

Atlantic States Marine Fisheries Commission

Atlantic Striped Bass Management Board

August 3, 2016

11:15 a.m. – 12:15 p.m.

Alexandria, Virginia

Draft Agenda

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

1. Welcome/Call to Order (*J. Gilmore*) 11:15 a.m.
2. Board Consent 11:15 a.m.
 - Approval of Agenda
 - Approval of Proceedings from February 2016
3. Public Comment 11:20 a.m.
4. Review Striped Bass Advisory Panel Meeting Summary (*M. Appelman*) 11:30 a.m.
5. Consider Approval of the 2016 Atlantic Striped Bass FMP Review and State Compliance (*M. Appelman*) **Action** 11:40 a.m.
 - Review Performance of Addendum IV Measures in 2015
6. Other Business/Adjourn 12:15 p.m.

The meeting will be held at the Westin Alexandria; 400 Courthouse Square; Alexandria, VA; 703-253-8600

Vision: Sustainably Managing Atlantic Coastal Fisheries

MEETING OVERVIEW

Atlantic Striped Bass Management Board Meeting

August 3, 2016

11:15 a.m. – 12:15 p.m.

Alexandria, Virginia

Chair: Jim Gilmore (NY) Assumed Chairmanship: 02/16	Technical Committee Chair: Nicole Lengyel (RI)	Law Enforcement Committee Rep: Kurt Blanchard (RI)
Vice Chair: Russ Allen (NJ)	Advisory Panel Chair: Louis Bassano (NJ)	Previous Board Meeting: February 4, 2016
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, NMFS, USFWS (16 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from February 2016

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

4. Review Striped Bass Advisory Panel Meeting Summary (11:30 – 11:40 a.m.)

Background

- The Atlantic Striped Bass Advisory Panel met via conference call to receive an update from staff on two striped bass management issues currently not being discussed at the Board level; (1) the EEZ Transit Zone Clarification and Access Act (H.R. 3070), and (2) the above average harvest of squid from Nantucket Sound, and potential impacts on the availability of striped bass in that area (**Briefing Materials**).

Presentations

- Overview of Advisory Panel Meeting Summary by M. Appelman

5. Consider Approval of the 2016 Atlantic Striped Bass FMP Review and State Compliance (11:40 a.m. – 12:15 p.m.) Action

Background

- State Compliance Reports are due annually on June 15 (**Briefing Materials**)
- The Plan Review Team reviewed each state report and drafted the 2016 FMP Review (**Supplemental Materials**), including an evaluation on the performance of Addendum IV regulatory measures.

Presentations

- Overview of the 2016 FMP Review by M. Appelman

Board Actions for Consideration

- Consider approval of the 2016 FMP Review and State Compliance

6. Other Business/Adjourn

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

The Westin Alexandria
Alexandria, Virginia
February 4, 2016

These minutes are draft and subject to approval by the Atlantic Striped Bass Management Board.
The Board will review the minutes during its next meeting.

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1. **Approval of agenda** by consent (Page 1).
2. **Approval of proceedings of November 2015** by consent (Page 1).

TABLED MOTIONS FROM NOVEMBER 2015

3. **Move to initiate an Addendum to reconsider management options in the Chesapeake Bay from Addendum IV for 2016 based on the stock assessment update in 2015 and retrospective projections**
Motion by Mike Luisi; second by Rob O'Reilly.
4. **Motion to amend: Move to amend to remove the words "in the Chesapeake Bay"**. Motion by John Clark; second by Pat Augustine.
5. **Move to postpone indefinitely the two motions on the board, one from Mike Luisi (Maryland), one from John Clark (Delaware)** (Page 4). Motion by Mike Luisi; second by John Clark. Motion carried (Page 4).
6. **Move to approve conservation equivalency proposal options from Maryland and PRFC that meet the required reduction in Addendum IV as recommended by the TC and presented today** (Page 7). Motion by Mike Luisi; second by Rob O'Reilly. Motion carried (Page 7).
7. **Move to nominate Russ Allen as vice chairman of the Atlantic Striped Bass Board** (Page 9). Motion made by Martin Gary; second by Pat Augustine. Motion carried (Page 9)
8. **Move to adjourn** by consent (Page 10).

ATTENDANCE

Board Members

Pat Keliher, ME (AA)	Adam Nowalsky, NJ, proxy for Asm. Andrzejczak (LA)
Terry Stockwell, ME, Administrative proxy	Leroy Young, PA, proxy for J. Arway (AA)
Steve Train, ME (GA)	Loren Lustig, PA (GA)
G. Ritchie White, NH (GA)	Roy Miller, DE (GA)
Doug Grout, NH (AA)	John Clark, DE, proxy for David Saveikis (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Jocelyn Cary, MA, proxy for Rep. Peake (LA)	Ed O'Brien, MD, proxy for Del. Stein (LA)
Bill Adler, MA (GA)	Mike Luisi, MD, proxy for D. Blazer (AA)
Mike Armstrong, MA, proxy for David Pierce (AA)	Bill Goldsborough, MD (GA)
David Borden, RI (GA)	Kyle Schick, VA, proxy for Sen. Stuart (LA)
Mark Gibson, RI, proxy for J. Coit (AA)	Rob O'Reilly, VA, proxy for John Bull (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Louis Daniel, NC (AA)
David Simpson, CT (AA)	Michelle Duval, NC, Administrative proxy
Lance Stewart, CT (GA)	Martin Gary, PRFC
James Gilmore, NY (AA)	Derek Orner, NMFS
Emerson Hasbrouck, NY (GA)	Sherry White, USFWS
Pat Augustine, NY, proxy for Sen. Boyle (LA)	Dan Ryan, DC
Russ Allen, NJ, proxy for D. Chanda (AA)	
Tom Fote, NJ (GA)	

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

Ex-Officio Members

Mark Robson, Law Enforcement Representative

Staff

Robert Beal	Katie Drew
Toni Kerns	Max Appelman
Mike Waine	

Guests

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Edison Ballroom of the Westin Hotel, Alexandria, Virginia, February 4, 2016, and was called to order at 8:00 o'clock a.m. by Chairman James J. Gilmore.

CALL TO ORDER

CHAIRMAN JAMES J. GILMORE: Good morning everyone and welcome to the Atlantic Striped Bass Board meeting this fine, beautiful morning. My name is Jim Gilmore; I am the Administrative Commissioner from New York, and I'll be chairing the board meeting today. I am taking over from the last two years from Doug Grout; who did a fine job of leading us through some difficult waters on striped bass.

But we still have more work to do. Thank you, Doug.

APPROVAL OF AGENDA

CHAIRMAN GILMORE: First order of business is to approve the agenda. The agenda is in the briefing packages that you received. Are there any changes to the agenda from the board? Seeing none; we adopt those as approved.

APPROVAL OF PROCEEDINGS

CHAIRMAN GILMORE: The second order of business is to approve the proceedings from the November, 2015 meeting.

Are there any changes to those proceedings? Seeing none; we will adopt those as approved.

PUBLIC COMMENT

CHAIRMAN GILMORE: Before each one of our meetings we have a session for public comment, and I understand we have quite a few folks in the room. I've got a couple of names that wanted to make some comments; and this would be public comments on issues not on the agenda. We're going to be discussing several topics later on, particularly with the Chesapeake, so this is an opportunity to make some comments on issues that aren't on the agenda yet.

I would like to acknowledge that we have a group of folks from the Maryland Charterboat Association today. Welcome, Gentlemen. You'll get to see the process in motion. I do have two names that would like to make some public comment, so we'll go to those right now; first Phil Langley from the Maryland Charterboat Association, Phil, if you would go up to the public microphone.

MR. PHIL LANGLEY: Good morning. My name is Phil Langley; I'm president of the Maryland Charterboat Association. I set on the Potomac River Fisheries Commission and also the Maryland Sportfish Advisory Commission. On behalf of myself and a group of charterboat captains that came up this morning, many of them traveled four hours to be here this morning. These guys are pretty dedicated to make this meeting this morning.

I would like to thank you, Mr. Chair and the board for the opportunity to speak this morning. I would also like to thank all of you for your dedication in protecting our resource to ensure that we have a sustainable fishery now and well into the future. Like you, we have a passion for preserving the resource. We realize without it our professions would not exist. I appreciate that there are very tough decisions being made that affect the fisheries, and ultimately the livelihoods of many in all of our states. With that being said, the species affected by those decisions impact our states differently. The striped bass is a fish that has an enormous impact on the fishery in the Chesapeake Bay. Unlike most coastal states, we don't have a large variety of alternative species to target.

By having a larger selection of fish to target it is good, especially during times of reduction; as it provides options for the for-hire fleet to focus on and provide to their customers therefore, lessening the economic burden caused by reductions. To put this in perspective, MRIP data shows roughly 50 percent of the Chesapeake Bay's for-hire fleet focuses primarily on striped bass as a primary target compared to roughly half that from a lot of the coastal states.

The slot option elected last year in our spring coastal fishery, combined with the large 2011 year class,

growing slower than anticipated resulted in reductions much greater than the mandate at 25 percent in the spring harvest and a 20.5 percent mandated in the fall/summer season. This resulted in fewer trips being run by the charter fleet, causing a huge economic impact for the for-hire fleet. The impacts to the 2016 season are unknown at this time.

However, there is great concern over how 2016 reductions will impact the livelihood of the Bay's for-hire fleet, as well as many small businesses; hotels, restaurants, shops, that are dependent on this fishery. As the board moves forward, I ask that you please consider the affects to the states that may feel the greatest economic impact to these reductions in the future, and provide flexibility to permit these states to achieve the required reductions while minimizing the economic impacts. Thank you very much for your time.

CHAIRMAN GILMORE: Thanks, Phil. Next I have Robert T. I'm sorry I can't make out the last name Brown, Robert T. Brown, thank you.

MR. ROBERT T. BROWN: Robert T. Brown; President of the Maryland Waterman's Association; thank you for letting me speak today. In our association we not only have netters, but we have hook and liners and we've got a big commercial fleet of charterboats that do it. The slot limit was very disastrous to us last year.

However, I would like to thank the Striped Bass Management Board and any of the members who are present for the Policy Board for the consideration and approval of Maryland's request for the assessment update in 2016. We do have the very important striped bass fishery in the state of Maryland, and want to thank you for all your efforts and giving us a chance to help get back on track.

Also, we have in our fishery; our watermen's average age is probably about close to 60 years old. A lot of the things we do, it takes three years to get back on track. That is just how long it takes for this process to go through. Our watermen don't have many three year segments left. Once you get to 60 then you're

63. I'm 66; I don't have too many three year or ten years left.

Hopefully we can get this turned around some. We also hear a phrase all the time that it is not being overfished and overfishing has not occurred. It seems like the sword only has one edge but it is supposed to have two. It can be cut off real quick, but it seems like it takes a long time to get it back. I know it is a hard job for you all to do, because you have a lot of information you have to take in. Also, we've been fortunate enough that in 2013 we had a young of the year index of 11, and then last year it was double the normal, it was 24.2. With these young of the year indexes coming in at such a high rate that shows that we do have a good spawning stock out there. You know it is conditions into the rivers that make this spawning stock fertilize and come into the young of the year index.

The water quality is really one of the main problems that we have. Right now Virginia Dominion Power has been granted a permit to drain some fly ash ponds off of Quantico Creek, right where our breeding ground is or where they spawn at the rock fish and many other fish. They'll be dumping possibly 215 million gallons of water out of these ash ponds, and they contain selenium, cadmium, arsenic and a host of other metals.

For the past 30 years they have discovered that there has been a toe drain in one of these ponds, and that has been filtering in. That has to do with the water quality we have in the Potomac River, and we are very concerned about that. It has been appealed at this time. We don't know what the status will be.

But that was just more or less an update on, it is more than just management, it is water quality and when the water quality and conditions are right our stocks come back. Look at 1982 how low our spawning stock was, and that jump-started us back. Thank you very much for your time.

CHAIRMAN GILMORE: Thank you, Mr. Brown

**RECONSIDER TABLED MOTIONS
FROM NOVEMBER MEETING**

CHAIRMAN GILMORE: Any other comments before we move on to the next agenda from the public? Seeing none; we're going to get into our next agenda item, which are we need to reconsider the tabled motions from our November meeting. We're going to put those up on the board. They are also in your briefing packages. First we'll just open us up to any comments we may have on this. Mike Luisi.

MR. MICHAEL LUISI: I know that we need to take action today on the two motions that are on the board. When I think back to November when we all convened at our annual meeting in Florida, these motions were heavily debated. There was a lot to it. We had just received information regarding an update to the striped bass stock assessment, for which terms like retrospective bias and others were presented.

I believe that the board at that time started to look at, I truly believe that there was a feeling around the board that maybe what we did as a result of Addendum 4, maybe we would know a little bit more now than we did when we made those decisions; and that this update to the stock assessment was a first sign at a recovery. Maybe I should say it as it was a showing that the stock was not in the condition that we once thought, and that they were beginning to turn around.

There were a lot of board members around the table that agreed with the motion to reconsider and to go back and revisit Addendum 4, to look at whether or not the 25 percent reduction along the coast and the 20.5 percent reduction in the Chesapeake Bay were reasonable at the time; given that what we understood at the time back in November, and I'm not going to deviate from that. But the impact especially to the fishermen in Maryland was tremendous last year.

Charterboat captains, commercial fishermen and recreational anglers all felt the impacts of the rules that were set forth in Addendum 4. While I feel that we made really good progress at that time, when

these motions were tabled, I personally lost sight of any type of relief or any type of change in 2016. I just thought I would take a moment to remind the board that once the motions were tabled we began thinking about, okay how can we now use this information that has been brought to light and consider that information for a future year or a future time? We discussed an assessment update. The assessment update in 2016, there will be some reflection there we hope; showing that the changes that we made as a result of Addendum 4 had impact on fishing mortality and spawning stock biomass. The 2016 assessment update was not planned.

There was no plan to have an update, and the board chair at the time spoke of the next update being in 2018 or even 2019, depending on timing. I do want to thank the board. I do want to thank the policy committee as well as Mr. Brown stated, for approving an assessment update for the future and for this year. I think that that information will again, as it did last year, it will provide us information that we can use the best available science to use for management for 2017 or beyond.

I would like to make a motion regarding these two tabled motions that we're looking at on the board today. That motion is going to reflect the commitment that the state of Maryland made, and other Chesapeake Bay jurisdictions made at the time to, let's use the word to postpone the effort that we were putting into asking this board to consider changes to the regulations that were in place of Addendum 4 in 2016. We committed back in November to holding off on that pursuit, in the event that the board approved the assessment update.

The board did approve the assessment update, so I feel committed at this time in thanking the board and moving forward, to making a motion which reflects that commitment of the jurisdictions in the Chesapeake Bay, which will postpone any action on these motions. However, I don't want that postponement to be viewed by the board or by the members of the audience here today or anyone listening on the webinar that this is some way of just saying, we're no longer interested.

I think it is absolutely clear in just looking at the room today and given the testimony by Phil Langley about the interest and the passion of the fishermen of Maryland; and the interest that they have in doing what is right and managing the Chesapeake Bay population of striped bass in a responsible way. It is clear today just looking in the crowd; and this is just a fraction of the membership and a fraction of those who are interested that could make it in here today.

With all of that said, I think that we have a lot to look forward to. There is a 2016 assessment update that we will receive, hopefully by late summer, early fall; which will provide us the guidance as managers, the most up-to-date and the best available science at the time to consider changes for 2017 and beyond. **With that said today, Mr. Chairman, I would like to make a motion to postpone indefinitely the two options on the board.**

CHAIRMAN GILMORE: Do I have a second to that motion? John Clark.

MR. LUISI: Mr. Chairman just a quick follow up with that. I want to make sure that it is clear what my understanding of a postponement indefinitely means that we will essentially raise these motions up into what a colleague yesterday referred to as "the cloud" and it will hang there. It could be drawn down at any time, or it could stay there forever. We also could consider the same question or a similar question yet differently worded at a future meeting. That would be my intention, would be to just hold off on taking any official action here today so that we could consider these same types of options for the future.

CHAIRMAN GILMORE: Understood Mike, and we agree with that. Remind the board that this is a non-debatable motion. It is to just essentially postpone so we will not have any discussion on this. I will give everybody 30 seconds to caucus. Is this a question of order?

MR. DENNIS ABBOTT: Yes Mr. Chairman. Do we have to do each motion separately, I believe as we did when we made them?

CHAIRMAN GILMORE: Mike that was your intent to cover both motions. Do you want to perfect that somewhat and add in for both Maryland and Delaware, because it was two motions. One that we were talking about was put up for the Chesapeake Bay from Maryland and there was a second one put up, the Chesapeake Bay from Delaware.

MR. LUISI: Yes, I mentioned that the two motions on the board. We could perfect that to say one from Mr. Luisi, parentheses Maryland, one from Mr. Clark, parentheses Delaware; something to that effect.

CHAIRMAN GILMORE: Is that good, Dennis? I'll give 30 seconds to caucus and then we'll take the vote. Okay I think we're ready. All those in favor of the motion please raise your hand; 15, all those opposed, 1. Rhode Island is voting no?

MR. ERIC REID: Voted in favor.

CHAIRMAN GILMORE: **Those against, any null votes, any abstentions? Seeing none; the motion is approved 16-0-0-0.** Thanks for that.

CONSIDER CONSERVATION EQUIVALENCY MANAGEMENT PROPOSALS FROM MARYLAND

CHAIRMAN GILMORE: Let's move on to our next agenda item, which is to Consider Conservation Equivalency Management Proposals from Maryland. We're going to start off; Max Appelman is going to do a presentation on Maryland's proposals. Technical Committee Report

TECHNICAL COMMITTEE REPORT

MR. MAX APPELMAN: I am going to sort of tag team this PowerPoint with Mark Robson, Chair of the LEC or commission staff with LEC. Two proposals were submitted. The first one did receive full TC review and LEC review, and that was included in your meeting materials. The second one was handed out just before this meeting. That received TC review, but did not get formal comment from the LEC.

I'll give a brief overview of the conservation equivalency process, and then touch on the first

proposal from Maryland and PRFC, cover TC comment and LEC comment; well, Mark will cover the LEC comment for that proposal and then we'll loop back around to the second proposal. I think that is easiest to follow this in chronological order.

In Addendum 4 it essentially states that states can submit alternative regulations that are conservationally-equivalent to regulations approved in Addendum 4 for board review and approval. Those proposals must demonstrate through quantitative analysis that they are conservationally-equivalent and achieve the required reduction in harvest.

That is a 25 percent reduction for coastal fisheries and a 20.5 percent reduction for Chesapeake Bay fisheries. Those proposals are subject to TC and LEC review for board consideration. To that point the TC did develop criteria for Addendum 4 Conservational Equivalency Proposals detailed in Memo 14-110, and the LEC does have a document out detailing their guidelines for enforceability. From the first proposal, these options have all been taken either directly from Draft Addendum 4 that went out for public comment, or were previously approved by the TC and the management board prior to implementation in 2015. All these options up on the board have been reviewed, and none of them are new options to Maryland or PRFC. There was one option that was new to Maryland in the first proposal, and that is a two fish bag limit at 28 to 38 inch slot size or 44 inch minimum size.

That is for their coastal fishery recreational fishery. This option was adopted from Delaware's regulations. I believe this is the current regulation for Delaware. I think the main purpose for proposing this option was that Maryland coastal anglers kind of requested that regulations be consistent between these jurisdictions; noting that Maryland's coastal area is relatively small and as we know it is adjoining Delaware's coastal region.

This has been approved for use in Delaware. It has been adopted in this proposal for use in Maryland, but it has not yet been approved for use in Maryland. PRFC's proposal is rather straightforward and it is

simply to implement whatever regulations that Maryland implements in the Bay for their summer, fall and trophy fisheries.

PRFC requested the TCs approval to match those regulations implemented by Maryland. On behalf of the TC I'll cover their comments. As I stated, all but one of the options had been previously reviewed and approved by the Technical Committee, and the Technical Committee was very comfortable with Maryland's justification and analysis for adopting Delaware's regulations for their coastal fishery. With that the TC approved both Maryland's and PRFCs proposals with consensus. I'll hand over the microphone to Mark for LEC comment.

LAW ENFORCEMENT COMMITTEE REPORT

MR. MARK ROBSON: It has pretty much been covered already so I'll be very brief, but basically in looking at this additional proposal, the Law Enforcement Committee was meeting in teleconference on January 7, and was able to provide good input on this. We support this particular conservation equivalency proposal particularly, because it is providing for a better consistency in regulations among some very close jurisdictional areas.

That is a concept that we fully support. It meets with our guidelines for enforceability and it just makes good sense. There was just a related discussion. I'll just very briefly point out that in thinking about having these consistent regulations particularly a slot limit; questions were asked among the Law Enforcement Committee members about their specific language on how fish are measured.

It was just some general thought and guidance that states may want to review with their law enforcement personnel, and if necessary even clarify fish measurement procedures for consistency among these jurisdictions. If the language describes whether pinching the tail is allowed or not, and just specifically how that fish is measured.

It is important with slot measurements, because you can have a little bit of slop either at the lower end or

the upper end, depending on how those fish are handled, and so some tightening of any language or regulations is certainly worth looking at if it is necessary. That was really the gist of the comments from the Law Enforcement Committee, Mr. Chairman.

MR. APPELMAN: Just to finish up with this presentation, there was a second round of a proposal submitted by Maryland, and that had two new options to consider. These are in addition to the options that we just showed you that we just covered. The first option, and let me back up a second. The TC was able to review these in time. The LEC was not. Mark might fill in a little bit to that point. The TC reviewed both these options. For the first option for the spring trophy fishery, it was a one fish bag limit at 35 inch minimum size; and the TC had no concerns with this option and they approved that option with consensus.

When it came to the second option they were unable to make any recommendations based on the information that was brought to them at that time, and requested that Maryland conduct further analysis with those options. Following that analysis the option did not meet the requirements for harvest reduction and was removed from the proposal, and so it is no longer being considered.

If Mark has anything to add about the LECs comment on the first option, please feel free. I didn't think so, okay. Just to wrap it all up, these are all the options that are being proposed. Only two of them are new, one for the coastal one for the spring trophy; and I'm just going to leave these up on the board for you guys to consider.

CHAIRMAN GILMORE: Do we have any questions for either Max or Mark on the presentations? Wow, you guys did a great job. Oh, sorry, Loren.

MR. LOREN W. LUSTIG: For the Law Enforcement Committee, a question please. You mentioned the compression or the handling of the tail as being an issue that needs to be clarified, whether we're going to be consistent with that or not. Are there any other issues in the measurement that are currently

confusing to the public or complicating for our team of people?

MR. ROBSON: Well, just to be clear. This was not an issue that was raised as a concern regarding these proposals. It was just kind of an additional amount of comment from law enforcement experts that states may want to look at their specific language. The example came from Florida, where there was formerly language that indicated you measure the fish with natural eye. This apparently created lots of problems for how that fish is exactly measured.

As long as it is clear how the fish is to be measured, whether the tail is pinched or not, it is just something to look at. It is not really an issue that was pointed out as a concern or a problem for this particular fishery. But if you are looking at slot limits, it is just something to look at. Perhaps the Law Enforcement Committee can just take a look at the comparative state languages at the next meeting and bring back any issues if there are any, but it is not a major concern.

CHAIRMAN GILMORE: Other questions? Roy Miller.

MR. ROY W. MILLER: I am a little confused about what I'm seeing on the boards. The 36 inches has been changed to 35; that is the new proposal. I see that. But down at the bottom it has 18 inches and it has two fish. That is the previous regulation rather than what is enforced now or should it be one fish? Can I get some clarification on what that should be, because our document that was handed out for the meeting lists 18 inches and one fish?

MR. APPELMAN: Thanks for pointing that out. That is a typo on my end. That should be one fish bag limit at 18 inch minimum.

CHAIRMAN GILMORE: We'll flog Max later. Any other questions for Max or Mark, all right seeing none; if we're going to adopt these we're going to need a motion. Mike Luisi.

MR. LUISI: Before I make my motion I do want to say thank you to the Technical Committee and staff that worked very quickly on the turnaround on what we

have been calling the second proposal that we submitted. This proposal was a result of collaboration with the Department of Natural Resources and the charterboat industry.

It was an attempt to look at some ways to be a little more creative in our approach to provide some flexibility, so that the businesses that have really felt the impact of the reductions that we've taken could find their path through 2016, given that there was no relief coming in the form of board action to provide that relief.

Thanks again, just for board members just to understand that the option that provided the choice that we've been referring to as the Captain's Choice Option that did not meet Technical Committee standards was the information just became available due to the timing of how this all came through. But it did not meet the 20.5 percent reduction, and therefore that is why we have removed it from our proposal for board consideration. Again thank you, and if you are ready I do have a motion. I believe somebody has helped me craft one and I will read it if I can see it on the board, Mr. Chairman.

CHAIRMAN GILMORE: Let's get that up. Go ahead, Mike.

MR. LUISI: Okay I would like to move to approve conservation equivalency proposal options for Maryland and PRFC that meet the required reduction in Addendum IV as recommended by the TC and presented today.

CHAIRMAN GILMORE: Second from Rob O'Reilly. Is there any discussion on the motion? John Clark.

MR. JOHN CLARK: I just have a comment that on the coastal regulations that in Maryland it could be a case of the grass is always greener. Delaware anglers made it clear they wanted a two fish option, so we did the calculations and came up with that slot. But we've had quite a few complaints that all that anglers are catching are fish that they can't keep. They are in that slot, and almost as though we had a fiendish plot in mind when we came up with these regulations; just a little warning.

MR. LUISI: Thanks, John. Our plan is to take whatever is approved today back to our stakeholders and have that discussion before we were to implement anything.

CHAIRMAN GILMORE: Other discussion on the motion? Seeing none; is there any public comment that anyone would like to make on the motion, just simply on the motion itself from the audience? Seeing none; I will bring it back to the board. Any last comments before we go to a vote? Do we need a caucus on this? It doesn't look like it. Is there any objection to the motion? **Seeing none; we will adopt this as unanimously approved.**

2016 COOPERATIVE WINTER TAGGING PROGRAM UPDATE

CHAIRMAN GILMORE: That brings us up to our next agenda item, which is the update of the 2016 Cooperative Winter Tagging Program. Dr. Laney is going to give us an update on that. Wilson.

DR. WILSON LANEY: First let me be sure I thank our funding sources that are funding both the trawling cruise as well as the hook and line cruises this year, and those are matching grants from the Saltonstall-Kennedy Program from the National Marine Fisheries Service and from a North Carolina Coastal Recreational Fishing License Grant.

If it weren't for those two grants we wouldn't be doing this work. I also want to thank all of our partners who supplied scientists for the scientific party aboard the research vessel Savannah this year. There were three of us from the Fish and Wildlife Service. We had one from the National Marine Fisheries Service Pascagoula Lab; we had two folks from the North Carolina Division of Marine Fisheries.

We had Ryan Hastings from the Maryland DNR Fishery Service and Matt Balazik from Virginia Commonwealth, Chuck Bangley from East Carolina, and I'm sure I'm leaving somebody out. There were 12 of us in total. But thanks for all those folks and for their agencies that approved them attending and participating.

The trawling component of the operation took place between January 6th and 19th. Weather was a big factor. We wound up sitting at the dock for three days at Duke Marine Lab, and then anchored up off Wallops Island, Virginia for a while, because sea conditions and wind conditions just made things too challenging for us to work on the back deck.

We also had a few ship issues that cost us some lost time. We did however complete 104 sample sites; we collected data on multiple ASMFC species. We filled a lot of link bins for biological samples for king fishes, weakfish, spot, croaker, sheepshead, a number of other species as well as taking data on everything that we caught this year; down to the last bay anchovy.

We had a difficult time finding striped bass this year, because as most of you are aware, I think the water temperatures are extremely warm. We had to go all the way north into Maryland waters for the first time ever, and thanks to Harry Hornick and all the Maryland folks. Thankfully we had Ryan onboard, so we were able to get authorization to go ahead and sample in Maryland waters.

We did manage to find striped bass. We tagged and released 110, which is I think the lowest number in the time series. But again it is a function of the fact that the RV Savannah doesn't travel as fast as some other vessels, and we did lose a lot of time due to the weather. That is the short summary on the trawling component of the cruise.

Now the hook and line component, and I have to give credit here to Charlton Godwin from the North Carolina Division of Marine Fisheries. Charlton has been running that program for us for a number of years now, does a great job coordinating that and implementing it. Those trips are being run aboard the fishing vessel midnight sun out of Rudy Inlet, Virginia once again this year.

We are able to be more flexible with that contract. We cover a broader period of time, and so we're able to have a lot of weather days built into that and schedule 10 trips sometimes during the interval, all the way through February 29th this year, but I think

we're going to complete those trips earlier than that. I am very pleased to report that on those trips thus far, and I believe we made six. We have managed to tag, or Charlton and the crew have managed to tag 670 total striped bass. We're up to a total of 780, and we're hoping to break 1,000. Dr. Duval may want to say something about the fact that I understand she participated in one of the 200 plus day trips and tagged 225 striped bass with Charlton's assistance on that particular trip.

We are really appreciative for her efforts in that regard. She tagged almost a third of the total striped bass that we tagged on the hook and line trips so far. I know some of you have had a chance to get out on some of those trips. I would encourage you if you haven't made one, to get out there and do it. I made some last year.

I haven't been on one this year, but I like to go out and take the data. They did make me reel in a couple of stripers. They used parachute rigs with double lures on them. Sometimes you're reeling in two 30 pound fish, and I understand on the last trip I guess, where we got 64, they got into 50 and 60 pound fish, so that was really an experience.

You will notice I haven't said where exactly we found the fish, and I'm not going to. The U.S. Coast Guard and NOAA Law Enforcement folks want us to downplay the location of these fish, but I will tell you they are in the EEZ, so from an enforcement perspective, from a protection of your spawning stock winter aggregation, the fish are relatively protected now, because they are spending a lot of time in the EEZ.

It seems like for the last four or five years they've gone progressively further north and progressively further offshore.

That is my report, Mr. Chairman. There will be a detailed analysis coming later. I will just say one other thing, and that is as of the moment we don't have funding for future operations.

There are some options under discussion for the hook and line. I am very optimistic that that program

will get funded. I've talked to Pat Campfield, and I think with regard to the trawling program, we'll have some further discussion of that at the Joint Assessment Science and Management and Science Committee's meeting, which is coming up in April. We'll keep you posted on where those discussions go. I would be happy to answer any questions.

CHAIRMAN GILMORE: Great report. If you every need any help, give me a call, it has been many years since I've tagged fish, but I would love to do it again. Michelle, do you want to add anything to your date with the striped bass?

DR. MICHELLE DUVAL: I would definitely encourage any board members who haven't had the opportunity to get out, to go. I know this year was a little bit tough. I was scheduled to go on the first couple of trips that had to be postponed. It is very interesting, well – interesting – challenging when you are searching for the fish and are having to go further than you think you might need to, to get there.

I mean the one thing I will add to what Wilson said is that on the trip that I was on we actually had a lot of big fish, but we also had a surprising number of small males that came through as well, so it was interesting to see those guys out there. But for the most part it was just the ladies receiving their new jewelry. It was fun! Get out there!

CHAIRMAN GILMORE: Great thanks. Questions for Wilson okay seeing none; thanks a lot Wilson and keep up the good work.

ELECTION OF VICE-CHAIR

CHAIRMAN GILMORE: Our last agenda item is we are going to need to elect a Vice-Chair, because I'm all alone up here. If someone has a nomination the floor is open; Marty Gary.

MR. MARTY GARY: **I would like to move to nominate as Vice-Chairman for the Atlantic Striped Bass Management Board, Mr. Russ Allen from the state of New Jersey.**

CHAIRMAN GILMORE: Do we have a second? Pat Augustine. Go ahead, Pat.

MR. PATRICK AUGUSTINE: **I move that we move forward with this nomination. This is wonderful. Close nominations and cast one vote for Mr. Russ Allen as Vice-President of the Atlantic Striped Bass Management Board.** Russ, congratulations!

CHAIRMAN GILMORE: Thanks, Pat. Was that Vice-President or Vice-Chairman?

MR. AUGUSTINE: Vice-President, no Vice-Chairman thank you.

MR. RUSS ALLEN: I appreciate the promotion there.

CHAIRMAN GILMORE: Congratulations, Russ. Welcome aboard.

OTHER BUSINESS

CHAIRMAN GILMORE: We are just down to other business now. Is there any other business to come before the striped bass board? Bill Goldsborough?

MR. WILLIAM J. GOLDSBOROUGH: I was just wondering if staff could give us any indication on the time table we can expect for the update assessment this year.

MR. APPELMAN: Sure, compliance reports are submitted in mid-June, June 15, I believe to be exact. As soon as that information is in the Stock Assessment Subcommittee can go to work on putting all that information together. Generally on a schedule for a stock assessment update that is available for board review at the November meeting. I think that is the earliest that we could get that done.

MR. LUISI: Thanks Max. As we all know, timing is critical to things that we do and given that this is a turn of the crank. It is not a benchmark assessment. I would urge my counterparts in the other states who are providing information for this update to do everything you could possibly do to get that information in, so that the staff can work on turning this crank and generating that update.

I think as far as timing, if there is some possibility of achieving an August meeting report, it would be beneficial, just considering that the updated report may begin the discussion again that we had last year about considerations for 2017, and given the timing of meetings it would just be helpful. I just want to put that on the record, thank you.

ADJOURNMENT

CHAIRMAN GILMORE: Good comments, Mike. Any other business before the board? Do I have a motion to adjourn; so moved, second, okay I would just like to make a final thanks to the Maryland fishermen for coming out and I hope to see you at future meetings. Thank you, we are adjourned.

(Whereupon the meeting was adjourned at 8:45 o'clock a.m. on February 4, 2016.)



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Striped Bass Advisory Panel Meeting Summary

Conference Call
April 21, 2016

Advisory Panel Members: Louis Bassano (Chair, NJ), Arnold Leo (NY), David Sikorski (MD), John Pedrick (PA), John McMurray (NY), William Hall, Jr. (VA), Kelly Place (VA), Pete Whelan (NH), Edwin Cook (RI), Ed O'Brien (MD)

ASMFC Staff: Max Appelman, Deke Tompkins

The Striped Bass Advisory Panel (AP) met via conference call to receive an update from staff on two striped bass management issues that are currently not being discussed at the Management Board-level: 1) the EEZ Transit Zone Clarification and Access Act (H.R. 3070), and 2) the western North Atlantic squid resource. Also, the AP elected a Chairman and Vice-chairman.

"EEZ Transit Zone Clarification and Access Act" (H.R. 3070)

Although the current draft of the bill does not convert the Block Island Sound Transit Zone to state waters or permit striped bass fishing within the zone, nor does it change the current process to permit striped bass fishing in any part of the EEZ in the future, the consensus of the AP is that the passing of H.R. 3070 would set unfavorable precedence for the use of legislative procedures to override the current fishery management and conservation framework. AP members noted that, regardless of the final language, this is not the proper avenue for addressing issues related to prohibited fishing for striped bass in uniquely located federal waters. The AP is in support of fishery management processes that are scientifically sound, are based on technical expertise, and provide ample opportunity for public participation. Additionally, in light of a declining spawning stock, AP members expressed concern regarding insufficient data to support the implementation of a recreational striped bass fishery in currently prohibited waters. It was noted that considerable action was taken prior to the 2015 fishing season in order to reduce fishing mortality back to target levels, and stabilize (or reverse) the downward trend in spawning stock biomass. Management has not yet had the opportunity to respond to the performance of those measures, thus it is the consensus of the AP that the precedence of this bill is not only unwarranted, but is also ill-timed.

Western North Atlantic Squid Resource

Longfin squid (squid) fishing and harvest have increased recently in Nantucket Sound and the surrounding areas. Squid are a well-known food source for striped bass, and the Nantucket Sound uniquely supports large concentrations of both prey and predator during the summer

months. Some AP members (and other fishermen) in the region have reported a decline of migratory striped bass during that time. It is believed that the above average harvest of squid may be a contributing factor to the decreased availability of striped bass during summer/fall fishing seasons. The Mid-Atlantic Fishery Management Council (Council) is currently drafting a Squid Capacity Amendment which considers options for a squid buffer zone beyond state waters in the area south of Nantucket, as well as addressing the potential for increased effort in the squid fishery. Staff will track the progress of the amendment and provide updates to the AP as necessary. Since squid are of great importance to the striped bass resource, the AP noted that it would appreciate the opportunity to submit comment on the draft amendment, collectively, in support of a squid buffer zone surrounding Nantucket Sound.

Elect Chair and Vice Chair

The AP elected Captain Louis Bassano to the position of AP Chair, and Kelly Place to the position of AP Vice-Chair.

Other Business

The AP would like to meet more frequently and become more proactive regarding conservation and management of Atlantic striped bass. The AP Chair and staff, in consultation with the Board Chair, will discuss the AP's options moving forward.