around; and we just found it too challenging to come up with specific options for season closures in this document for the entire coast. As you guys know, these fish are migratory and so the season is going to look very differently if you look at the state of Massachusetts relative to North Carolina.

We felt like the best approach for that would be to allow – I mean, of course, anything is allowed under the conservation equivalency approach. If states formulate a more specific program to achieve the same reduction, then we could go through the conservation equivalency approach to do the season closures and that sort of thing.

MR. GARY: I would like to, at the appropriate time, comment on the virtues of doing so at least from my jurisdiction's perspective.

CHAIRMAN GROUT: Before I go to the second round from Tom and Rob; is there anybody that needs a first-round question. I see one person in the audience that has a question. Okay, could you come up and state your name and affiliation?

MR. ARNOLD LEO: I am Arnold Leo representing the Town of East Hampton. Mike, the question I have is since the average commercial landings have been 19 percent below the allowable landings; why is the commercial sector being required to have an equal reduction with the recreational sector? Since it was already 19 percent below the allowable harvest; wouldn't it be equitable that the commercial be required to do a 12 percent reduction in order to achieve the 31 percent?

MR. WAINE: That is making the assumption that the fishery is going to maintain exactly how it did in 2013. If you end up harvesting – if each state ended up harvesting all of their quota, then they wouldn't be taking a reduction. That is what I mean; I think this is really a board question, which is why in the document there are options that range from status quo, no reduction, up to what was required or would be equal to the recreational sector, which was 31 percent.

MR. LEO: I just remind you in the draft addendum it says specifically in a couple of places that the commercial landings are expected to remain constant as they have since 1990.

CHAIRMAN GROUT: Okay, Tom, are you ready for your second bite?

MR. O'CONNELL: I sure am; I'm just getting warmed up. Some of the questions were answered, so I appreciate that. One I think I know the answer but I'll ask is that the Chesapeake Bay Spring Trophy Fishery is silent in the plan; and probably five or six years ago when the board agreed to remove the quota, it was with the understanding that if we got to a point like today where reductions along the coastal fleet were required, we would take those on the Chesapeake Bay Spring Trophy Fishery as well. It is silent because that would fall under the conservation equivalency plan? I'm just wondering if we need to be adding something specific in the addendum because I know our constituents will be asking that question. Then I have one other follow-up.

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MR. WAINE: I was just double-checking. Everything is wrapped into this; so if the Chesapeake Bay wanted to establish that trophy fishery again, it would have to be done through the conservation equivalency. We are making the assumption that those separate programs didn't exist. It is all wrapped into the analysis.

MR. O'CONNELL: All right, I think that is an added point that if there was more involvement, we would have got that up front earlier, but we're definitely interested in maintaining our spring fishery. We will have to pursue that and I may have a suggestion later. My other is a comment. This board is looking at making some very significant actions pertaining to a marquis fishery along the Atlantic Coast.

Not say that we should not be taking any actions, but based upon what I've been reviewing with the technical analysis, I think it really comes down to a cost-benefit analysis and trying to weigh the impacts versus the likely benefits of our action today and wondering if there is any possible way to include some socio-economic information either in the addendum or to the board later in time to really understand what the impact of these actions are going to be against what the hopes of the benefits will be.

MR. WAINE: We dealt with this with menhaden as well. To be honest, it was all that we could do to get this document produced with everything that was happening at the technical committee level, all the analyses the PDT was doing to try and wrap these options up for this board meeting.

I see one other mechanism is the AP commenting on the options being a potential proxy for socio-economic benefits or impacts, but obviously not to the extent that I think you're suggesting, which is a more full analysis. We just didn't have the time to do it on the timeline we have been operating on. It will also rely heavily on the data that is available to achieve that analysis.

MR. O'REILLY: Mr. Chairman, would like me to confine this to still what Mike has presented rather than anything else, is that correct, on the second round?

CHAIRMAN GROUT: I'm just looking for questions and then we're going to open it up and go through all the document.

MR. O'REILLY: I'm fine with that. I would like to comment on what Tom just said for a second, which I hadn't intended, but in the document, in the beginning, just to talk about a little bit the statement of the problem. It would good to see benefits; so in Virginia there is a need to have a higher-quality recreational fishery. That hasn't changed since we went into Amendment 6; I mean, the same type of sentiments; but at the same time I'll ask a couple of questions of Mike.

One is, is it typical if the assessment is through 2012 and there hasn't been a 2013 update, yet the reductions are from 2013. I have all the data here compiled for harvest and what I call discard losses rather than dead discards; and 2013 is certainly much higher than 2012 for all the coastal recreational fisheries as well for the bay jurisdiction recreational fisheries. I was wondering was that thought about where the cuts took place in reference to the out of sync with the assessment that was done through 2012, the benchmark? That is one question and I'll come back for another in just one second.

MR. WAINE: I think this answers it, but tell if it doesn't. We based the reductions off of the 2013 harvest, which is admittedly preliminary.

MR. O'REILLY: Small follow-up; and higher so the reductions are obviously higher, too, because there is more removals from the stock in 2013 than 2012. I mean, some states had very good harvests in 2013. I will just go on to the next question. The next question is like Dave Borden, I wasn't sure about this probability; but on a different note, you had mentioned I'll call it the variability of the resampling of the recruitment and taking a number of years and then resampling from them; and that is part of your projections.

Do you see difficulty if there are percentage reductions higher or lower with being able to do the same thing? In other words, I don't know, but I'd ask you when you did that analysis – when the technical committee did that analysis, you do the resampling – I guess you call it bootstrapping, too, but are there different outcomes involved that also have probability associated with them in how that recruitment is resampled or is there a consistency there? I know that is pretty detailed, but maybe Katie has an idea.

DR. DREW: I believe the years of recruitment that went in were the recruitment estimated by the model for the same set of years that were used for the reference point; so I think that includes 1990 to 2012.

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Each of those went in as a year and had an equal probability of being selected. We start the projection model in 2012; you assume that the 2013 landings come out in 2013, 2014 and 2015.

You put in your new restrictions, reduce the landings and project the population forward and see what happens. You pick about four years of recruitment to see what happens and you repeat that multiple times, and that is the probability. So out of all of those runs, 50 percent of them got to at or below the target if you reduced it by the percentages we presented. I'm not sure if that answers your question.

MR. O'REILLY: That does answer the question because the last thing I remember is there was a truncated years of recruitment back before this benchmark was done and the follow-up the technical committee did. I think they only used like 2004 forward or something like that, so I think this is a more realistic reflection of the stock dynamics over time since 1990; so thank you.

MR. CLARK: I just had a question. I'm looking at Figure 2 and to maintain the spawning stock biomass near the new target would be at a level where just a few years ago we've seen pretty much the disappearance of fish like weakfish in Delaware Bay. I wondering it might be helpful for the public reading that, that if we put something in about the multispecies effect of maintaining striped bass as this new target level could be detrimental to other species.

I mean, as the levels come down, we have finally seen some return of weakfish to the Delaware Bay, particularly this year. Shad; we've had our best American shad landings in several years. As I said, I'm not trying to be a wise guy here, but I think that we have to look at the fact that striped bass do not exist in a vacuum and maintaining them at this very high population level does have on other species. Thank you.

CHAIRMAN GROUT: Well, Mike and I were talking about this and I'd like to get the input of the board on this because this involves ecosystem dynamics. I understand that as our striped bass population, the SSB is declining, there are corresponding things that are happening, but the question is do we have a direct link between – do we have science that shows there is that direct link? Now, for example, with weakfish we could bring in some information from the MS-VPA. I hesitate to put anything in that doesn't have some kind of a science background behind it as opposed to – so I would want to get the board's feeling on that.

MR. CLARK: If I could just follow-up, Doug, the last weakfish assessment that showed there was a big increase in natural mortality, of course, it couldn't prove what species were responsible for that, but it looked like striped bass, spiny dogfish and possibly bottlenose dolphins were the reason that the natural mortality had increased so much.

As I said, once again, we all appreciate striped bass. I'm just saying that the level that we are talking about with these new reference points did correspond to – when I look at that Figure 2 where the population was at the highest, we had like nothing in the bay other than striped bass for fishermen to really target. It is just an observation; and, as I said, I think the public in Delaware and other states in the Mid-Atlantic might appreciate knowing that there are consequences to keeping the stock at this very high level.

CHAIRMAN GROUT: Is there any feedback from the board? Tom.

MR. FOTE: Something hit me when you brought up 2012; and I thought about it, that 2012 was an interesting year, especially in New Jersey about our catch data. I know we never can do this when NMFS has a stock assessment, but can we put an asterisk for New York, New Jersey and Connecticut for 2012 and say the fishery was pretty much shut down starting like the last week in October to December because you know there was no fishery in November and December in 2012 because of Sandy.

I just sit here – you know, we can never do it when we're basically dealing with scup or any other species or HMS but least as a commission we can put the little asterisk so when we look at those 2012 catch figures, both commercially and recreationally, and take into consideration that we had an extraordinary event.

I don't know much Delaware is impacted their fall fishery, but I know New Jersey and New York and Connecticut was. I'm not asking for any special things, but I would like to see that asterisk that said there was a weather event that really closed the fishery in those states that have real drop and that was the reason the drop was. It wasn't because there was less fish available.

It wasn't because there was less fishing effort. It is that we had no fishing effort because we couldn't do it. I would just like to see that included when we basically look at the stock assessment; because on all these figures that look crazy over the years, that sit

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around when we caught two-thirds of the weakfish fish in 2003 and I asked for them to establish the quota then for New Jersey because we caught two-thirds – I would like to see those numbers at least reflect some major event like this. It should happen anytime we have kind of an extraordinary event, whether it is hurricane down south or a hurricane up north or something, because we're going to see a lot more of those events. We should look at those as catch figures when we basically go from the following year.

MR. SIMPSON: I guess I'm just taking in what John said and we've had discussions and I'm looking at the stock assessment trends from Figure 2. In 2012 we were about at the same level as 1995, our target, so that's what we're trying to manage to is what we have now. I guess I'm wondering – I think the sense from the public is the stock has fallen much more than that.

Then I begin to think about how much of the stock appears to be in federal waters versus in state waters and is unexploited and what the sense of Katie and the technical committee folks, how represented is that stock that is in the EEZ in the assessment; you know, concerns about they're outside the survey area, they're outside the fishery. Are we missing something or what is the comfort level there?

MR. GODWIN: A large portion of the stock that is in the EEZ are going to get sampled in the independent surveys that the various states have on their spawning grounds, so they will get picked up in there. Even though they're out in the EEZ, they don't stay there forever. They come back into state waters for harvest; and they certainly come back in for spawning and will be picked up in the survey; so they're not a missing component as far as abundance and biomass in the model.

CHAIRMAN GROUT: Okay, I have Pat, Dennis, Louis and Rob. I would like to wrap this up with that and then possibly take a quick break and then start working on the document.

MR. AUGUSTINE: Mr. Chairman, it has been a good discussion around the table. Issues have been brought up that could have been concerned about what our goal was in this document. As I recall, we had an outcry from all the public up and down the coast that they're seeing less fish. There is absolutely no question about it.

Whether they're moving further offshore or up along the coastline, as Dr. Laney has pointed out several

times to this board, their surveys are showing that the stock is actually moving outward and upward. We can talk about distances and so on, but the reality is they're not in our waters anymore.

A couple of years ago the folks up north, Mr. Abbott and his group, wanted to put some very serious restrictions on what we were doing because they weren't seeing small fish. But the reality of it is, as Mr. Simpson said, we have a repeat of 1995. The difference is when the stock crashed we were down to about 20 million pounds of spawning stock biomass. I might be off a couple million pounds, right, but the reality is now we're about 120 million pounds. It sounds like a great difference, but the reality is the fishermen aren't seeing the fish and they aren't catching them.

The emphasis put on this document is how do we meet the tenet or the agreement that we reached recently at a meeting when we said we were going to be well on our way to reducing the mortality and at least be at the fishing mortality target with implementation by January 2015? It appears in this document there are two or three options that allow us to move very quickly, do it in one year, and then we'll have screaming from the public; or do it in two years.

CHAIRMAN GROUT: Pat, do you have a question?

MR. AUGUSTINE: I do. The question is, Mr. Chairman, are we at a point where we want to make a motion to approve this document for the public?

CHAIRMAN GROUT: No; I think I just described to you when we were going to have that.

MR. ABBOTT: To Mr. Clark's comments about the effects of striped bass on weakfish and the like and other comments made similarly, I think we could all have our what I would consider somewhat anecdotal information of what happens when we have a high-order predator which is eating other things in the ocean.

Bill Adler usually wants to see striped bass disappear so he will have more lobsters in his traps. As an example, if I look at Tom Fote's comments about 2012 and Sandy and what effect it had in reducing New Jersey's catch, I could make an anecdotal assumption that the states of Maine, New Hampshire and northern Massachusetts should have a great abundance of striped bass in their waters. That didn't happen so I don't think that we can place a lot of validity on things that are said about this, that and the

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other thing. The only thing that is true is that striped bass is a predator and really eat a lot of critters when it has the opportunity.

DR. DANIEL: I was just going to give Mike another chance at answering a previous question. I'm just kidding you, Mike.

MR. WAINE: Which one?

DR. DANIEL: The 2013. I mean, we went around the table and was Rob was talking about the 2013 landings and concern about the assessment doesn't go through 2013. There seems to be this inclination that is going to stay in the document; is that true? I guess that is my question; have we ever done anything like that before? I don't care what the data says or what the confounding factors are in the analysis and those hurricanes and those kinds of things. The fact remains there is an option in there that takes North Carolina down to zero pounds. Am I jumping ahead of you, Mr. Chairman?

CHAIRMAN GROUT: Yes, you are, but I look at it in the section anybody make a motion to remove an option, to add an option or to modify an option.

DR. DANIEL: It just would have saved a lot of time if that hadn't even been considered. I'm just trying to figure out why it was even included. But that's okay; I'll wait until the time comes.

MR. O'REILLY: Mr. Chairman, it really is not so much a question but again I think the premise for this document, part of it ought to be to indicate what the benefits are. If we are trying to conserve the 2011 year class, then that ought to be said. If we're trying to improve the recreational fisheries compared to what they've been recently, that should be said.

Don't think that I haven't listened to others around the table; it is catch. I mean it is the same thing that when we went into 2011 into Boston, the statistics were there were 65 percent decrease in the B-2s. Well, what is going on now is the harvest actually went up, as I said before, in a lot of the states, including Maine, New Hampshire and Massachusetts and other states, in 2013.

However, at the same time the catch is way off and falling because you can tell from the discard losses, which really have plummeted down. And to point of discard losses during the 2004 to 2008 period were a million and a half to a million fish, in 2012 it was 257,000, went back up in 2013 to 525; so I do agree with the public's perception of what they saying. I

do understand that because this is by and far a situation about not having the catch.

So you can imagine how many fish we're talking about if the figures I gave you are 9 percent, they have really come way down. So I would, first of all like, when it is the right time to talk about not just having sort of a mandate in the beginning of the document of we're doing because of that, we also should promote some reasons that the public can understand. I guess the second thing is as we talk later on, we should indicate something about that 2011 year class. I know we're waiting for another follow-up, but that's really part of what we're trying to do here. I don't think there is anything wrong with promoting that.

CHAIRMAN GROUT: Okay, let's take a five-minute break.

(Whereupon, a recess was taken.)

CHAIRMAN GROUT: All right, we're going to move forward. The first place I would like to move to is go through each of these issues and see if there is any additions, changes or anything people want to take out. We'll start with Issue Number One, which is the coast-wide reference points. Are there any changes, additions or subtractions people want to make off of this? Okay, seeing none, we will move to Issue 2. That's the Chesapeake Bay stock reference point. We have Option A and Option B; are there any changes, additions or subtractions that people want to make to this issue? Bill.

MR. ADLER: We covered this already; by the time this goes out down there to hearing, will there be something on Option B for them or not. So it will just be what?

MR. WAINE: Unless there is a change made here, it will be what is written for Option B.

CHAIRMAN GROUT: Okay, seeing no changes or objections here, I'm going to go to Issue 3. We have the Albemarle Sound/Roanoke. We have a couple of options here. Are there any changes or additions? Okay, seeing none, we will go to Issue 4. These are the proposed recreational options. Tom.

MR. O'CONNELL: Mr. Chairman, if you would allow me at this time, before we get into the actual specific management options, I would like to put a motion on the table to talk about the timeframe for which we're trying to achieve the target level of

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fishing. If you would, I have staff with that information.

CHAIRMAN GROUT: Okay, if you've got that motion and if you can where we are at here, I know this will affect some of the decisions we might make here under the next issues.

MR. O'CONNELL: I'll provide some reasoning afterwards. **I move to include in Draft Addendum IV a modification of Management Trigger 3 under Section 4.1 in Amendment 6 to require the board to adjust the fishing mortality to a level that is at or below the target within three years instead of one year.**

CHAIRMAN GROUT: Once we get that up on the board, I need a second for us to consider it. Rick Bellavance seconds it. Once we get it up there, I will let Tom provide his justification. Just make sure that is correct.

MR. O'CONNELL: That's correct.

CHAIRMAN GROUT: Okay, and that was seconded by Rick Bellavance. Go ahead, Tom.

MR. O'CONNELL: Just real briefly, I think, as I mentioned earlier, a 32 to 36 percent reduction is going to have large socio-economic impacts as well as potential ecological impacts. I think we don't have a stock situation that is in dire need of protection. A lot of this has to deal with the quality of the fishery. We have seen this stock produce strong year classes at this biomass level. We know that there is retrospective bias that is not being considered at this point in time and this would allow for a gradual approach. We look forward to the board's discussion on this.

MR. DIODATI: Normally I would completely agree with my colleague from Maryland on that statement in this motion except that we began this discussion over two years ago. With the projection to get these reductions in place, which would be another year, it is a three-year delay; it is a six-year delay.

We're actually working off the tenets of Amendment 6, which are pretty clear about what this board is supposed to do. We're not supposed to wait until we fall down well below the levels that you're suggesting. We're supposed to take an action now. You have talked about socio-economic impacts and the need to evaluate those.

If we take this action, we haven't had that discussion about the impacts that have taken place along the coast over the past six years. We've already had those impacts. Somebody already alluded to the 65 to 70 percent cut in total catch. That is our recreational fishery. There is a significant impact on those fisheries particularly up in New England that we have felt in terms of economy and social benefits. I understand that this is difficult.

It is always difficult when we have to make a cut, especially when our fisheries aren't completely falling apart; but with striped bass we took a very deliberate approach to how we were going to react to and address changes in stock condition. This is the change that we identified many years ago as a point in time when we'll take a serious action to reduce fishing mortality. We've reached that. In fact, in my belief we have gone well beyond the time that we allowed ourselves to take this action.

I think that any further delays is going to hurt the credibility of the commission. It is going to completely tarnish the integrity of the Striped Bass Management Plan, which I think we've worked really hard to maintain as a top-notch managed program. I don't think that's our intent, but I'm afraid that would be the result of delaying any action on this. I wouldn't support this particular motion.

CHAIRMAN GROUT: Before I go other commenters, I just want to have one clarification, Tom. This would essentially create another issue where we'd have status quo, which is what is in Amendment 6, and this would be an option; or are you talking about replacing what is in status quo?

MR. O'CONNELL: I'm thinking that this would be an added measure to look at a broader range of reduction scenarios that would allow us to look at a more phased-in approach to achieve the reduction as currently in the draft plan.

MR. O'REILLY: I hear the information from Paul, and I don't know about the six years. I mean the ASMFC made a decision in 2011; and probably whether or not it was the right decision, it is too late to look back at that. I don't think dropping the amount of the fishing mortality rate to the target brings back the year classes that haven't been there.

I think someone identified earlier the Chesapeake Bay is a large component of providing fishing opportunities for the coast. I think earlier on Bob Beal had mentioned eight years of poor or average recruitment. That is not quite the case; of course,

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2011 was very good in the bay. There were also year classes earlier; so I would say closer to about a five-year performance of poor to average or less than average to average year classes.

It is going to be a rebuilding situation for those who want to revisit the way things were prior to about 2007, maybe even 2008, because the 2008 data looks pretty strong, too, both on the discard losses and on the harvest. I agree with Tom that to take such a drastic – it is drastic – cut all at once, especially we know that we haven't solved the problem of what year we are really supposed to take the reductions from. 2013 is what is in the document now.

The situation with the fishery having some bias on that terminal year, which even if you averaged it out and it were 10 percent – because I think it is a little bit higher than that – but I think if you average out, it might be 10 percent; then all of a sudden you're at the target. With the idea that the retrospective not only affects the current 2012 fishing mortality; it also affects the reference points, if you look at it that way.

So, I think it is a taking a pretty giant step and the payback is that we have to wait a little bit, conserve the 2011 year class to some extent, wait for the next good year class in the bay; and other areas, which used to called producer areas, also need to show better recruitment overall; and that is really what we're doing here. We can't just say this is all about the fishing mortality rate.

MR. CLARK: I'll past, Doug; Rob covered it great.

MR. WHITE: I certainly agree with Paul and he said it better than I could. I had a number of fishermen contact me before coming down here; and they asked me what I thought the outcome would be here today. I said, "Gee, I would be surprised if we don't send the document out to the public." They said when would it take effect; and I said, well, we've already committed previously to have regulations in place for 2015. I said I don't see anything that would change that.

They said, "We'll be surprised. The commission kicks the can down the road." My concern here with this is if you put this in the document, the technical committee – we would have to send it back to the technical committee. You can't put this by itself in the document. How are you going to implement one fish at 28 inches over three years; how are you going to average that in? If it goes back to the technical committee, if it goes back to the AP, we're putting it

off a year. If you do that, you can't get regulations in place for 2015. I'm going to have to oppose this.

MR. RUSS ALLEN: Mr. Chairman, I have a feeling I'm in favor of this motion because I don't see anything that precludes this board from making a decision in August that would be one fish at 28 inches because it is within three years; and this would be part of that whole thing. I look at it more as the future and the possibility of us being over the target next year and all of a sudden we've got to do something again. I would like to have a little more leeway, especially if we have to do something again next year and this measure doesn't work; and I think that gives us that. At this point, unless I hear something to the contrary, I am in favor of this motion.

CHAIRMAN GROUT: Mike has a question for the maker of the motion just for clarification.

MR. WAINE: Just from my perspective in the context of this addendum, it would seem as though we would go back and run the projections over a three-year timeframe and see what the percent reduction is necessary to achieve or to reduce F to the target in three years as opposed to the one- and the two-year timeframe that is already laid out in the document.

MR. O'CONNELL: Yes, that's my understanding. I heard a couple of comments that we're kicking the can down the road. This motion was not say that we are not going to be taking action in 2015. It would be my intention that we are going to be taking some action; but we can take an action on a more incremental basis up to three years if the board chooses to.

MR. FOTE: I remember years ago people panicking – and this is way before. It was like 2004 when basically we weren't seeing eight-year-old fish; and all of a sudden New Jersey was forced to put in a slot limit, and basically we went through all the permutations, and we did the regression analysis and three years later we basically said, oh, by the way, since we took away your producing area status so you can't use the conservation there and we're no long at that – you have to go with two at 28. I mean, there are people who have been yelling for us to do something on striped bass for 15 years, even when the numbers were really high.

At 33 percent or whatever we're going to wind up as a reduction here, at that level is a huge amount of reduction in one year. I mean, we have a recreational

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fishery and a commercial fishery that are in trouble up and down the coast, between storms and between everything else that is affecting them, the price of gas and everything else – and there is a social and economic impact to do this.

I don't care when it is like weakfish when we have to rebuild the stock or winter flounder that we basically have a stock that is collapsed; but as we're saying now, this stock isn't overfished and overfishing is not taking place. If I came here on summer flounder and said the projections at three years from now that we basically might be over and we might have to do a reduction, so we should go to two fish on summer flounder right now with 20 inches; I would be laughed at and hung at the table; but to take a 33 percent reduction – so I'm saying if we're going to base this on science, we've really have got to base it on the whole science problem on how we deal with it. I'm looking at this and if we want to do something, let's do it incrementally because two years from now when the regression analysis says we're not even close to mortality, I don't have to sit here and say I told you so.

MR. BELLAVANCE: Mr. Chairman, I like including this option into the addendum. From my perspective and from the folks that I speak to in our neck of the woods, we don't see a problem. For every fisherman that Ritchie talks to, I'm talking to a fisherman that thinks that there are plenty of stripers out there. We should do something to start to reduce some effort, but I think a three-year time period will give us a little more flexibility and take into consideration some of those economic and social impacts to the folks that rely on this fish.

MR. DIODATI: I don't anybody disputes that there are plenty of stripers out there. It is just that there is a lot less than there has been. We have set some benchmarks for which we agree that we would take actions back in Amendment 6. Now where we've reached the point where it is time to take those actions, we want to establish a new motion that says let's go back and change Amendment 6 so that we can delay what we said that we were going to do.

That is what I have a problem with. To put this in context, I would really like to see Section 4.1 in Amendment 6. I didn't bring Amendment 6 with me; I guess I should have. But sometime before we get a chance to vote on this motion, I would like to see that to put this motion in context so we know exactly what we're replacing in Amendment 6.

MR. WAINE: The trigger that we're discussing is in the statement of the problem. It talks about our concern is a management trigger in Amendment 6 that states; and it directly quotes what the trigger states. Paul, that doesn't all the management triggers, but that is talking about the one that we are considering changing through this motion.

CHAIRMAN GROUT: Okay, I've Dennis and then Martin and then I'm going to go to the public to see if they have any comments on this and then I'll come back to the board.

MR. ABBOTT: Regarding the motion, it is quite unclear to me what happens over three years. Could there be some elaboration? Are we still seeking to reduce fishing mortality by 30 percent or 36 percent? Are we looking to do it 10 percent next year, 10 the following year, 10 the following year; and how do we achieve that?

I don't think there is enough specificity in saying that we're going to require the board to adjust fishing mortality to a level below the target within three years. Are we going to wait three years before we do anything; are we going to do something, yes or no, for 2015 and '16 and '17, if that is the case.

MR. O'CONNELL: As I stated earlier, it is my intention that it would be action implemented in 2015. That specific action needs board discussion. I first wanted to see if there was board support to look at achieving the reduction in F to the target level over three years versus one year; with my intention that the board would begin that action in 2015. At what level yet; I think that needs more discussion. One example would be 10, 10, 10; 10 percent each for three years. That is just one option, but my intention is that action would begin in 2015.

MR. GARY: Mr. Chairman, I want to speak in favor of the motion. To Tom Fote's point of the magnitude of the reduction and to the maker of the motion, Commissioner O'Connell's approach of incremental adjustments and doing something in 2015, I just hope the board doesn't – you know, we're focused on declining spawning stock biomass with striped bass, but don't forget about the other metric of decline that we're all looking at or at least many of us are looking at in our jurisdictions, and it has been present for the last decade and a half, which is declining participation in fishing.

We have a situation in our little jurisdiction and we're struggling to get people out on the water. I go out there every day and I'm surprised at how few

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people are fishing, families, young kids, whoever. And going to a level of magnitude, using Tom Fote's terms, looking at folks going to a one-fish bag; for an avid sport fisherman it might not be a big deal; but for a family planning a trip to go out and create indelible memories that will keep their kids fishing, I think it is a big deal. So keep in mind the magnitude of the cut and consider the incremental approach.

CHAIRMAN GROUT: Does anybody from the public have any comments on this motion?

MR. ED O'BRIEN: Ed O'Brien, Maryland Charterboat Association and an advisor from Maryland. I strongly feel that the advisors should have a comment on this before it goes out to public comment. To me it has been a shame that we haven't had an advisors' meeting where we came in here or somewhere and sat around and talked. I think that ASMFC has always gotten some advantage out of that. Be that as it may, we may have to have another quick conference call, which by far isn't as effective, but it is better than nothing. I think that should happen before we send this out for public comment.

CHAIRMAN GROUT: Thank you, and I think that will happen. Okay, back to the board, Ritchie.

MR. WHITE: I would like to pass to Pat here because he wanted to make the same point.

MR. PATRICK C. KELIHER: Mr. Chairman, I'm going to have to oppose this motion. I think Paul has put a lot of good context to it. As I'm sitting here thinking about it from a process standpoint back at home, it potentially puts us into a situation of having to go through a regulatory process multiple years in a row; and I don't think that is a good place to be putting this fishery into. I think we need to make a determination at some point, set some regulations and then leave them and determine if they're going to work in the long term.

CHAIRMAN GROUT: Is there any other discussion on this? Okay, are you ready to caucus on this? I will give you 30 seconds to caucus.

(Whereupon, a caucus was held.)

CHAIRMAN GROUT: Okay, all those in favor raise your right hand; all those opposed; abstentions; null votes. **The motion carries nine to five to two.**

MR. WAINE: Based on the approval of that motion; what the PDT would do is update the projection based on any other suggested changes that occur at

this meeting to include a timeframe that was three years. We've done one year with a 36 percent reduction; two years is 32 percent reduction – from 2013 – and whatever that third year is what we would include in the documents. I just wanted to make sure that is what the maker and this motion meant.

MR. O'CONNELL: And then we would have three years to achieve that level of reduction, correct?

DR. DREW: No, it would be – well, the way we have done the projections is that we're assuming it is a step-wise process, so that in 2015 you implement this reduction at 31 percent across the board and you maintain that new level of harvest into the future; so that eventually, either in 2015 if you take the 36 percent reduction, you will get your F to the target; or, in 2016 if take the 32 percent reduction, you will get to your F at that point.

In three years it would maybe be – it would be less than 32 percent, but you would take some level of harvest cut and it would be just a stepwise, so in 2015 you implement that and then you maintain a constant harvest into the future. If that is not what you intend, if you something different, please let the technical committee know so that we can do the calculations appropriately.

MR. O'CONNELL: That was not the intention. The intention was to look at strategies to bring the F rate to the target level within a three-year timeframe.

CHAIRMAN GROUT: What I interpreted what you wanted was we would have some gradual changes to management measures that would bring us down to this 36 percent or 32 percent level within a three-year period. Obviously, you couldn't change the creel limit because there is only one step you can make from two to one; but your size limits might go up in an increment and your slot limit may shrink in increments and your commercial harvest might be reduced, for example, a third, a third, a third.

MR. O'CONNELL: And seasons could be an option that we haven't talked about yet.

CHAIRMAN GROUT: Yes, and that would be a whole new thing that we would be throwing in there. I think that the PDT at least originally was hoping would be thrown in under conservation equivalency. Dennis.

MR. ABBOTT: Mr. Chairman, seeing that we have passed this motion – and that's okay – and I don't think that we can infer what is implied there to get to

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where we want to go in three years; it seems to me that a further motion with the specificity of how in three years what we're going to do should be in order right now to give the technical committee the charge to get us where we want to be; is that not correct?

CHAIRMAN GROUT: That is what I assume was going to be as sort of a follow-up here; what increments? Are you going to take 15 percent the first year and 5 percent next year and 10 percent the next year or are you going to go 10 percent, 10 percent, and 10 percent; or 11/11/11 or something like that.

MR. O'CONNELL: Are you looking for a motion to generate some discussion?

CHAIRMAN GROUT: Yes.

MR. O'CONNELL: All right, **I would move that the states move forward with options in Draft Addendum IV to achieve the necessary reduction over three years with each year achieving a third of that reduction level.**

CHAIRMAN GROUT: Is there a second to that; Rob O'Reilly. Keep in mind this is an option that would be part of the last motion that we passed; that we still have the status quo option, which is what is in Amendment 6. Okay, since we have a second on this motion; do you want to speak to it first, Tom, and then I will let Rob as the seconder speak it?

MR. O'CONNELL: In trying to generate some discussion; I recognize that action is necessary given the public sentiment of this. This is one scenario to go forward.

MR. O'REILLY: I would like to propose a friendly amendment; and if not, then I'll set it aside for another motion. I have been troubled throughout about the assessment being completed through data year 2012; and right now what is in the document from the PDT are reductions from 2013. What I find troubling about that is we don't know what the fishing mortality rate is in 2013.

I do know that the reduction will be less, but that is not the reason I'm bringing this up for the third time. It is because I'm not familiar with going forward in this manner where you don't know what the mortality is, but you're taking a reduction. I would make a friendly amendment, if possible, to Tom to indicate that the necessary reduction from 2012 landings and dead discards.

MR. WAINE: The discussion we're having up here is at the last board meeting we had presented projections that were based off of 2012 harvest. At that time the board tasked the technical committee with updating the projections through 2013 landings; so that is the task that we completed. Is the recommendation then to go back to the projections that are based off of the 2012 harvest?

MR. O'REILLY: Yes; I figured since you're going to be going back to do further projections, that it would make sense to do that. Again, my discomfort is that you should go from the time period where you have your terminal F.

CHAIRMAN GROUT: I will let Tom decide whether he wants this to be a friendly. My personal preference as Chair that would be a separate motion, because I think it is substantially different from this, which is trying to get us at specific yearly changes in F that would be required from the previous motion. It probably should have been in the previous motion; but as Tom said he wanted to get it – so if we could just keep it clean, it would make it easier.

MR. SIMPSON: I guess I just want to observe that I think could be fairly straightforward in the commercial side. You have a quota and you have to move from this number to this number; and you could do it in steps. It is not so easy I don't think on the recreational side how you would do it; and I'm not sure it saves a whole lot of pain.

I guess we've already made that decision; but the idea of say you did it by minimum size, it is 28 inches this year, the next year it is 30 inches, and the after that it is 32 inches, and the years after that it is 33 inches. You know, the one thing I consistently get from the public is we hate change; so if you're going to do it, do it once and then leave us alone. I'm worried about the practical side and I worry about the additional limitation it puts on us for flexibility.

MR. DIODATI: I just need a point of clarification, Mr. Chairman. At our last meeting we approved two motions, which are in the introduction to the current addendum. That second motion was to reduce fishing mortality at least to the fishing mortality target with an implementation of that fishing program in January of 2015. Given the motion that was just approved – not this one, the one that we just approved – what does that do to the motion that we approved at the last meeting? Does this become two options?

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CHAIRMAN GROUT: Yes, there are two options, which is the status quo option, which incorporates the motion that we made last meeting, because we had to do it within a year, which is what is called for under Amendment 6; and now we have a second option here which give them three years to have that. We're going to have to make a decision on that in the final action.

MR. GIBSON: I want to say I'm confused, but I may have misunderstood Tom's original motion; because like staff I thought we were talking about a percent reduction with less than 32 percent and the consequence of that would be that we would be on a delayed SSB recovery trajectory and therefore it would take longer to get the fishing mortality rate.

Now I'm understanding we're not going to achieve that percent reduction in the first year necessary to get the three-year consequence to F, but we're going to phase that in – and I don't even know what the percentage would be and I don't what the consequences of the SSB trajectory are. I know how long it takes to get the F, so good luck with those projections. I think I would have voted differently had I understood the past motion better, but it is water over the bridge now.

MR. FOTE: In response to Dave Simpson's remarks about changing the regulations every year, well, some of us were around – and I think you were around but not in the commissioner spot – that we had to do that when we went from 28 to 30 to 32 to 34. We've been down this road before to basically – because back then we were protecting the '82 year class until it spawned – was it the '82 year class – yes, until it spawned at least once, so we changed the regulations.

Unless most of your states, we're the only state I think that still does it by legislation; so it means looking at me and saying, oh, God, we've got to go to the legislature five times, you know, or three times. I says, yes, that is what we have done. Sometimes we have problems sometimes to get it in so we get voted out of compliance, but usually before the fishing season we get the bill passed.

Yes, we have done it before and we do it again. I mean that is the least of the problems when you look at the consequences. In two years when we do the regression analysis and basically decide that we really don't need to implement another reduction in three years and we basically change it, at least we won't dramatically hurting the fishermen until those two years that we find out we didn't need to do this. That is my concern.

MR. ADLER: I wanted to get back on the track here. We left off at Issue 4 and you asked, okay, should we leave them in, take them out, whatever. Is this in Issue 4 or is this a separate thing in the addendum that will go out to public hearing? The last couple of things we have done; where is it?

CHAIRMAN GROUT: What we have done with the previous motion is we've created another issue, whether we're going to take one year to do it or three years to do it. This particular motion is clarifying what percentage increment we're going to take – the reduction we're going to take each of the three years.

MR. ADLER: So then we're going to go back to Issue 4 where we left off?

CHAIRMAN GROUT: Correct. Steve.

MR. STEPHEN R. TRAIN: Mr. Chairman, I would like to speak against this because it is so specific. I understand the intent of the last motion; but if our state wants to make one change that will get us there in three years and they do it the first year, that should be an option. This is very specific that you have to do one-third every year; and I don't like that being that specific.

CHAIRMAN GROUT: Steve, a state can always be more conservative than what is called for in the plan. If we chose this, this would be the minimum you would have to take every year. You go all at once if you wanted to, if you choose this. Okay, seeing no other discussion, let's caucus on this. I'll give you 20 seconds to caucus.

(Whereupon, a caucus was held.)

CHAIRMAN GROUT: Okay, are we ready to vote here? All those in favor raise your right hand; all those opposed; abstentions. **The motion carries nine to five to two.** All right, I think we're now onto Issue 4, which is the recreational bag limits. Once we get that up on the board, I will see if anybody wants to make changes, additions or deletions. Tom.

MR. FOTE: I'll pass because we are either going to be at two fish or one fish, so there is no sense of even discussing that.

DR. DANIEL: Well, my idea is kind of a combination between them and maybe there would be a better time to do it, but I would like to consider a one-fish bag limit with a slot limit to go out to public comment.

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I know the argument is going to be you can't keep a trophy fish, but you can't keep a trophy red drum; and look at the impacts on the spawning stock biomass of red drum by disallowing the harvest of those big adult fish. What I'm hearing and what I've been hearing especially after the little Trawlgate Debacle about four years ago was how badly we needed to protect these big fish. I would like to see an Option C of a one-fish bag limit and a 28- to 40-inch slot limit.

CHAIRMAN GROUT: The way I'd like it done is by motions and you can either do it now or when we get to the size limits. It doesn't make any difference to me but do it by motions and get a second and see if the board wants to put that option in.

DR. DANIEL: **All right, I will make a motion that we develop an Option C for public comment that will be a one-fish bag limit with a 28- to 40-inch slot limit.**

CHAIRMAN GROUT: I see Pat Augustine is seconding this for inclusion. Is there discussion on the motion? Ritchie White.

MR. WHITE: I would assume that this is more conservative than our existing options and a state can always be more conservative. I guess I don't quite understand why you would need to have this because if we do the one-fish 28 inches, North Carolina could do this.

CHAIRMAN GROUT: That is true. Tom.

MR. FOTE: I'm a little confused over this because we are deciding on a one-fish or a two-fish bag limit and we weren't talking about size. That would have been when we get to the size because that is what I wanted to comment on. Are we still just talking about a one-fish bag limit or a two-fish bag limit or now a three-fish bag limit or a 1.5-inch bag limit? If you're going to tell me we're discussing bag limits and that is what you said; that is why I passed.

CHAIRMAN GROUT: We're with the one fish and then Louis wanted to add in the slot limit.

DR. DANIEL: I was just doing what the chairman told me to do so don't jump on me. I agree with you, Mr. Chairman, by the way. Yes, if you want take off all the maximum size limits and say the states can be more conservative, I don't think that would be in the best interest of red drum. I don't necessarily think that is fair.

These fish are in the EEZ; they're coming into the EEZ; they're the big spawning females. We have got concerns; we want abundance, but we're whacking the 60-pound fish. You've got a charter that goes out with a six pack and they come in with eighteen 40-plus pound fish; that is a little bit overkill in my opinion, especially on a stock where there seems to be coast-wide concern about their status. I will bring it up – wherever you would prefer it be discussed is cool with me. I just think it is an option that needs to go out to the public, and I think you'll get a lot of support for that option.

MR. SIMPSON: I don't know if Louis knows the percent reduction; but if he does, that's great and it should be included. If he doesn't, then I would say if this passes, let's include that in the description as we have with the others and then the public can weigh in.

CHAIRMAN GROUT: Yes, that's our intent. One more?

MR. SIMPSON: Or was it Louis' intent or were you sort of guessing at what would be required for a 30 to 32 or 34 percent reduction? Are you comfortable that is probably more than that and that is what you want?

DR. DANIEL: Yes; I know it is more than that and it is going to protect those big adult fish. Now, you might want to consider with a slot you might be able to retain two fish and still get the reduction you need. That might be an attractive option for somebody else to make a motion on; but I'm just looking at that's a lot of fish.

CHAIRMAN GROUT: There already is an option here for two fish and a slot. Rick.

MR. BELLAVANCE: I'm going to defer for a few minutes.

CHAIRMAN GROUT: All right, is there any other discussion on this motion? Anybody want to speak to it from the public? All right, back to the board; I will give you 20 seconds to caucus.

(Whereupon, a caucus was held.)

CHAIRMAN GROUT: Okay, all those in favor raise your right hand; all those opposed; abstentions; null votes. **The motion passes fourteen to two to zero to zero.** Tom.

MR. FOTE: Since we seemed to move the size instead of just bag limits now; I'm looking at the option of 28 to 34. I realize in certain times of the

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year and certain locations that basically is not a 30 percent reduction; it is actually a hundred percent reduction. I know a number of years ago we looked at taking a slot and having a fish from a certain size – I think it was 28 to 32 and then another one above 40-something to something – and basically had that as a slot limit so you can basically get in and have at least one fish to take home.

Unless we go to two at 33, which would actually kill more fish – I'm looking for a place that we can do a slot that would give us the reduction but allow two fish, one over and one under. Since you're in a situation like Upper Raritan Bay and other areas that there is no fish under 34 inches, so you basically wind up having zero people going fishing because they can't keep fish.

We've got to figure out some way of doing that. Just having the slot limit at 28 to 34 is not going to work in a lot of states. It is the same way in the Chesapeake Bay to have the one slot limit that goes in their situation there; and it is actually forcing them to fish on the fish we're trying to protect. I think we need to look at different options on how we do those slots and go back and look at some of those old data. I don't know the motion to make. I don't know whether to just make a motion to look at much more of the two-fish slots with a gap in between to basically account for the 36 percent reduction. Is that what you want as a motion or is it over the period of time?

CHAIRMAN GROUT: I'm hoping to get specific options in here and try and narrow at two – because we don't want to have this as this huge document. Dave Simpson.

MR. SIMPSON: Okay, like Tom I don't have the specifics but I want to offer them and then in the motion give the technical committee the flexibility to calculate the right slot. **The motion is for a one-fish limit and a slot between 24 inches and 34 inches and one fish 40 or larger. Then I would ask the technical committee to adjust that open slot to achieve a 31 percent reduction.**

MR. WAINE: Dave, just to clarify, what is transient in this motion is if the technical committee runs the projections, whatever the 24- to 34-inch slot ends up being to achieve a 31 percent reduction; is that correct?

MR. SIMPSON: Yes; and I would suggest that if it is not enough, to move up from 24; and if it is too much, to move down from 34.

CHAIRMAN GROUT: Seconded by Dave Borden. We're having questions amongst the technical committee about how we'd do this.

DR. DREW: Right now I just want to point out that the current minimum size limit is 28 inches; so we don't really have data smaller than that – on fish that are released smaller than that. I think we can look at some of the ALS data or some of the tagged release data to try and get a handle on the catch frequency within that smaller – so you're proposing basically a smaller minimum size than is currently in place; and that's always harder to do.

MR. SIMPSON: Yes, it is and it is one of the challenges we've had with summer flounder and some of the others; that when we actually achieve that target and we begin relax, it is a challenge, but we have done it. I appreciate the difficulty.

CHAIRMAN GROUT: And aren't there states volunteering with surveys that have considerable undersized fish data that could also be used?

DR. DREW: Yes.

MR. NOWALSKY: Mr. Chairman, I support the motion and the principle of it. I would suggest that this is actually an element of Section 3.2.2, because this is in effect a two-fish bag limit. We're really playing with sizes in this particular example. I'll leave it up to your discretion what to do with it.

But beyond that, I don't know if we need more than one option here; but my goal would be not to be limited to just this one option. That 34- to 40-inch gap; that is large gap that represents a lot of potential harvest. I was going to propose, prior to this motion being made, 28 to 34 as one fish and one fish over 36.

Again, my goal would be to have the technical committee look at this option in principle but be able to allow us, when we come back, assuming this goes out for public comment and when we next evaluate this for final implementation, to have some flexibility before us what size limits we actually implement.

CHAIRMAN GROUT: I'm going to comment to that because I could see that we could have an infinite number of iterations here. Keep in mind that a state, like your state already has done, can put before the board and the technical committee a proposal for conservation equivalency. I think if we're going to have these kinds of concepts, I would like to have a single slot with a two-fish bag limit during those slots.

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I think having something like this where you have a fish in one area and a fish in another size could be another one; but if we're going to be changing the size ranges into infinite combinations, we're already pushing the envelope here in getting anything in for 2015. Based on the kinds of technical committee work, we have to somehow limit and try and agree on some kind of a standard for these options and then be comfortable with the fact that if your state doesn't want to go with that particular option, you can apply for a conservation equivalency. At least that's the way I'd like to do it; I don't know how the board would. I'm just trying to get this in place by 2015 like we indicated in our previous motion. Mike.

MR. WAINE: I just wanted to follow up on that; that was the PDT's recommendation originally was we had developed options that achieved the reductions necessary; and if states wanted to consider other options, that they do that through conservation equivalency. We're expecting some of this to shake out in that approach. I just want to echo those comments that our chair made.

MR. SIMPSON: Well, I'll just say first this is the attempt to get to that one and a half fish limit because we are down at such low limits. If there is broad enough public support for this that the commission wants to adopt it, there is a huge advantage to having consistency across state boundaries. That you can't achieve through conservation equivalency.

I'd like the public to be able to comment on this; the idea of a slot that's right around plus or minus the current minimum size and then one trophy, because people don't want to give up that one trophy type of possibility, anyway. I think this is an important addition to what Louis added in the document already.

MR. BELLAVANCE: Mr. Chairman, I'd also like to make a motion to add an option.

MR. ROY MILLER: I'll briefly speak to this motion. It is reminiscent of a management measure we considered – my recollection is vague – maybe 15 to 20 years ago. We considered a slot like this. The only thing that gives me comfort is that the technical committee has the ability to adjust that 24-inch figure; because I suspect, just off the top of my head, that it wouldn't meet the desired reduction with that low a minimum size in there of 24 inches. If they have the ability to adjust it upwards to where it might need to be 26 or 28, whatever, then it possibly could achieve the 31 percent reduction. Therefore, I'm in favor of including something like this. Thank you.

MR. BORDEN: Mr. Chairman, just a process question to make sure that I'm clear in my own mind. This applies this motion as it does to the rest of the motions. My assumption is we're going to add a number of provisions to this document that are then going to cause the technical team to basically go forth and do a new analysis on what the impacts are; and that analysis would come back to us at the next meeting. Is that correct or incorrect?

CHAIRMAN GROUT: It is up to the board here whether that would come back, but these are ones you're putting in and you've given the technical committee the latitude to make something that would achieve the reduction, a specific reduction. They're going to put together that option already in there. I would not, at this point, given the options that have been added in, that we'd need to come back to the board, but, of course, if the board feels strongly that it needs to come back, that is up to the board.

MR. BORDEN: The only reason I raised the point is that I'm very open to adding more – let me recast this. I don't think we lose a lot of time by having the technical people analyze some of these options before we actually commit to take them out to public hearing. A couple of months isn't going to stop this process. I think if we did that, we could get advice from the advisory committee on some of the options, which we haven't been able to do; and then maybe we could eliminate some of these options before we send it out to public hearing, which would simplify the document.

MR. WHITE: I'm still trying to get my arms around Tom O'Connell's motion. Let's say that the public supported Tom's approach and not status quo and then the public supported this option; then what happens? The public wants this but they also want to only do 10 percent in each of the first three years; so what regulations do we end up with?

CHAIRMAN GROUT: I'm open to the PDT or technical committee chairs input. I think this is one that the way it is designed in the motion would get us there in one year. There probably will need to be some other options that are going to get us a third the way there the first year, a third of the way there the second year.

MR. WHITE: So the document is going to have to be clear on these options that if the status quo for Amendment 6 is not kept, then this option would not work; so, in other words, there will have to be a suite of options that if we continue with Amendment 6, the trigger will work; and then a suite of options if we go

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to the alternative of Tom's motion that we just passed.

CHAIRMAN GROUT: Go ahead, Mike.

MR. WAINE: I'm kind of hesitant because I'm trying to think of how it is all going to look. I think with each option we could identify the timeframe at which that option would achieve the reductions that it is expected to achieve. So, for the three-year timeframe, that is going to be a lower reduction than for the quicker timeframe; so the document would be structured in which the percent reduction would essentially indicate – and we could specify which year that would achieve the reduction. The board and the public would be commenting on specific management options that achieve the reduction over a certain timeframe.

MR. NOWALSKY: Mr. Chairman, I would like to make a move to amend. **At this point I would like to move to amend the slot limit be between 28 to 34 and one fish over 36 inches.**

CHAIRMAN GROUT: Is there a second to that: Pat Augustine. Okay, now we have an amendment. Dave.

MR. SIMPSON: And, of course, that just leaves us with two inches that are protected; and I think that's a little too subtle to bother the public with. I don't think that accomplishes anything. It as close to the minimum size of 28 inches as you can get.

MR. FOTE: I understand what Dave is saying, but I'm thinking about now is you've got two fish. One is over 36 inches so you've now increased that second fish by six inches. I always liked the 24 to 28 because a lot of times you're out that you never catch the second fish, because you're in small fish and you only get one fish; or like up in Raritan Bay, you only wind up with one fish because everything is bigger than 34 inches or 33 inches is what you're fishing on; so you still wind up with a one-fish bag limit.

That is what happened when we had the slot limit of 24 to 28 and went over 28. It winds up being more conservation than a whole bunch of other slots we've looked at because of the reality of the fishery that you're fishing at that day. Because they don't school together, you have usually the same size fish you're fishing on. When you basically have a gap, the second fish is bigger than when you're starting at the 28 inches you're going to have a reduction. I don't know what the second fish has to be get that, but that is what I'm looking at.

CHAIRMAN GROUT: We have a motion on the board; is there discussion on this motion to amend? Wilson.

DR. LANEY: Mr. Chairman, just a question to enlighten me is a question to Charlton or Katie; so the 2011 year class is three years old this year; and what sort of additional measures of protection are we buying given these slot sizes; this one versus the one in the previous motion? Do we buy a different number of years of protection for that 2011 year class by one or the other slot limits here?

DR. DREW: We really haven't looked at the analysis in that respect; so in terms of what age classes are talking about here that are being protected, we haven't looked at it that way. The other issues to consider if we've been looking at the size limits based on the available 2012 data in terms of catch-at-length frequency. These numbers are based sort of on assuming that is going to be fairly steady forward, which is there are a lot of assumptions in here, but that is a major one. I can't say right now the way we did the analysis what kind of extra protection we're talking about.

MR. MILLER: I just wanted to ask the maker of the amended motion, if you don't mind, Adam, was it your intention that the technical committee would review this amended motion to make sure that it meets the desired reduction?

MR. NOWALSKY: Yes; I would certainly leave the rest of the language that was in there; and that actually goes back to my earlier question that I had asked during question point about what this would actually mean. I would certainly support that. If they came back and looked at it and said 28 to 33 is the way we need to go with it, I would certainly support that, yes.

CHAIRMAN GROUT: So you're looking at this as something that would get at the reduction in a single year?

MR. NOWALSKY: Well, I think that's two separate issues, Mr. Chairman. I think that's a whole 'nother issue. There was actually two components of the first motion that was made, in my opinion. There was the element of the different size and then there was the element of the technical committee modifying it to achieve a particular reduction.

The maker of the original motion specified a hard number, a 31 percent number, that I think implied that we were taking the reduction all at one. I would

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suggest that whatever we go forward with, that original motion be wordsmithed, amended or something that would reflect and give us the flexibility to either get to this point over time, change the 31 percent to say desired reduction or something that doesn't lock us into that fixed reduction all at once given the fact that there is an option that we voted on earlier that provides for some flexibility.

CHAIRMAN GROUT: So when you're amending this motion, you're still – and I'm just trying to get things clear for the plan development team. The underlying part that talks about giving the PDT and the technical committee the flexibility to change these size limits that you've proposed, these slot limits that you have proposed to meet the 31 percent; was that – I need to see the underlying motion but the 34 percent reduction is still – you're just amending the size ranges. The underlying part of the motion is still there as far as meeting it?

MR. NOWALSKY: The numbers 24 to 34 would be replaced by 28 to 34; and the number 40 inches would be replaced by 36, Mr. Chairman.

CHAIRMAN GROUT: Thank you very much. Is everybody clear on that? Is there further discussion on this amendment? Okay, Kelly has a question.

MR. PLACE: Following up on what Mr. Simpson said a minute ago about only two inches essentially being protected or whatever the alteration is; I totally agree with that, but I would also like to add that a slot limit is the definition of a discard, which is discard mortality. So when you start getting too fancy I think with these slot limits, you eventually can have your harvest eaten up by the discard mortality that you incur by making all these fancy slot limits. If your slot is 18 to 21 and all the fish are running 22 inches, you discard tons of fish just to get your amount; and at 8 or 9 percent discard mortality you can very quickly have your harvest allowance eaten. What is more, if you don't have your year classes in sync with your slot, your year classes are running an abundance of 24- to 28-inch fish but your slot is something else, you can even further be adding the discard mortality.

To that point, Mike Waine, I would like to ask you if you – or the technical committee, either one – if you calculate the type of discard mortality that you would get from any slot limit, especially fancy ones like this, when you come up with whatever reductions are. I assume you do, but it gets pretty hard when you've got these dual slot limits like this; and I would

hate to everyone's harvest taken up by discard mortality.

DR. DREW: Yes, we do incorporate discard mortality. Basically we look at the length frequency of what was harvested and say, okay, which of these – if people threw them back in this size class because that's what the regulations require, we assume 9 percent of those would die and so those get added back on to the harvest.

If 50 percent of your harvest is within your slot, you're still getting a little extra on top of that, so your reduction is not as much as it would be. Your other point about year classes moving through the fishery is a lot harder to deal with, which is not to say that we couldn't make the attempt, but it would definitely prolong this analysis.

MR. PLACE: If you don't get the chance to make that attempt or say the attempt doesn't work out; but in retrospect when you get the data in, you can tell how many were outside and how many were discarded and therefore what the discard mortality was. Do you end up calculating that and applying that as either an underage or overage for that specific year?

DR. DREW: Right; obviously, so going forward into the future we put these regulations in place and then MRIP will continue to monitor the catch; and we will have information on what is harvested and we will also have information on numbers that are released. The way we calculate sort of the size structure of the dead releases is to use basically either volunteer angler information or ALS type stuff that sort of gives us a rough length frequency of what was discarded. I think we will sort of have an idea of what died and the size classes. We won't know how much of that was specifically regulations or differences in angler behavior or things like that; but we will absolutely know in the future what proportion died due to discarding.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Just a question for Adam on the motion to amend just so I guess I'm sure of where we're going; Adam, in your motion to amend, should that be applied to the language above, the technical committee has to opportunity to adjust the open slot to achieve the 31 percent reduction all in one year; and this suite of measures would accommodate essentially the trigger mechanism that is currently in Amendment 6; is that correct?

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MR. NOWALSKY: Yes; everything else would remain the same in the original motion except we're just modifying three numbers in that original motion.

MR. O'REILLY: Mr. Chairman, I know you've gone quite bit over this, but I'm wondering if we want the public to comment why we aren't being more general. The idea that we're coming up with measures right now and don't have an idea of really what it produces may not be informative for the public.

I'm not sure why we're not asking them things such as do you still want two fish; and if so, do you realize one fish would have to be in a slot limit? Do you approve of slot limits? Do you want to raise the minimum size limit? Here is the status quo; now here is everything that follows. Things are not really settling very well on this approach, I don't think.

I think we have to come back in August one way or the other. But the other thing to tell the public is these are just examples – and I don't mean these examples necessarily because some of these are not ready to go anywhere, but I mean here is our examples in a generic way; know the states will have conservation equivalency opportunity and may have adjustments from that. I mean, I know there has been a lot of effort and a lot of input, but you can see how long just one of these has taken. I think the idea is the public probably doesn't need as specific for each measure, but they need to comment on what they approve of.

CHAIRMAN GROUT: Are there any other comments on the motion to amend? Wilson.

DR. LANEY: Mr. Chairman, this is just more of a general comment and not so much on the motion to amend. Personally I like things to be simple and understandable. I think we're getting into the realm where I find myself struggling with whether or not all these different options we're talking about are going to achieve what I think the board intends to do.

It seems to me there is two big intentions that we need to implement. One of those is to protect that 2011 year class to the extent that we can. The second one is to try and as much as we can reduce the impact on the larger fish, especially the ones that we see offshore during the wintertime, to try and keep that spawning stock biomass from diminishing as much as we can.

I guess what I would like to maybe hear from the technical committee and/or Dr. Drew is of the suite of options we're discussing, is there any way that the

technical committee can analyze these to say aside from that overall reduction in harvest, are there some options or a set of options that would maximally protect the 2011 year class and the big fish, the spawning stock biomass that we seek to protect?

MR. GODWIN: To answer your question, Dr. Laney, the SPR was one attempt to look at protecting the spawning stock biomass. We did not look at specifically protecting the 2011 year class that is moving forward through its size limits. I guess through the selectivity patterns we could attempt to do that, but that is not something that we looked at already. The SPR analysis was an attempt to look at protecting – what was the biggest bang for the buck for protecting the large spawners.

CHAIRMAN GROUT: Okay, we have an amendment on the board. I want to remind folks we only have about half an hour left here; and we do have a ways to go through this document. Keep in mind that what came out here in the document, even though it may not have been specific to what your state may want to have for slot, minimize size or bag limits, the technical committee and the PDT put together the range that we asked for; bag limit, size limit, slot limit, cut the commercial quota. We could go through an infinite number of iterations here; so I'm still hoping that we're going to keep this focused here. Is there any further discussion on this amendment? Okay, I'll give you ten seconds to caucus on this.

(Whereupon, a caucus was held.)

CHAIRMAN GROUT: The motion to amend is to move to amend the slot limit to one fish between 28 to 34 inches and one fish over 36 inches. The motion was made by Mr. Nowalsky and seconded by Mr. Augustine. Okay, all those in favor raise your hand; all those opposed; abstentions; nulls. We don't have enough votes, folks. The motion carries but we're short two votes.

MR. O'CONNELL: D.C. left for the day so that is one.

CHAIRMAN GROUT: **The motion carries nine to six to zero to zero.** All right, now we're back to the *main motion as amended* and we're going to have to vote on this again. Are you making a comment to the main motion which you have just amended?

MR. NOWALSKY: Again, I think it goes back to a degree to what Mr. Miller had asked. At this point the original motion has in it a 31 percent reduction;

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and how do we accommodate or describe this in the document that makes it compatible with the phased-in approach that we hypothetically may move forward with. I would just ask that the PDT find a way to explain this to the public how best to accomplish that. If there needs to be more discussion from the board here to further give them some direction; I think they would probably appreciate that or how best to come back to accomplishing that.

EXECUTIVE DIRECTOR BEAL: I guess a similar process question I had earlier; this motion is not part of the phase in. This is all in one shot; so I'm confused, Adam, how the explanation of the phase-in approach and this motion are related.

MR. NOWALSKY: I guess that would go back to the maker of the original motion, then, since they had included doing it all at once. If that's what we're understanding when we all walk out of here, then I'm okay with that, and that answers the question enough for me.

CHAIRMAN GROUT: That's I would see it is this option is an option that will address it in one year. We haven't even touched any of the options that would do it in the phased-in part. We're just working on that right now. Okay, all those in favor of this motion as amended raise your – **all right, the main motion as amended now says move to add to Section 3.2.2 an option for a two-fish bag limit with one fish at a slot limit between 28 to 34 inches and one fish above 36 inches, subject to technical committee review to adjust the open slot limit to achieve a 31 percent reduction.** All right, this is the motion as amended. I have two hands from the public that I'm going to take comment on this particular motion. Pat.

MR. WHITE: Mr. Chairman, before the public I think we need the maker and the seconder up there.

CHAIRMAN GROUT: Well, this is the amended motion.

MR. WHITE: It belongs to somebody.

CHAIRMAN GROUT: So this would essentially be Adam Nowalsky and then who was the underlying amender? It is the original maker even though it is amended; okay. Bob, who gets credit for this.

EXECUTIVE DIRECTOR BEAL: No one wants credit for any of this, I don't think. What we have been doing traditionally or our practice has been when a motion is amended, it has got portions of the

original and portions of the new and the maker and seconder. What we've done is record it as motion as amended and we've removed the maker and seconder. That's has been the practice at the commission. If you guys want to do something different here, we can do something.

CHAIRMAN GROUT: Patrick, if you can be timely with your comments, we would appreciate it so that we can get through this. Thank you.

MR. PATRICK PAQUETTE: Patrick Paquette, Massachusetts Striped Bass Association. Two questions, actually; so the first question is this motion passes – if a version of this motion passes, it will not change the Options A and B, the one at 28 and the two at 33, correct?

CHAIRMAN GROUT: Correct.

MR. PAQUETTE: The second question for you, Mr. Chairman, is when can a question regarding those two be made and when is it appropriate to do so?

CHAIRMAN GROUT: Not right now.

MR. PAQUETTE: I just want to make sure we're going to get the chance because we've just gone through like four motions where we didn't get public – and it is just some interpretation questions that I want to know so that maybe some comments can come before the board, but I don't want to interrupt this nightmare.

CHAIRMAN GROUT: You're interested in making comments on Issue 4, correct?

MR. PAQUETTE: Yes.

CHAIRMAN GROUT: Okay, while you're here make that comment and then you won't have to come back.

MR. PAQUETTE: I would like to know or I would like it clarified prior to the document leaving this body today. If it is going to be appropriate or if it has been analyzed since things are going up on the board now that weren't analyzed before this meeting; there are some of us that may be interested and can states choose both?

Could a state split and give an angler the option to go one at 28 or two at 33 if I own a private vessel. The public that I represent feels that it is very, very, very unfair once you get above 28 inches for a shore-based angler to have availability; and many, many, many

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recreational boat owners would be interested in the two at 33 and not mention how the charter fleets and depending on which charter fleet you're talking about.

I had a question before I even got to this building yesterday to ask that question is could a state combine two of those options, never mind some of these, which are clearly more conservative. I know I have a lot of people that would support it, but I just wanted to throw that into the mix; and so I'm going to duck now because that's a whole other conversation.

MR. LEO: As Amendment 6 requires at present that the recreational size limit be applied also to the commercial fishery; and this is a completely impossible set of size limits for the commercial fishery to deal with in the same way and would certainly result in a huge amount of bycatch mortality; however, in Addendum IV there is an option to free the commercial fishery from being obliged to have the same size limits; and I would assume that we would make that the only option if this in fact becomes the way to go. Thanks.

CHAIRMAN GROUT: There is an option in there currently that does that. Okay, back to the board. Louis.

DR. DANIEL: I just wanted to remind the board that North Carolina tried that choice with weakfish about eight years ago and it didn't work very well.

CHAIRMAN GROUT: Okay, we have a motion on the board; this is the main motion as amended. All states that are in favor of this motion raise your hand; all those opposed; abstentions; null votes. **The motion carries twelve to three.** Go ahead, John.

MR. CLARK: Through the lengthy deliberations I was able to realize it just finally occurred to me that none of these options mention the Delaware Bay summer slot fishery, recreational, at 20 to 26 inches; and I just wanted to make sure that they're added in there so they're not intentionally ended.

CHAIRMAN GROUT: You mean as a status quo item?

MR. CLARK: Well, for all the options it says – you know, like the two fish to one fish, it mentions each fishery that has like a separate size limit and things like that. I just didn't see it in there at all so I was just wondering if it would inadvertently be ended by

acceptance of these options. I just wanted to make sure it was covered.

CHAIRMAN GROUT: The analysis was all done under the assumption that all the conservation equivalencies that currently occur, which includes the Delaware slot limit, would be ended and you'd have to reapply for any new conservation equivalencies. Rick.

MR. BELLAVANCE: Mr. Chairman, I know it is getting late, but I do feel this is important. I would like to move to add an additional option under the recreational bag limit, Category 3.2.1; and I can read it here. I don't know where we are with options now, maybe D or E or something, but if a one-fish bag limit is implemented for the coastal fishery and the Chesapeake Bay Management Area; all jurisdictions could implement a two-fish bag limit for each recreational fisherman fishing on a party or a charterboat. Captains and crew of that charter and partyboat would not be considered recreational fishermen under this provision. If I can get a second, I can just –

CHAIRMAN GROUT: Is there a second to this motion? Seeing no second; the motion fails for lack of a second. Okay, I think we're ready to move on to Issue 5. These are all size limit options that are in the plan or in the addendum right now. Yes.

MR. ABBOTT: I would like to make a motion.

CHAIRMAN GROUT: What would that be?

MR. ABBOTT: I would like to move to accept Options A, B and C to be put into the public document.

CHAIRMAN GROUT: I don't think we need to do things. We're looking for changes, additions or subtractions. It is the same way we did it with eels; and if they were already in the document, we're going to assume it is there unless people want to specifically take out an option or add an option or modify an option.

MR. ABBOT: Thank you; I was thinking I was moving things along.

CHAIRMAN GROUT: Thank you for doing that; I appreciate that. Let's get this back up on the board and keep in mind something that Mike reminded; because of the previous motion we passed, we actually have an Option D under this, too, which is the option that we just passed. Rob.

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MR. O'REILLY: Mr. Chairman, under Option B, I know we've heard a lot about equity and fairness with other species. My pitch is opportunity. The reason I have the data from 1997 on is the Chesapeake Bay has had a bay-wide quota since 1997 for its recreational fisheries as well as the commercial fisheries as part of the quota. There has been a cap, a ceiling.

That quota has been adjusted. Originally it was 10.5 million pounds; now it is a little bit under 8 million pounds; so the amount of exploitable stock biomass that is present determines what the quota is. This is a difficult situation for a couple of reasons on Option B. One; one thing that held up Amendment 6 was it was realized when there was a promotion of a 24-inch size limit, it was in effect a reallocation of fish, and that stalled out Amendment 6 for a little while.

If this is just meant as a temporary situation, even that is not so good. I really don't like to be on the fly here with a proposal, but the bay right now is one fish 18 to 28 and one 18 and over; so essentially one fish over 28 in the bay. **I would move that the bay have one fish 18 to 28 and one fish 36 and greater.**

I can't begin to tell you what the savings are, but I can tell you it should be fairly substantial. I would like to replace the 24-inch minimum size limit in Option B with that option. I know we don't have a lot of time; but really when you think about it, having a quota that constrains you recreationally was really sort of a – I think about it sometimes in 1996 we were turned down two times for that request.

The third time I envisioned that a lot of board members got together and said let's see them get past that, which is the recreational quota. I'm kidding a little bit, but in a little way serious that it is a tough road to have. Virginia had to put on some pretty strenuous management measures from 2005 to '06 in order to make sure the bay-wide quota wasn't an overage. We put in no-take, slots and all sorts of things. I will leave it with that; on Option B it should be one fish 18 to 18; one fish 36 and greater or greater than 36 would probably be along the lines of what trophy fish there might be.

CHAIRMAN GROUT: That's one fish 36 and greater is the other one as opposed to greater than 36?
MR. O'REILLY: Yes.

CHAIRMAN GROUT: Okay, is that your motion up there?

MR. O'REILLY: Yes.

CHAIRMAN GROUT: Is there a second; seconded by Martin. Is there discussion on this motion?

MR. WHITE: Mr. Chairman, does this motion mean that whatever percent reduction it creates, that it goes with the motion; so is this different than the previous motions that said that the technical committee had the ability to adjust it to come up with the 31 percent?

MR. O'REILLY: This might be the first case of the incremental approach. I do not know, Ritchie, what this would garner in terms of a reduction. I just know that Option B was not the right thing to have in this. This would have to be an adjustable slot perhaps if it is incremental to get to the 31 percent. That is about the best I can tell you right now.

MR. WAINE: Rob, you probably noticed inherently this option is associated with a minimum size for the coast as well; and so is it your intent that this would now be coupled with the 33-inch minimum size that is contained in Option B for the coastal fishery?

MR. O'REILLY: No; this is strictly speaking to the Chesapeake Bay jurisdictions.

MR. WAINE: So then we would add an Option D that would be 33 for the coast and this motion for the bay?

MR. O'REILLY: Yes.

MR. WHITE: So if we do not adopt the phased-in approach and this does not reach 31 percent; how does that work?

MR. O'REILLY: I don't have the benefit of the savings right now, but the way this would have to work is to slide that slot higher. It would reach 31 percent depending on how high that slot was established, I would think. Again, not having the benefit of the savings right now, that makes it a little difficult.

MR. WHITE: So your intent is that this slot will create a 31 percent reduction; that is the intent of this?

MR. O'REILLY: No, I think my intent is that we have one year under the slot and make part of the reduction, the incremental – well, of course, let me back up a little bit. Yes; if you're thinking that the incremental approach is not finally approved, is that what you suggested, then we would have to modify this. To make sure it met the 31 percent reduction; we cross our fingers and hope when the 2013 data is

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analyzed, that we're at the target anyway, but in the meantime we can't do that yet. But, yes, that is what we would do, Ritchie.

MR. WHITE: I'm sorry, Doug, if can continue my follow-ups to understand this; so in this document, then when the technical committee determines what the percentage would be, it would be attached to this and there would have to be some kind of statement saying if the phased-in approach is not approved, then this would have to be adjusted.

MR. O'REILLY: I think that's correct.

CHAIRMAN GROUT: So what I got from this, just to be clear and make sure our plan development team, is that this will be a separate option. If this does not result in a 31 percent reduction in the first year under this option and we don't choose the phased-in approach, then the technical committee will have to make an adjustment as to what it would do to get it within a 31 percent reduction. Rob, am I not correct?

MR. O'REILLY: In principle but I think my staff will work on something, too, with the technical committee so that it is not just something that the technical committee doesn't have the benefit of talking to my staff. The other thing is the nuance here is that we aren't abandoning the bay-wide quota; but because we have the bay-wide quota, we really can't just push the small fish out of our exploitable stock biomass for a quota.

I mean that is really what the problem is with the way Option B reads now. When we set that quota for recreational fisheries in the bay and commercial, it is based on 18 to 18; so you can see that if we forego a large part of that, there is not going to be much quota. Now, when you look at this practically just from MRIP, it is about a 50 percent reduction just in Virginia. I think baywide overall, it is just a little bit less. There are considerations here that aren't typical to some of the states.

CHAIRMAN GROUT: Okay, is there any further discussion on this motion. Dave.

MR. SIMPSON: I appreciate the nuance and the overlying quota that provides protection, but I think it is going to be confusing to the public if nine out of the ten options presented are intended to achieve a 31 percent reduction. This one doesn't do that. That is predicated on we're going to take baby steps.

My preference would be that you incorporate the 31 percent contingency into this motion; the technical committee calculates that appropriate slot; and that's what goes in the public hearing document. If we adopt the incremental reduction as an alternative, then whatever the prevailing option is will get modified. It was clear in my mind; but looking at Mike's face, I know it is not clear to the outside world.

MR. WAINE: I think I see what you're saying. If we end up going with the incremental approach, we will end up adjusting whatever the most favored approach for the one year – let's just hypothetically say it is an increase to the minimum size and we will make that adjustment to correct for the appropriate minimum size to take it incrementally instead of in one year; is that correct, Dave?

MR. SIMPSON: Yes, that's my suggestion just so that these are all for the public apples-to-apples comparisons and people aren't sort of seduced by that one that doesn't look as tough because it is not; and then come to find out if we do this all at once, the states in the affected area will go, well, wait a minute, I bought – you know, I bought this other thing and now you're changing.

MR. O'REILLY: Dave really did drive it home a little bit and I think it is along with what Ritchie was asking about as well. I don't know what the language is right now other than the eventuality is the 31 percent reduction regardless of whether it is incremental or not or knife-edge. I don't know how much you want to capture in there considering that is going to be discussed by the board. If Dave is suggesting it just for conformity that it is left this way for now; that's fine.

CHAIRMAN GROUT: I think we need to make this clear, but, Ritchie.

MR. WHITE: The other motions that we passed that were like this, we gave the technical committee the ability to adjust the slot; so that is what needs to happen here if you want to have apples and apples. The technical committee can adjust the sizes in this slot to achieve the 31 percent; that is how we passed the other ones.

CHAIRMAN GROUT: That is up there now, right?

MR. AUGUSTINE: It's up there.

CHARMAN GROUT: Is there any further discussion on the motion? Walter.

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REPRESENTATIVE KUMIEGA: My apologies for dragging this out, but does the reference to the coast-wide fishery need to be in there or can this just be an option for the Chesapeake Bay?

CHAIRMAN GROUT: They're coupled.

REPRESENTATIVE KUMIEGA: But there are other options – I mean, if the public were to like the slot limit and not the 33-inch minimum, I guess we can fix that later on. If we get public comment that likes this for the bay and the slot limit that is in Option C, I think, for the coast-wide fishery, we can cut and paste them in the future?

MR. WAINE: If both options are achieving the reduction that is needed based on whatever the board decides the path it wants to go, then I think that you could mix and match. The board can mix and match the options. We coupled them because it simplified the document; but if we want to provide that flexibility to the board, I think we should make that clear in some language that the board could mix and match, if that was your intention; or decouple the options.

CHAIRMAN GROUT: Is there further discussion on this motion? Okay, I'll give you ten seconds to caucus.

(Whereupon, a caucus was held.)

CHAIRMAN GROUT: **Move to add Option D to Section 3.2.2 to have a two-fish bag limit at 33-inch minimum size limit for the coastal fishery (ocean) and to allow the bay to have one fish at 18 to 28 inches and one fish 36 inches or greater, subject to technical committee review to adjust the slot limit to achieve a 31 percent reduction.** Motion by Mr. O'Reilly and seconded by Mr. Gibson.

Okay, all states in favor raise your right hand; all those opposed. **The motion carries fourteen to one.** All right, we will take a two-minute break and you're not allowed to leave your seats. We're going to try and figure out between the executive director, myself and the chair how we're going to complete this right now, because we're bumping up against our time limit. All right, after discussing this, it is clear that at least today we're probably aren't going to be able to finish this document.

We're going to go as far as we can until ten after six; and then we're going to pick this up at 8:00 o'clock tomorrow morning. We're going to delay the start of

the South Atlantic Board and we're going to finish up tomorrow morning. That being said, our intent is to try and finish up a document but with the amount of changes that have been put in thus far, we have gotten advice from the technical committee there is very little chance of summer public hearings occurring.

Once all these options are brought together by the PDT, we will look at it again in August and then go out for public hearing in fall. Now, that is going to put some time constraints on people trying to get things in place for 2015, but I think we're going to have to push these things as hard as we can. Ritchie.

MR. WHITE: I thought when we met in Philadelphia we talked about doing something at the fall meeting, and the response was that we could not get regulations in place starting at that point and with the passage at that point. Then will mean then that we're going to go to 2016 will be the implementation.

CHAIRMAN GROUT: I can tell you from my particular regulations if we had a document approved in November, personally I could get things in place for 2015. What about other states?

MR. FOTE: We do it by legislation; so when I get the legislature to do that, but at least it will be by January or February, which means – because once the legislation is passed, that's the rule. It could be January or February; and since we don't have any fishery in January or February, we could have it in place. If they don't, you just vote us out of compliance.

MR. SIMPSON: Yes; we can do it in fairly short order, but I was going to say it doesn't have to be in on January 1, right? I mean if people can do it May 1, then the size limit change is May 1. With fluke, scup and sea bass, we're used to doing this; so I don't think it has to happen on January 1.

CHAIRMAN GROUT: Can you not do it?

MR. YOUNG: Well, conservation equivalencies and having to bring that back to the technical committee for approval, that is going to be even more of a delay, so I don't see how we could possibly do it by 2015.

MR. CLARK: Delaware; we can do it. I think the regulations; we have a hard time making it by the spring commercial season but we could probably do it, if we had to, by emergency regulation.

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MR. O'CONNELL: We would be able to do it as well.

MR. JAMES J. GILMORE: We would have no problem by normal rulemaking making the spring, and we could do it as an emergency as long as we could come up with a reason why we needed an emergency; so we can do it either way.

EXECUTIVE DIRECTOR BEAL: I think one of the variables will be the commercial fisheries. Some of those start early in the year but states will need to adjust those quotas midyear. The states will know at the October meeting what happens. North Carolina has the ability to start harvesting on November 1st, but I don't think they have in the last number of years; so it shouldn't be a problem.

I think on the conservation equivalency, it seems like there are two paths that the board is going down. One is the 31 percent reduction; the other is about a 10 percent reduction. The states could start developing those proposals and scenarios now. After the August meeting they can see what path is the board really on; is it this 31 and 10 or is it something different that comes up during the technical committee work this summer; and then they can start developing those and even have those ready for approval at the October meeting.

CHAIRMAN GROUT: So you'd make selections for an addendum and then have the conservation equivalencies sent forward to the technical committee at the fall meeting?

EXECUTIVE DIRECTOR BEAL: We could. The board has given the technical committee sort of deferred authority in a sense that said, all right, here is your proposal and if it meets 31 percent, then the state is allowed to implement it, or whatever the percent is. We may have to get a little creative and give the technical committee very strict review guidelines.

MR. O'REILLY: I know you're going to want to talk about this tomorrow, but again I think it is good point out when we get to the commercial quotas that since the bay has an overall quota for recreational and commercial, there haven't been any analyses done yet or any provisions in here to treat the quota as a reduction in quota for recreational and commercial.

So again each year we have the quota estimate for the entire bay, which after 2003 has ratcheted down to where I think it is about 7.8 million pounds from the original 10.5 million. I'm wondering if you're going

forward with the commercial end of the quota why the board wouldn't consider just the overall quota both fisheries.

It would be up to the jurisdictions then to figure out how that is allocated. In Virginia we do a 50/50 situation; so, for example, there was a 14 percent decrease in 2013, that meant the recreational fishery and the commercial fishery had to take the same decrease.

Of course, you do for the recreational fishery have to have measures that would indicate that. I want to put that out in front now even though the conversation can take place tomorrow. I don't think we've had to really talk about the bay quota in that light for many years.

CHAIRMAN GROUT: We have about 15 minutes here, so let's see what kind of progress we can make. Right now we're still on Issue Number 5. We just added an option to that. Is there anything else that people want to take out, change or add? Tom.

MR. O'CONNELL: **Under Option C I would move to remove the second sentence that pertains to the Chesapeake Bay two-fish bag limit in the 18 to 21-inch slot.**

CHAIRMAN GROUT: Is there a second; seconded by Martin Gary.

MR. WAINE: As I was talking about with Walter, we ended up coupling these options, Tom, and I'm wondering if we don't restructure this section to decouple and have like options for the coast and options for bay that achieved the reduction we need; so that then that gives the board the flexibility to mix and match. It seems what getting at with this motion is that you didn't like this specific option for the bay but the coast still stands, but it can't stand alone right now as the coast option, if you're following me on that.

MR. O'CONNELL: I appreciate the challenge the PDT is going to have and I think hopefully with additional time it will be cleaned up. My understanding is that whatever reduction we agree to, the coastal states would take that and the bay states would do that. I would say we do not believe this 18 to 21 inches is a good plan for the Chesapeake Bay, so we would have to look at a substitute component for the bay jurisdictions, but exclude this from this option.

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If it has to be coupled, we would have to look at another option for the bay that is potentially included in one of the other options. Personally I think the document would benefit if they were decoupled and we would look at a suite of things for the coastal fleet and a suite of things for the bay fleet and we're both looking at making the similar level of reduction.

MR. WAINE: The more changes we make, the more it seems to make sense to do that. We were just trying to keep the structure that we had in the fishery right now. I think you're right; I think we clearly have some restructuring to do.

CHAIRMAN GROUT: Clearly, if this motion passes, I would entertain a motion to decouple all of it or at least make sure we have a consensus that is the concept we want to move forward with in this document. We have a motion here. Is there any further discussion on this motion? Seeing none; I'll give you ten seconds to caucus.

(Whereupon, a caucus was held.)

CHAIRMAN GROUT: Move to remove the second sentence that pertains to the Chesapeake Bay under Section 3.2.2; Option C. Motion by Mr. O'Connell and seconded by Mr. Gary. Okay, all those in favor raise your hands; opposed; abstentions. **The motion carries eleven to two to two.** By consensus I think at this point I'd like to see if there is any objection to people decoupling the bay jurisdiction measures and the coastal measures for the recreational here? Seeing none; we will decouple them. Rob.

MR. O'REILLY: I thought you were throwing in the towel a little while ago so **I'm going to take this opportunity, since that's not the case, to add an option and the option would be that the reduction in the Chesapeake Baywide quota would be established to account for the reduction required.** It would include the recreational fishery part.

I don't know how to do this tomorrow when we get to the commercial, but I think in principle what is involved here is pretty much the same thing. The difference is the bay is going to have to come back with the proposals as to how it achieves that reduction. The quota would automatically be reduced from whatever level is finalized; so, for example, the 2013 level; and from there it would be a matter of providing options that would afford the 31 percent reduction. I want to add that as an option.

CHAIRMAN GROUT: Is there a second; Tom O'Connell. Is there discussion on the motion?

MR. WHITE: Looking at this, what public input are you asking for on this? I guess I don't understand the purpose. I mean I understand what you're trying to accomplish, but what is the public supposed to give us back on this motion?

MR. O'REILLY: Well, I think a lot of the public is very familiar just having looked at it for a while, probably a lot since Amendment 6, so 2003 or so, 2004; but there is a difference in the management system. I would expect that they would look at this and wonder whether it was on the same frame as the reduction in landings, and essentially it is. Maybe some would be perplexed by it, Ritchie, I don't know.

MR. FOTE: I guess, Rob, I'm not clear what this motion is saying. If we all have to do a 31 percent reduction – and because we don't have producing areas anymore so our producing areas will have to do the same as the coast. It is one fishery anymore, because Gordon did it that way with New Jersey and Hudson River and the Delaware producing area status; so I'm not sure where you're trying to get here. If you require the amendment to basically do that anyway, then why are you putting it as an option because you're going to have to do whatever reduction that is going on. I'm just confused.

MR. O'REILLY: I think what this does, unlike the two at 24, which I'm not even sure got eliminated at this point or the slot limit, which is not going to be very favorable, this allows the jurisdictions to make the adjustment to their regulations to achieve the reduction, but it gives them an option to do various things. For example, in Virginia I can tell you what would happen. The season could be different; the size limit could be different, those types of approaches that we wouldn't necessarily get from what we have now.

CHAIRMAN GROUT: Isn't this essentially conservation equivalency?

MR. FOTE: Yes; that's what I was going to say.

CHAIRMAN GROUT: So we already have that option in here.

MR. O'REILLY: I think that it is under conservation equivalency, but it is just something that is not really familiar right now as we go out for this document. I think it is worthwhile to note that we've got this bay-wide quota. We have a mechanism to modify our regulations to make the reduction without being put into the situation that we really haven't had a

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measure yet that we can say we would stand by that we would embrace. If the board thinks this is all going to be covered under conservation equivalency, to leave it at that.

MS. TONI KERNS: Doug, maybe it would help the board and the public if we were to put language in the document that explains what conservation equivalency could do so that all states and all members of the public from all states could understand that conservation equivalency could occur. I think there is some language in the document already that does state that, but we can relook at it to make sure it is very clear that option is available for everybody.

When we do the public hearings in those states, we can work with the state to emphasize what types of conservation equivalency they have done in the past or are thinking about doing; so that we don't add additional options that may make one state think that another state is getting a potential advantage.

MR. O'REILLY: I think all is well but you have to understand seeing these options in the PDT and realizing that no one was really very supportive of any of these options is what led us to talk about the bay-wide quota and maybe not to forget that the recreational part is in there. I think the end result will be the same as what other states face with one fish or one fish with a lot. I think it will achieve the same benefits; the same reductions.

CHAIRMAN GROUT: You have made the motion and it has been seconded. If you would feel comfortable going with the conservation equivalency being put up front in the document as an option that any state can have on this clarified, that might make things simpler for the PDT. Your motion is up there. If you want us to vote on it or not, I'll be glad to.

MR. O'REILLY: If there is some recognition that the Chesapeake Bay beyond conservation equivalency implemented a bay-wide quota for its recreational and commercial fisheries in 1997 and it is still there, then I think if the public sees that, then I would say what motion?

MR. WAINE: Once again I'm trying to think of how we could better improve the document for clarity. If we just end up including an option that takes the reduction off of the total coast-wide quota and then the bay states decide how to split it between recreational and commercial; I think there is more information that should go into that approach like what kind of management measures you would use

and what minimum size and that sort of thing. Is that kind of what you were getting at, Rob?

MR. O'REILLY: I think that's where it would end up and I'm happy to withdraw my motion; and then tomorrow I want to reserve the right to come back to this jumping-off point as far as where we're taking the reductions. I know that got passed by. I was bringing that up back when Tom was doing the interval of the reductions.

I think it is going to be important tomorrow to talk about as we move forward and don't forget that the assessment is through 2012. I'm sorry to bring that up again, but it really is an inconsistency for me. I'm hoping some of the other board members see that as well, but I'll withdraw the motion given the nice conversation.

MR. ABBOTT: Parliamentary question; the motion does not belong to the maker anymore. The motion belongs to the board.

CHAIRMAN GROUT: As Rob as offered to withdraw it; I'm going to ask the board if there are any objections to this being withdrawn? You're objecting to it, Pat?

MR. AUGUSTINE: I do, Mr. Chairman. I would suggest that this motion be tabled to time certain, tomorrow morning at the commencement of the meeting. We will address it; it is on there; and we don't have to defeat it or anything.

CHAIRMAN GROUT: All right, so you object to this. Personally I don't think it needs to be tabled because we're going to suspend operations until 8:00 o'clock tomorrow morning. It almost seemed like it might have been cleaner if we had just voted it up or down. If you are objecting to this. I think we should have voted. We're moving to recess until 8:00 o'clock tomorrow morning.

(Whereupon, the meeting was recessed at 6:10 o'clock p.m., May 13, 2014.)

MAY 14, 2014

WEDNESDAY MORNING SESSION

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission reconvened in the Presidential Ballroom of the Crown Plaza Hotel Old Town, Alexandria, Virginia, Wednesday morning, May 14, 2014, and was called to order at 8:00 o'clock a.m. by Chairman Douglas E. Grout.

CHAIRMAN GROUT: Board members take their seats. We have a lot of work to do here and we've got to do it in a short period of time. I'm going to ask during these deliberations to keep your comments short and sweet. I'm only going to go to each person once on a comment on a particular motion. Yesterday we left off; we were on Issue 5. We had a motion on the board.

We were going to withdraw it, but there was an objection from the body politic to withdraw it; so we're going to vote on it as is. Okay, we have this motion on the board; is there any need to discuss this or to caucus? I will read it: move to add an option to reduce the Chesapeake Baywide recreational quota to account for the required reduction. Motion by Mr. O'Reilly and seconded by Mr. O'Connell. Are you ready to vote? All states in favor raise your right hand; all those opposed. **The motion carries twelve to three.** Are there any other items on Issue Number 5, recreational size limits? Bill.

MR. WILLIAM J. GOLDSBOROUGH: Mr. Chairman, at the end of the day yesterday you asked us to reflect on where we were and where we might need to go. It seemed to me that with all the different combinations of slot limits and maximums and minimums that maybe it would be most helpful if we put together a table that showed a wide variety of options of slots and what you've got for them with a two-fish bag. That would inform the public and us, frankly, when we come back about what the most suitable options might be.

CHAIRMAN GROUT: Is there any discussion on that? Wilson.

DR. LANEY: And along with that suggestion, maybe we could also ask the technical committee and PDT and staff to think about the question I asked yesterday about which, if any, of those options might be most likely to achieve our management objectives of protecting the 2011 year class and maximizing the protection for the remaining SSB that's out there.

CHAIRMAN GROUT: Yes; that can certainly be added in. Is there any further comment on the wide variety of slot limit options? My concern with that is that we have infinite options here; and that can be also very distracting to the public trying to focus in on an option unless we give them a preferred option. Ritchie.

MR. WHITE: I guess for Katie; how much work is involved and how much time is involved in working each slot option? Is it as simple as once you do one, you just plug in the others and it is easier? Is each one difficult and time-consuming in its own right? I have a follow-up after that.

DR. DREW: Up on the board actually is the slot limit analysis that has been done already; so in terms of trying to figure out two fish in a slot limit, we've already done a lot of the tweaking of the possible actions; and that is done. The more complicated issue is trying to figure out how you allocate that bag limit between two different size classes. That is going to require a lot more work to go back and redo how we do these analyses. It would have to be a completely different approach using slightly different data sources, so I can't say how long it is going to be but it is definitely more work than we have done so far.

MR. WHITE: The second question would be the timing of having this work done and then if the advisory panel is going to meet, which it sounds like they're going to, when that would happen and then if they would additional options; and if that is the case; would those then go to the technical committee.

Then finally when we get to August after the public has given input, what happens then if there are new alternatives that the public has brought forward that have not been run yet? I have this concern of this continuing process and continuing work for the technical committee and this goes along such that we'd never get to the point where we are going to make a decision.

MR. TRAIN: Not to put more work on you, Katie, but this graph is very easy to understand; but with a lot of the motions yesterday including a trophy fish, which I'm sure would bring these numbers down significantly; and I would really like to see those numbers, too.

DR. DREW: Of course, you guys have already tasked us to do that so that is going to happen, but it

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is not as simple as going back to this analysis and tweaking it a little. It is going to take a lot more time.

MR. SIMPSON: This table is really helpful; it might have saved us quite a bit of time yesterday. Now you can see what works and what doesn't work and why you chose the ones that are in the addendum; and this is two fish within a slot and so the alternative that you're going to work on presented this way so that, to Ritchie's point, you can see what works and what doesn't work. I think that will be really helpful for the document.

MR. NOWALSKY: Since I was one of the people that put up another option yesterday, I think if it helps the technical committee I'm interested in the 28 to 32, 33 and 34 with a minimum size for the upper fish of 36, 38 and 40 inches.

If there is consensus around the room that we basically limit it to those options for review, the slot limit would be 28 to 32, 28 to 33 and 28 to 34 and the minimum size for the trophy fish of 36, 38 and 40; that might help guide them. I know that was things that I've discussed with a lot of fishermen that we would look at as options. I'm not looking for an infinite number of options. I don't really think the fishing community wants to either. I think really the important thing is just to let them evaluate a slot fish plus a trophy fish; and that is really the idea that we want put forth in the addendum for their comment.

REPRESENTATIVE CRAIG A. MINER: I find that most of the people that attend these are interested in that percentage of reduction, and so I do think that a table will provide us a lot of guidance as we move forward. It is those kinds of folks that we usually hear from, and I think they're trying to help us hit the target at the same time to provide the opportunity for fishermen.

MR. WHITE: It wasn't clear to me whether the technical committee is going to come up with options for the 10 percent a year reduction or whether that's going to be up to the states to provide the technical committee, if that passes, and I guess my concern is then how does the public give input on that without knowing what sizes would be in the regulations?

CHAIRMAN GROUT: Originally I was hoping that people might come up with some ideas here like we come up with ideas for meeting the one-year reduction here so that we would have something they would analyze. If you want to task the technical committee to come up with those ideas, that's fine.

MR. WAINE: When we break down the reduction into the three years and determine what that percentage is, I think we can start matching that percentage with tables like this that show what options would achieve the percent reduction that is associated with the three-year timeframe as opposed to the one year and then structuring the document so that is clear what options would achieve the three-year timeframe and what options would achieve the one-year timeframe.

MR. O'CONNELL: Just to provide my perspective, I think based on the decisions yesterday of the board I see that we're looking to provide the public an opportunity to comment on three options. One is status quo; one is to reduce the target within one year; and one is to reduce the target within three years.

Hopefully, the document could be structured to explain that to the public so they can weigh in on that part of it. Then when they decide on what timeframe and they get into it, they look at these types of scenarios. I think we've talked a lot about size limits, slot limits and creel limits. We spent a lot of time yesterday trying to guess at what our stakeholder preferences are and not having the technical analysis to determine even if they meet the reductions.

When we left here yesterday, I got the sense that the board identified what kind of tools we were interested in; and I was hopeful that the technical committee, the PDT and the advisory panel could take that information and begin putting together a package that could come back to the board in August that we could look at and have better input from a technical perspective, from our stakeholder perspective; and with maybe a more well-rounded PDT, we'd be having an easier conversation on identifying what to take out for public comment.

It sounded like yesterday deferring that to the August meeting would still allow the states to implement action in 2015. We spent a lot of time yesterday and I was thinking maybe a more efficient process would be to use the input that we've talked about on the tools and task the PDT to work with the advisory panel and the technical committee to put together a suite of options, including tables like thus, that we could more closely examine in August.

EXECUTIVE DIRECTOR BEAL: Mr. Chairman, just to sort of add on to what Tom is saying, I think the other thing that we did when the board was working through some pretty difficult situations in menhaden was they set up a working group with half

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a dozen or some commissioners. They weren't a decision-making body.

They were just sort of a sounding board for the PDT to come back with different ideas. I think if the board wants to pursue something like that and divide it up between a couple of bay representatives, northern coast, mid-coast and southern representative, something along those lines may work to get out of this. As yesterday proved, it is kind of hard to come up with all the options through the motion process here with this big of a group.

MR. GIBSON: Mr. Chairman, I'm not convinced that either the board or necessarily the staff understand what Tom's intention was in the second motion relative to the phase-in, whether he is talking about a three-step phase-in to the harvest cuts or whether he is talking about a three-year time to delivery of reaching the F target 50 percent probability because they're very different things.

When staff first explained it, they talked about this was a percent reduction lower than 32 or 31, which would achieve your F target in three years. That is with time lag. I think Tom was talking about, no, I want to see the harvest cuts phased in so that 32 percent achieved in ten increment bites over the course of three years. The time to ascertain associated with that, we don't know what it is. Those are two very different interpretations of the motion. I certainly don't understand which one it is; and if the staff doesn't, they're not going to be able to work these options in terms of delay the phase-in option.

CHAIRMAN GROUT: I thought when that question was brought up that we tried to clarify that with the maker of the motion; and the maker of the motion said the latter is what you described, what Tom had described that was –

MR. GIBSON: But I just heard Tom today, following up, Mr. Chairman, that he was talking about attainment of the target, the delayed attainment of the target within three years. That goes back to I think what the staff and I originally had the conversation about; so it is just a matter of mixing terminology, but we'd better know which one for sure it is.

The latter one we're talking about is ill-defined right now for the technical people because they don't know the total reduction how those three bites are supposed to sum to nor has the board specified what comfort they have in terms of how long it takes to get

to your F target. One of those two has to be specified in order for options to be constructed.

CHAIRMAN GROUT: Mark, I thought I understood but now you're making me think that I didn't understand. I thought we were going to take – that we were looking at a 32 percent reduction in harvest to attain our F over a how many year period? Thirty-two percent was for two years; so then we would take that and the changes over the three years.

Again, the maker of the motion, the way I understood it after his clarification was, okay, we're going to make adjustments to our management plan to Year One that going to result in an 11 percent reduction in harvest. Then the second year is going to amount – there are going to be changes to the management program that will result in now a 22 percent reduction in harvest over whatever our terminal year was; and then the third year you'd have a third management program that would get you to the final 10 percent.

MR. O'CONNELL: Just to clarify as the maker of the motion, you have captured it correctly; and just to add to say it is at 11 percent, that would be a minimum. A state could take more action that first year if they wanted to, but that was the methodology that I was intending by my motion.

CHAIRMAN GROUT: So is the PDT clear on that? Okay, Rob.

MR. O'REILLY: Mr. Chairman, this just reinforces for me the idea that there should be an incremental approach to this. This reminds me of all the efforts the commission has taken on summer flounder with states previously where you start out knowing there is a certain target, and in this case it is number of fish, and you have to either have to reduce or liberalize.

Very often that doesn't really work out, but eventually given a couple of tries at it, sometimes two or three tries, you eventually get your management to where it should be. With this situation, no one is talking about what happens after one year if the fishing mortality rate target is not met. We have to go in a little bit blindly and say that the approach is to get to that target; and then later on there will be a reevaluation, I'm sure. This adds a little bit more credence to maybe not just taking one fell-swoop reduction.

CHAIRMAN GROUT: Okay, we have had a suggestion here of maybe reorganizing the document into the three-step approach versus the one-step approach and then having a table of options under the

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different size limits and the different slot limits. I'm not sure that we could do much with a one-fish – we couldn't really have that much change in the one-fish creel limit, but have that; and then potentially put together a working group was suggested by the executive director that would work with the PDT and the technical committee to help guide this and then bring back a document that would be in a different structure than we have right now. The only thing I'd like to – if the board would like to go in that direction; I think I'd like to go down to the commercial section and get a little bit of board guidance on some of the commercial options we have here to provide to the PDT. Let me hear from the board. Dave.

MR. SIMPSON: I can picture that document getting really difficult to present and understand for the public and being faced with a choice of pay your taxes now or pay them three years from now; most people will wait three years. I almost wonder if we should just make that decision that this is a three-year plan or this is we're doing it next-year decision here now and then create the document that we need to deliver that timetable.

DR. DANIEL: We did that for black drum, if you recall. We had a phase-in and I believe, though, everybody elected to go ahead and implement everything right away; but we did have that option in the Black Drum Plan. I think that might help clarify the document a lot more if we had that approach in that way.

If there were states that wanted to go ahead and take the action, there is nothing that is preventing them from doing that. That could simplify the document a lot if that is what the board wants to do. I agree with your decision to move on. We've got to roll on this. We've got people that are going to have to be leaving for other meetings that haven't started yet. If we could get moving and make a decision there and then move into the commercial stuff so we can give some direction, that would be great.

CHAIRMAN GROUT: What is the pleasure of the board? I think because of the way we've set that up, that would require a motion. Right now it is an option; and, clearly, that is a major management decision or major policy decision because what Amendment 6 says is one thing; and now because this trigger has been met we're changing that policy that is in an amendment.

MR. AUGUSTINE: I think at the end of the day if we just decide we're not going to follow through on

what our commitment was last year to be well on our way to recovery and implementation January of 2015 and come up with anything that is going to dilute the direction we're going, I think we will totally lose the credibility of the public.

We said this is the way we're going to go. I think Mr. O'Connell has a great idea if you want to add it as an option but not to take away the plan that we were going with. What convinced me to say this is the charts that Katie put together. It is calling for two fish for either the coastwide or Chesapeake. What is the problem? You call out for slot sizes; people want two fish.

Well, if that is the case, in New York they don't want two fish. The surf guides have got about 4,500 names that say they only want to have one fish greater than 32. They've made a commitment that no matter what we do, even if the sizes are smaller, they're going to take one fish greater than 32. There is a lot of emotion out there; and to do anything other than what we committed to do, we're going to have mud all over our face and we're going to embarrass ourselves.

I'm not going to want to go back home and tell the people here is what we did, we did a great job. I will also commit to you that we've got in New York a whole bunch of people listening to this webinar and they're seeing where the action is coming from and they're getting the sense, I'm convinced, of what we're trying to do.

We're trying to accommodate everyone with slot sizes and so on. I supported the motions that Adam made because they're options to go out there, understanding full well that Katie and Mike would come up with the statistics that would show either, yes, they're viable or not; so that when the document goes out to the public, it will in fact show the public that these are all the options that were considered.

They can throw anything at us that they want at that point; it doesn't matter. The technical committee, the PDT, advisory panel and we have agree to it that they're either doable or not doable. I would see Mr. O'Connell's option as an option and not mess around with what our commitment was to move forward with trying to reduce the mortality on these fish. Thank you.

MR. SIMPSON: To sort of move the decision along; I'm going to make a motion that we include in the public hearing document only options that achieve approximately a 31 percent reduction as shown in the

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Draft Public Hearing Document. Is that a two year to rebuild; so a two-year rebuild strategy.

DR. DREW: Yes, the 32 percent achieves the F target reduction in two years.

MR. SIMPSON: So, to that, to achieve the 31 percent reduction in a two-year timeframe.

CHAIRMAN GROUT: Ritchie; are you seconding it. Tom Fote.

MR. FOTE: This basically undoes the motion we made yesterday and so it is a continuation of the meeting; and I don't know if you need a two-thirds vote or not, but we will discuss that. The credibility is that we're basically trying to accommodate fishermen. New York has always wanted one fish. When we opened the fishery when there is plenty of fish, their surf fishermen wanted one fish. That is not the reality in New York.

That is the reality of other states, and this is a compact of all the states that we try to accommodate our fishermen whatever they need. Maybe they will come up with one fish when we go to public hearing, but I'd like to put a broad span of options on the table. Pat, we do that with every plan. I'm always amazed that after we come out with all the options and go to public hearings and we come back and we always find a new one the day we implement an addendum.

I have no problem and our credibility always stands as it is. We protect the striped bass; we've done a good job. People have different – you sit ten striped bass fishermen a room and they have ten different opinions on how you're supposed to manage striped bass. It has always been the case and that has been the case for 35 years that I've been dealing with striped bass management. I have no problem basically going out with a bunch of options. I think this overrides all the time we spent yesterday, so I can't support this.

CHAIRMAN GROUT: Okay, because this would essentially override a motion that was made yesterday, I need to ask you – and I don't know; were you on the prevailing side, David, yesterday when we made this motion to add a second option. If so, you can make the motion, but it is still going to require a two-thirds vote to override it.

MR. SIMPSON: **Yes; the motion to achieve reduction over three years with each year achieving a third; yes, I was on the prevailing side.**

CHAIRMAN GROUT: Okay, so now we have a motion on the board to reconsider – I think this really needs first to be a motion to reconsider; and then once whether we vote that up or down, then you can make the change. Okay, we have a ruling here. Under Roberts Rule of Order, this motion to reconsider only requires a majority vote. It can be debated. I'm going to take debate on this motion to reconsider. We need to actually correct the motion. It needs to be a move to reconsider. Bob.

EXECUTIVE DIRECTOR BEAL: Kate will pull up the old motion, but what we need to do is reconsider that motion that is on the board.

CHAIRMAN GROUT: It is a move to reconsider the motion on the board.

EXECUTIVE DIRECTOR BEAL: Doug, I think the wording would be just move – the motion from yesterday, insert the words “move to reconsider” the motion to put options and then carry on all the language from yesterday. We're simply reconsidering that motion. All the wording that is in the second paragraph there, I think you can delete.

MR. SIMPSON: Point of order. I'm hoping to save time both now and for the technical committee. We've talked about this a lot and I hope we don't have to debate whether to reconsider. We can vote it up or down and let's keep moving.

CHAIRMAN GROUT: Okay, the motion is to reconsider the motion to put options in Addendum IV to achieve the necessary reduction over three years with each year achieving a third of that reduction level. This is motion is made by Mr. Simpson and seconded by Mr. White. Okay, anybody have a burning desire to debate this? Tom.

MR. O'CONNELL: First, it is my understanding with this motion, it wouldn't be that we'd be looking at a reduction of like 15 percent in year one and 16 percent in year two. This would be 31 percent right off the front, right up front; is that correct?

CHAIRMAN GROUT: This would 31 percent right off the top.

MR. SIMPSON: Yes; if this passes, then we need to tinker with the motion that was being drafted, yes, because it is intended to go back to the public hearing document, cut harvest 31 percent to achieve the target F within two years. That is my understanding of what the document now says.

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MR. O'CONNELL: Just a follow-up comment, then; there have been a few comments about the public sentiment that we set a charge in October and we're failing that charge. I think it is very important to note that in October we set for the charge to develop bay-specific reference points; and we learned just a week or week and a half ago that the technical committee was not able to develop those bay-specific reference points.

Some of you may not have had a chance to look at some of the analysis with those options that the technical committee brought forward; but the SCA Model approach, which was kind of discounted because it was overly conservative because it didn't account for the fact that the bay is primarily fishery – if that overly conservation option was established for the bay, we would be taking a less than 30 percent reduction in the bay jurisdictions.

With the lack of those bay-specific reference points, we're looking at taking a 31 percent reduction in one year that is primarily a male fishery. I think it is very misleading to the public that level of impact that is going to have significant socio-economic impacts is going to result in the protection of females that the model is forecasting.

As we are changing the reference points that is going out for public comment, I think it is fair to give the public an opportunity to provide input on the timeframe to achieve the reduction in F rates to the target level, particularly when we have the SAW/SARC report that recommended that the board update the 2013 assessment before taking action in 2015.

We much find out that we're much better than we are right now. As Tom Fote has previously stated, we're going to take a 31 percent reduction and may be in the position a year from now or later this year to find out that level of reduction was not warranted. I really encourage the board support to give the public an opportunity to weigh in on the timeframe and we can make the decision later on this year on how we want to go forward with 2015. I encourage the board's support to oppose this motion. Thank you.

CHAIRMAN GROUT: Okay, are we ready to vote on this up or down. Do you need time to caucus? Okay, all states that are in favor raise their right hand; all those opposed; any abstentions; any null votes. **The motion fails.** Okay, about that working group, we're going to have two paths that this can take.

Is the board comfortable with developing a working group that will work with the PDT and the technical committee to develop a document that will have options that would a reduction in three years and a reduction in one year? Okay, is there any objection to doing that? Seeing none; can I have volunteers for that? Okay, I have Rick Bellavance, Rob O'Reilly, Adam, Kelly, Tom O'Connell, John and myself will be on that committee.

Now, the only other thing at this point in the interest of time is I'd like to go down to the commercial area reduction table and take a look at that. Is there any guidance that the board would like to give to give them, particularly anything you'd not want to see in there or any modifications or any additions? Louis.

DR. DANIEL: **I have a motion that I would like to offer and I would make a motion that we eliminate Option D, which basically results in a North Carolina quota of zero. Is it C or D; I'm sorry, C.**

CHAIRMAN GROUT: We have a motion and a second to that motion to eliminate Option C from this table. Any discussion on this motion? Seconded by Russ Allen. Okay, let's vote on this motion. All states in favor raise their right hand; any opposition to the motion; any abstentions. **The motion carries unanimously.** Anything else? Louis.

DR. DANIEL: Just one more point that I would like some consideration to. I'm not really exactly sure how to address this, but North Carolina has had issues. Over the last three years at least where the other states are landing their striped bass, North Carolina has not. Last year we had zero landings.

That was why Option C showed that our reduction from 2013 would be zero because we didn't catch any and the year before that we didn't catch any and the year before that we really didn't catch any. We have not harvested almost a million pounds of striped bass over the last three years but are looking at a cut; and that is inconsistent with the way all the other states are going to be taking a reduction because they actually harvested fish.

I don't know what the answer is, Mr. Chairman, but I can assure you that those will be significant comments coming out of North Carolina for the final draft; and so just wanted that concern to be on the record.

I'm going to try to come up with some option that won't disadvantage us tremendously; but dropping us from 480 to 330 when we haven't caught any fish in

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three years is not going to set well back home. Just a comment and I don't intend on taking any action at this time.

CHAIRMAN GROUT: Okay, John Clark, you had your hand up and then Rob O'Reilly. I'm going to remind you we have a couple of things that we need to do outside of this addendum before we adjourn here.

MR. CLARK: I'll make this as brief as possible, Mr. Chairman. I had an option I would like added to the commercial options; and the option is to return the commercial quotas that were in place during the last year of Amendment 5. If we can get a second on that, I can just discuss why.

CHAIRMAN GROUT: Seconded by Steve Train.

MR. CLARK: Like I said, I'll keep this quick. The state quotas under Amendment 5 were based on a target F so all state quotas were calculated using the same methodology. When Amendment 6 came in, the decision was made to base the quotas on average landings from 1972 to 1979. This worked out to a big increase in quotas for most of the states, but certain states such as Delaware did not receive any increase in their quota during the passage of Amendment 6.

I just looked back at the quotas under the last year of Amendment 5; and if we reinstated those quotas, it would be a 34 percent reduction coastwide. Under this amendment, I further modified it to ask the technical committee to adjust the reductions to the states that would take reductions under this to achieve a 31 percent reduction. I suggest looking at it as a fairness issue to states that did not see any increase in their quotas under Amendment 6.

CHAIRMAN GROUT: Is there any discussion on this motion? Seeing none; I will read the motion while you're caucusing.

(Whereupon, a caucus was held.)

CHAIRMAN GROUT: **Move to add to the commercial quota allocation the option of reinstating the final Amendment 5 coastal commercial allocations as approved in 2001. Because this would result in a 34 percent reduction from the Amendment 6 allocations, the technical committee shall adjust the state reductions to achieve the 31 percent reduction from the Amendment 6 allocations.** The motion is

made by Mr. Clark and seconded by Mr. Train. Dave.

MR. BORDEN: Mr. Chairman, just for my own edification and maybe I'm the only one that's confused here, but could one of the staff members put up the state quotas under Amendment 5 so we all know what we're voting on.

MR. CLARK: I did send you that chart. If we don't have the table handy, I could just state by state what the reductions based on my calculations would be. New Hampshire would be 30 percent; Massachusetts, 30 percent; Rhode Island, 45 percent; Connecticut, zero; New York, 44 percent; New Jersey, 30 percent; Delaware, zero. Maryland, Virginia and North Carolina would all be about 30 percent reductions.

CHAIRMAN GROUT: Does that satisfy you, Mr. Borden? Is that good enough or do you want to see the actual figures?

MR. BORDEN: I'd still prefer to see the actual figures; but if I'm the only one that thinks that, please proceed.

CHAIRMAN GROUT: While we're waiting for this; I've got Rob.

MR. O'REILLY: I appreciate the motion from Delaware; but I recall in starting Amendment 5 it was 97,000 in Virginia and now we're 184,000 so that would be more than a 30 percent reduction.

MR. WHITE: While we're waiting, does anyone remember why there was this change from Amendment 5 to Amendment 6; what was the reasoning behind it. I don't remember.

CHAIRMAN GROUT: My memory of it is that we went to Amendment 6; we had a recovered stock and that we felt that we could actually increase the quotas back to the original '72 to '79 levels that we had. I think this was an increase in quota because the commercial fishermen had been constrained for a number of years and that the recreational fishery under the current management were able to increase their harvest; and so we were giving the opportunity to increase the commercial quota. Another historian, Roy Miller, would you like to hop in on that?

MR. MILLER: I think you're exactly correct, Doug. While we're bringing up the table, I wanted to just raise a related issue, if I may. When we embarked upon reopening the striped bass fisheries in 1990; we made some arguments at the time which still holds

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some validity; for instance, for conservation equivalency for the Delaware Bay Gill Net Fishery, 20-inch minimum size for commercial gill nets for striped bass.

The argument at the time was it was a bycatch in the shad fishery. That fishery still exists and that gear still exists and how it is prosecuted hasn't changed much over the years. I hope we don't have to revisit those 24-year-old issues again and convince the rest of the board that conservation equivalency is called for. If the commercial fishery has to be reduced 31 percent, so be it, that's an easy reduction in poundage; but to revisit all those old arguments for conservation equivalency I think would be counterproductive and I just hope we don't have to go through, Mr. Chairman.

MR. FOTE: Well, since we're using Table 5 under Amendment 5, I'd like to put back that were producing areas and some of the years that was basically taken away in the dead of night when some of us left the meeting in Rhode Island many years ago and did away with the Hudson River as being a producing area and the Delaware River as a producing area.

We're going to back to this; it is not going to make any difference, but I just would like to have it on the record that we are a producing area since it was taken away from Delaware, New York and New Jersey during that period of time on Amendment 6 after Bruce Freeman and I left to catch a plane.

MR. BELLAVANCE: Mr. Chairman, just a little clarification; so if we were to agree to this change, would then the 31 percent reduction be based on those final Amendment 5 allocations or would this take care of the reductions that need to take place?

CHAIRMAN GROUT: John, can you clarify that for us?

MR. CLARK: Well, because as I said the total would be more like 34 percent; if you look at the total reduction, I asked that the technical committee adjust the reductions to the states that would take reductions to make it a 31 percent rather than a 34 percent reduction. It is a 3 percent difference there; not much.

CHAIRMAN GROUT: Okay, this is to add an option. Paul.

MR. DIODATI: Just so I'm clear; does that mean that essentially the reductions are capped at 31 percent? In other words, if a state is at 45 percent,

they're not going to have that reduction; they would get a 31 percent reduction? Is it going to cap it?

MR. CLARK: I didn't check all the ramifications here, but, yes, some states based on what those quotas were, yes, it would more than a 31 percent reduction.

CHAIRMAN GROUT: Is everybody okay with that clarification? Okay, are you ready to vote? All states in favor of this motion raise their hand; all those opposed; abstentions. The motion fails two to eleven to two. Anything else on this? Okay, so we're all done with Addendum IV for now. Russ, do you have something?

MR. ALLEN: Yes, just a clarification under Section 3.3.2, Issue 7, Option B where it states "and the Delaware Bay Shad Gill Net Fishery"; that is Delaware's Delaware Bay Gill Net Fishery. I don't think we need to open up a commercial fishery in New Jersey under this option. It is just a clarification thing.

CHAIRMAN GROUT: Okay, thank you very much for that clarification. Dave.

MR. SIMPSON: I may have napped, but I wanted to make sure did we cover the Chesapeake Bay options?

CHAIRMAN GROUT: As far as commercial?

MR. SIMPSON: Yes.

CHAIRMAN GROUT: I have asked for any changes.

MR. SIMPSON: So the one Option D that is like Option C in the coastwide that Louis had removed, the Chesapeake Bay folks are okay with.

MR. O'REILLY: Thank you, David; no, I'm not okay with that. As I stated yesterday, we have ITQs in Virginia; so really it would be an extra situation for us to take that type of reduction on the landings. I really, when I was paying attention to Louis, was thinking that took care of us, but thank you. **I would move to remove that option for the Chesapeake Bay.**

CHAIRMAN GROUT: So your motion is to remove Option C from the Chesapeake Bay commercial quota options?

MR. O'REILLY: No; it is Option D, Mr. Chairman.

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CHAIRMAN GROUT: Thanks for that clarification. Is that your motion?

MR. O'REILLY: Yes, it is.

CHAIRMAN GROUT: Is there a second; Dave Simpson. Discussion? Seeing no discussion, I will read the motion and it will give you time to caucus on it. For those who are looking for numbers, it is on Page 13 of the document. **Move to remove Option D under Section 3.3.1.3 (Chesapeake Bay).** Motion by Mr. O'Reilly and seconded by Mr. Simpson. Okay, all states in favor of this raise your right hand; all those opposed; abstentions, null vote. **The motion carries thirteen to one to one.** Is there anything else the board would like to take – is this something that we might be able to take up with the working group? Okay, go ahead.

MR. ADLER: Is Issue 7 just rolled through here; stays as is?

CHAIRMAN GROUT: Commercial size limits; is there anybody that wants to change or make additions or take things out? Seeing none; we will move on. I think that is the last section of this document. We have a working group and we will move forward. Thank you very much for your work here. We do have a couple of other items that we do need to take up.

POPULATE THE ADVISORY PANEL MEMBERSHIP

CHAIRMAN GROUT: First of all, we need to review and populate the advisory panel membership, if you go to the original material.

MR. WAINE: There are two people to consider that were nominated, William Hall from Virginia and Kyle Douton from Connecticut.

MR. SIMPSON: **Move to include these two individuals on the AP.**

CHAIRMAN GROUT: Is there a second; Tom Fote. Any discussion on this? Move to add William Hall from Virginia and Kyle Douton from Connecticut to the Striped Bass Advisory Panel. The motion was made by Mr. Simpson and seconded by Mr. Fote. Rob.

MR. O'REILLY: Bob Fjelstad was the advisor for Virginia for 20 years. He called me and said, "I'm 80 now; I think it is time that someone else take over." Bill Hall from the Eastern Shore of Virginia has

about 40 years of experience; just a very involved individual in the recreational fishery. We're really excited that Bill Hall will be here and we thank Bob.

CHAIRMAN GROUT: Yes; and do you want to make a statement about your advisory panel?

MR. SIMPSON: Yes, I'm glad you did, Rob, and that reminded me. Fred Felici, the same sort of thing, early eighties, and really has from my entire career and before that has been there for us, and I really appreciate all the time he served. Kyle Douton will be a great addition. He has a strong background in the tackle industry, charterboats. He is a member of our Marine Advisory Group, so I'm sure he will be a good addition to the group.

CHAIRMAN GROUT: Okay, with those glowing reviews, are there any objections? Seeing none; **they are on the panel.**

ELECTION OF VICE-CHAIR

The next agenda item is I'm looking for a vice-chair. Are there any nominations? Pat Keliher.

MR. KELIHER: Mr. Chairman, I would move to elect Jim Gilmore from the state of New York as vice-chair.

MR. AUGUSTINE: Mr. Chairman, I would second that and move to close nominations and cast one vote on behalf of Mr. Gilmore.

CHAIRMAN GROUT: Are there any objections? Thank you, Jim; I appreciate that. (Applause)

MR. GILMORE: I'm speechless, Mr. Chairman, although I will say that I hope you have this thing done by the time I take over. Thank you.

CHAIRMAN GROUT: That's what I thought was going to happen with Tom O'Connell when I agreed to do it. Do you see what it got me into? Actually, under other business, you are up.

OTHER BUSINESS

MR. GILMORE: Hopefully, this is very quick. The Juvenile Abundance Index in the Hudson River is one of our indicators that we do for recruitment. We currently have a six-week index; and there has been discussion I think for several years about improving the validity of that. What we had proposed was that we would go to a nine-week index with a 13-site subset.

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That was brought before the technical committee. We believe this is a more accurate way to do the index. I have a motion that I would like to put up. Since it is just a technical change; we just look for board approval under this. **I just move that the board approve a revision to the Hudson River Young-of-the-Year Sampling Program from the six-week index to a nine-week, 13-site subset index as accepted by the technical committee.**

CHAIRMAN GROUT: Do we have a second; Tom Fote. Again, this has already been run by the technical committee and they have approved it. Discussion on the motion? Tom Fote.

MR. FOTE: I just would like to thank New York to find the money available to do this in these hard times. To basically add something on is really difficult and I would really like to thank them for stepping up to the plate.

MR. GIBSON: I'm just curious has the technical committee run this revised index through the SCA Model and see what the results would be; any meaningful differences between what we had in the last Nelson Report using the finalized data versus this? I'm just curious as to how you examined it.

DR. DREW: We did not have time to run the complete assessment over again; but they showed us basically the old version and then they went through and recalculated the new version. The index was very similar. I think it was over 95 percent correlation between the two; so we would expect minimal differences in the overall assessment model.

CHAIRMAN GROUT: Are there any other questions? Any objections to this? **Seeing none; it stands approved.** Tom O'Connell, you had a PDT member you wanted to add on to the PDT.

MR. O'CONNELL: **Yes, I would like to move to add Beth Versak from Maryland to the Plan Development Team.**

CHAIRMAN GROUT: Seconded by Russ. Discussion? Tom.

MR. O'CONNELL: Yes; just for the knowledge of the board, Beth has committed her career to striped bass, which is still young in her career, but she has worked in Striped Bass Program for about 20 years. She has served on the tagging subcommittee; and I think would be a great addition at this point given where we are in developing Draft Addendum IV. Thanks.

CHAIRMAN GROUT: She wasn't that woman that I got a picture of this huge striped bass on your boat there?

MR. O'CONNELL: She let it go, though, Doug. (Laughter)

CHAIRMAN GROUT: That was bigger than her I think. Any objections to this from the board? Seeing none; Wilson, you've got 30 seconds.

DR. LANEY: I need just a little bit more than that, Mr. Chairman. First of all, appreciation to Dr. Daniel and to Tom O'Connell and to Bob Beal, all whom wrote letters of endorsement for a proposal that Roger Rulifson and I submitted to the SK Program for matching funds for the existing North Carolina Coastal Recreational Fishing License Grant that we have that funded the 2013 hook-and-line tagging and Cooperative Winter Tagging Cruise off North Carolina.

I'm pleased to report that we got a letter back from the National Marine Fisheries Service advising us that they are recommending that our SK Proposal be funded. What that means is hopefully all this is going to come together. Since we applied for 2014 and '15 and didn't get notice until the end of March; so obviously we couldn't do it in 2014.

I'm told that once NMFS/NOAA General Counsel approves the grant; then we can ask for a no-cost extension to move it to 2015 and 2016. Louis is working with us to move our CRFL Grant to the same two years; so hopefully I'll be able to report at the August meeting that we've gotten all the details ironed out and we should be able to conduct both hook and line and research vessel based trawling for tagging striped bass off the coast of North Carolina and Virginia in 2015 and 2016.

ADJOURNMENT

CHAIRMAN GROUT: All right, anything else before this board? All right, thank you very much; it has been a long, hard couple of days here, and I appreciate all the work you've put in on this. We will see you in August.

(Whereupon, the meeting was adjourned at 9:15 o'clock a.m., May 14, 2014.)