

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

**October 31, 2005
Marriott Seaview Resort & Spa
Galloway, New Jersey**

ATTENDANCE

Board Members

George Lapointe, Maine DMR	Roy Miller, Delaware DFW
John Nelson, New Hampshire DFG	Bernard Pankowski, proxy for Sen. Venables (DE)
Dennis Abbot, proxy for Rep. Blanchard (NH)	Leroy Young, Pennsylvania FBC
G. Ritchie White, New Hampshire Gov. Apptee.	Eugene Kray, proxy for Rep. Schroeder (PA)
Paul Diodati, Massachusetts DMF	Howard King, Maryland DNR
William Adler, Massachusetts Gov. Apptee.	Sen. Richard Colburn, Maryland Leg. Apptee.
Mark Gibson, Rhode Island DEM	Bruno Vasta, Maryland Gov. Apptee.
Gil Pope, proxy for Rep. Naughton (RI)	Jon Siemien, District of Columbia FWD
Mark McSally, proxy for RI Gov. Apptee.	A.C. Carpenter, PRFC
Eric Smith, Connecticut DEP	Jack Travelstead, Chair , VMRC
Lance Stewart, Connecticut Gov. Apptee.	Kelly Place, proxy for Sen. Chichester (VA)
Gordon Colvin, New York DEC	Ernest Bowden, Virginia Gov. Apptee.
Brian Culhane, proxy for Sen. Johnson (NY)	Preston Pate, North Carolina DMF
Pat Augustine, New York Gov. Apptee.	William Wainright, North Carolina Leg. Apptee.
Bruce Freeman, New Jersey DFG&W	Anne Lange, NMFS
Ed Goldman, proxy for Assemblyman Smith (NJ)	Jaime Geiger, US FWS
Erling Berg, New Jersey Gov. Apptee.	

Ex-Officio Members

Doug Grout, TC Chair	Andy Kahnle, SASC Chair
Jim Gilford, AP Chair	Desmond Kahn, Tagging Subcommittee Chair

ASMFC Staff

Lydia Munger	Bob Beal	Vince O'Shea	Carmela Cuomo
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Guests

Kyle Schick	Richard Novotny	Bruce Smith	Mike Armstrong
Kenny Keen	Jim Joseph	Al Ristori	Mark Sullivan
Alexei Sharov	Harold Mears	Karn Wall	Thomas Grothers
Ed O'Brien	Tom McCloy	Russ Dodge	Steve Gephard
Russell Dize	Brandon Muffley	Adam Sennick	Peter Burns
David Benson	Tom Baum	Dick Herb	Joe Fessenden
Brad Burns	Jeff Brust	Tom Fote	Jim Hanlon
Harley Speir	Jennifer Pyle	Bob Ross	John Frampton
Bill Windley	Heather Corbett	Dan McKiernan	Russ Allen

There may have been others in attendance who did not sign the attendance sheet.

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MOTIONS

Move to accept the 2005 Stock Assessment Report.

Motion made by Mr. King, second by Mr. Augustine. Motion carries.

Move to move Peer Review from 2007 to 2006.

Motion made by Mr. Lapointe, second by Mr. Colvin. Motion fails (7 votes in favor, 8 in opposition).

Move to accept the Advisory Panel Report.

Motion made by Mr. Augustine, second by Dr. Geiger. Motion carries.

Move to accept the 2005 Fishery Management Plan Review.

Motion made by Mr. Lapointe, second by Dr. Kray. Motion carries.

Move to approve the calculation of the 2005 Chesapeake Bay charter boat and recreational spring trophy season harvest of coastal migrant striped bass at 65,664 fish, the calculation of the 2005 charter boat and recreational spring season quota of 56,424 fish based upon the updated VPA, and the calculation and approval of the 2006 spring quota of 55,208 coastal migrant striped bass.

**ATLANTIC STATES MARINE
FISHERIES COMMISSION**

64th ANNUAL MEETING

**ATLANTIC STRIPED BASS
MANAGEMENT BOARD**

**Marriott Seaview Resort & Spa
Galloway, New Jersey**

October 31, 2005

The meeting of the Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Salon C of the Marriott Seaview Resort and Spa, Galloway, New Jersey, on Monday, October 31, 2005, and was called to order at 8:00 o'clock, a.m., by Chairman Jack Travelstead.

WELCOME & INTRODUCTIONS

CHAIRMAN JACK TRAVELSTEAD: Good morning. Good morning and welcome to the Striped Bass Management Board. If you will take your seats we will get started as soon as possible. Welcome to the Striped Bass Management Board.

BOARD CONSENT

Each of you has been provided an agenda. Are there any changes? Can you all hear me? Is this on? How about now? Okay, good morning. Each of you has been supplied a copy of the draft agenda.

Are there any changes to the agenda at this time? Seeing none, **the agenda is approved.** We have a few minutes on the agenda for public comment for those of the public who wish to make a comment. Is

there anyone who wishes to make a comment at this time? Wilfred, come on up.

PUBLIC COMMENT

MR. WILFRED KALE: Mr. Chairman, I would like to take this opportunity before you begin your daily work — oh, Wilfred Kale from the commonwealth of Virginia.

Before you begin your work this morning I'd like to take this opportunity to thank many of you around the table who were at last year's annual meeting for your kindnesses and your courtesy to me as I was a proxy for one of the Virginia board members.

But, more importantly, I would like to thank the general membership around this table for your kindness to me. Many of you know that I lost a brother, a younger brother, in the middle of the meeting last year.

And your kindnesses and your messages of sympathy and kindness to me were overwhelming. I won't attempt to go through the names of those of you around the table who signed cards, who picked up the phone and called my office and left messages. I'm extremely grateful.

I passed along your card to my sister-in-law who was very touched by your kindness and your expressions of sympathy. So before you get started this morning I just want to say thank you from the bottom of my heart.

I've only been associated with ASMFC since the Williamsburg meeting four years ago but you always make me feel warm and welcome and thank you so very much, and especially also to the ASMFC staff and their members and Vince and Laura, Tina and the crowd for their kindnesses. Mr. Chairman,

thank you for this opportunity.

CHAIRMAN TRAVELSTEAD: Thank you, Wilfred. Any further public comment? Seeing none we're going to move right along. Item 4 on the agenda is the stock assessment report for 2004. It is an action item. There are a number of elements to that. I guess first we'll hear from Des Kahn on the tagging subcommittee report.

Everyone have a copy of the proceedings, August 18, 2005? A.C.. We have a **motion to approve**. Is there any objection to the motion? The proceedings are approved for August 18, 2005. Thank you, Joe. Des.

STOCK ASSESSMENT REPORT FOR 2004

MR. DESMOND KAHN: Thank you, Mr. Chairman. Well, in our tagging report this year we've made some changes. We brought some new elements into it. And I'm going to try to illustrate some of these briefly for you.

We've now, we now have two methods for estimating fishing mortality. One is the method we used previously which basically calculates survival and then converts that to Z , total mortality, and converts that to total mortality. And then we assume a constant M and subtract that and get our F .

The big assumption there is that natural mortality is constant. We have a second method now which does not make that assumption. It's based on Baranov's catch equation, one of the central formula in fishery stock assessment work.

It's based on a peer reviewed publication that came out in '91. So that one will give you a slightly different picture. I'm going to

go through these. Okay, next slide. Thank you. Now, in our tag recapture work we have two primary outputs from our analysis.

One is estimate of the exploitation rate. That is the proportion of the tagged fish that were harvested or killed by the fishery. And for this one to convert we have to correct for non-reporting of tags so we need an estimate of the tag reporting rate.

We have one for the coast-wide program. Well, we actually have two that came out in the year 2000. One was based on work on the Delaware River spawning stock and one was in a published paper that calculated it for all the stocks. They turned out to be identical estimates.

We have worked on a grant proposal that has been submitted to try to do a new estimate this coming year and Dr. John Hoenig of VIMS is going to be overseeing that research if it is funded. So that's one of our primary outputs.

And the other is an estimate of survival rate which comes out of the Mark computer program now. It's the old Brownie method. We get survival. We then convert that to total mortality and we can, if we can assume that natural mortality is constant we can subtract that and get an estimate of fishing mortality. Okay, next slide.

Now, from those two primary outputs we now have several different sets of estimates. I mentioned the first one where survival converts to Z , subtract and assume constant M and you get F . That's the way we have been doing it in the previous years.

The new method, we're including this at this time, is using Baranov's catch equation. We take the Z from the survival analysis and we take the exploitation rate and we combine

them and now we get an estimate of F that does not make any assumption about M or natural mortality.

And you will see we get some slightly different estimates of F, especially for the 18-inch plus fish. A third thing we're doing now is we're estimating total abundance based on the equation, another variation of the catch equation, which says that catch or total kill equals F times your stock size. It's actually an average stock size for the year.

So, we have catch estimates. We now have F estimates from the tagging. We can develop annual estimates of stock size. And later on Doug Grout is going to show you those. He's going to compare them with the VPA estimates. Next slide, please.

All right, the first slide here shows you the exploitation rate. The dark line is for the 28-inch fish, the fully-recruited fish, and these are coast-wide averages. I've averaged everything in here.

Then the pink line is the 18-inch. And of course as you would expect the fully exploited fish have a higher exploitation rate than the 18-inch plus fish. Notice the peak occurred here in '97-'98, in that period.

And if you remember back then for the 28-inch fish, and when we did the '99 assessment in '99, we found some concern that the 28-inch fish the F rate had gotten a little high and we took measures to try to reduce that which went into effect in 2000.

But in any case, since then the exploitation rate, the average coast-wide, has declined and is now at a relatively low level coast-wide. It's below .15 for this last year. Next slide.

All right, now these are the two F estimates

on 28-inch fish. The dark line is the method we've been using in the past, assumes a constant M. And the magenta line is the catch equation method which does not assume constant natural mortality or M as we call it.

So, again we see this peak in the '97-'98-'99 period and since then we see a pretty strong decline for the Fs generated from the catch equation whereas those from constant natural mortality have increased some but the average coast-wide is still just below the target. Okay, next slide.

This is my last slide. This shows the 18-inch plus fish. Here is where we see a real difference with the two methods. If you assume constant natural mortality the F on the 18-inch fish is quite high. It has reached levels up as high as .4 in the past and is now right at .3.

However, if we don't make that assumption of constant natural mortality, we have much more stable and lower estimates, the lower pink line; so there are various reasons why this has occurred but you'd have to go into it program-by-program to get into that which I don't want to do at this time.

I will say on the report if you do look at the tagging report we have 14 tables and there are two sets of tables. One set is for the constant M and one is for the catch equation so it's important to make sure which table you're looking at as you go through this.

And you've got to kind of pick your way through here and it can be tricky. So, with that at this time I'm going to turn it over to I guess Andy. Thank you.

CHAIRMAN TRAVELSTEAD:
Well, before we go to Andy, let's see if there are any questions of Des? Any

questions? Yes, Mark.

DR. MARK GIBSON: Thank you. With respect to this new approach, what you're calling the "catch equation" approach, you have to assume a constant reporting rate across all those years?

MR. KAHN: Currently we do, yes.

DR. GIBSON: And what year was that?

MR. KAHN: That was generated in '99. Well, there were two estimates. One was generated specifically in '99. The other estimate was in the paper and it was published in the Canadian Journal and I believe it was an average over the previous years, '99 through the late '80s and they were identical estimates.

DR. GIBSON: Just a follow up. My point is that I don't have any more confidence that the reporting rate is constant than I do the natural mortality rate is constant so these in my mind are just variations on assuming something is constant and trying to solve for something else.

The other issue I have and I'm not too concerned about the smaller fish in the bay. I think there is some independent evidence of a rise in natural mortality but using this approach on the coastal population I think still has some problems and the reason is that if you take the three studies which the tag dispersion show, they're following a very similar migratory pattern, that's the Mass Fall Tagging and the New York Ocean Haul Seine and this New Jersey Delaware Bay Tagging.

If you look at the tables where those tags are recovered -- and that's Pages 117 to 118 --

they follow very, almost identical migratory paths and presumably they would be exposed to the same sources of natural mortality. However, when you plot out those M rates that come about from this new method, they don't track one another.

They follow actually different patterns with Mass showing a relatively constant value, probably around .15; New York tags, well, actually the M goes down over time; and the New Jersey Delaware Bay seems to spike up unexpectedly in the last time series.

So I think more work has to be done in looking at coherence in these M rates, particularly for the tagging programs where the fish are following very similar migratory patterns and I think more insight could be gained by doing that. Thank you.

MR. KAHN: Sure. Yes, we've just kind of really gotten into this newer method in the last few years. The committee feels it's a good approach from the feedback I've gotten. I just want to make one point about our current estimate of tag reporting rate. It's relatively low.

And, remember, the lower the rate the higher the F estimate that comes out would be eventually. So -- because we take the ratio of harvested tags, proportion of tags that were harvested and divide it by the reporting rate so our current estimate is .43.

That makes a relatively higher F. Now, work done in the Chesapeake Bay in the past, just within the Bay, has found tag reporting rates of .6-something and .7-something, considerably higher.

And those estimates would give actually lower F estimates than what we've got here. So, it is a relatively low rate which tends to give you a relatively higher estimate of F.

Thank you.

CHAIRMAN TRAVELSTEAD:
Pres.

MR. PRESTON P. PATE, JR.: Jack, the board may remember that North Carolina reported some unexpectedly high recreational landings during Wave I last year because we added Wave I to the MRFSS survey.

And there was some concern at that time that the spike was going to complicate or in some way adversely affect the stock assessment and I'm curious to know, Des, how you dealt with that.

MR. KAHN: Well, Pres, that really, we did use tag recapture data from North Carolina and Virginia in the winter as part of our process of trying to estimate that harvest in recent years. However, that is more in the realm of the VPA where that work occurred so I'm going to leave that up to Andy. He'll probably touch on that, or maybe Doug.

MR. PATE: Okay, thanks.

CHAIRMAN TRAVELSTEAD:
Any other questions, comments? Okay, let's move on to Andy's report on the VPA.

MR. ANDREW KAHNLE: Good morning. In the next few minutes I'm going to go over results of the ADAPT VPA analysis on data through the '04 fishing year, fishing the '04 calendar year. Next slide.

This year we've made some substantial changes in data inputs to the VPA. First, as Preston was just mentioning -- oh, I'm sorry. I got ahead of myself on that slide. I'll deal with this one.

The VPA involves three basic inputs. First is general information on loss at age, kill at age. We get that from, usually from length frequency and age length keys on harvest and discard.

The second is information on abundance indices, tuning indices, we call them. And the third input is an assumed natural mortality and for the VPA thus far we are using or at least this year we used an assumed constant M of 0.15. Next slide.

Improvements this year are two basic ones. First, we added the estimates of recreational harvest for the winter fishery in North Carolina and Virginia and I'll discuss that a little bit later. But it was a major change and it made a difference on the outputs.

Second, we revised the tuning indices that we've been using in the VPA. This process started a couple of years ago. The technical committee held a workshop to develop criteria for revising the indices.

The people went back, states went back and looked at their own information, the technical committee looked at the information based on the criteria and we made some changes to many of the indices.

In some cases we had age specific indices of abundance and we decided that for some programs we would aggregate them and so we would end up with an aggregate of all the ages that that program has taken.

In some cases we were able to disaggregate what had previously been grouped indices. A couple of programs we stopped using information from. We added information from two programs. When we were done we had 52 indices compared to 55 last year. And again this made a difference.

This shows recreational harvest since we started tracking in '82. And as you can see we continued an increase in losses, total losses. The landings went down a bit in '04 to 2.4 million fish. The discards went up a bit to 1.4 with a total removal by the recreational fishery of 3.8 million fish.

This shows our estimates of the losses of the direct harvest, not the discards, the direct harvest for the winter fishery that has developed off of North Carolina and Virginia. This is Wave I fishery. Wave I was not monitored until North Carolina added funding, I believe, and monitored it for the winter of '03-'04.

We used information on tag returns and catch reported harvest in Wave 6 and Wave 2, the relationship between tag returns and the harvest, to develop estimates of harvest in Wave 1 back to '96. We had tag returns from Wave I but no harvest estimates outside of the North Carolina estimate in '04.

A brief look at age structure of the recreational harvest in '04. Most of the discards were Age 3, the '01 year class. Most of the landings were Age 8, the '96 year class. You may recall that to estimate commercial discards we take the ratio of tag returns from discarded commercial fish to discarded recreational fish and multiply that times the reported number of recreational discards.

In '98 we improved this a bit: 1, we made separate estimates for Chesapeake Bay and the coast; and last year we added Delaware Bay as a separate estimate; and finally, we made an adjustment to this estimate based on the reporting rate of the commercial tags.

Commercial harvest in '04 continued to climb for the last couple of years: total

landings, nine-hundred-some-thousand fish, discards, five-hundred-some-thousand, for a total of 1.4 million fish lost in the commercial fishery in '04.

Age structure in the commercial harvest is a bit different than the recreational harvest, the greatest loss, Age 4, the 2000 year class. This just shows the difference in the commercial harvest, the age structure in the commercial harvest between Chesapeake Bay and the coast, obviously much larger fish on the coast with the size limits.

Again, almost three-quarters of the fish taken in the striped bass fishery are in the recreational fishery, either directly or discards, in '04 and that's very, very close to what it was in '03 and in previous years.

Total removals continue to go up in '04. We had a total of 505.2 million fish taken in '04. The biggest year classes in '04 were the Age 2, 4, and 8 fish or 3, 4, and 8 fish, the '02, the '01 and the '96 year class.

I think very tellingly we look at the harvest of the, the losses, total losses of Age 8 and older, that they continue the dramatic increase of the last few years. And in '04 losses equaled 1.9 million fish Age 8 and older.

This shows most of the survey indices that we used in this year's -- this shows all of the survey indices used in this year's VPA run. The only thing that's important in this slide, if you look at the upper left, the multiple individual ages on the, among the independent, fishery independent surveys, we have now with the adjustments that we have made only one survey that provides age specific information for fish greater than Age 9 and that's the Chesapeake Bay survey.

The tuning indices that we use make a difference to the VPA output. And it is important to have as many as we can for the older fish. These are the fish that we are fishing on. And these are the fish that we're measuring the F value for comparisons to the benchmark values.

I think the take-home message from this slide is that we very much need to develop additional indices of older fish. Results, quickly, these are F values at age for '04. Age 9 was the winner, highest F of .5. Clearly the older fish are being fished at higher rates than the younger fish.

Time series of F estimates for average of 8 to 11, Ages 8 to 11, this year .4, 0.4, slightly below the overfishing definition and above the target; but in previous years fishing rates have been below the target, a very different picture than what we saw last year and I'll have some summary slides that compare the differences.

We calculated weighted means for comparison with the tagging. And Doug will have some slides that put these together with the tag results. F estimates for 7 to 11, the 28 and larger fish in the tagging program, we got in '04 to be 0.32, 0.26 in '03. Results for Ages 3 through 8, mostly the Chesapeake Bay fishery, comparable to the direct enumeration method: 0.12 in '04; 0.14 in '03.

Estimates of population size continued to go up. Well, you may want to just look. The total number are being measured on the left vertical axis and they're in, well, these are in thousands but they're read as a total in '04 of 65 million fish.

The abundance of the Age 8-plus read on the right vertical axis, and again in thousands, and in '04, 6.7 million fish. Total

abundance is going up with some strong year classes coming in. Age 8 abundance has been fluctuating around 6.2 million for the last three or four years.

Spawning stock biomass, the female spawning stock biomass peaked in '02 at 27 metric tons, currently just about -- and then declined to about 25 metric tons, well above the threshold value we calculated for '95 of 14 million metric tons.

Recruitment down a bit this year but still high. This is abundance at Age 1. And the '03 cohort still shows as a strong cohort. It is the strongest that we've seen in the VPA since we started the analyses.

Now, a brief look at some retrospective analysis for those who are interested in these results. Very different than what we saw last year. We still have a bit of an overestimate in the terminal year for fishing mortality.

Last year the '03 value is right on the value we got had we not had the '04 information and then prior to that a bit of an overestimate for the terminal estimate. Next. Patterns for abundance are very good. There is very little if any bias in the terminal year estimates.

Recruitment the same, very little bias. The model is performing much better this year than it did last year. Slightly negative terminal year bias for female SSB, again, not as bad as it was in previous years.

Now I'll just show you a couple of slides that compare what we've done as we changed the VPA. The red line is this year's output, the one on the bottom. This is average F estimates for Age 8 to 11, new indices, new catch at age which includes the North Carolina fishery.

The yellow line, the old indices with the new catch at age. So clearly that has made a difference when we added the new catch at age and dropped it down. And, finally, the blue line, old indices and old catch at age.

And this is as if we had just rerun everything that we had the year before the same way, updating it one year. And the blue line is what we saw last year.

And had we continued to use the old indices and the old catch at age without the North Carolina fishery we would have had F estimates up around the .6 range. So, again, we have made a difference as we changed the data inputs.

Same story with the abundance estimates, total abundance. The red line, total abundance using the new indices and the new catch at age. Yellow line, new indices, old indices, I'm sorry, on new catch at age.

And, finally the blue line which is where we would have been had we not changed anything with the output. And the same story with the Age 8 and older abundance. We have made a difference this year with the changed inputs.

So, in summary, the VPA suggests that fully recruited fish Age 8 to 11 F equals 0.4 which is above our target but below the threshold; for Ages 3 through 8, 0.16. The total population remains high with a slight decline perhaps bouncing around at Age 8-plus.

Female spawning stock, very high; declined in the last couple of years but well above the target value or the threshold value. And high recruitment in the last few years, especially the '03 year class. And, finally, the model is clearly sensitive to the inputs.

And that's it.

CHAIRMAN TRAVELSTEAD:
Questions or comments for Andy. Gene.

DR. EUGENE KRAY: Andy, in the pie chart that you had up there you showed a 26 percent discard. I think that was on recreational.

MR. KAHNLE: That's correct.

DR. KRAY: Of that discard what do we estimate to be the mortality?

MR. KAHNLE: That is the mortality.

DR. KRAY: That is the mortality?

MR. KAHNLE: Yes, sir.

DR. KRAY: Okay, thank you.

CHAIRMAN TRAVELSTEAD:
Ritchie, then Mark.

MR. G. RITCHIE WHITE: Thank you, Mr. Chairman. What made the decision to adjust the tuning indices this year and how will you decide to adjust them in the future?

MR. KAHNLE: I'm sorry, could you repeat that question?

MR. WHITE: Yes, how did you come to the decision to adjust the tuning indices this year and how will you decide in the future to make further adjustments?

MR. KAHNLE: The decision was made a couple of years ago by the technical committee. We had been wrestling with indices in the stock assessment committee for many years.

Evaluating the, we would evaluate the indices each year and we would look for indices where you could track year classes, where there would not be wild fluctuations from one year to another for the entire sample set for all years, sample programs that covered the range of the species where they were sampling over time and space and so on.

About two years ago the technical committee decided that it was time to convene a workshop to more formally evaluate these indices rather than doing it ad hoc at the stock assessment committee.

At the workshop folks who developed the indices were present along with many scientists who work with such data. John Hoenig was there, Des Kahn. And we developed what we thought were objective criteria for evaluating the indices.

We wanted to be sure that they covered where the animals were over time and space, that you could track year classes from one year to another, and so on. Folks went back, evaluated their indices and came forward with these adjustments.

So it has been a process, an objective process, that has lasted for about two years. This is the first year that we incorporated the indices that resulted from this process. Your question about moving forward, I don't think you're ever done evaluating your information.

And as people learn and work with their data they develop insights that changes their perspective of the meaning of that data. So, I'm hoping that this is the last major change that we'll make for a while but I would anticipate minor changes.

Also, as I mentioned, we have a definite need for indices that track fish, older fish in the population. We do not have any now. We at one time were using several: the Massachusetts index, the Northeast Fishery Center trawl survey. And we ended up aggregating these indices this year and so we lost that information -- the New York ocean haul seine.

After evaluating the data we aggregated Ages 9 and above and so with the exception of the Maryland spawning stock we do not have good indices for older ages and that's a definite need which I hope we will bring some changes in the future.

CHAIRMAN TRAVELSTEAD:
Mark.

DR. GIBSON: I noted in the report that the committee dispensed with the bootstrapping exercise, although I can't divine from the text what their concerns were about that in terms of its applicability so I need to understand more about that one.

The reason it's important is because this .4 value is very close to the overfishing threshold and lacking any bootstrap distribution to tell me what the likelihood is that it is actually over that -- you know, we're in a thin ice position in my mind, at least in terms of the ADAPT results, so I need to hear some more about that.

MR. KAHNLE: Yes, as it is produced, well, the folks who developed ADAPT tell us that as it is used on striped bass we certainly can produce one but the meaning of the bootstrap results are no longer clear to us. And we're uncomfortable with providing them as we have in the past. I guess that's all I can say at this point -- as much as we would like to have them.

DR. GIBSON: Just a follow up, Mr. Chairman. I mean does that mean that you think they underestimate the variability or? I mean, I just don't know why that's not appropriate any more.

MR. KAHNLE: No, we don't know that. We just don't feel that they're appropriate to use as estimates of variance at this time.

CHAIRMAN TRAVELSTEAD:
Doug.

MR. DOUGLAS GROUT: Mark, one of our concerns were when you do the bootstrap you don't do the re-weighting. And it was the committee's feeling is that you would have to do that to make it really an appropriate, have an appropriate output. The output we get is very skewed, extremely skewed in one, I think it's towards the left.

And the reason that we came up with is what you would have to do is after each bootstrap run you would have to go through the re-weighting process and that would be an extremely time consuming process. And one of the things we'd like to do is to come up with some other method of determining variance around those estimates.

CHAIRMAN TRAVELSTEAD:
John Nelson and then Gordon.

MR. JOHN I. NELSON, JR.:
Thanks, Mr. Chairman. You probably answered this, Andy, to some degree although all the indices seem to coincide very nicely prior to the '90s, if you look at the '70s-'80s. And I was thinking, well, okay we have a lower population; you probably have a better handle on it.

I had two questions. One was, is it just because you actually had such a larger

population of striped bass that that's creating the variability that you're seeing now that you did not see prior to the '90s? And, also, my sense was that we had larger fish that we were protecting prior to the '90s.

And so I was a little confused when you were explaining the concern about not having enough data on larger fish to be able to put it, have accuracy as far as their, well, I'm probably not going to say that right but there was some confusion as far as whether we have enough data on the larger fish in the '90s and 2000s versus what we had in the '80s.

So those two questions. It was a little confusing to me as far as why we had such precise agreement prior to the '90s and therefore it diverged when we got into the '90s and later.

MR. KAHNLE: Well, I don't know if I can answer that. There are some differences. We did not have as many indices earlier on. And unfortunately prior to this year when we made an attempt to have an objective change in the indices, the indices were changing each year as we use them and that may or may not have made a difference.

Also, now we have more older fish around, as you said, but fewer indices that are tracking the older fish. I don't know if that makes a difference. Most of the indices focus on Age 8 and younger rather than Age 8 and older.

Also, as we develop more indices there is a chance that we are monitoring different aspects of this mixed stock. We do have lots of fish coming from the Hudson, Delaware and the Chesapeake. And the Chesapeake is Virginia and Maryland.

And so the indices may be measuring different segments of the stock, of this mixed stock. And as the stock grows perhaps we're seeing differences among those stocks being reflected in the indices.

So certain indices may be tracking the Delaware, others may be the Hudson, and they may be diverging from the signal that we're getting from the Chesapeake in some way. I don't have an answer. That's speculation.

CHAIRMAN TRAVELSTEAD:
Gordon.

MR. GORDON C. COLVIN: Andy, a question and perhaps a couple of observations. Did I understand that on the issue of the retrospective analysis that you expect that in time the terminal year estimate of F will decrease on the older fish?

MR. KAHNLE: History suggests that is the case so that when we run the estimate next year we will expect to see a slightly lower F value for the '04 aspect of the fishery.

MR. COLVIN: Any sense of the magnitude of the expected decline over time?

MR. KAHNLE: That's impossible to predict. Although, last year there was none. The '03, looking back in time the terminal year '03 was right on what we predicted the '03 to be this year under this new model configuration. And so it's, if anything, it seems like that bias may be declining a bit.

MR. COLVIN: Just moving on to something else, did the technical committee discuss yet what sorts of survey information might be helpful in addressing this lack of

information on the older fish? What recommendations need to be made to the board for new data collection activities? Or is that still to be done?

MR. KAHNLE: We had not made a formal recommendation at this point. What we have discussed is perhaps trying to organize some structured use of volunteer anglers coast-wide where volunteers fish certain places or certain regions at certain times with some consistency throughout the coast.

The need is for an index of abundance for older fish coast-wide. And we could think of no other at the time but that is still being worked on.

MR. COLVIN: I think it would be helpful to get a recommendation of how to proceed with that. The last thing, I'm not sure this is a question so much as an observation or maybe an inquiry to staff. Bear with me because at this early hour I'm having trouble getting my brain around all this stuff.

But it just seems to me that there is a remarkable difference between the impression we get of the status of the stock based on the methodology used a year ago as compared to the methodology being used now.

And this is despite the fact that we've learned of the relatively recent development of a major new fishery which has significantly increased the recreational exploitation on older fish.

That is surprising, to say the least. And it just occurs to me that I'll be a lot more comfortable with where we are once we have an opportunity for independent peer review of the methodology being used now.

If we hadn't made these changes and we had the same assessment we did a year ago we'd be having a very long meeting today talking about major changes to striped bass fishery management. And I'm still not 100 percent convinced we shouldn't be having that conversation. So, I guess my inquiry, then, is when and how soon are we anticipating a peer review to give us a greater level of comfort with what we got here?

MR. GROUT: Gordon, striped bass is scheduled for a peer review in 2007.

MR. COLVIN: Ouch.

MR. GROUT: You can move it up if you'd like.

MR. KAHN: Gordon, let me just respond to one of your points if I could for a minute. Basically the discovery of the relatively large harvest in the southern part of the range in the winter, when we get occurrences like this in stock assessment, VPA, et cetera, sort of your intuitive response is, wow, that must have increased the exploitation rate.

However, it also works in such a way that the model then calculates if there are these many fish being caught now, there are more fish being caught, there must have been more fish to begin with.

So it raises both the harvest estimate and the estimate of stock size. So it doesn't always you know result in a big increase in the fishing mortality rate. And we've seen that with different species as well.

MR. COLVIN: Understood, Des, thank you. On the other hand, that may not be true and I think one of the things that concerned us is not just the size of that

fishery but its focus on very large fish.

CHAIRMAN TRAVELSTEAD:
Gil.

MR. GIL POPE: Thank you, Mr. Chairman. Page 17, Figure 1 on the pie chart, I see commercial discards are now 10 percent. If I remember correctly the last VPA it was anywhere from 3 to 5 percent. Is commercial discarding increasing? Or is there a change in the calculation of the discards? Finding more tags? Thank you.

MR. KAHNLE: Yes, one of the other figures tracks the commercial discard over time and it has increased, gradually, for the last several years. There is no change in estimation method that I'm aware of. That's all I can say. It has increased. I'm surprised it increased that much as far as a percentage. That's what I have.

CHAIRMAN TRAVELSTEAD:
A.C.

MR. A.C. CARPENTER: Thank you, Mr. Chairman. I'm on that same page and you showed a figure there of the commercial harvest including Age 1 and 2 fish. And looking at Table 14 it looks like I won that prize and I'd like some explanation, please.

MR. KAHNLE: Which table is that, A.C.?

MR. CARPENTER: I'm pretty sure that Figure 2 comes from Table 14 -- Table 4.

MR. KAHNLE: Thank you for bringing that up. A.C. and I chatted briefly about this before the meeting. We, and the question on the table is, why are there, is there a harvest reported or estimated for

Ages 1 and 2 for the Potomac River Fisheries Commission when they have an 18-inch size limit and a minimum five-inch mesh gillnet and a pound net fishery.

I guess we'd have to say we're still working on the Potomac River estimate. The age structure that we received, that we received from the commercial monitoring of the Potomac fishery seems to be biased towards small fish.

And when we took the age structure from that, multiplied it times the total number of fish and came out at number at age, and then took the mean weighted of those ages, multiplied them together, we could not account for a very large part of the reported harvest. We ended up with an estimate of 400,000 fish when the Potomac River reported 700,000 fish. And so --

MR. CARPENTER: Pounds. Pounds.

MR. KAHNLE: That's correct. I'm sorry, correct. It's 91,000-some fish, certainly not the other. So at the meeting, at the assessment meeting, we turned to some gillnet data from the Rappahannock and some pound net data from the Rappahannock which had younger and older fish which seemed to provide more internally consistent estimates. We did not have time to go back and pester A.C. about the results and we're doing that now.

MR. CARPENTER: Thank you, Mr. Chairman. We will try to work with Andy and see if we can't resolve this difference.

CHAIRMAN TRAVELSTEAD: Very good. Paul.

MR. PAUL DIODATI: A couple of things, Andy, you had reported that the

recruitment indices were going up in 2003. Does that appear to be coming from a variety of the spawning grounds? It's not a single area that contributes to that, is it? Are we seeing a number of areas doing well?

MR. KAHNLE: Most areas were doing well.

MR. DIODATI: And the winter fishery that we talked about, you did show the January-February wave information. Was that harvest for each year or was that total with discards?

MR. KAHNLE: That's a good question. It was only harvest. We did not estimate discards and so that's something that is still missing from the VPA.

MR. DIODATI: Okay, in that case at some point I guess we need to just take a closer look at that because just that January-February period of harvest was equivalent to the Massachusetts catch, entire year's catch and we have a significant fishery there.

So, I think at some point we need to look at that a little bit more closely. Now you added that information into the VPA analysis this year but did you only have 2004 estimates for January-February, so there was nothing added for prior years?

MR. KAHNLE: We made estimates. Well, this is the first year that we've had to look at this, that we've figured out a way to make estimates for this harvest. We developed estimates for the period '96 through 2000 and we added all of those into the VPA and so all of the earlier year harvest estimates were increased by the amount of the winter fishery from '96 to 2004.

MR. DIODATI: And with the

changes that you made in the indices which obviously did change your output this year, did you look at that in context of the target and thresholds in the plan, because those haven't changed? Does the committee feel that those need to be revisited? Have you thought about that?

MR. KAHNLE: Changing the indices would not change that. Changing how we think this fishery operates on the stock would change them but we haven't done that.

MR. DIODATI: No, I know we haven't changed those indices but you have changed the indices in the assessment.

MR. KAHNLE: Yes.

MR. DIODATI: And so that would leave me to wonder whether or not the target and threshold that we had originally identified were appropriate or not. And I guess it gets to the point of whether those targets and threshold values are characteristic of a healthy stock.

And you know it seems from the overall assessment that you know my feeling is that we have a healthy stock from the overall assessment. And obviously the lower we drive the fishing mortality rates we could expect that the population size will increase and we get a broader age distribution at some point.

So, I mean the question is, how are things today? And it's my opinion that things are pretty good in terms of fishery performance and the condition of the stock. So I think the targets and the thresholds are something that we need to revisit because we are between the two, in fact approaching the overfishing threshold yet the stock appears to be in fairly good condition. So, I guess

I'll leave it at that.

CHAIRMAN TRAVELSTEAD: I have Bruce and Gene left to ask questions and Eric and then following that I'd like to move on the stock assessment report and then further questions following that so, Bruce.

MR. BRUCE FREEMAN: Thank you. I'm not sure Des or who can answer this but there was mention of the North Carolina catch. I guess you made that mention, Andy. And then in the tables it has North Carolina/Virginia. Are those two different data sets or is it the catch off North Carolina and Virginia that you're including in that Wave I?

MR. KAHNLE: All of the tables in the VPA report that show catch by state include the winter fishery.

MR. FREEMAN: All right, so it includes Wave I.

MR. KAHNLE: That's correct. It includes either the measured Wave I or the estimated Wave I.

MR. FREEMAN: And you indicated, Andy, that you did adjust over the last eight years for the data we received last year, the Winter I, Wave I data.

MR. KAHNLE: That's correct.

MR. FREEMAN: You also indicated earlier on the two major improvements, one is this new catch information, the Winter Wave I catch information, and the other is the adjustment in the indices.

Can you tease out which of those really were the ones who made that or was responsible

for that change in the new estimate? Was one more powerful or more important or more demanding than the other? Is that possible?

MR. KAHNLE: This slide shows the differences, the different results depending on how we mixed the adjustments, the changes. I'm not ready to say one was more important than the other. Each of them certainly made a difference.

Depending on what you're looking at for results, the impacts vary a little bit. I guess we could spend more time on that question but we thought that additional years information would also help us.

MR. FREEMAN: Well, the reason I asked the question is twofold. I'm quite interested in striped bass but in our discussions later in the meeting this concept I think may be quite important, that if we're not including certain information the results may be quite different.

It really depends on how well we monitor the fishery as how accurate our estimates are. And I know that you and others continually try to do the best you have with the information but it's usually the lack of information or information we don't have that is driving some of our conclusions. And it just stresses the importance of getting that information, that biological information. Thank you.

MR. KAHNLE: I agree. And based on the retrospective, well, from one year's look back, the retrospective pattern suggests that we're doing a little bit better job now that we've improved the indices and captured more of the losses.

CHAIRMAN TRAVELSTEAD:
Gene.

DR. KRAY: Andy, I wanted to go back to the question of the recreational discards. I'm a little confused. Maybe I can give some of my confusion through an example. I'm fishing on my boat in the Cape May rips and I catch a 23-inch striped bass. It is gut hooked.

I get the hook out, release it; it's chances of mortality are this way. I catch another 23-inch fish; hooked in the side of the mouth; release it and it's probability of living is quite high. How, is that captured within that 26 percent?

MR. KAHNLE: That's a good question. We have estimates of the total number that are captured and then returned to the water. What we then do is apply an average hooking mortality, an average mortality that we have seen from various studies to that total return number for an estimate of the total that die.

The estimate that we're using now is based on a very well designed study that was conducted in Massachusetts throughout a long period of time using a variety of gears. Clearly that, although it's a few years old and as people improve their fishing methods and increase the use of circle hooks, it's very likely that that estimate should be changed.

But we don't have better information and so what we're using is an estimate that is 8 percent of the returned fish die. That's the best we have at this point. But I suspect that we could do better if we had more information.

DR. KRAY: Thank you. That clears it up for me. Thank you.

CHAIRMAN TRAVELSTEAD:

Eric.

MR. ERIC SMITH: Thank you. Could you move forward to the last slide. The top bullet, Andy. Last year if I remember the numbers correctly the terminal year estimate of F was something like .6 and this year with a year's worth of history, if you will, it's about .3.

Did the technical committee feel that that same magnitude of change was likely to occur based on this terminal year estimate of F or because of the new catch at age and the new indices the magnitude of the bias, if you will, was going to shrink?

In other words, next year if you do the VPA again will it be still .4 or for this year or will it have dropped down as it did from last year?

MR. KAHNLE: Well, there are two things going on. At least historically with the VPA runs when we add a year of information the, as we add years the estimate that we get in '04 for '03 will go down compared to what we got when we were running it in '03.

So next year we would expect the estimate for '04 will be down a bit. That has been the pattern as we've run the VPA over the last several years. That's not always the case for all species but it has been the case for striped bass. So, next year we would expect that .4 to go down a bit or stay close since the changes decreased.

The difference between last year and this year was caused by the including the North Carolina and Virginia winter fishery and the change in indices. That's not a normal year-to-year change in running the VPA. So I would expect it to go down a bit next year but nowhere near as far as it went from last

year.

Now, looking at the '03 estimate, using this year's information we get .29, 0.29. And, again, I think the big difference was the winter fishery and the change in the indices.

CHAIRMAN TRAVELSTEAD: Okay, I'm going to move on to the stock assessment report, Doug, and then if you have further questions we'll come back to them if necessary.

MR. GROUT: What I have here is a few slides which would sort of sum things up. We're fortunate with striped bass that we do have a lot of information that we can provide to you to help assess the stock and I'm trying to put comparisons here.

One of the things that you set as a goal in Amendment 6 was to increase the abundance of older fish. This is our first crack at showing you how things have gone under Amendment 6 and we have increased the abundance of older fish.

Age 13-plus is actually a combination, is Age 13 up to the oldest fish. And then we also have an abundance level of Age 12-plus fish, so in general it has been going up. Next slide.

This is a comparison of the abundance estimates from both the tagging program and the VPA. The dark line is the VPA, Age 3-plus, which is what is comparable to the tag-based 18 inch-plus or what we call Age 3-plus.

The VPA and the tag-based estimate population estimates using the catch equation, the Baranov catch equation, is relatively similar except for the fact that in recent years the population estimates from the Baranov catch equation are going up at a

much steeper pace than the VPA.

Using the constant M we have information that is very erratic except in the recent years which seems to indicate it is stabilized at a very low level. If we look at, this is essentially our comparison of the three population estimates, abundance estimates.

In this case we're looking at Age 7-plus fish, 28 inch and above fish. And in this particular case both the VPA and the constant M are relatively similar in the catch equation. Again, it goes up at a very steep incline while the VPA and the constant M values essentially leveled off since 2000.

Now we'll look at the fishing mortality rates. Again, in this case we're looking at 28 inch and above, pretty much close to the fully recruited striped bass. In this particular case the constant M and the VPA actually both, all three of these show a fairly similar pattern up until about the year 2000-2001.

And then they diverge where the VPA and the constant M values go up while the using the Baranov catch equation things have leveled off and even declined in the most recent year. Now as we look at the Age 3-plus, things are a little bit different.

The Baranov catch equation and the VPA 3 to 11 weighted by end are almost identical throughout the time series between .1 and .2 while the, using the constant M fishing mortality on Age 3-plus has been going up and then leveled off since the late '90s.

And just one last comparison. We wanted to show you the Chesapeake Bay direct enumeration versus the VPA 3 to 8. A couple cautions about, this is our best comparison that we can give you with the VPA although first of all the VPA is a, includes multiple stocks and the Chesapeake

Bay direct enumeration is a single stock.

You also have the time period off a little bit. The VPA is on an annual basis while the estimates for the Chesapeake Bay direct enumeration goes from I believe July to June the following year.

And as you can see, the direct enumeration had its peak in the '90s and has been declining since and is almost down to a point that is comparable with VPA 3 to 8. And the VPA has since the mid '90s has been pretty flat and varying without trend.

So our conclusions from the technical committee is total abundance is increasing. The abundance of older fish is increasing. Spawning stock biomass has decreased slightly since 2002 when Amendment 6 was approved but is still above both the target and the threshold so the population is not overfished.

Our conclusions concerning the fishing mortality is that we are below the threshold so overfishing is not occurring and but there were differing opinions within the technical committee concerning where the 2004 F is in relationship to the target. Questions.

CHAIRMAN TRAVELSTEAD:
Any final questions for our experts? A.C.

MR. CARPENTER: If memory serves me right I think today was the first time that we've seen an exploitation rate versus an F value. And I would like to ask, is there any basis for considering switching from an F value to an exploitation rate since exploitation rates are something that I think we can explain to the public a whole lot easier than we can explain F.

MR. GROUT: Well, A.C., they have been in the report, the tagging report now.

But they were in the back of the report. I tried to give them a little more prominence because now we're using the exploitation rate together with the total mortality rate in the Baranov catch equation to estimate F. Okay? So that's why I'm giving them a little more prominence.

They are easier to explain to the public in that they're a simple percentage of fish present that are harvested. You know that would be something to consider. I guess different people might have input on that. It's an option. Yes.

CHAIRMAN TRAVELSTEAD:
A.C.

MR. CARPENTER: And a follow up to that is, is the difference between the constant F and the variable, I mean the constant mortality and the variable mortality, is there some age class difference in that rate or is there something in this report where I can read the differences between the two? I know that the constant M is a .15. Is there a different M at age for the various fish?

MR. GROUT: We've traditionally used .15 for all ages, although that is an average really over all ages. So, younger fish in general we would think in general have a higher natural mortality rate than, you know, say middle-age fish. But we have not employed that in either the VPA or the traditional tagging method here.

Now the new approach using the catch equation, after we get our F we have the Z so we can estimate M, Z minus the F. And in some of the tables, the detailed tables on the catch equation results, you can see that column if you want.

CHAIRMAN TRAVELSTEAD:

Ritchie.

MR. WHITE: Thank you, Mr. Chairman. First I'd like to thank all three presenters for presenting this complicated information in a manner that certainly helped me a lot in understanding. I've a question for Doug.

Getting to the differing opinions and concerns about the 2004 F in relation to target, I understand that fishing over target for a year or two may not be of immediate concern but could you comment in an a general sense of how many years that, if we fished over target for a number of years, what that could do to reaching our goals in Amendment 6.

MR. GROUT: I think because the target is sufficiently different from your threshold that fishing slightly over the target for several years probably wouldn't have that much of a, it would take a long time before you'd really see any kind of an effect.

If you were fishing close to the threshold, obviously the closer to the threshold and then if you go over the threshold then that's where you're going to have the more significant impacts and you'd see it. But I think the target is sufficiently far enough away from the threshold that going over it a little bit isn't going to be that drastic.

CHAIRMAN TRAVELSTEAD:
We're going to have to move on here pretty quickly. We're falling a little bit behind. Bruce, do you have one final question?

MR. FREEMAN: I'm somewhat confused. I'm looking at the conclusions and it indicated the abundance of older fish increasing and yet I think Andy indicated in his talk that we're seeing declines in eight and older fish. Did I understand that

correctly?

MR. KAHNLE: The difference is that you're looking at Age 8 and older versus the older fish. We're talking Age 12. And your goal in the plan is to increase the abundance of Age 15 and older fish.

MR. FREEMAN: Okay, so the issue here is the definition of older.

MR. KAHNLE: Right.

CHAIRMAN TRAVELSTEAD: Gentlemen, I want to thank you for your reports today. They were very concise and thorough and please extend our appreciation to your committee members for the work that they do all year long. Thank you very much.

At this point I would like to get a **motion to accept the stock assessment reports for 2004**. Howard, you're making the motion? Seconded by Pat Augustine. Is there any comments on the motion? Mark.

DR. GIBSON: Yes, I just have to say I don't think that those conclusions that are up there were substantiated, lacking a thorough uncertainty analysis.

There is no bootstrapping for the VPA to tell us what stock size the confidence bounds are relative to reference points, ditto for fishing mortality rates. And there is no thorough uncertainty analysis in the tag summaries.

There are individual estimates on year specific estimates of survival rates but the stock size trends calculated by the new method, there is no uncertainty on those; nor the coast-wide summary of the tagging mortality so I don't know how they came to those conclusions because they're not substantiated by an uncertainty analysis.

CHAIRMAN TRAVELSTEAD: Any further comments? I don't think there is any need to caucus. All those in favor of the motion say aye; opposed, like sign; one; abstentions; null votes. The motion carries. George.

MR. GEORGE LAPOINTE: I don't know if now is the appropriate time but Gordon made a suggestion that we move up the peer review of the stock assessment and I want to follow up on that.

You know if we look at the conclusions of this, the report that was given -- and it was a very good report -- compared to what we were looking at last year, and look at the consequences of being wrong, I'm concerned about what it might do to the striped bass population and so I think I'd like to make a motion to move up the peer review for 2006.

CHAIRMAN TRAVELSTEAD: There is a motion to move the peer review up to 2006. Seconded by Gordon Colvin. Comments on the motion. Pres.

MR. PATE: Jack, I'd just like to hear Vince speak on how that is going to affect the action plan for next year and the availability of funds to do that.

CHAIRMAN TRAVELSTEAD: Vince.

EXECUTIVE DIRECTOR JOHN V. O'SHEA: Thanks, Mr. Chairman. The plan that, the action plan that we put before you was anticipating a peer review in 2007 so we have not put funds aside for that.

There is funds in the '06 plan for the technical committees to get together and meet. The SARC schedule has already been

set. That's usually set three or four years ahead of schedule by the Northeast Fisheries Science Center.

So what Bob and I are discussing here is probably the need for an external peer review. And you're probably talking \$10,000 to \$15,000 to do that based on our experience with previous external peer reviews. So, I guess I'll just say maybe depending on other things that we might tinker with on the action plan, Mr. Chairman.

CHAIRMAN TRAVELSTEAD:
Thank you, Vince. Jaime.

DR. JAIME GEIGER: Thank you, Mr. Chairman. Certainly as I understand it in 2004 we changed the criteria and changed basically some of the criteria and indices related to the VPA. And that was accepted.

And certainly I can see three years of accumulating additional information before possibly another complete and comprehensive peer review to be undertaken. My question to the commission, though, would be other than budget what is the criteria or protocol for scheduling peer review based upon previous agreed-upon changes to a VPA model? Thank you.

CHAIRMAN TRAVELSTEAD:
Bob.

MR. ROBERT E. BEAL: The standard commission trigger is every five years even if nothing changes with the modeling and the data inputs are fairly consistent. However, if there are modeling changes or substantial changes in the way the current model is applied or the current data is used, that does trigger an external peer review.

You know there is a little bit of interpretation as to what "substantial changes" means. You know the technical committees very seldom just run the exact same model, tuned the exact same way the following year.

They're very similar and there is minor tweaking. The striped bass, the changes that have just been presented are probably bumping against "significant changes," I would think. So that, by that definition, it would trigger a peer review.

CHAIRMAN TRAVELSTEAD:
Jaime, follow up.

DR. GEIGER: Yes, please, Mr. Chairman. Thank you for that response. My question now is, when do we officially seek the guidance of our technical committee and ask them to respond to, given the changes we at least have seen this year, when would it be appropriate to schedule an external peer review? Thank you.

MR. GROUT: Just to give the board an idea of where the ideas that the technical committee has right now about where we're going, at the next scheduled peer review one of the things that we were going to look at is potentially using a different model other than the ADAPT VPA.

The ADAPT VPA assumes that the catch at age is measured without error and that's not true. And so one of the things we were looking at is an ICA model which we presented to you last year as sort of a beginning run at it that you don't have to, it does not have that assumption.

The other thing that is going to be continued here over the next year or two is further development of this Baranov catch equation.

We want to provide confidence limits around those values of F.

All of those things are going to take a lot of time. We just barely got this thing together this year based on the new compliance reporting deadline of July 15th. One of the things we were going to suggest to you at the next board meeting was to change that date back because it was just too tight of a turn-around for the stock assessment committee.

We had four states or about a quarter of the states that didn't even make that deadline. And one of the things that is also on our agenda -- and obviously it would change depending on whether you decided to move up the peer reviewed assessment -- was we were going to ask, potentially, to have a year next year where we provide you with updates on harvest but we wouldn't do a full-fledged assessment, that we would spend this year and the following year getting ready for that peer reviewed assessment in 2007. These are all things that we're thinking about. And it depends on what your decisions are concerning the peer review and other items.

CHAIRMAN TRAVELSTEAD: I have Anne and Des on this.

MR. KAHN: I just wanted to make one brief point about the uncertainty estimates that Mark raised, Mark Gibson, and Doug just referred to. We have uncertainty estimates around the F estimates from tagging using the constant M method. They're in the tables that present the results by state tagging program for the 28 and for the 18.

However, with the catch equation method we have not yet had time to develop those estimates. However, we do have uncertainty

on the constant M estimates at this point, not on the coast-wide averages but for the individual programs. Thank you.

CHAIRMAN TRAVELSTEAD: I have Anne and George on the motion.

MS. LANGE: Well, my question relates to the process that went into determining the criteria for inclusion of the input indices. That was something that was planned by the technical committee for quite a while and had been worked on for a while. Is that something that was peer reviewed?

I mean the intent was to set up, my understanding of the intent was to set up objective criteria for what constituted an index that should be included and what constituted ones that probably weren't.

Has any of that been included previously in a peer review or have those discussions been ongoing for a period of time? I mean I think some people are concerned that the changes in the indices that were included this year, there may have been some picking and choosing to get an answer and I think the question -- I don't believe that. I think that it was an ongoing process. And I think a little description of how that occurred would be helpful.

CHAIRMAN TRAVELSTEAD: Andy.

MR. KAHNLE: It has, the process and results have not gone to peer review. They were completed just before the assessment began this year. I'm not sure what you mean by an explanation of the process.

We started with a meeting of the technical committee that was focused just on the indices. Criterion were developed. They

were distributed. They were criticized and critiqued by the committee and by the board, actually.

And once there was agreement on the criteria we evaluated the indices. When we had the new indices then we went, actually the new indices came in-hand as we were convening for the assessment workshop this summer. And so we just included the new indices. But clearly it would be helpful to have external peer review of that process.

CHAIRMAN TRAVELSTEAD:
George.

MR. LAPOINTE: Thank you, Mr. Chairman. The reason I made the motion was the concern about what if we're wrong. You know there is an old Jackson Browne song that says you forget about the losses, you exaggerate the wins.

And we in fisheries management have a tendency to do that. We get new information and we say, thank the good Lord, we can fish where we want to. But what if we're wrong and our F rates are considerably higher?

What are the consequences going to be? And that's not a criticism of what the technical committee did. That's a management decision saying that I'd like that timeframe boosted up to make sure that we know if we are or we aren't.

CHAIRMAN TRAVELSTEAD:
We have a motion to move the peer review from 2007 to 2006. Is there anyone who wishes to speak against the motion? A.C.

MR. CARPENTER: Mr. Chairman, I think that we have a process in place for selecting peer review periods. This one is scheduled for 2007. That's essentially what,

12-14 months from now, 16 months from now, as opposed to trying to rush something through.

We've heard from the technical committee that they're not ready for a peer review. And the information that we do have says that, yes, we are close to it; maybe we're over it; maybe we're not.

But I remember back a few years ago when we had this addendum, emergency addendum process because we overreacted to a technical committee report that given a few more months of consideration changed the outlook on things.

And I really think that the, sticking to the 2007 will be more appropriate. I don't think we can possibly crash this fishery in just one more year of fishing so I'm going to oppose the motion.

CHAIRMAN TRAVELSTEAD:
Who wishes to speak in favor of the motion? Gordon.

MR. COLVIN: This is a tough one because I very much appreciate what Doug had to say about the additional work the technical committee would like to do. The concern I have is just that there is a quite a significant divergence between the fishing mortality estimate that we heard last year and the one we heard this year.

And the ramifications are that if we're fishing at mortality rates of .7 and increasing on the older fish and don't do a peer review to assess where we are in 2006 we're really talking about not making changes until 2008 and that would be, you know, on the order of four to five years of fishing at that high mortality rate and that just concerns me a little bit.

You know if this was, if it wasn't such a wide difference between these rates I might not press as hard. I don't know if it's possible to get something done very early in 2007.

I don't know how long it's going to take the technical committee to do that substantial work that Doug outlined because I would agree that it would be useful to have that done and included before peer review. But I'm concerned about the contingencies here.

And I appreciate what A.C. said. I think you know one or two of us recall that one year I guess "detour" that we took. And that's what could have happened as a result of last year's assessment, too, and it didn't. But now I'm wondering which of the two forks is the right one and as I said I'm a little concerned.

CHAIRMAN TRAVELSTEAD: Anyone wish to make a point that has not yet been made on this motion? Can we vote? I'd like to take a minute to caucus. Let's take a minute to caucus then we'll vote.

Okay, are we ready to vote? It appears we are. All those in favor of the motion to move the assessment up to 2006 please raise your right hand; opposed, like sign; any abstentions; null votes. Seeing none, the motion fails seven to eight.

There were two other issues that came up. One was relative to developing an index of abundance for the older age fish and I would just formally request that the technical committee provide a more formal report as soon as practical to the board on how we might go about that.

MR. PATRICK AUGUSTINE: Mr. Chairman.

CHAIRMAN TRAVELSTEAD: Yes.

MR. AUGUSTINE: Did the Fish and Wildlife get counted? I know that they put up their hand at the last minute and I think the count had already been past her so we should have a show of hands for clarification. I thought it was eight to when you counted. You were counted? Thank you very much.

CHAIRMAN TRAVELSTEAD: Jaime.

DR. GEIGER: Thank you, Mr. Chairman. Given certainly the closeness of this vote I would gratefully appreciate the technical committee laying out a course of action to set us up for the peer review scheduled in 2007.

Certainly, I think them sharing in advance any and all information they can to set us up for a very complete, very comprehensive, and very holistic stock assessment will be to the best interest of the species and certainly to I think the credibility of the science that we use to set management decisions. Thank you.

CHAIRMAN TRAVELSTEAD: I would ask, too, that that be done. And thirdly I would ask that the technical committee provide a little bit more of a formal response to the concerns that were expressed by Mark Gibson relative to the uncertainty analysis, if you could just provide a response to that for the board at the next possible opportunity. Let's move on now to the advisory panel report. Jim.

ADVISORY PANEL REPORT

DR. JAMES GILFORD: Thank you,

Mr. Chairman. The advisory panel had a brief telephone conference call on October 17th to discuss the status of Addendum I and to prepare an advisory comment regarding the addendum for the management board as well as any other concerns that the panel wished to bring before the board.

The 2005 striped bass stock assessment report was not available at the time of the conference call. Just for background, currently there are 17 members serving on the panel. Four are awaiting approval by the management board.

Ten members of the panel were available for the conference call; two commercial representatives and eight recreational. And one other recreational angler was able to call in by separate telephone call to provide input. The panel continues to be concerned about bycatch in the striped bass fishery.

And while appreciating the board's concern regarding the need for agreement on bycatch data, on what the bycatch data are to be collected, who is to collect them and how the program is to be financed, the panel still wishes to give the following advice to the management board regarding Addendum I and it namely is to send an draft addendum out to public comment now and proceed with the bycatch data collection program as quickly as possible.

The panel also continues its strong support for the use of circle hooks in both the recreational and commercial hook and line fisheries and would urge as much promotion of that use of circle hooks as possible.

And, finally, the panel also requests that it be given the opportunity to have at least one meeting a year in which to prepare its advice for the board. The request is to hold that meeting at a time when the panel can receive

a briefing on the latest stock assessment report, preferably by the chairman of the technical committee.

Absent that opportunity to meet in such a forum the panel is at a significant disadvantage in attempting to fulfill its advisory function to the board in a meaningful way. Thank you, Mr. Chairman.

CHAIRMAN TRAVELSTEAD: Questions of Jim for the advisory committee report? Can we get a **motion to accept the report of the advisory committee**? Motion made by Pat Augustine; seconded by Jaime Geiger. Any comments on the motion? Ritchie.

MR. WHITE: Thank you, Mr. Chairman. Is there plans for the advisory panel to meet? Are there funds for them to meet this coming year?

CHAIRMAN TRAVELSTEAD: I was looking for Bob Beal to ask that very same question but I don't see him. Lydia, can you answer that?

MS. LYDIA MUNGER: Thank you, Mr. Chairman.

CHAIRMAN TRAVELSTEAD: While we're waiting for Bob to come back, Laura is going to check the budget as well to get an answer to that question. Bob, the question is, is there money in the budget to provide for a Striped Bass AP meeting once a year?

MR. BEAL: Jack, yes there is for 2006.

CHAIRMAN TRAVELSTEAD: Thank you. Any other questions? A.C.

MR. CARPENTER: Given the AP's

request to have somebody from the technical committee present the information to them before they give us a report and the timing situation brought out by the technical committee of a July 15th deadline, should we be looking at moving that deadline for submission of data back to May or something to give the whole process the opportunity of, for the technical committee to get the data, review it, prepare the report, then present it to the AP before they present it to us?

CHAIRMAN TRAVELSTEAD:
Doug, can you comment on that.

MR. GROUT: I was discussing something with Andy but I believe you were talking about the reporting deadline and moving it back up. It's that fine line. Before we had it back in May and we weren't getting complete data. The data just wasn't available so then we moved it to July figuring we would get all the available data.

And I think we did a lot better job of getting the available data but it just wasn't in a timely, it was too close to the assessment, especially given the tardiness of some states. So what we were looking at was moving it back maybe somewhere in June so that --

Oh, do you want me to pick as a chairman? We were going to discuss it at our next meeting and then bring our recommendation to you.

CHAIRMAN TRAVELSTEAD:
Let's do that. Let's let the committee discuss that at their next meeting and bring us a recommendation.

MR. GROUT: Okay, that's what we planned to do.

CHAIRMAN TRAVELSTEAD:

Okay, thank you. Any further comments on the motion to accept the AP report? Seeing none, all those in favor of the motion say aye; opposed, like sign. The motion carries. Item 6, the 2005 fishery review. Lydia.

2005 REVIEW OF THE FISHERY MANAGEMENT PLAN

MS. MUNGER: Thank you, Mr. Chairman. The plan review team has prepared a brief presentation on the 2005 review of the fishery management plan for striped bass. The FMP review contains -- before I get started with the meat of this report, the FMP review contains a brief discussion on the status of the following items: including the fishery management plan, status of the stocks, status of the fishery, status of assessment advice and status of research and monitoring.

This presentation will highlight the section, status of management measures and issues. The first management measure and issue that the plan review team wanted to bring to the board's attention is coastal commercial quota overages.

Oh, and I would just like to add that that report is being passed around at this moment. For 2004 there were three coastal commercial quota overages. Massachusetts exceeded its adjusted 2004 quota and that overage has been deducted from the 2005 quota.

And Rhode Island and Maryland each exceeded the 2004 quota and that overage would be paid back in 2005 as well. This appears on Page 7 and 8 of the fishery management plan report, this table.

The second issue that the plan review team wished to point out to the management board is regarding the Chesapeake Bay

spring trophy fishery. And I just want to point out before we address this that this has to do with the board's next agenda item today and so this, the numbers within this table could change based on the management board's decision of the next agenda item.

But based on the 2005 adjusted quota based on information before the next agenda item was 31,434 fish. The Maryland estimated harvest for 2005 was 65,664 fish for an overage of 38,910 fish that would come off of the 2006 quota.

And, like I said, the numbers for the 2005 and 2006 quotas could change based on the next agenda item but as they stand now this is how that table looks. Either way the overage would be deducted from the 2006 quota.

Juvenile abundance indices appears on Page 9 of the FMP review. And as Andy noted in his presentation during the stock assessment, overall recruitment did decline slightly in 2004 but is still high. For 2004 the New Jersey and Virginia young of the year indices are above the time series averages.

For 2004 the Maryland young of the year index did not differ significantly from the time series average. And for 2004 the Hudson River young of the year index was below the time series average.

And under management recommendations the management triggers under Amendment 6 require no action if F is greater than the target but is below the threshold and if SSB is greater than the spawning stock biomass threshold.

F has been greater to or -- equal to or greater than the target every year since 1997 but does not exceed the threshold in 2004 based

on the stock assessment report that was just approved by the board.

And spawning stock biomass is above the spawning stock biomass threshold. And just a note under status of annual state compliance, no states or jurisdictions were recommended to be out of compliance for 2004.

CHAIRMAN TRAVELSTEAD: Thank you, Lydia. Questions for Lydia on the review. Howard.

MR. HOWARD KING: The Maryland commercial catch in 2004 was only at 95 percent of quota, 88,000 pounds remained uncaught. I'm not sure where the discrepancy is but we want to get with you after the meeting.

MS. MUNGER: Yes, Howard, I apologize for that and I will definitely rectify that with Maryland.

CHAIRMAN TRAVELSTEAD: Is there a **motion to accept the report**? Motion made by George; seconded by Gene. Comments on the motion. All those in favor say aye; opposed, like sign. The motion carries. Let's move on to Item 7, state proposals. This is potentially an action item. Howard, do you want to introduce the item?

REVIEW OF STATE PROPOSALS: MARYLAND SPRING TROPHY FISHERY

MR. KING: I will, thank you, Jack and good morning everyone. I'm going to ultimately put a motion up on the board which will elicit some comments from the chair of the technical committee. The technical committee met by phone last Friday afternoon and thanks to them for doing that at late notice.

And following that then there will be some discussion about the motion I'm sure. I would like to preface this by saying that Maryland invests heavily in striped bass management. We spend about \$900,000 per year assessing the stock of striped bass and that's one of the reasons we have indices in Chesapeake Bay for the Age 8 and older fish. We do take that very seriously.

We also have a limited fishery, recreational and charter boat fishery. We limit the number of charter boats. Recreation angling licenses are going down. So we feel as though that we are capped in terms of charter boat and recreational anglers.

I'm pleased to report also that in the Chesapeake Bay, in the Maryland portion of the bay, the 2005 juvenile recruitment index for striped bass is again high, that follows the 2003 very successful year class. Two thousand five is well above the historic average, about 48 percent.

We sometimes feel as though the Chesapeake Bay nursery is full. We have an abundance of smaller fish, size 16 inches and smaller. With that background, last spring Maryland experienced an unusual, cool, protracted spring, a protracted spawning season, a protracted period when Age 8 and older fish were in the bay and susceptible to the fishery.

As a result, we did exceed the quota that we were operating under. That quota, by the way, was a status quo quota carried over from 2004. We have reviewed the harvest estimates developed by MRFSS. We have a counter harvest estimate.

We're fortunate to have charter boat logbook reports that have tracked very well with the MRFSS estimates for the years

2000, 2001, 2002, through 2004. In 2005 the MRFSS estimate greatly exceeded our charter boat logbook reports.

We feel as though the charter boat logbook reports are a better estimate of that segment's catch. We have no counter for the recreational and private rental category so we don't have an argument for that. But given all of that, we believe that the MRFSS estimate is exceedingly high and we have generated a lower estimate for your consideration.

Also, when we look back at the new VPA estimates, the apparent increase in the stock, we believe that the 2005 quota that we were operating under was arbitrarily and incorrectly low. We wanted to recalculate that 2005 quota based on that VPA and also use that for our 2006 quota for the spring fishery.

We also will deduct any overage from 2004-2005 of course from the 2006 quota, whatever that turns out to be. And so, Peter, if you could put that first motion up there and you can totally delete that second motion.

This is new to most of you. It will be a lot to digest. We did propose to the technical committee the methodology to support this motion. And so let me just read it quickly.

Move to approve the calculation of the 2005 Maryland Chesapeake Bay charter boat and recreational spring trophy season harvest of coastal migrant striped bass at 64,345 fish. And, Lydia, you will have to tell me if that matches exactly what you had up there in the previous chart.

Also, to approve the calculation of the 2005 charter boat and recreational spring season quota of 56,424 fish based upon the updated

VPA, the calculation approval of the 2006 spring quota of 55,208 coastal migrant striped bass.

I would be willing to entertain any changes, editorial changes to that motion. But I did want to say, also, that Maryland in the past has, well, let me put it this way -- the migrant striped bass Age 8 and older are in our portion of the Chesapeake Bay for about 20 percent of their annual lifecycle.

They spend 20 percent of the time in the bay. Maryland has been taking about 3.5 percent of those coastal fish in the Chesapeake Bay in April and May.

If these quotas are accepted it means that rather than 3.5 percent we would be taking slightly more than that, less than 1 percent additional; but we don't believe that the fraction actually of the coastal migrant striped bass population that Maryland takes in that spring harvest is much changed.

We think it's a relatively minor proposal. It's a relatively modest proposal given the importance of the bay and the size of the coastal stock. With that we'll take any questions that you might have.

CHAIRMAN TRAVELSTEAD: Howard has offered a motion. Is there a second to the motion? Seconded by Pat Augustine.

MR. AUGUSTINE: For discussion purposes, Mr. Chairman.

CHAIRMAN TRAVELSTEAD: Understood. Before I take comments on the motion I think we need a technical committee report on your examination of this, Doug.

MR. GROUT: Yes. There is a

comment after the report that I'd like to make on the motion and it relates to the fact that there is another state that is involved with the spring quota and that the total harvest in 2005, you have to add in Virginia's numbers, too, for the spring quota and that number up there did not include Virginia's estimate.

Okay, there are four main aspects of this proposal that we evaluated. One, were the 2005 spring harvest estimates corrected, calculated correctly? Was the updated estimate of the 2000 quota done correctly? Was the 2006 quota calculated correctly? And also to provide input on the conservation, was the conservation equivalency that was proposed by Maryland appropriate?

In their proposal they used, as far as calculating the harvest estimates, they calculated, they were calculated as some overall length groups in two week intervals. They used the Maryland charter boat logbooks used to develop the estimates of daily harvest.

This is different. They had used the MRFSS in the past but as they explained they felt that given the divergence between the MRFSS data and the logbooks that the logbooks were more appropriate this year.

MRFSS data was used for the private rental portion of the harvest. And they also used the charter boat creel survey data to develop length frequency distributions. This is different than what they've done in the past.

They had used the volunteer angler survey program; but they didn't have sufficient sample size during 2005 to produce appropriate length frequencies from the volunteer angler survey program.

The final estimate in this does — let me just make sure — this includes the Virginia estimate that, the final estimate that they provided for 2005 was 65,664 fish. Next slide. The technical committee after some discussion came to the consensus that the harvest estimates were calculated properly.

There was some concern in the committee expressed about using the charter boat logbooks instead of the MRFSS estimates. The MRFSS estimates showed a substantial increase in harvest. The logbook data did not.

But the consensus was that it was calculated correctly. Concerning the updated estimate of the 2005 quota, the updated stock assessment showed a lower F as you see and a higher SSB than the previous assessment.

The updated VPA estimate, they indicated, should be used to recalculate the 2005 quota. And recalculating, based on recalculations they came up with a quota of 55,565 fish. The original quota was 31,434 fish. And that was a difference of about 24,000 fish.

Calculations of the 2006 base quota, again, used the most recent VPA that you just approved. And it is based on the abundance of Age 8-plus fish as determined by the VPA.

It's a ratio of the most current year's VPA estimate of age plus over the 1996, they used 1996 as the base year because the quota was established at 30,000 fish in 1996. The estimated 2006 base quota is 54,266 fish.

The technical committee recommendations on this, that the 2005 and 2006 quotas were calculated according to the proved methodologies. There was several, there was considerable discussion that I wanted to point out that the technical committee made

to Maryland on ways to improve these calculations.

And we have asked that at the next technical committee meeting they come back and provide an analysis that would show the calculations using roughly about half a dozen changes that we recommended that would be more appropriate for calculating it.

We also had some discussion. There were some things that were not in our opinion technical issues but were policy issues that made things, us a little uncomfortable and didn't know how to handle and first of all this issue of recalculating the quota after the fishery has occurred.

This is something we haven't dealt with before. But as the Maryland representative pointed out, this is not something that they're going to do every year, that this was just, they were intended that this was just a recalculation because we had significant changes in the VPA that we had made with the input values and it made a big difference in the abundance numbers. And so they made that point.

We also, because of this issue, asked the board if they could develop policy guidelines for when a quota can be recalculated. Finally, we wanted to make you all aware of another policy issue we saw in that this is really an allocation issue.

The amount of the quota can change depending on what base year you use. If you use 2006 you get the quotas you see. If you use 2003, say in the beginning of when Addendum IV was, you get a vastly different quota. So we feel that this is an allocation issue that the board needs to wrestle with.

Concerning the conservation equivalency

that Maryland was proposing, there is a target value of .27 for Chesapeake Bay which is approved by the board and there is a, the F for 2004 by direct enumeration was .16.

And this resulted in their opinion in an underage of the 2004 summer/fall recreational harvest, that they could have harvested more. And essentially they wanted to apply the 2004 underage and grow those fish up to the 2005 spring migrant harvest overage. The biomass of saved fish that becomes spring migrants exceeds the overage of the 2005 spring harvest.

The technical committee's opinion on this was the application of conservation equivalency is not appropriate. There is a need, because there is an increasing harvest of Age 8 and older fish in Chesapeake Bay, the original .27 that was calculated was based on the assumption that the majority of the fishery was on Age 3 to 8 fish and that if there is an increasing amount of Age 8 plus fish being harvested in Chesapeake Bay then the actual reference point is lower than this.

The other concern we had with this is that the analysis that they used, using the VPA they were using a mixed stock data. The VPA takes information from Hudson River, Delaware River, Chesapeake Bay.

And we feel that it's more appropriate that they come up with some form of a, that they have some kind of measurement from a single stock, the Chesapeake Bay stock.

So the board actions, the four main aspects are: are the 2005 harvest estimates appropriate? And also are the 2005 and 2006 quotas calculated? And is their conservation equivalency proposal appropriate? And those are our opinions on

it. Are there any questions?

CHAIRMAN TRAVELSTEAD:
Questions of Doug. Howard and then Mark.

MR. KING: Just a note to the board, my motion did not include the conservation equivalency portion of what we provided to the technical committee. We would go back and look at the deduction of overages from the 2006 quota, whatever level is approved, and take that as the most appropriate method.

We did want to point out, though, that since 2002, F in the Chesapeake Bay on the 3 to 8 year old fish has declined. We are at the point where we almost don't have a viable summertime fishery for fish 18 inches to 24 or 28 inches anymore and so, yes, we do have a trophy fishery; yes we do catch those fish; but we're greatly under catching those smaller fish in our portion of the bay.

CHAIRMAN TRAVELSTEAD:
Mark.

DR. GIBSON: Thank you. Doug, you mentioned the divergence between the charter boat log estimates and the MRFSS estimate. That seems to be a pivotal point of this calculation, use of that information.

Prior to the divergence what was the relationship between the two sources of information? Were they consistent and redundant, giving the same information? Is it only in the last, the final year that there was a divergence?

MR. GROUT: Yes, that's true. They were fairly close and that's in the Maryland proposal there they show. They have a graph at the end there that shows that they were fairly consistent until this year. And this year there was a very large increase

in the MRFSS and the charter boat was essentially the same.

MR. KAHN: Mr. Chairman, I just want to comment on that to give the full picture. MRFSS introduced a new method this year for calculating that harvest. And the Maryland representative told us that they had a meeting with MRFSS and that at the meeting MRFSS said at this point they could not stand behind their estimate because it is preliminary.

CHAIRMAN TRAVELSTEAD: Okay, further questions of the technical committee on this issue or comments on the motion? Gordon.

MR. COLVIN: I just want to follow up on what Des said. The estimate for 2005 is based on the use of the for-hire survey to enumerate landings in that mode, is that what I'm hearing?

MR. KAHN: That's correct.

MR. COLVIN: Was there also an accompanying estimate on the for-hire survey from traditional MRFSS?

MR. GROUT: They have a new method. That's what they used.

MR. COLVIN: They used both is my understanding.

MR. GROUT: Pardon me?

MR. COLVIN: It should be possible to compare one against the other.

MR. GROUT: I missed the first part of what you said, Gordon. What did you say?

MR. COLVIN: If I'm not mistaken

it's still possible during this three-year trial for the for-hire survey for the MRFSS estimate for the for-hire mode to be developed both via traditional MRFSS and via the new survey. And I'm wondering if both those estimates were provided and if so how did they compare?

MR. GROUT: We didn't get. We got the only -- the estimate in their report was only the estimate with the new method.

MR. KAHN: Just to follow up on that, what is being published on the Web is the new method right now. At least at the most recent wave review meeting that we went to there was not a PC estimate provided to us.

It was only a separate charter and headboat estimate. Now, yes, the data is there. But they haven't provided it to us. And I don't know if Maryland had asked them for that, but.

MR. COLVIN: Mr. Chairman, an observation. I guess I can support the motion based on the technical committee's advice with a lot of reservations, some of which we'll talk about again in December.

CHAIRMAN TRAVELSTEAD: Okay, further comments. John.

MR. NELSON: Thanks, Mr. Chairman. It seemed like some of the components of this motion are being okayed by the -- and I'll use that term "okay" -- by the technical committee and at least they clarified it for me that they think that that's appropriate.

And I think that that's at least the 2006 spring quota because that is done on a most recent data analysis or at least the SSB, right? Is that correct?

MR. GROUT: Yes, their revised 2005 and the 2006 are based on the most recent assessment.

MR. NELSON: Okay, and the 2005, though, I think, Doug, the technical committee said that if you did that calculation, yes, that would be the number; but the question that you folks had or is the question that you had was, should we do a retrofit?

And I think that I'd like to have some discussion, Mr. Chairman, on should we do a retrofit for a previous year quota? I am understanding that the analysis would indicate that we could do that based on you know, as Doug said, the revised, our most updated numbers. But I guess the policy question that they asked was, should that be done, before we vote on this question.

CHAIRMAN TRAVELSTEAD: I think a vote in favor of the motion would suggest that it can be done. And the chair will accept any comments on that issue along with comments directly on the motion. Pres and then Gil.

MR. PATE: Thank you, Jack. I'm glad John raised that point. I was going to myself because all of the discussion up until his comments were focused on the technical committee's analysis of the accuracy of the estimates and the methodology that was used.

I think there is a very important policy consideration here because we are in effect hind casting conservation equivalency and there is really nothing in the plan and nothing that has been established as a precedent for that management approach in any of the other commission's actions that I can remember sitting here today.

And I don't think we should take Maryland's proposal lightly because of the policy implications of it. And we need to have some real serious discussion about that. And I know it's getting late on the agenda, but the proposal has some bearing way beyond just what Maryland's needs are for this specific fishery. Thank you.

CHAIRMAN TRAVELSTEAD: Gil and then Howard.

MR. POPE: Thank you, Mr. Chairman, and to that point. I guess this all goes back to in the original proposal, in the introduction it reads "however the Striped Bass Management Board set the final quota for 2005 at the level of the previous year which was 40,624 fish as part of the status quo management decision for the 2005 coast-wide fishing season."

And I'm having a hard time getting by that because I went through Amendment 6 a number of times and in every portion that I go to in the seasonal quota allocations are caps. It says "30,000 fish cap, summer and fall."

It says the same thing for Virginia, Maryland, PFC and it's a portion of a bay-wide quota. Now, what, I guess what I would like to have clarified back in history here is when did it go from 30,000 fish cap to 40,624 fish?

Was that an overage that became a status quo? And then everything is going to be calculated from that. If so, we need to go back, as Preston is saying, and throw this 30,000 pound right out and make it 90,000 or 100,000, whatever it is, the need may be.

Because it just seems like to me somewhere along the line we skipped a process and

that's my whole concern with this whole thing is that we skipped a process somewhere along the line. Thank you.

CHAIRMAN TRAVELSTEAD:
Bob, can you address that?

MR. BEAL: Sure, thank you, Mr. Chairman. At the annual meeting in New York City in 2003 Maryland brought forward a proposal similar to what they've done today with the new methodology for calculating the Chesapeake Bay cap. Prior to that, as Gil said, it was 30,000 pounds.

The new methodology brought forward at the New York meeting implemented the 40,624 fish, I think it is, cap for 2004. There was a board decision earlier this year to accept a status quo quota for the Chesapeake Bay for 2005.

So, this change started occurring in 2003 based on a proposal from Maryland to develop a method for calculation of the quota. Prior to that, it was just a number that was agreed to by the folks around the table.

Maryland went home, did some technical work, and came forward with an analysis that would link the level of this cap to the status of the stock. So that was done by board action.

CHAIRMAN TRAVELSTEAD:
Howard.

MR. KING: One of the reasons we thought it was appropriate to recalculate the 2005 quota is that we are in the same fishing year. We have a better understanding of what we think the actual stock size is than we had when that quota was initially set so we thought it was appropriate for that reason.

CHAIRMAN TRAVELSTEAD:
Thank you. Eric.

MR. SMITH: Thank you. Much like Gordon, I can support the motion because after hearing what the technical committee had to say and thinking about it myself I'm comfortable with this for this coming year which, from Maryland's point of view, is imminent. It's right around the corner in a regulatory sense.

However, the precedent setting nature of this that John Nelson and Pres pointed out I think is huge. And if this passes I'm prepared to offer a subsequent motion that characterizes the view of the board, this board, as this is one-time only and we would like the ISFMP Policy Board to look at this in a holistic way across all plans. Thank you.

CHAIRMAN TRAVELSTEAD:
Okay, good. Any final comments on the motion? Bruce and Paul.

MR. FREEMAN: I do have concern. We just had quite a presentation from the technical committee on the VPA and we expressed concern and we asked for a peer review.

And the question is if in fact we find that peer review to suggest that indeed there is harvest, over harvest or -- I won't say over harvest but -- high harvest on older fish it seems like this motion would essentially accept what we have some concerns about and essentially put it in place. And I cannot support this motion based on what we've just done with the most recent stock assessment until that issue is finalized.

CHAIRMAN TRAVELSTEAD:
Okay, thank you. Paul.

MR. DIODATI: At the beginning of Doug's presentation he commented on the Virginia component of this fishery which isn't included in the analysis. Could you just talk briefly about that. How does that play into it?

MR. GROUT: What I was trying to say was that in the motion that was brought up there as far as the harvest, it did not include the small amount that Virginia has in there. There is a different figure that we got in this report which stated that the total harvest was 65,664 fish for Chesapeake Bay. That's the point I was trying to make, obviously the lion's share of which is from Maryland.

CHAIRMAN TRAVELSTEAD: Further comments on the motion? Roy.

MR. ROY MILLER: Thank you, Mr. Chairman. I just want to make sure that I understand the potential implications of a positive vote on this motion.

Does that mean that other jurisdictions can look at, call them "commercial underages," from recent years and take due consideration of adjusting their commercial quotas, for instance, for the following year? That's what I'm trying to understand, what precedent we might be setting with a positive vote for this particular motion.

Also, does that mean that we're not locked into values contained in Amendment 6, for instance, just to pull an example, for instance, is the 193,000 pounds of fish quota for Delaware Bay a quota that could be adjusted in the future without revisiting Amendment 6? Thank you.

CHAIRMAN TRAVELSTEAD: I think the answer to your question is any

state is free to present any proposal in the future along similar lines, although I think that might be affected by the motion that Eric might offer following this one so we'll have to wait and see how that turns out. But, I think certainly any state can come forward with a different proposal on their own. Gordon.

MR. COLVIN: A couple of points, Mr. Chairman. One is that it was my understanding that the proposal that we have before us does not incorporate any rolled over, carried over, or credited unharvested quota. I think that was in another motion that was not brought forward.

CHAIRMAN TRAVELSTEAD: That's correct.

MR. COLVIN: If it were here I would not support it.

CHAIRMAN TRAVELSTEAD: That's correct.

MR. COLVIN: A second point, I wonder if the mover and seconder would be willing to change the harvest estimate for 2005 to the number the chairman of the technical committee just gave at 65,000 and change, including Virginia.

If they're willing to do that, that would be fine. If not I'm going to offer that as an amendment. And then I have a comment on another element of this that I want to just bring up.

CHAIRMAN TRAVELSTEAD: Howard, **are you willing to change the 64,345 fish to 65,664 as part of your motion?**

MR. KING: Yes, if that is the correct Maryland/Virginia number.

CHAIRMAN TRAVELSTEAD:
According to the technical committee it is so that's a friendly amendment that has been accepted.

UNIDENTIFIED: Point of information, Mr. Chair.

CHAIRMAN TRAVELSTEAD:
Yes.

UNIDENTIFIED: The wording says specifically the Maryland harvest, though.

MR. CARPENTER: Mr. Chairman, I think if you just simply say the 2005 Chesapeake Bay.

CHAIRMAN TRAVELSTEAD:
Yes, okay. **Strike the word Maryland, then.**

MR. KING: That would be a friendly change, also.

CHAIRMAN TRAVELSTEAD:
Okay, Gordon back to you. You had another point.

MR. COLVIN: Thank you and I appreciate that change. The other policy issue I just want to lay out here -- and it's not going to affect at this point, you know, the statement I made earlier about my willingness to support the motion, with reservations -- is that fairly specifically we have used the marine recreational fishery statistics survey as the basis for estimating harvest in a fishery. And it isn't the only fishery for which we use that survey, far from it.

And now we've suggested that there may be a better way in this instance. That's a slippery slope, too. And it is a matter of

some concern when we don't necessarily lay out in advance as a matter of policy what we use to monitor, what is the basis by which we will monitor quotas, stick with it, and also articulate the basis in advance for any departure from that. And that is a concern.

And you know I kind of perked up when I heard that this was relating to the incorporation of the for-hire survey for the party/charter mode and that being problematic because if that's problematic here it may be problematic in something else, including those three species we're going to meet on in December.

CHAIRMAN TRAVELSTEAD:
Pres.

MR. PATE: Thank you, Jack. I'm going to vote against the motion simply because I think we've got the sequencing wrong in this decision process.

All due respects to the motion that Eric has proposed to place, if this motion were to pass, I think that level of policy discussion needs to take place first before we make a decision on a specific proposal that has the implication that this one does. Thank you.

CHAIRMAN TRAVELSTEAD:
Jaime and then Anne and then we're going to caucus.

DR. GEIGER: Thank you, Mr. Chairman. I share the points just made by Pres. Again, I get a strong sense we're trying to rewrite history.

And in addition I think there are too many policy issues here that have both intended and unintended consequences that would not, we would be, I think, very shortsighted to not consider unintended consequences with this particular vote. Thank you very

much.

CHAIRMAN TRAVELSTEAD:
Anne.

MS. LANGE: I just wanted to say the same thing. I agree with Pres. I think that the policy issues overall should be addressed prior to applying it to one particular proposal.

CHAIRMAN TRAVELSTEAD:
Okay, I do see some hands in the audience. Tom, do you want to come on up. Please make it as brief as possible. We're running over time and I think there will be another motion before the board that we'll have to take up.

MR. THOMAS FOTE: My name is Tom Fote, Jersey Coast Anglers Association. My concern is here, as Gordon pointed out with the using the marine recreational survey and deviating.

There are a lot of us that would have liked to have done that in summer flounder, scup and sea bass. And New York put a number of proposals to that to try to get out of trouble and we turned it down. We didn't allow it to happen.

And to come in here and come up with a new proposal without going to the policy committee, without going to a formal procedure to do this I think is wrong. And I mean I'd be really troubled supporting this motion, besides looking at the amount of fish and everything else. Thank you for your time.

CHAIRMAN TRAVELSTEAD:
Thank you, Tom. Howard, a final comment.

MR. KING: Yes, I really would have a lengthy comment if I had the time.

Maryland is a pretty small player in this Age 8 and older fishery, anyway. But we do live or die on that spring season in Maryland as far as the fishery goes, as far as the economics go. But I did want to ask Pres, which part of the motion are the policy implications of most concern to you?

CHAIRMAN TRAVELSTEAD:
Pres.

MR. PATE: I guess it's the retrospective analysis of the overage and using the best available technical tool to justify not having to payback any overages or to support increases in quotas that have already been established for that current year.

CHAIRMAN TRAVELSTEAD: All right, are we ready to vote? Ready to caucus? Let's caucus for a minute. Okay, while they're caucusing I will read the motion into the record: move to approve the calculation of the 2005 Chesapeake Bay charter boat and recreational spring trophy season harvest of coastal migrant striped bass at 65,664 fish, the calculation of the 2005 -- all right, I'll read it in the record when they finish.

Okay, if we can return to order. Let's return to order and we'll take the vote. Howard, could I ask you to read the motion as amended into the record.

MR. KING: Move to approve the calculation of the 2005 Chesapeake Bay charter boat and recreational spring trophy season harvest of coastal migrant striped bass at 65,664 fish, the calculation of the 2005 charter boat and recreational spring season quota of 56,424 fish based upon the updated VPA, and the calculation and approval of the 2006 spring quota of 55,208 coastal migrant striped bass.

CHAIRMAN TRAVELSTEAD: All those in favor of the motion please raise your right hand; opposed, like sign; abstentions; null votes; two null votes. The motion fails six to eight. Eric, do you have anything to offer? We are running out of time, folks.

MR. SMITH: Yes, at your pleasure, Mr. Chairman, it would have been most important as a motion if that had passed. Since it failed, perhaps we just take it as advisement that the ISFMP has to deal with this because of the precedent setting nature. However, if you would like a motion from the board, it's a rather brief one.

CHAIRMAN TRAVELSTEAD: No, I think it's understood and I think that can come up at the policy board if you choose or anyone else chooses to raise it. Is there anything further to come before the Striped Bass Board? Howard.

MR. KING: I would like to move that the board approve a Chesapeake Bay recreational and charter boat quota for the 2006 fishing season of 55,208 fish and -- never mind, period. We'll get that far.

CHAIRMAN TRAVELSTEAD: I'm going to get it up on the screen before I ask for a second. Now, Howard, how does this differ from what we just voted on? What's the significant issue here?

MR. KING: Yes, I think in my view from the discussion there was general agreement on the methodology for calculating that 2006 quota. There were no policy issues involved.

CHAIRMAN TRAVELSTEAD: Is there a second to the motion? Seconded by A.C. Carpenter. Comments on the motion.

A.C.

MR. CARPENTER: Mr. Chairman, I think we heard from the technical committee that the methods used and the number that arose out of that was the 55,000. And we need a number for planning purposes and implementation for our 2006 trophy season which is going to be here very quickly. So given that the other motion involved an adjustment to the 2005 and did not pass we still need a 2006 number to work with.

CHAIRMAN TRAVELSTEAD: Okay, let me just ask for those of you who raised concerns about the policy issues, would you want to comment on whether this solves that issue for the time being? Pres.

MR. PATE: More of a question than a comment, Jack, because now I'm entering in the realm of confusion about what we're getting ready to do and I don't understand why we would not do the same thing for the entire coast-wide quota were we given the opportunity to do it and not just selectively do it for the Chesapeake Bay trophy or the Maryland trophy season.

I mean this is new information that we've received today and I don't at this point understand or fully appreciate how it could affect a different quota available for everybody in 2006.

CHAIRMAN TRAVELSTEAD: I think the solution to this problem is really to have the policy discussions at either this board or at the policy board later in the week and then allow, once we decide that issue allow Maryland to come back, perhaps at the next management board, and revisit this issue. It's just a suggestion. Any further comments on the motion? John.

MR. NELSON: Yes, just I think that you're correct Mr. Chairman on what you've said but I just want to make sure that I understood that when we accepted the review of the commission's management plan and we did the board approval of the plan review team, they did have a number in there for a quota under Table 3 for the Chesapeake Bay spring trophy fishery which was 54,266 fish.

And if we do nothing further my assumption is that that's the number approved by the board for the spring fishery for 2006. And I just need to make sure that I'm correct on that, Mr. Chairman. And maybe that helps clarify it for the Chesapeake folks, too.

CHAIRMAN TRAVELSTEAD:
Lydia.

MS. MUNGER: Thank you, Mr. Chairman. That number in Table 3 that John was just referring to, the 54,266 fish, has been corrected based on, to my understanding what was an error in Maryland's calculations, and should actually read 55,208 fish. The report was just completed before we were made aware of this error.

CHAIRMAN TRAVELSTEAD:
George.

MR. LAPOINTE: Mr. Chairman, I share some of Pres' confusion and your concern about having a policy discussion so I'm going to move to table until the next Striped Bass Board meeting.

CHAIRMAN TRAVELSTEAD: Is there a -- to postpone to the next meeting of the Striped Bass Management Board. Is there a second to the motion? There is by Ritchie White. Is that debatable now? It is debatable. Are there comments on the

motion to postpone? Eric.

MR. SMITH: I think the last interchange with Lydia suggests to me that the motion is not necessary because the plan review team report upon which all of what we do in this next year calls for the quota that is the basis of the motion.

That's how I understood that. Admittedly it's confusing but I think that's the final outcome of that part of the debate, if that's correct. I mean I can support a motion to postpone but I think it's a moot point.

CHAIRMAN TRAVELSTEAD:
I'm very confused.

MR. KING: I withdraw the motion.

CHAIRMAN TRAVELSTEAD:
The motion is withdrawn. That is the Maryland motion. Is there then a need to postpone? Obviously not so we'll rule that motion out of order. John.

MR. NELSON: Thank you, Mr. Chairman. Then just for the sake of clarification based on the plan review team, the 2006 quota for Chesapeake Bay spring trophy fishery is 55,208 fish. Is that correct?

CHAIRMAN TRAVELSTEAD:
Bob Beal is going to get us out of this quagmire, I have a feeling.

MR. BEAL: Thank you, Mr. Chairman. I mean as far as -- staff's opinion is yes to John's question. I think if you go back to the meeting in New York in 2003, at the annual meeting, the Striped Bass Board approved two things at that meeting.

One was the methodology for calculating Maryland's or the Chesapeake Bay trophy season quota. And the other was the number

of that quota for that year.

But with the approval of the methodology I think they, you know and Maryland has applied that same methodology and come up with the 55,208 number for 2006, so it appears what Maryland has done is consistent with the board's decision at the New York meeting two years ago.

CHAIRMAN TRAVELSTEAD:
Okay, that clarifies it for me. Yes, Lydia and then Ritchie.

MS. MUNGER: Thank you, Mr. Chairman. I'd just like to add that staff and the plan review team will adjust this number by the previous year's overage as Maryland has already stated so that the adjusted quota will be significantly lower.

CHAIRMAN TRAVELSTEAD:
Okay, anything further? Ritchie, you had a final comment?

MR. WHITE: Lydia answered my question.

CHAIRMAN TRAVELSTEAD:
Okay, Pres.

OTHER BUSINESS

MR. PATE: Jack, I'd just like to take this opportunity to introduce the newest member of the North Carolina delegation since this is his first board meeting, Representative William Wainwright.

Unfortunately, he is not my representative but a representative in the adjoining district in which I live and I'm just tickled to death to have William as a part of our team. He has been a member of the General Assembly for a number of years.

He sits on the Legislative Oversight Committee that oversees our program, a very integral and important component of the legislative debate in the, for our saltwater fishing license that passed last year and was very positively amended this year as a result of his leadership and interest in that aspect of our program. So I welcome him and hope you all will have the opportunity to introduce yourself and likewise welcome him into our process. Thank you.

CHAIRMAN TRAVELSTEAD:
Mr. Wainwright, you could not have picked a better board to join us in. It doesn't get any better than this, I promise. Anything further to come before the board? Seeing none.

MR. AUGUSTINE: Mr. Chairman, we had a postponed meeting, I'm sorry, a postponed motion at the last meeting that was to approve the Draft Addendum I for public comment. Did I miss something or was that approved when I stepped out to get a cup of coffee?

CHAIRMAN TRAVELSTEAD:
Lydia will help you on that.

MR. AUGUSTINE: Thank you.

MS. MUNGER: Thank you, Mr. Chairman. The board tasked the technical committee with additional analyses at the last meeting and those analyses have not yet been completed. When the technical committee completes that work that issue will come back before the board.

MR. AUGUSTINE: And a follow up, does it require a motion? There was a motion to postpone to the next meeting. That means we can postpone it again until the next meeting or is that just going to

happen by virtue of the technical committee not having finished their part of that?

ADJOURN

CHAIRMAN TRAVELSTEAD:
Yes, it's just going to happen, I'm afraid.
Thank you. Anything further? Is there a motion to adjourn? We are adjourned.

(Whereupon, the meeting was adjourned at 10:50 o'clock a.m. on Monday, October 31, 2005.)

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