

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

**The Westin Crystal City
Arlington, Virginia
Hybrid Meeting**

August 6, 2025

Approved October 29, 2025

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INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of May 6, 2025** by consent (Page 1).
3. **Move to approve the Atlantic Striped Bass FMP Review for the 2024 fishing year and state compliance report** (Page 7). Emerson Hasbrouck; second by David Sikorski. Motion approved by unanimous consent (Page 7).
4. **Move to remove the 18% reduction option in Section 3.4 (Option D&E)** (Page 31). Motion by John Clark; second by Nichola Meserve. Motion passes (Page 32).
5. **Move to remove in Section 3.4 Option C (0% commercial reduction and 14% recreational reductions)** (Page 32). Motion by Nichola Meserve; second by David Sikorski. Motion passes (Page 34).
6. **Main Motion**
Move to remove no-targeting closure options for the ocean (Page 35). Motion by Marty Gary; second by Matt Gates. Motion amended.

Motion to Amend
Move to amend to include “with the assumption that striped bass only trips are eliminated” at the end of the sentence (Page 41). Motion by Adam Nowalsky; second by Emerson Hasbrouck. Motion passes (Page 43).

Main Motion as Amended
Move to remove no-targeting closure options for the Ocean with the assumption that striped bass only trips are eliminated (Page 44). Motion passes (Page 44).
7. **Main Motion**
Move to remove in Section 3.4 option B: Options CB2, CB3, CB5 (Page 44). Motion by David Sikorski; second by John Clark. Motion to Amend.

Motion to Amend
Move to amend to remove “CB3” (Page 45). Motion by Nichola Meserve; second by Mike Luisi. Motion passes (Page 45).

Main Motion as Amended
Move to remove in Section 3.4 option B: Options CB2 and CB5 (Page 45). Motion passes by unanimous consent (Page 45).
8. **Move to remove no-targeting closure options for the Chesapeake Bay with the assumption that striped bass only trips are eliminated** (Page 46). Motion by Nichola Meserve; second by Doug Grout. Motion passes (Page 47).
9. **Move to add an option for tagging at first point of landing in Section 3.2** (Page 48). Motion by John Clark; second by Dave Borden. Motion passes by unanimous consent (Page 50).

10. **Main Motion**

Move to remove in Section 3.3 Option D (25% uncertainty buffer for the Maryland season baseline season (Page 51). Motion by David Sikorski; second by John Clark. Motion to Amend.

Motion to Amend

Move to amend to add “and Option B (MD baseline with no buffer)” to the end of the sentence (Page 52). Motion by Nichola Meserve; second by Doug Grout. Motion fails (Page 54).

Main Motion

Move to remove in Section 3.3 Option D (25% uncertainty buffer for the Maryland season baseline)
Motion passes (Page 54).

11. **Move to approve Draft Addendum III for public comment as modified today** (Page 54). Motion by John Clark; second by Mike Luisi. Passes by unanimous consent (Page 54).

12. **Move to adjourn** by consent (Page 55).

ATTENDANCE

Board Members

Megan Ware, ME, proxy for C. Wilson (AA)	Jeff Kaelin, NJ (GA)
Steve Train, ME (GA)	Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Rep. Allison Hepler (LA)	Kris Kuhn, PA, proxy for t. Schaeffer (AA)
Doug Grout, NH (GA)	Loren Lustig, PA (GA)
Dennis Abbott, NH, proxy for Sen. Watters (NH)	John Clark, DE (AA)
Nichola Meserve, MA, proxy for D. McKiernan (AA)	Roy Miller, DE (GA)
Raymond Kane, MA (GA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Jason McNamee, RI (AA)	Michael Luisi, MD, proxy for L. Fegley (AA)
David Borden, RI (GA)	Robert Brown, MD, proxy for R. Dize (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	David Sikorski, MD, proxy for Del. Stein (LA)
Matthew Gates, CT, proxy for Justin Davis (AA)	Pat Geer, VA, proxy for J. Green (AA)
Bill Hyatt, CT (GA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Rep. Joe Gresko, CT (LA)	Daniel Ryan, DC
Marty Gary, NY (AA)	Ronald Owens, PRFC
Emerson Hasbrouck, NY (GA)	Rick Jacobson, US FWS
Joe Cimino, NJ (AA)	Max Appelman, NMFS

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

Ex-Officio Members

Tyler Grabowski, Technical Committee Chair	Lt. Jeff Mercer, Law Enforcement Committee Rep.
Mike Celestino, Stk. Assmnt. Subcommittee Chair	

Staff

Bob Beal	Emilie Franke	Chelsea Tuohy
Toni Kerns	Caitlin Starks	Katie Drew
Tina Berger	Tracy Bauer	Jeff Kipp
Madeline Musante	James Boyle	Samara Nehemiah

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia, via hybrid meeting, in-person and webinar; Wednesday, August 6, 2025, and was called to order at 1:15 p.m. by Chair Megan Ware.

CALL TO ORDER

CHAIR MEGAN WARE: Good afternoon, everyone. We're going to call to order the Striped Bass Board. Before we start, we're just going to announce the Commissioners that are on the webinar for folks.

MS. EMILIE FRANKE: On the webinar we have Steve Train from the state of Maine.

APPROVAL OF AGENDA

CHAIR WARE: Okay, that was easy. We will start with Approval of the Agenda. Are there any additions or modifications to the agenda? Dan.

MR. DANIEL MCKIERNAN: Yes, I just want to mention on the record, my delegation has two members today in the absence of the legislative delegate I'm sitting at the seat, but I have no name tag and I won't be commenting.

CHAIR WARE: Thank you for that clarification, Dan. Not seeing any other hand, the agenda is approved by consent.

APPROVAL OF PROCEEDINGS

CHAIR WARE: We'll move on to the proceedings from May, 2025. Are there any edits to those proceedings? Seeing none; the proceedings are approved by consent.

PUBLIC COMMENT

CHAIR WARE: We're next going to proceed to public comment. This is for items not on the agenda, so if folks are hoping to comment on the addendum this would not be the time for

that. We have three names so far, so we're going to start with those, and we'll give folks three minutes each. I have Captain Newberry first, if you want to come up to the public comment microphone.

I next have Captain Hardman and then Tom Fote. If you are in the room or on the webinar and also want to give a public comment, if you could raise your hand now, that would be helpful. Captain Newberry, you can start whenever you're ready.

CAPTAIN ROBERT NEWBERRY: My name is Captain Robert Newberry; I'm the chairman of Delmarva Fisheries Association. It is good to be here today, Madam Chair, members of the staff and commissioners. What I'm going to be talking about today is a situation that we have in the Chesapeake Bay, which as we all know is a hatchery and nursery ground for all the striped bass up to 70%. We've got a major problem. Right now, it's hypoxia. It is the highest since the records have been kept in the Bay since 1985. There has only been an incident 9 out of 41 times where the hypoxia has been at this level and early as May. They didn't have it in May this year. Our temperatures have been warm.

Our major problem in the Bay, Ladies and Gentlemen, is pollution. For people to say that it's the nitrogen and phosphorous from the farmers. I'm a farmer myself, phosphorous is \$700.00 a pound, I didn't use an ounce of it this year. We follow your feed, all farmers in Maryland are compliant with our nutrient management.

We have buffer zones; we have step water ways. None of our material, it cost so much now, we're going to put in the Bay. Where is this coming from? Try the 20 million gallons in the past month that came out of Back River, the spills that came out of the James River, the Potomac River, the Patapsco River in Maryland.

We have a problem with the striped bass, you know the young of the year is bad. Well, I'll tell you how bad it is right now, and if anybody wants to see the pictures, I'll be plenty glad enough to show them. Our crabbers are crabbing in four feet of water right now, but they are still throwing back 20 to 30

bushels of dead crabs every day. They are suffocating.

The crabs are up on the rock piles, trying to get out of the bad water. It's not because of what Mother Nature has done. In '84 when it was bad, it was because it was a drought. Now, we've had more rain. Everybody knows how humid and how rainy it's been, and specifically the Chesapeake Bay Region for the past year, this past summer.

Every time it rains, the Back River Waste Water Treatment Plant averages about a 7 to 10 million gallons spilled of raw human waste into the Chesapeake Bay it is unacceptable, unacceptable. Right now, my guys, a lot of my watermen have conjunctivitis in their eyes from the pollution. They are working in a cesspool; it's disgusting.

I would like to see the Technical Group possibly put an amendment on this Addendum, to consider what is going on in this area. Somebody needs to come in. The EPA won't do anything, our MVE won't do anything. DNR is trying to do what they can do, but you know their hands are tied.

Where we're suffering is, is with our fish, with our crabs, with our clams, with our oysters. This is not a good thing to have. It is not because Mother Nature is doing this. You know it's the millions and millions of gallons of raw waste going into our Bay. Two of our local beaches are already closed down.

I thank you very much for the time, and if there is a chance that we can put this in as an amendment on the Addendum to have this considered by the ASMFC when it goes to public comment, if it does, I would appreciate it. Thank you very much.

CHAIR WARE: Thank you for the comment. Next, I have Captain Hardman, and then Tom Fote, you are on deck for the next comment.

CAPTAIN BRIAN HARDMAN: Thank you for having me. I am Brian Hardman from the Maryland Charter Boat Association. I can contest to what Rob said about the bacteria in the water. I spent last Thursday and all of Saturday night in the Emergency Room having an antibiotic IV drip.

But as Rob has said, I'm going to reiterate some of the same things, but the Chesapeake Bay is in very bad shape right now. There are large areas of bacteria and a lot of dead zones with no oxygen. One of the main culprits, which he had said, is discharge from these treatment plants, and it seems that they are never being held accountable.

Nobody, as far as the political action groups in Maryland, are holding them accountable, the local governments, in order to try to have this taken care of. This has been going on a couple times a year every year, and actually, it seems like it is getting worse. In order to have a good rockfish spawn, we've got to have two things, good water and leave the female spawning fish alone.

This past April we left the fish alone and did have good water. I think we had a record spawn coming off this year. The restrictions and reductions in our fishing industry does not address the pollution problems. The charter boat fleet is down 70 to 85%, so we're being devastated with this, and this bad water doesn't help at all. In order to have a good spawning success, we need to just leave these female fish alone and try to get this water cleaned up. Thank you for your time.

CHAIR WARE: Thank you for your comments. Finally, Tom Fote, it is your turn.

MR. THOMAS P. FOTE: My name is Tom Fote, Jersey Coast Anglers Association and New Jersey State Federation of Sportsmen Club. I wish to agree with what both of the captains said. Pollution is a real serious problem, and has been for the last 45 years that I've been dealing with the Chesapeake Bay.

I'm looking at some good news about Congressman Rob Wittman and Congresswoman Sarah Elfreth

did, in putting a bill in to address the blue catfish problem in the Chesapeake Bay. I think this is also an extreme problem dealing with the fishery that has nothing to do with what we catch, but basically eats everything that comes out, whether it's blue claw crabs, whether it's oysters, whether it's anything else that swims in the Chesapeake.

Unlike, blue claw crab, striped bass and menhaden, they're all native species. This blue catfish is basically an invasive species. The other thing I think we should be looking at is the relationship between males and females. We know we have plenty of females, the spawning stock biomass is big enough to produce the highest young of the year. We have enough males on the spawning ground.

I know we have problems in pollution again, with the endocrine disrupt, that is basically affecting the sexuality of male fish. We know it's in the Potomac River with small mouth. Was it happening with striped bass, that was not as productive. Since we mainly harvest male fish in the Chesapeake Bay, the catch is mainly made up of male fish, should we be doing something more to protect the male fish, since we seem to have plenty of female fish? Thank you very much for the time.

CHAIR WARE: Thanks, Tom. Those are our public comments today. We're going to move on to Agenda Item Number 4, which is Approval of our FMP Review and State Compliance Reports for 2024. Emilie is going to present, and then we will be looking for a motion at the end of this.

**CONSIDER APPROVAL OF FMP REVIEW AND
STATE COMPLIANCE FOR THE 2024 FISHING
YEAR**

MS. FRANKE: I will be going over the FMP Review today. I will just very briefly cover the status of the stock, just a brief review of the FMP measures, the status of the fishery, and then I'll get into the PRT comments and

recommendations. As far as the status of the stock, the 2024 stock assessment update had a terminal year of 2023.

Spawning stock biomass was just below the threshold and below the target. Fishing mortality was between the target and the threshold. The 2027 benchmark stock assessment is currently in progress; it has just started. We will keep the Board updated as that process moves forward. For the FMP for 2024, for the first couple months of 2024 we were still under the emergency action.

Then Addendum II came into effect on May 1st. Those Addendum II measures were a 7% reduction in commercial quotas. For the ocean recreational fishery, it's one-fish at 28-to-31-inch slot. There was no change to the seasons. There were some separate recreational measures, which we'll discuss a little bit later for the New York Hudson River, the Pennsylvania spring slot fishery, and the Delaware Bay summer slot.

Then for the Chesapeake Bay recreational fishery, it is one-fish at a 19–24-inch slot, and there was no change to the seasons through the Addendum. Then as far as the recreational fillet requirements, there were two new requirements. If a state does allow at-sea or shoreside filleting of striped bass, racks have to be retained, and the possession is limited to no more than two fillets per legal fish.

Moving on to the status of the fishery. Last year in 2024, so 2024 total removals were about 4.1 million fish. This is about a 27% decrease from 2023. You can see on the screen here the proportion of removals for each sector. In 2024, commercial harvest and dead discards was about 15, a little over 15%.

Then recreational harvest and release mortality were each about 42%, so combined almost 85% of the fishery removals. Here you can see the time series, recreational harvest in light blue, release mortality in the darker blue, and then the commercial harvest and dead discards is that red line over time.

You can see that the commercial harvest and discards has been relatively stable over time. Commercial harvest in 2024 was about the same as it was in 2023. On the recreational side you can see at the end of the time series you can see 2024 removals decrease from 2023, and even further decrease from that peak that we saw in 2022.

A little bit more detail on the commercial fishery. Last year the commercial fishery coastwide ocean and Chesapeake Bay combined harvested about 4.3 million pounds of striped bass. That was about 604,000 fish. Again, I mentioned that similar to the 2023 harvest level a very slight increase by weight in number. Then as far as the commercial quota utilization, the ocean used about 76% of the total quota, but again a big chunk of that unused quota is due to lack of fish available in North Carolina, and those states that don't allow commercial fishing.

But most states that do allow harvest in the ocean used over 96% of their quotas. Then in the Chesapeake Bay in 2024, about 94% of the Bay quota was utilized. This is a little bit higher than has been utilized in recent years, I believe in 2023 about 84% of the quota was utilized.

There were a couple of overages in 2024. You see that bottom table in blue lists the state with the commercial quota overage. New York had a slight overage, and then the Maryland ocean Chesapeake Bay also had a slight overage in 2024. But the cumulative ocean quota was not exceeded, and the cumulative Chesapeake Bay quota was not exceeded. That's the table there in green.

For the recreational fishery, in 2024 about 1.7 million fish were harvested, just a little over 15 million pounds. This is about a 34% decrease by number from 2023. As far as live releases, about 19 million fish were released alive, so we have our 9% assumption about how many of those fish will die from that interaction.

About 1.7 assumed to have died, and that is about a 27% decrease from 2023. As far as how the removals break down by mode. In each region in the ocean, about 97% of removals are from private and shore modes, and about 3% are from the for-hire modes. In the Chesapeake Bay, about 77% are from private and shore, and about 23% of the removals are from for-hire.

You can see here the last 10-years of coastwide recreational harvest that's in blue; you can see that peak in 2022 as the 2015s were coming through and we have sort of been decreasing since then. Then you can see in that green dashed line is the release mortality sort of been on a stable and then decline in the past few years for the release mortality.

Just thinking about things by region, the ocean, the Chesapeake Bay. In 2024 we did see a decrease in catch and effort in both regions. We did see larger decreases in the Bay in 2024, going from '23 to '24. For harvest there was about a 54% decrease in the Bay in 2024, and about a 28% decrease in the ocean.

Similar, decreases for the number of live releases, 29% for the Bay, 26% for the ocean. Then as far as effort in 2024, we saw about a 40% decrease in directed trips in the Chesapeake Bay, and about a 10% decrease in directed trips in the ocean. We can see here on this figure, this is directed trips from MRIP over time for the ocean in blue, and the Chesapeake Bay in red. You can see for the ocean it was relatively stable for a while. We had that peak again in 2022 with those 2015s coming in, and then it has been decreasing the past two years.

For the Bay, stable but sort of slight decrease over time there. The PRT, you know every year reminds the Board that there are likely several factors that contribute to these changes in catch and effort, including changes in regulations, the availability of different, including changes in regulations, the availability of different year classes, angler behavior, stock abundance, availability nearshore et cetera. Just a couple things to keep in mind for last year. In the ocean we did see those decreases, and those 2015s were growing out of that 28-to-31-inch

slot. Then in the Chesapeake Bay in general, there have just been a general lack of strong year classes. The strong year classes have sort of long left the Bay.

Then last year we had that new 19-to-24-inch slot, and a change in the Maryland for-hire bag limit as well. I just want to note for the North Carolina Albemarle Sound, Roanoke River fisheries, based on their most recent assessment the stock is overfished, experiencing overfishing along with several years of very low recruitment.

Just a reminder, North Carolina did implement a harvest moratorium in the Albemarle and Roanoke fisheries effective in 2024. I just want to remind the Board about the Amendment 7 recruitment trigger, which we look at every year. If any of the four juvenile abundance indices used in the assessment is below 75% of values from the high recruitment period or three consecutive years, then we have to be using reference points using the low recruitment assumption, which we already do.

We are currently using the low recruitment assumption in our assessments. The recruitment trigger continues to be tripped, tripped again this year. We looked at the past three years and New Jersey, Maryland and Virginia all tripped the trigger. Again, we're already operating under the lower recruitment assumption, so nothing is going to change at this point, but worth knowing the trigger is still being tripped.

Here you can see in the top left is the New York Hudson River. The past two years have been under their trigger level, so hasn't quite tripped the trigger yet in New York. You can see that New Jersey, that's the Delaware River JAI, the past four years have been under that trigger level. For Maryland, of course the last six years have been under that trigger level.

Then the bottom right corner is Virginia, the last few years have been under the trigger level as

well. I'll give PRT comments and recommendations. The PRT found that all states in 2024 implemented programs that are consistent with the FMP, except for a couple of inconsistencies here. The first is that the Potomac River has not implemented the recreational filleting requirements for Addendum II.

PRFC noted there was an error in their regulations, so they are working on getting that language implemented by September, next month. Then both New York and Maryland have those commercial quota overages in 2024, and those states are taking most of the payback in 2025, based on the preliminary harvest estimate they had at the time, when they were planning for their 2025 fisheries.

However, once the final harvest estimates came back there was essentially a slightly larger overage than originally indicated, so those states were also taking sort of the remaining portion of that payback in 2026. Maryland did note this in an implementation plan for Addendum II, but the PRT just wants to point out to the Board that the FMP does require the payback to be taken in the following year. The PRT recommend that the Board discuss this issue of determining quota overages based on preliminary harvest estimates, you know the PRT recognizes that final estimates may not always be available when you're planning for your next year's fishery. But this is something the Board should be aware of and perhaps discuss, you know should states try to account for any expected increase in their final estimate. Something the PRT wanted to point out to the Board.

Then just a couple other additional comments. Maryland has proposed to discontinue their annual spring trophy report. They submit both their compliance report and an additional report detailing the trophy fishery. However, the Maryland trophy fishery is now closed, and the slot limit in the Bay essentially avoids older fish.

Maryland is proposing to discontinue that report, so I'll ask during discussion if anyone has any questions about that or comments to bring those up. But that trophy report started back in 2004. That was back

when the trophy fishery was actually managed by a quota that changed every year, so that is sort of the origin of that report. Then also, just a note that there has been a research priority to develop a spawning index for the Hudson River, and that is going to be discussed during this benchmark assessment. Happy to take any questions.

CHAIR WARE: Great, thanks, Emilie, let's do any questions or comments that Board members may have on this. Yes, Mike Luisi.

MR. MICHAEL LUISI: Before we spend too much time discussing the quota overages on the commercial fishery, I just want to remind the Board that the 2024 season, it was different in that we sent our quota for the following year to our fishermen and then the quota changed. The quota changed after our permit holders had already started fishing in their new calendar fishing year.

We had a large discrepancy between quota in hand and quota in theory, coming from the Board. It took almost the entire, we lucked out a little bit, because we had a lot more quota out there than what was caught. However, we did exceed the ASMFC set quota for that particular year. We have every intention to pay that back.

But the reason for my point is that this is not a pattern that for my point is that this is not a pattern that you'll continue to see. We manage our commercial fishery very tightly. Quotas are distributed to individuals, and we thinking back 15 years or so, I don't know that we've ever exceeded the quota. This is a fluke, for lack of a better word.

CHAIR WARE: I think Emerson Hasbrouck, was it your hand? Go for it, Emerson.

MR. EMERSON C. HASBROUCK: Thank you, Emilie for your presentation. Earlier on in your presentation you had a table about commercial mortality and recreational mortality. Do you mind just putting that up again? Yes, that table,

thank you. I just wanted to look at that for a minute. In 2024, for recreational mortality, it is equivalent between the fishing mortality caused by harvest and the fishing mortality caused by releases, is that right? Thank you.

CHAIR WARE: Doug Grout.

MR. DOUGLAS E. GROUT: I just had a follow up question on the quota overages. I noticed that New York had one, and the way the PRT report, it sounded like they were paying back over two years. My question for New York, have you ever had to pay back over a two-year period before if you've gone over? What was the reason for doing it over two years, when the plan says it has to be paid back the next year?

MR. MARTIN GARY: I think the answer to have we ever had that happen before, the answer is no, because we haven't had an exceedance in over a quarter century. We have a pretty lengthy track record of being under the quota commercially, comfortably. I'll just tell everybody at the Board. We had a discussion in our Marine Resources Advisory Council, because of that track record, a little bit of frustration that we're too comfortably under.

They asked us if we could possibly tweak the buffer that we used, using our fishery dependent data, mean weights we get in the fish markets. It's like a lot of folks do that have commercial fisheries, to see if we can get closer to the quota but not exceed it. We did that, and I think a couple of factors in retrospect, you don't know for sure how it works out.

But our slot is 26 to 38 inches, so if you look at those year class contributions that are probably in that fishery, '14s and '15s are probably on the upper end of that slot. They are larger fish; they are driving the weight up. We think that was a big contributor to kind of nudging us over a little bit. But also, the 26-inch lower portion of the slot probably offered some accessibility to the '15-year class.

You know we were hoping to come up under, certainly not at or over, but we nudged over, so we're going to have that reduction, pay it back, and we might be able to pay it back this year, because we did adjust our buffer back. It's very possible that we may be able to get it all paid back this year. We'll see how the performance plays out this year if that makes sense. I think that would be the answer to your question, if that helps.

CHAIR WARE: Joe, last word, go for it.

MR. JOE CIMINO: Now that Emerson is bringing this back up, I have a question as well. You know this Board tried very hard to, well to protect year classes that we thought were most available, and yet within the release mortality we are still higher, or excuse me, we're still lower than we were for a time period.

Actually, curious if there was a discussion on how we came down in release mortality. We're only targeting harvest restrictions. We were doing our best to protect the year classes that we felt were most available, and yet the release mortality, which is still very high, it needs to be addressed.

But it is lower than the discussions we were having after the last assessment, you know that greater than 50% of all mortality was release mortality. Were there discussions on how that has kind of come down, even though we're doing everything we can to, what I would think is to make that the biggest challenge.

MS. FRANKE: Yes, so we just go back to the PRTs point that there are a lot of factors. It could be that we've seen the decrease in effort, so maybe there are just fewer people fishing so there are fewer releases. If with these strong year classes there have been more slot size fish available, so people have to release fewer fish to find a fish to harvest. I think there are several factors, you know that influence whether live releases go up or down each year. I can't pinpoint one.

CHAIR WARE: Not seeing any more hands, I think we would be looking for a motion to approve the FMP Review and State Compliance Report. I'll just note as a part of that, I think it's the Maryland Trophy Report is what you call it. They don't have a trophy fishery anymore, so I would assume part of that would be them no longer submitting that report. Emerson.

MR. HASBROUCK: Move to approve the Atlantic Striped Bass FMP Review for the 2024 Fishing Year and State Compliance Reports.

CHAIR WARE: Great, motion by Emerson, do we have a second? Dave Sikorski. I don't think we need too much discussion on this. **Is there any objection to this motion? Seeing none, any abstentions? Okay, motion approved by unanimous consent.** We are now going to move on to Agenda Item 5, which is a report on our Commercial Tagging Program, it's a Ten-Year Review.

Just to remind folks, the Board had requested that the Plan Review Team work on this review of the commercial tagging program, so Emilie is going to present. I don't think there is a specific action required today, but definitely we can have a conversation.

REPORT ON COMMERCIAL TAGGING PROGRAM TEN-YEAR REVIEW

MS. FRANKE: As the Chair just mentioned, last summer during the FMP review process the Board tasked the Plan Review Team with reviewing the commercial tagging program. This was a recommendation that came out of the PRT and the FMP reviews, so the Board did task us with that.

It has been over a decade since the tagging program was implemented through the FMP, so that was sort of the impetus to review the program operation, review the program components, now that it has been a long time since the program was first implemented through the FMP. The PRT and the commercial tagging contacts from each state

with a commercial fishery met via webinar on July 24 and July 30 to do this review.

Each state also provided a pretty comprehensive, written overview of their striped bass commercial tagging program, and that was included in your supplemental materials. I just really want to thank all of the state commercial tagging contacts for all their time on this. They are listed here on the screen, for providing those overviews to the group and to the Board, and also to the Plan Review Team as well.

There were four objectives of this two-day meeting. The first was to inform the Board, again those summaries that were put together of each state tagging program. The second objective was to look across programs, so to report any key observations or takeaways across all the state programs, including common challenges and the various metrics that are used by each state. Just looking across the programs, what are some commonalities and differences that we took away. The third objective was to share information, an opportunity for all the states with commercial fisheries to hear about the programs in other states, common issues, challenges, solutions. Then the fourth was to streamline reporting. There is one component of the tag report that has been an optional component that we also asked for in the compliance report, so just minimizing duplicate information as tasking states for the same information twice.

I'm just going to get into a brief background on what is in the FMP regarding commercial tagging. I'll go into a summary of the July discussion on the key observations across state programs. We are developing a written report, this discussion just happened last week, so there is no written report yet. But we will of course distribute that when and if it's ready.

As far as the FMP, Addendum III to Amendment 6 implemented these uniform coastwide requirements for commercial tagging programs,

starting in 2013 and 2014. It's worth noting that most states actually already had commercial tagging programs in place for a long time before these FMP requirements.

These requirements outlined some uniform program components for every state, and then we've maintained the same requirements for commercial tagging under Amendment 7. Obviously, the overall goal is to limit the illegal harvest of striped bass, it is unlawful to sell or purchase a commercially caught striped bass that does not have a commercial tag.

States can choose to implement commercial tagging at the point of harvest or the point of sale. States are required to allocate tags to permit holders based on a biological metric, and this is intended to prevent quota overages. States also must require that permit holders turn in unused tags and provide an accounting report for any unused tags before the next fishing season, so accounting for all of your tags, whether they were used, not used and returned, missing, broken, lost, et cetera.

Then the original Addendum III did recommend that if permit holders can't account for their unused tags, then that individual should not be issued a permit for the next year. The FMP outlines that tags must be tamper evident. They are valid for one year or one fishing season only, and they must be inscribed with the year, the state, and a unique number associated with a current holder.

Then, when possible, they could also be inscribed with the size limit. Then tags remain affixed to the fish until processed for consumption. Then each state is required to submit a commercial tagging report 60 days prior to the start of the fishery each year, and that report includes a picture of the tags for the upcoming season, a description of the color, the style, the number of tags that have been issued or printed.

How the number of tags was determined, that biological metric that is used, a summary of any changes to the program, and then these reports have been asking also for tag accounting. This has

been optional for the previous year, but because these reports are submitted sometimes while that previous year fishery is still ongoing, that tag accounting is usually pretty preliminary and changes as the states get final information. Last week the PRT and the state tagging contacts agreed that it didn't make sense to ask for that tag accounting in these tagging reports, pending any feedback to the contrary from the Law Enforcement Committee, but we'll be asking for the tag accounting in the state compliance report when more of that final data are available. I'm going to get into now some of the observations from the group on sort of commonalities and differences across all of these state tagging programs.

First, just to remind the Board, striped bass commercial fisheries really vary by state, in terms of the different management systems, whether the state uses an individual quota or not, different gears, different seasons, and the number of participants really varies across the states. As far as point of tagging, three states currently tag at the point of sale, four states currently tag at the point of harvest, and one state currently tags at the point of landing and at the weigh stations.

All states use the average weight of fish to convert their quota into number of fish, aka the number of tags for the upcoming season. There is a varying degree of complexity with how states do this. Some states are accounting for different average weights by gear type. There is at least one state that is actually looking at average weight by individual harvester.

There are different types of quota allocation, so are quota holders getting equal shares? Some states do a full share versus a part share. There is also some inherent uncertainty, in terms of predicting the next season's average weight compared to the current season. The states try to account for this by ordering extra tags, just in case, you know the average weight decreases and there is sort of a lot more smaller fish.

Then one state also notes they take into account the anticipated size that are targeted by harvesters for certain markets. Then harvesters are all required to return any unused tags, or provide a report accounting for where all those unused tags, what happened to those tags, were they lost, broken, et cetera.

In terms of the percent of tags unaccounted for, so these are tags that are not returned and tags that are not accounted for as lost or broken. All of these unaccounted tags for most years about 1 to 3 percent for most states. A few states the past few years had maybe 5 or 6 percent, and then for the COVID years, '20 and '21, there were higher rates of unaccounted tags. There were more tags unaccounted for, due to some of the challenges of tag return and accounting with in-person interactions because of COVID.

As far as some common challenges that states have faced, the first is just planning. First, the cost of tags has been increasing for a lot of states, so states have had challenges with the cost increasing, and potentially having to switch vendors, and also a long lead time for tag production and shipping. There are also time constraints for states that don't have a gap between their seasons.

If a season is ending in December of 2024 and the next season starts in January, 2025, you're still completing tag accounting from the current year, and then if the Board is making decisions late in the year about quota for the next year, that is a challenge when planning for the next season's number of tags. One state also noted the time that harvesters are renewing their license, and paying for the number of tags for the next year happens before they know what the final quota will be for next year. Other common challenges, just in general, operation from an administrative standpoint that the tag distribution return accounting processes are all very administratively demanding, and they do require significant staff time, and again, the COVID years did effect tag return and tag accounting, and so there were more tags unaccounted for during those years. Then some differences across programs.

First, there are differences in how tags are distributed. Sometimes the state orders the tags, received the tags, and then distribute the tag to harvesters, whether they come in person to pick it up, they are mailed to the harvester, or maybe the state drops them off. There are other states where the tag vendor actually ships the tag directly to the harvesters, and the state works with the vendor to verify who is receiving tags.

There are differences in the physical style of tags. There were some questions about, are all the styles the same degree of tamper evident? One state had noted an issue with a particular style of tag in the past. There are also differences in tag reporting requirements. Some states maybe just have a harvester report; other states have harvester and dealer reports.

Some states have harvester and weigh station reports, and then states collect slightly different information, so there is at least one state that collects individual tag data, so you know the weight of one fish with an individual tag. Other states are asking for how many tags did you use this trip, or how many tags did you sell this day.

One state asking only for total pounds, so not asking for a number of tags. There are also differences in terms of consequences for delinquent reporting or not reporting their tag accounting. For most states those harvesters, if they are delinquent in their reporting get a reduced or even zero tags for the following year. Other states it's the law enforcement's responsibility to work on the citations.

Then one state actually has a per tag fine for any tags that aren't returned. There are also some differences in the ability to verify how many tags were used. Again, one state is tracking the individual tag serial numbers, other states have multiple reports coming from the harvester and weight station or harvester and dealer, or some states have one harvester or dealer report with how many tags were used.

The states also noted that if harvesters are landing fish in a different state that could make it difficult to verify the number of tags used. There are also some differences in fish that are kept for personal use. All states require that any fish kept for personal use have to be reported. This is actually a new requirement for one state as of later this year.

A couple states do not require tagging a fish that is kept for personal use, and so not counted toward the quota, and then there are some states that actually require harvesters still bring fish to the weigh station or the dealer before they can take it home for personal use. Overall, big picture, there are of course several differences across the programs.

All states have recognized various challenges and made an effort to address them, but overall, the group felt it's been generally successful these programs in meeting the goals of the FMP. Of course there is always these ongoing challenges in potential improvement. The last thing I just want to go over is given the current Draft Addendum III consideration about the point of tagging. The group did look at those states that currently do point of sale, and their information they provided about the potential switch to point of harvest tagging from point of sale. Just a reminder with the Draft Addendum. There have been concerns that waiting to tag until point of sale could increase the risk of illegal harvest, so the Draft Addendum is considering requiring tagging at the point of harvest.

We will discuss later today potentially expanding that to consider point of landing as well. But as I mentioned, there is all these differences among the state management systems, so it is difficult to determine whether making the switch would decrease that illegal harvest in every state.

As far as the Law Enforcement Committee, the Law Enforcement Committee majority supports tagging at point of harvest, but there is an opposing opinion within the LEC that does support continuation of the point-of-sale tagging, so we'll also get into this a

little bit more during the Draft Addendum discussion.

Basically, during the review the three states that currently tag at point of sale, so Massachusetts, Rhode Island, North Carolina, noted some common challenges if they were to switch to point of harvest. All three states noted that their commercial fisheries are not managed via individual quotas. Potentially thousands of harvesters could be eligible to receive tags, compared to the dozens of dealers that they currently distribute tags to.

They noted a challenge would be staff capacity to administer the tagging program with that magnitude of increase in the number of people receiving tags, and just the number of tags in general. Because their fisheries are not managed by individual quotas, it is difficult to predict how many tags each harvester would need.

Maybe you end up distributing too many tags upfront, with a lot of them going unused, or a lot of people are asking for additional tags during the season. Then Rhode Island also noted some additional concerns, specifically about tags slowing down the processing time for their floating fish trap fishery, concerns about less time with quota monitoring, given that their dealer monitoring is kind of making 24 hours.

Then also concern about tags from inactive commercial licensees who might be eligible to receive tags, being potentially given to recreational fishers, for example. Then Massachusetts also noted some concerns about distributing tags to harvesters throughout the state. Overall, it would be a big undertaking to change these programs.

The Board would need to account for sufficient time for these states to make that switch, if it were required under Draft Addendum III. With that I'm happy to take any questions. Again, you know this discussion just occurred last

week, so we will share a written report once that is available. But I am happy to take any questions at this point.

CHAIR WARE: I'll extend my kudos to the states that listened into a lot of the presentation. I thought folks did a really good job on those calls, so thanks for the efforts. We'll do questions and comments or discussion at this point. Any questions or comments from Board members? John Clark, we'll start with you.

MR. JOHN CLARK: Just wanted to follow up on that personal use without tagging the fish. Did the Law Enforcement Committee comment on that, and it just seems like a very big avenue to allow hitherto obviously unreported commercial landings there, and a very difficult situation for law enforcement to actually enforce. I was just curious whether they had comments about that.

MS. FRANKE: No, the Law Enforcement Committee has not commented on that. I think the next step would be to provide the report once it's finished in Law Enforcement Committee, and the next time they meet I could provide them with the same presentation.

MR. CLARK: Could you say again how many states actually allow fishermen to take a personal use untagged fish?

MS. FRANKE: That would be three.

CHAIR WARE: Nichola.

MS. NICHOLA MESERVE: Thank you for the presentation, Emilie. I listened into both calls, and they were very informative from a state that may have to look down the road towards point of harvest tagging, so I appreciated the opportunity to see how the other states have implemented their programs.

It did strike me the number of differences among the states and the inconsistencies. I for one would be interested in having the report, as you mentioned it would go to the Law Enforcement

Committee to look at, to review all the state reports and the PRT report, and to reconsider or at least review the prior recommendation that it made about point of harvest vs. point of sale. I don't think they had all the details of the differences among the programs when they made that recommendation.

I think there is also the potential that they may have some other recommendations about how to improve the accountability and enforceability of commercial harvest in the tagging program by looking at some of the inconsistencies in the state programs. I would look forward to additional review from the Law Enforcement Committee that we could receive in time for final action on Draft Addendum III.

CHAIR WARE: Craig Pugh.

MR. CRAIG D. PUGH: I tag fish, I've tagged fish for a long while. I have some experience with others in my fishery being arrested. Prosecution seems to be quite difficult at point of harvest. What is your interpretation of point of harvest? Some of the interpretation from Law Enforcement was as soon as you lift the net from the water onto your boat, meaning that they could arrest you for each and every fish that entered your boat. That was the interpretation brought before our judicial body in the state of Delaware. It caused great heartache.

We at that point decided to do a bill, House Bill 79 in 2015 that looped us from point of harvest to before landing, meaning that that fish now has the time to be identified, it has time to be measured. There is also a safety factor involved. We have a tag that is a one-way tag. It only goes in one way. If you try to force it the other way, you destroy it. We rarely take days off. We fish in 30 or 40 mile an hour weather. This means that you take a knee and your eye is off the sea. There is a true safety factor in how you tag the fish at point of harvest.

We found it to be a much safer process to get to a river or what is a little more accommodating, and then tag our fish at that point. Culling of fish goes on as you do that, but the interpretation from enforcement was very, very difficult with this. You must understand that immunity is part of enforcement.

Whether or not they interpret it right or wrong, they have immunity. They were handing out these violations like M&Ms at Halloween. That was the reason for the change in the law and the process, and I will tell you that when we went through that process in our Legislature in 2015, that both committee houses were unanimous votes in favor of before landing, and both house votes were unanimous votes, overwhelmingly unanimous.

Four votes unanimous for before landings, mainly because of the abuses that our commercial fishery had incurred before that. That was the reason for that. In my case I support state choice here. We chose to do that, it was supported by our legislature wholeheartedly, so it would take quite a bit to change this over back to point of harvest again, and then allow them to conduct this abusive role that they used to conduct on us.

One more comment before John is that some of the rhetoric at the last meeting I found to be insulting and prejudicial. One comment was, commercial gets away with things. Do you all agree with that? I find that to be insulting. Absence of evidence is not evidence of absence. Another prejudicial statement made on the record here in this body.

If you believe in that then I believe you may have some prejudicial issues. This was applied as a nurturing and a mothering sort of effect that this would be applied that way, but I can tell you that experience on my level as a commercial fisherman and through this tagging practice, it's just bad parenting if allowed to go on. Serious consideration has to be made here, these were four unanimous votes against point of harvest that we had applied to us for many, many years. Thank you.

CHAIR WARE: John Clark, any other hands on this before we do a wrap up? John Clark.

MR. CLARK: Just for the record, I just wanted to say that our department did oppose the change to point of landing, but I've been clear, and when I put this forward to point of harvest or point of landing in everything that I've suggested here and leave that up to the Board. I don't deny what Craig is saying, there could have been some overinterpretation of our point of harvest in the past, but I don't believe that that was widespread.

CHAIR WARE: Craig, do you want a 30 second rebuttal to that, and then we're going to wrap it up.

MR. PUGH: In there I've also brought, before we did the House bill was our lead commissioner from our administration did put out a letter to our Commissioner from the House, which that person stated that we would be out of compliance if we changed to that. The result was, they were willing to lie to go forward, and continue to what had happened.

To what expense if the expense was to the fishery and to those people fishing, mainly because to prosecute, if your choice was a violation then it is also incumbent on you to pay for the expungement and to go through that process, even if you can get through that process of expungement. There is a lot of unnecessary parts that plague our fishery with point of harvest.

CHAIR WARE: I just want to acknowledge, I think this is an ongoing conversation. We obviously don't have the written report today. I think the next step is getting that written report, being able to digest that. I did hear several requests for an LEC review of that written report when it's available.

I think we'll try and make that happen for the annual meeting. We'll have to do some scheduling work to get that before the Striped

Bass Board, but just wanted to acknowledge I heard that and we'll try and make that happen. Final word, David.

MR. DAVID V. D. BORDEN: Just a follow on to your statement. If this goes back to the LEC For review, which I support, I think it should be reviewed. Then the question is, should their recommendation go to a PDT or it's like there are a couple of steps. If we want to use this information, are we going to ask for additional input from another committee, and if so, why not ask for the input from the committee now, so we get the LEC to review it and then whatever committee we're going to send it to for additional action, so if you could comment on that or staff.

MS. FRANKE: I think, you know we'll have this written report from the meeting. The LEC can have a meeting to discuss all these observations and any input from the LEC. I think it would come back to the Board to decide, okay we have this report. Looking across programs we have input from the LEC, what do we want to do with that? Is the Board trying to make changes to the requirements? That would be a management action. I think it would come back to the Board to decide where to go from there.

MR. BORDEN: That basically means we go to the next meeting, get the Enforcement report, and then decide where we're going to send it from there. It just stretches things out that's all. I was thinking, there are elements of this report that are not enforcement related, they are more PDT type actions, and should we refer to both of these committees at the same time? Let the Enforcement people conclude their deliberations and then send it to the PDT to get some type of action.

CHAIR WARE: I think the best route is to come back to the Board. We don't actually have a PDT technically right now, because we don't have an addendum or some sort of action on a lot of those topics. I am also cognizant that Emilie may be doing a road show with me now in the annual meeting that will probably take up some of her time. I would recommend we get the written report, we

come back at the annual meeting. Then if folks want to task the PDT at that point, I think that is what I'm going to recommend. All right, final comment from Craig, and then we're going to move on.

MR. PUGH: Now I've said my piece it is time to rebuild. This is okay, I understand the accounting part of this. But what really conducts the behavior of a fisherman on a bigger level is the Lacey Act and how it applies to this. How the Lacey Act applies to this truly worries the fishermen of whether it's worth it or not to take advantage of the system. It's the bigger driver in behavior than the tagging system itself. I hope that's helpful.

CHAIR WARE: All right, on that note I think we're going to wrap up this agenda item and we've still got a pretty big one ahead of us.

CONSIDER APPROVAL OF DRAFT ADDENDUM III ON FUTURE MANAGEMENT MEASURES, COMMERCIAL TAGGING, AND TOTAL LENGTH MEASUREMENT FOR PUBLIC COMMENT

CHAIR WARE: I'm going to have us move on to Draft Addendum III. We're considering this for potential approval for public comment.

I think everyone acknowledges that the document is way too long at this point to effectively take out for public comment. The name of the game today if folks want to approve this is paring it down. We'll start with a TC report from Tyler, our TC Chair. There will be time for questions after that TC report, and then Emilie will provide an overview of the Addendum.

TECHNICAL COMMITTEE REPORT ON STOCK PROJECTIONS

MR. TYLER GRABOWSKI: I will be providing a Technical Committee report, both on Draft Addendum III, as well as the inclusion of the Maryland Baseline Analyses in this presentation. The Technical Committee and

Stock Assessment Subcommittee met in June of this year to address tasks for Draft Addendum III, again, updating the stock projections incorporating that final 2024 MRIP data, as well as that reviewing the Maryland Proposal for that recreational season's baseline changes.

I'll first start with the updated stock projections. We initially presented on the projections in the spring using the preliminary MRIP removal data, as well as the projected 7% reduction to the commercial fishery based off Addendum II. What I'm going to present on right now is the updated projections, using the final 2024 MRIP removals, as well as including the preliminary 2024 commercial landings.

The preliminary recreational removals were roughly 3.22 million fish. However, with the updated MRIP data coming in, it increased those recreational removals to 3.45 million fish, which is roughly a 7% increase in total recreational removals. This was driven in three segments, a 12% increase in the Maryland Chesapeake Bay recreational harvest from the preliminary to final.

Increase of 29% in the New York recreational harvest estimate, and then also a 34% increase in the New York recreational release estimate from preliminary to final. I do want to note that other states did have very small changes that you can see in the document, but these were the three largest changes.

Focusing in on the Maryland Chesapeake Bay recreational harvest, most of this increase was seen in Waves 3 through 5 in the charter mode, as additional VTR data were added, which resulted in higher estimates of effort in the Bay. For New York, most of this increase was seen in the private rental boat mode in Wave 6, and this is due to an increased estimate of Wave 6 effort as additional FES records were added. As you can see, the preliminary effort was roughly 450,000 angler trips. However, with this updated data it brought it more in line with the 2022 and 2023 estimates of about 850,000 angler trips.

Those two factors drove that roughly 7% increase the most. Moving forward, this is basically what we're going to call the final or base run of the projections. For this run, this uses for the removals of 2024 the final MRIP and preliminary commercial like I mentioned. Recruitment is drawn from the low recruitment regime, which has been historically used from 2008 to 2023.

Fishing mortality for 2025 is projected as a 17% increase from 2024, as that 2018-year class enters the current slot fishery. Then using fishing mortality of 2024, from 2026 through 2029, as those '18s grow out of that ocean slot fishery. What this does is the final 2024 MRIP data increased due to that increase in 2024 fishing mortality.

What that in turn did is propagate through the projections, resulting in higher reduction options, because of the number of removals that occurred in 2024. Obviously, a higher F in 2024 factored into that projected 17% increase for 2025, results in a higher F as well in 2026 through 2029, as compared to the prior projections using that preliminary data.

As you can see here in the graph, the final or base run is the new and updated in black, using that final MRIP data, whereas the preliminary is in the gold, and as you can see, that increase from 2024 moving forward through 2029 with that updated data. When we look at it projecting out, we can see that with that preliminary MRIP data we had a roughly 50% chance of rebuild by 2029. With this final or base run for 2024, moving forward, it takes it down to a roughly 30% chance of rebuild by 2029.

But I do want to note that based on both of these projections, the stock does continue to increase to the target and potentially exceed it, using the current information. Just to summarize, like I mentioned, the probability of rebuild using that preliminary data was roughly

50%. However, with this base or final data we're looking at a 30% chance of rebuild.

In terms of removals under current management action, we can see that roughly 200,000 more fish are projected to be harvested in 2026. In that preliminary MRIP data analyses, it was a roughly 1% reduction was needed to achieve F rebuild, with a 50% likelihood in 2029. However, that increased to roughly 12% reduction using this updated information. In terms of the buffer aspect, it went from a roughly 7% reduction needed to a 18% reduction needed, giving us a higher probability of achieving rebuild.

These stock projections represent the TCs best assumptions about what may happen under status quo management. But like the TC typically does, it is very hard to predict future fishing mortality, how effort may change under different management actions, and also noting that recruitment moving forward is highly uncertain, given that these analyses use the 2008 through 2023 recruitment indices. The Board previously also requested sensitivity runs to see how fishing mortality and recruitment using different recruitment metrics extend the base run projections to 2035. What the TC and staff did was use the most recent six years of very low recruitment instead of that low recruitment regime, and then also projected a moderate F value for 2026, combining both 2024 and 2025s projected and realized fishing mortality, using that to project forward through 2026 through 2029.

The TC just wanted to note that these sensitivity runs are more pessimistic scenarios compared to the base run, and that they do not encompass the possibility of more optimistic scenarios, given that fishing mortality potentially may decrease the levels lower than what was seen in 2024 through 2025 to 2035.

Obviously, there is a chance to go in the other direction, but these are just the options that were recommended and run by the Technical Committee. This is kind of a Punnett square of the different scenarios that were run. The base case is what I've

been previously describing in the upper left. In the upper right, using the same projected fishing mortality from 2024, using that to project 2026 through 2029.

However, in this scenario, a very low recruitment regime was used. In the bottom left we held the same recruitment of 2008 through 2023. However, we increased F using the average 2024 and 2025. In the lower right recruitment and F were both changed. I just want to note that all these projections do go out to 2035.

As you can see again, we'll start with the black line up top. That is the base case that we are using with the final MRIP data. If you look at the blue line, that is again using that same low recruitment. But increasing fishing mortality just slightly, using the average of '24 and '25. However, when you look at the orange and pink lines, or yellow and pink lines, excuse me.

That is using the very low recruitment. As you can see, it differs from using an extended recruitment regime in that projections have the spawning stock biomass beginning to decrease around 2030, 2031, when that low recruitment regime is utilized. The trajectory of the spawning stock biomass depends on the recruitment scenario.

Low recruitment, as I mentioned, spawning stock biomass continues to increase. However, in using the very low recruitment, the spawning stock biomass begins to decline after 2030, as those strong year classes die off and are replaced by the weaker year class. Then just another note, under a slightly higher F than the base run probability of rebuilding by 2029 decreases.

Moving forward to the Maryland Recreational Season Baseline Analyses. The TC and SAS initially reviewed the Maryland Baseline Season proposal in March of 2025. Per Board recommendation, Maryland updated methodology to incorporate TC

recommendations as well. Then the Board requested review of this new document with updated methods, the assumption of constant effort and the potential impacts on pre-spawned fish.

The new baseline would modify the duration and timing of seasons in the Chesapeake Bay and Maryland's portion, while calculated to maintain the same level of removals as 2024, in essence a net neutral proposal. One point of clarification is that that the current spawning closures would not be affected in this new baseline analyses. All current closures would remain intact, in terms of areas. Maryland's proposed baseline season would first change the April no-targeting fishery to allow catch and release fishery. It would change May 1st through May 15 from no targeting to allowing harvest. Maryland would also shift the summer no targeting closure from July to August and extend this closure, and then also close the December harvest season a few days earlier. Again, keeping it net neutral from 2024 levels.

Opening the April season from the no targeting to allow catch and release, the assumption is that the number of releases per trip will increase. Obviously, now that anglers have the ability to potentially fish for striped bass. The challenge for the TC and Maryland is how many trips per day will this increase, in terms of effort.

The initial attempt was to use a historical reference period to estimate this change in effort. However, Maryland's prior spring seasons are not directly applicable, since harvest was also allowed in the past, Maryland's previous trophy season, during this time period. Maryland's method assumes constant effort in that the same number of trips per day would occur moving forward as 2024.

However, there is an expected increase in effort when opening a no-targeting closure to allow catch and release. But it is difficult to quantify the potential increase that this action would do. The TC and SAS noted the difficulty of predicting effort increases without historical reference periods, and we could not develop a quantitative assumption for

effort increases that was any more defensible than the assumption of constant effort that Maryland proposed.

Based on this, the TC and SAS accepted Maryland's methods for calculating new season baseline, and recommended the proposal highlight this uncertainty of predicting how effort would change when opening a currently closed season in the spring. At the previous meeting, the Board expressed concern about potential impacts of allowing catch and release angling on pre-spawned fish in the month of April.

The current literature on striped bass is limited, and the outcomes are mixed. One such study stated that there would be no behavioral change to these pre-spawned fish. However, one study did say that fish did leave spawning grounds after release. Then results for other species found similarly inconclusive results. The effect of catch and release fishing on the spawning success is a source of uncertainty for this proposal. With that I will take any questions from the Board.

CHAIR WARE: We'll start with questions. Yes, Bill Hyatt.

MR. WILLIAM HYATT: Tyler, you described the base run. You described that it doesn't hit the target by 2029, but it does eventually. You described it as the Technical Committee's best assumptions wrapped up in there. Then you went on and talked about what you characterized as the more pessimistic scenarios based upon very low recruitment.

You showed that they never hit the target and then subsequently declined. I think my question is, why the Technical Committee chose to characterize the base run as your best assumptions, given that the conditions that that base run is based on haven't occurred in six years. If you could just address that a little bit.

MR. GRABOWSKI: Thank you for that question. I think the fair scenario is to extend it, given that recruitment has been up and down in that 2008 to 2023 period. Not every year has been a high year. It does take into account the most recent low years as well. By 2029, in terms of that base run, those poor recruitment years from 2019 to present will not really impact the spawning stock trajectory by 2029, so those fish won't recruit to the spawning stock biomass for 2029.

But as you see, as it projects out to 2035, those fish are recruiting to the spawning stock biomass, and that is why you're seeing the dip. The intent was to see by 2029 for the rebuild, and those most recent year classes would just not show up in those projections. Katie, if you have anything further to add.

DR. KATIE DREW: Yes, I would say I think that sort of low recruitment regime was based on the change point analysis that was conducted about, can we identify a new regime on that front. That was why we've been sticking with the 2008 to 2023 regime. I think we'll probably have a better sense by the time we get to 2029, whether this is a real new normal, or if it is just a series of low runs interspersed with the occasional strong year class, like we've seen from 2008 to 2023.

As Tyler was pointing out, it doesn't have a big impact on that rebuilding deadline. What matters is what happened beyond that and that's like the further out you go there is also so much more uncertainty about other aspects. The TC considered the sort of short term the most realistic, and it is not strongly affected by that recruitment scenario to the rebuilding deadline.

CHAIR WARE: Next, I have Jay.

DR. JASON McNAMEE: I'll start with a comment, but then I have an actual question. Just a lot of appreciation. I think there was really good work done there, laid out really clearly. It was kind of easy to track, like the logic and how you guys are stepping through these. In particular, you gave us a lot of contexts now for, you know I think there was

some sense a meeting ago, when we were looking it was about 1% reduction versus 7%. I think folks were kind of like, you know this clarifies for me anyways that we're kind of on the right track. We should be doing something, and I think you helped us understand a little bit that at a context of risk that we have, you know depending on. I think it kind of gets at what Bill is maybe thinking, you know with his question, and that is there are some pretty negative repercussions if we're like wrong on some of the assumptions there.

I appreciate all that work; it helped me a lot. I just wanted to make that comment. But the question, I'm going to jump into the weeds here a little bit. It was just shocking that from the preliminary to the final effort for New York, like it doubled, and that's a big state, so lots of additional charts in there.

Did you guys identify like what happened there? Can we anticipate like that big of a difference between preliminary and final on some routine basis? That's a big jump, and I'm hoping somebody like drilled into that, to kind of understand where that came from, so thanks.

DR. DREW: I'll jump in, because we talked to MRIP about this. Obviously, there is with the change to the new FES survey, we switched from a telephone survey, where once you stop calling people the survey is done to this new effort, the mail-based survey, where you mail these cards out and people mail them back in on their own timeline.

As we go through and do the Wave estimates, Wave 2, 3, 4. They are constantly getting those cards back, and they are updating those effort estimates, and that can carry through, so when we get preliminary Wave 3 estimates we also get an update on the Wave 2 preliminary estimate. Waves 2 through 5 are being constantly cleaned and those new data are being incorporated, et cetera.

Wave 6 doesn't really have that multiple cleaning additional data process added to it. What happens this time, which is unusual, and MRIP said it was unusual, is that usually they get that first wave of cards back and its people who are like, I'm enthusiastic to tell you about how much fishing I did.

Then you get cards back later that are like, oh right, no I didn't fish. Whereas this time around it was the opposite, so you got a lot of cards back that said, I didn't really fish in Wave 6 in New York and that all went to the preliminary data, so it looked like sort of the average number of trips that people were taking was low.

When we got that new additional data back that was after the preliminary but before the final deadline for Wave 6, it was changed this year. Possibly people were holding on to those cards longer to have trips later in the wave and more effort later in the wave. We can't know why exactly.

But basically, that we got more cards back where people said, yes, I fished this wave than we have in the past, or that there was a higher number of average trips than we have in the past for the final numbers. I do think maybe if we had looked into this a little closer in the moment, we would have seen that discrepancy and then like, 400,000 trips does not seem right for New York in Wave 6.

I think there is, and obviously it is still within the overall confidence intervals of that preliminary estimate, it just gets propagated through our projections more aggressively than maybe something a small difference should be. For management purposes, that 7% difference isn't huge for this year, but it has implications down the road.

I think maybe the lesson to take away from this is, we should be cautious about those Wave 6 numbers, especially for a fishery like striped bass, where you do get a lot of effort in Wave 6 in certain states, and to maybe look at that a little more closely. Then just expect kind of with this switch to

the FES there is still the potential to be pulling in new data through different sources that there was not in the past.

DR. McNAMEE: Thank you very much, Katie, that's awesome. I think that kind of clears it up, and thank you, like I agree with the flag that you've raised there. It's probably something we want to focus on. Even the technical look at it, I think is good. Just be sort of suspicious about this kind of mail lag is a feature. There is probably something we want to think about. I can almost imagine like a Bayesian approach to it where you have sort of your prior and then you let the kind of incoming data inform that prior and move it if needed. But that's a little too wonky, but I guess the idea is probably we should think about that and have a method for dealing with that Wave 6, because of this lag in the mail data.

DR. DREW: Correct, and just thinking about when do we need to have these data, should we even be using these preliminary data in some respect? How should we be handling that, or like what is the benefit of doing things like, let's wait for the next preliminary set of data or like things like that I think are also valuable. But we can tell MRIP to try the Bayesian approach as well.

CHAIR WARE: All right, I have John Clark and then Mike Luisi.

MR. CLARK: Thank you for the excellent presentation, Tyler. I'm just following up on, I had the same concern that Jay brought up, but mine is more from ongoing skepticism of MRIP and especially with the public. When you see the changes for all the other states range from minus 3 to 3%, and then New York is 29%.

Yes, I get it, that is the effort survey. But was any ground truthing done? Was anybody talking to people in New York and saying, oh yes, it was crazy. People were going out striped bass fishing all through November and

December. Because my recollection is that the cold weather came on pretty early this year.

You would think that if New York had so much great striped bass fishing in Wave 6, some of that would have, especially for northern New Jersey, would have showed up there. But it doesn't. I mean with every other species as I've said in the past, when we see anomalous MRIP data we tend to say, well let's work something out with that. But when it's striped bass, no that's God's honest truth right there, 29% increase. I just don't buy it.

DR. DREW: Well, I would like to be clear. I think the anomalous part was the preliminary data, where effort was half of what it has been historically in 2022 and 2023, and we didn't look at that and didn't talk about that or didn't flag it at any point. Instead, MRIP has corrected that and brought it back into line with the historical data. It's higher than the preliminary numbers, but I think it's now more in line with what we have seen historically for this fishery in the past.

MR. CLARK: Right, but I'm just saying that as I said, typically when we see something like that, we might just kind of average things out, rather than just jump it up that much.

CHAIR WARE: I have Mike Luisi and then Joe Cimino.

MR. LUISI: My question is for Tyler, and Tyler, thanks for the presentation. Maybe if you can go back. I think it might help to go back to your slide, where you showed the projected assumption of the 2025 removals increasing by, I think you said 17%. There it is. The question I have has to do with the fact that we are not considering the actions in Addendum II right now as a result of an assessment coming out indicating that we are overfishing, and we need to reduce our fishing mortality to a certain level. That would be a simpler calculation on returning to the fishing mortality target. In this case we are forecasting and predicting the future, and hoping that we're guessing correctly, and if we don't guess correctly what happens, is the question that I have. While I understand we're doing our

best to try to use information, harvest information, year class information from historical striped bass fisheries and applying that, which is the indicator for this 17% increase in overall removals in 2025.

That is part of the projection. That is part of what is getting us to this 12% reduction which is needed to be at a 50% probability of achieving that target. What if that spike doesn't happen? What if we're 20% below 2024 for removals this year? We're going to have preliminary information on catch through Wave 4 in October.

We're kind of dancing around, in my opinion, this line of whether or not action is needed or not. The preliminary numbers were what they were. We're now at 12%, we're looking at a 12% reduction. We've heard from the Technical Committee that the 10% or less of a reduction is kind of unquantifiable.

It's hard to determine whether or not there is any success in that. I feel like we're on this fine line and we're using data that we don't have, and we're projecting for the future and forecasting, and we're hoping that it's all right, but if it ends up being different what do we do? The question, I guess, is anyone tracking any of that?

Is anyone looking at information in 2025 now, to determine whether or not that assumption, are we on target to reach that point at some point in the future? Has anyone done any type of projection for 2025, just looking out to see where we might end up?

DR. DREW: Right now, only Wave 2 is available for 2025, and it is a little lower than it has been in previous years. However, for sure, we could present you guys with okay, here is our projection for waves based on Wave 2 through 4. Perhaps you remember, we did this all of last year, where we kept adding the waves to predict 2024 data.

We gave you a range of 2024 potential final estimates, and as we added more data those estimates came down, and then the final numbers came out and they were higher than we had projected, based on Waves 2 through 5. I guess we could present you with data through Waves 2 through 4 in October, and you guys could look at that and think about that.

Maybe think about the fact that we blew past that when we tried to do this the last time. What is that going to tell you? How does that affect your risk assessment for this species? I think you guys just need to rip the Band-Aid off at some point and make a decision. We can keep bringing you new data, but new data collection doesn't stop, and we're never going to catch up to where we are and where we need to be.

CHAIR WARE: I have Joe Cimino, then Marty, and I think there was Matt, and then we're going to move on to Emilie's presentation.

MR. CIMINO: I think mine was just kind of a counterpoint, and maybe just a confirmational question to this. It does play into something in the document regarding the idea of a split mode. I recall something like this happening, Katie, with black sea bass years ago. I think John Maniscalco and I and maybe Jason even back then was still on the Monitoring Committee.

You know that is a species where everyone has federal VTR requirements, this isn't. I'm kind of curious, are there actually loopholes? Like this might have been brought in through VTRs, but are there loopholes where there are plenty of for-hire charter actions that aren't even required to be doing those VTRs?

You know the magnitude of this kind of bump may be different than a species like bluefish or striped bass. I'm just wondering, I apologize, do you think my thinking is correct on that, that it's possible that there are striped bass for-hire loopholes that would maybe change the MRIP estimates, or at least this kind of change in an MRIP estimate compared to species that are required to report?

DR. DREW: There are states that do not have specific for-hire reporting VTR or logbook programs for striped bass are covered by the for-hire survey under MRIP. Even if they are not required to report at the VTR level, they will still be surveyed by the effort and incorporated into that estimate.

CHAIR WARE: Marty and then Matt.

MR. GARY: My comments are just following Johns. I think the question you asked John, if anybody in New York taken a look at Wave 6 numbers, and we did. Those numbers are eye popping and we took a hard look at it, and they are in line with what we've seen in the last few seasons. Yes, the south shore west end fishery was epic. I got out there a couple of times to see it myself, so we're in concurrence that that is accurate representation.

CHAIR WARE: Matt Gates.

MR. MATTHEW GATES: I'll just add to that a little bit. We have a volunteer angler survey that looks at catch and length data ongoing throughout the season, and we've looked at the harvest lengths, the catch lengths for this season, and it does look like there is a peak right in the slot limit, about 27% of our catch this season has been within that slot limit. I do expect at least some bump in the harvest.

CHAIR WARE: Thanks, Matt. I think that was a good discussion on our TC report. I'm going to, for the sake of time, move us on to our Draft Addendum presentation from Emilie. We also had an AP meeting, so that report is going to be integrated into this presentation.

MS. FRANKE: I will be going over the Draft Addendum presentation. We did go over this, obviously, at the last meeting, so I'm not going to get too much into the front matter of the Draft Addendum, in terms of the background information. I'm really going to focus on going through each of the four issues, the statement of the problem, and the options. Throughout

the presentation I'll also highlight comments from the PDT and the memo that was in materials, and also comments from the Advisory Panel members as well. The Advisory Panel met on July 28, via webinar, to review the updated management options. The AP Chair could not make it today, so I will provide those AP member comments throughout the presentation. Again, timeline for the Addendum. We're here in August.

The Board is considering approving the document for public comment. If it were approved, we will have a public comment period and public hearings, probably starting in late August through the month of September, and then in October the Board is meeting some time, October 27 through 30, to select final measures and then states would implement the regulations following.

Again, I'm not going to get into the details of the background section, there is a lot of information here, sort of all the typical status of the stock, status of the fisheries. There are also sections looking at the seasonality of recreational catch and effort, because that is relevant to seasonal closures.

Social and economic considerations, equity considerations and analysis of other species that are caught and targeted. In the striped bass fishery if you're thinking about what other species might be available if there is a closure. There are also some examples of some current Maryland and North Carolina striped bass closures.

A couple of these sections have been updated since May, just simply updated with the final MRIP estimates and the 2024 commercial estimates and also, of course the updated projections. We added a description of the very low recruitment sensitivity run to provide some context on how that assumption of that recruitment affects the stock trajectory.

I just want to point out here a couple of AP member comments that were sort of general comments. One AP member did note some concern that the socioeconomic section does not sufficiently convey the negative impacts of the Addendum II measures,

particularly the one-fish bag limit for the Maryland for-hire fleet.

Then one AP member did discuss sort of thinking about the background information and commercial removals estimates some concern about how we're estimating commercial discards, and also concern about the low fish weight for the Maryland commercial fishery. There is some more context that staff provided in the AP memo, but I'm happy to answer questions on that if there are any.

That was sort of the front material, going to get into the four issues with the options here. Obviously, Section 3.3 on the Maryland season is new since the May meeting, and then of course 3.4 with the reduction has been updated based on the new projections and the higher reductions for 2026.

The first section measuring total length, this has not changed. The FMP currently does not define total length, how to measure total length for striped bass. The regulations vary by state. There is some concern that not having a consistent method of measurement is undermining conservation, the consistency particularly with these narrow slot limits. This Draft Addendum considers coastwide requirements for this definition. Option A, status quo, the FMP does not define total length of a striped bass. Option B there would be some mandatory elements for each state. All states must require that you squeeze the tail when you're measuring striped bass, just using a straight-line measurement, the fish is laid flat and the mouth is closed. The FMP provides a definition states can use.

States can also submit if they have current regulatory language that meets these requirements and also submit that for consideration. That hasn't changed. Now getting into commercial tagging. Obviously, we just talked about this in the last agenda item. Again, there is some concern that waiting to tag

a striped bass until point of sale could increase the risk of illegal harvest.

This Draft Addendum considers requiring commercial tagging at the point of harvest, with the goal of improving enforcement and compliance. Again, this would impact three states, and every state is different, in terms of their management system and their current tagging program, so it's difficult to determine whether to switch, what the impact would be for every state.

Again, the Law Enforcement Committee majority supports tagging at point of harvest to improve enforcement the total time the species is in possession. There is an opposing opinion supporting continuation of point of sale, and concern about sort of those extra tags being available, potential trading among harvesters.

Option A, status quo, states can choose if they currently can between point of harvest or point of sale. The Option B here is to require commercial tagging at the point of harvest, and the Board could consider delaying implementation of this requirement until '27 or '28 to account for all the changes to switch that current point of sale programs.

One Board discussion point for discussion today is to consider, does the Board want to expand this option to allow tagging at the point of landing? Again, the FMP does not define point of harvest. One state, as was mentioned, does currently tag at point of landing, so the Board needs to discuss today, should the Addendum be expanded to consider point of landing tagging in addition to point of harvest tagging.

A couple of AP member comments here. One AP member is just generally concerned about how the new tag allocation process would work for states that have to switch to point of harvest, and one AP member does support expanding the option to consider point of landing due to those safety concerns from the industry.

Another point the Board will discuss, there has been some additional text that has been proposed for this section, noting that tagging at point of harvest could be considered an unquantifiable reduction. We'll get to that during the discussion. The PDT does note that there is no data available showing how switching to point of harvest would impact removals.

But again, we'll get into that detail in that proposed text during the discussion. Then one other point for the Board to consider is, would these new commercial tagging requirements apply to North Carolina's Albemarle Sound fishery. The Roanoke River doesn't have a commercial fishery, so we're really just talking about the Albemarle Sound. When the original commercial tagging addendum was implemented, those applied to the Albemarle Sound, Roanoke River. However, since then the FMP has changed to defer Albemarle Sound management to North Carolina. North Carolina obviously has their own Albemarle Sound Roanoke assessments, they have their own reference points, their own management measures to meet those reference points. It's unclear to staff whether a change to the commercial tagging requirements would impact the Albemarle Sound or just the North Carolina ocean fishery. The Board should clarify this before we go out to public comment. That covers commercial tagging.

Again, there is a couple discussion points for the Board to consider during discussion. Now I'm going to get into the Section 3.3, this is the Maryland Recreational Season. As far as the background here that Maryland provided, their striped bass seasons have become increasingly complex over time.

There has been some stakeholder desire to adjust the season to allow more fishing opportunity in the spring, when conditions are favorable for lower release mortality. The Draft Addendum considers a new recreational season baseline for Maryland to simplify the seasons

and then realign the fishing access based on that stakeholder input and release mortality rates.

Just to note, if Maryland changes their baseline, any new rebuilding reductions, so those reductions we'll talk about later. That is going to be on top of the new baseline. Again, as the TC Chair mentioned, a new baseline would modify how long, the timing, and what type of season occurs throughout the year in Maryland Chesapeake Bay.

But that new baseline season is calculated to be net neutral compared to 2024. It is not estimated to increase removals from 2024. Just to note that the existing spawning closures in Maryland are not affected by this new baseline. Again, you heard the TC accepted Maryland's methods, but they also highlighted the uncertainty of how effort would change if you're opening a no-targeting closure to allow catch and release.

The Draft Addendum, in addition to just considering changing to the new baseline, considers adding an uncertainty buffer. The intent here is to increase the chance of success that this new season is actually staying neutral, this actually would not increase removals. There is an option for a 10 percent or a 25% buffer.

These buffer levels are based on the buffers that we have in Amendment 7 for CE proposals. In Amendment 7, if you have a CE proposal for a non-quota managed fishery there is a 10% buffer, and that buffer goes up to 25% if you have PSEs over 30. Again, this Maryland season option is not a CE program, but this was used as sort of a reference for where else do we have buffers in the FMP. Where can we look to for what type of buffer you could be looking at.

In terms of PSEs, Maryland did provide the PSEs in their proposal. You can see they are sort of by year, and then for harvest and releases, and I've color coded the PSEs so you can see. Most PSEs for harvest are less than 30, they are green. There are a couple over 30 in yellow. For releases it's a little bit more variable by year. Again, this is also broken down by wave.

There are a couple more PSEs in the yellow category over 30 for releases, but when you pool the data together, 21 through 24, which Maryland did do for part of their analysis, those PSEs actually go down to less than 30. What are the options here? What does this look like? Option A is status quo. Maryland does not change their baseline. Addendum II status quo, Maryland is required to keep the same season that they had in Addendum II, which is the same as 2022. If there is a new rebuilding reduction coming up, that 12 or 18 reductions, then Maryland would use their current season and add those new closures on top of it.

Option B is for Maryland to change their baseline. They would change to their new baseline season, and then again if there is a reduction that would actually be on top of their new baseline. For the uncertainty buffers, first for Option C, this is a 10% uncertainty buffer. Maryland would still implement their new baseline. They would add any rebuilding reductions from the next section, except Maryland would have to take a slightly higher reduction than the other states, because they would have this buffer.

If it's a 12% reduction, 10% of 12% is about 1%, so Maryland ends up taking a 13% reduction instead of a 12% reduction to have that buffer. Now the other sort of complex part of this is, what if the Board decides to stay status quo for the reductions? Let's say the Board decides not to take a reduction, but Maryland still wants to change their season. There still has to be a buffer.

For this option, basically Maryland would have to change their baseline to be slightly more conservative than 2024. In this case they would have to be 2% more conservative than 2024, by shortening one of their harvest seasons. How did we get to 2%, 2% is 10% of the reduction that Maryland took back during Addendum VI, which is when they put in place some of these closures originally.

I know there is a lot of percent there, but that is how the 10% buffer would apply. Very similar for the 25% buffer, there is just a little bit more of a buffer, obviously. Again, if there is a reduction, Maryland takes a slightly higher reduction than the other states. If there is not a reduction, Maryland's new season has to be a little bit more conservative than their current season.

Here is what sort of their current season is. Option A, on the left, you can see their current season. Yellow means catch and release. Red means no targeting, green means you can harvest. Then on the right is what their new baseline would look like. Again, this is just the baseline. If there is any reduction there would be closures on top of that, but this is just comparing what they're proposing to change.

They would open up April to catch and release. They would extend the harvest period in May, but then they would extend their no-targeting closure in August, and they would close harvest a little bit earlier at the end of the year. A couple AP member comments here. One AP member was concerned about allowing catch and release of pre-spawned fish.

One member was concerned about introducing this uncertainty amidst a reduction. Then one AP member recommends that the PDT or TC review what part of the season should be subject to the uncertainty buffer if there is no reduction. I mentioned if there is no reduction Maryland, under the buffer options would have to be a little bit more conservative than 2024. They proposed to do that by shortening harvest in Wave 3 or Wave 6, so this AP member was hoping the TC could discuss that. That is the Maryland section. I'm going to move on now to the last but longest section. This is the reduction in removals. Again, for rebuilding by 2029, we estimate fishing mortality to increase this year, decrease back down to 2024 levels next year.

There is this continued concern about low recruitment, and so this Draft Addendum considers measures implemented in 2026, designed to increase the probability of rebuilding by 2029.

Option A, status quo, this is no reduction. This is estimated to have a 30% probability of rebuilding. Option B and C is our 12% reduction category, to get to a 50% probability of rebuilding.

Option B is both sectors taking even reduction, 12% and 12%. Option C is commercial take 0 reduction, so commercial takes no reduction and then recreational takes a 14% reduction to account for that. Options D and E is our 18% reduction category. Again, this is to get to the 60% probability of rebuilding.

Option D is the even sector reductions; Option E is no commercial reduction. This is sort of the big picture options here. Just a couple big picture comments from the PDT and AP. The PDT recommends that the Board decide which percent reduction to move forward for public comment, so picking either the 12% or the 18% to move forward to public comment.

However, there were two AP members that supported keeping both reductions in the document, just to keep that range of options, and also for the Board to be able to consider any new information they might have in October. For example, it's likely by that point we might know the result of this year's Maryland JAI survey at that time.

Again, a couple more AP comments. One AP member just again noted the uncertainty of these projections and for the overlapping confidence intervals in all of these different projection runs. Then two AP members just noted support to the Addendum, keeping in options for the commercial taking no reduction, due to the fact that the commercial sector is managed by strict accountability measures.

Getting to the options, how are we actually achieving these reductions? For the commercial quota, again we have options for either no reduction, that's our current commercial quotas, either a 12% reduction or an 18% reduction. Those are just all the quotas

with those various reductions. That table is in the document.

For the recreational sector, how are we getting there? For the ocean it would be seasonal closures to meet the reduction. We're looking at coastwide or regional closures with a New England and a Mid-Atlantic region. One question the document considers is where should Rhode Island be, New England or Mid-Atlantic.

There is also an option for a mode split on size limits. For the Chesapeake Bay there are more options to consider, because in the Bay there actually are a few options that achieve the reduction by changing the size limit only, so there are some options for changing just the size limit, other options for changing the seasons. We're looking at separate closures for Maryland and Virginia. An Addendum does not propose any changes to the bag limit, so one fish coastwide bag limit, there are no changes proposed there. For mode split there are options you'll see for both regions where we consider a wider slot limit for for-hire. If you have a wider slot limit for for-hire with status quo size limits for private and shore, that would slightly increase removals.

All modes would take a slightly longer closure to account for that slight increase in for-hire removals. You end up with different size limits by mode, but you still have the same season by mode. For season closures, a couple things to think about again. The tradeoff is, do you want a shorter closure during your peak season, or a longer closure during the slower season?

The document considers both no targeting and no harvest closures, and there are two assumptions for no targeting closures, which depend on angler behavior. One assumption assumes that all trips that previously targeted striped bass would still happen. People would still go fishing, but they would shift their target species.

They would maybe catch fewer striped bass, but they would still incidentally release striped bass. Another assumption assumes that people or trips

that previously targeted only striped bass would no longer occur. Those trips just wouldn't happen, and so therefore you are zeroing out those releases. Those are two different assumptions about how anglers might respond to a no-targeting closure.

One thing that I don't think was clear in the draft that I will make sure is clear before the draft goes out for public comment is that all states within an ocean region, so if you're in the New England region you have the same closure date as all of the other states in the New England region. The process for determining those dates, I think the Board will have to think about.

You know in October the Board would pick, okay, this region is going to close in Wave 4. But then the Board has to pick what are the actual dates. I don't think it's realistic to assume the Board could make those dates decision at the October meeting. I think it would be more like the region would have to decide those dates by the time implementation plans are due.

Just one AP member comment on closures. One member was concerned that no-targeting closures are still even being considered, when enforcement has noted that they are unenforceable. Okay, so getting into the ocean recreational options. What do they look like? For the ocean it's pretty straightforward.

Basically, for each reduction you have everyone stays status quo size limit and we take a season closure to meet the reduction. For 12% we have status quo size limit and we take a 12% season closure, or you can widen the slot limit for for-hire, and everyone takes a slightly longer closure, so a 13% closure.

This is the same for all of the ocean options. The reduction just gets higher, so you have the 12% reduction, the 14% reduction if commercial doesn't take a reduction, and then you have the 18% and the 21%. Again, the same type of

ocean option, just for different reduction levels. Something for the Board to discuss today is the impact of seasonal closures on the three area fisheries in New York, Pennsylvania, and Delaware, The New York Hudson River, Pennsylvania's spring slot and Delaware summer slot have specific measures through Addendum II. Hudson River has a 23-to-28-inch slot limit, they are open from April to November. Pennsylvania spring has one-fish at 22 to less than 26 from April to May, and Delaware summer slot has a one-fish at 20 to 24 in July and August.

These are all measures to Addendum II. These are fisheries that typically target smaller fish, due to fish availability, and also to avoid in some cases spawning fish. These fisheries typically occur in sort of a discreet timeframe. All the ocean options would keep the size limits for these fisheries the same if they were in Addendum II.

The question is, how the new seasonal closures impact these fisheries. For example, if you're thinking about the Pennsylvania spring slot, if you have a fall closure that is obviously not going to overlap the spring slot at all. If you have a spring closure for the Mid-Atlantic region, that is going to overlap the Pennsylvania fishery and possibly there will be a disproportionate impact to that specific fishery.

As written, these three fisheries could choose to implement whatever their regions closure is, or they could submit alternative measures to achieve their reduction, so do specific calculations for that fishery to show how they would meet the reduction in their fishery. This would be subject to TC review. This is what was done in the last addendum.

Basically, the Board just needs to consider potential equity issues. This is specific to New York, Hudson River and Pennsylvania spring slot, so these are not covered by MRIP. Delaware is already incorporated into MRIP, so already covered by the season closure analysis. But basically, New York Hudson and Pennsylvania spring slot may not be impacted by new closures, or they might be impacted disproportionately.

It's just for the Board to think about how this would work for these fisheries. The Board could choose to be very specific in the Addendum about how to address this, but the Board should think about this. For the Chesapeake Bay, as I mentioned there is a few more options, because there are some options where you can just change the size limit and achieve the reduction.

For the 12% reduction all modes could go to 20 to 23 inches, keep the same seasons. You could split it by mode so private shore goes to a three-inch slot, for-hire keeps the five-inch slot, or you could expand the for-hire slot even. Then I also have options where, instead of changing size limits you take a reduction on the season side.

As I mentioned, there are several combinations if we move on to the 14% reduction. Again, all modes could go to 19 to 22 inches, or you could split by mode, or you could instead of changing the size limits take the reduction with a season closure. I'm happy to get into the details of each of these options if folks want, just trying to sort of be mindful of time here.

As we get up to the higher reductions there are sort of fewer options for the Bay. They would have to go to minimum sizes, so all modes could go to a 23-inch minimum size. They could split the minimum size by mode, or again they could just take the reduction with a season closure. Something for the Board to think about for the Bay is these high minimum sizes. For example, a 24-inch minimum would meet that highest reduction, but that is well above the entire current slot limit, so we didn't include it for Board consideration, but the Board could put it in. There is an option where by mode the modes would have completely different upper and lower slot bounds. Private and shore would be 20 to 23, for-hire would be 19 to 24, so the PDT was wondering if there is more enforcement or compliance challenges when there is not even an upper or lower bound in common.

Similarly, you know if there are similar enforcement challenges with having different minimum sizes by mode. Those are all the options, in terms of how we get there. You know, are we changing a size limit or are we taking a closure? Then the question becomes, when is the closure? There are several tables in the document that lay out all of the options.

For each region and each Chesapeake Bay state, for each of the reductions. There is a table for each level of reduction and then each table you can find the ocean region or the Chesapeake Bay state, and look for each wave, how many days would you have to close on top of your current season to meet the reduction?

I'm obviously not going to go through every table, I'm just going to show you one as an example. This is showing to achieve a 12% reduction, you know there is one option if you want a coastwide closure for the ocean, everyone closed at the same time, and then there are options for the Maine through Mass region, options for the Rhode Island through North Carolina region.

You sort of scroll over and you say, okay for Wave 3 for Maine through Mass, if we assume we are doing our no-harvest closure and you close for the entire wave, that's 61 days. That won't even meet your reduction. That's why that cell is shaded in red. Again, you have to look at what type of closure, no targeting or not harvest, and then which wave you're interested in.

For Maryland the tables look a little bit different, because there has to be an option for Maryland under its current season, Maryland under its new baseline, and Maryland under its new baseline with a buffer. There are a lot of options for Maryland. One thing you'll notice is that some closure options have two waves listed, so that means you have to close for the specified number of days in both waves, so closing in Wave 2 and Wave 4, for example.

This is intended to address the equity of combining several states into a region. You are ensuring that

every state at least feels the impact in part of the closure. You can see here for Rhode Island through North Carolina as an example, the first option for the first no-targeting assumption. You would close for 20 days in Wave 2, and you would close for 20 days in Wave 3.

There are several options there as well. The Board noted at the last meeting that the Addendum should include some language that if closing an entire wave does not meet the reduction, then the Board could extend the closure into the preceding or following wave. This could be maybe a few extra days in the next wave, or maybe it's a few extra weeks, it really depends on the wave.

The Draft Addendum, there is no way to list all the possible options here. This is something that would have to be calculated in October if the Board says, we're interested in selecting closing during Wave 5, closing that entire Wave 5, plus however many additional days we need in Wave 4 to meet the reduction. We would just do that calculation on the spot. There is no way we can show all of those closure combinations in advance. A couple of other notes PRFC and DC can choose to match, or choose the same wave as either Maryland or Virginia. Then during final addendum approval, we talked about this at the last meeting. The Board has some flexibility to maybe change North Carolina's required closure to be different than the other states in its region, because North Carolina fish are only available in Waves 1 and 6.

The Board also has flexibility to possibly change New York's required closure duration for Wave 2 or Wave 6. This is because New York is already closed for part of Wave 2 or Wave 6, so there is this question about what is the most equitable way to proceed if New York's region has to close during Wave 2, but they are already closed for a lot of Wave 2. How do we proceed here? That is a question the Board would have to figure out by the October meeting.

That's it for the reduction section. Again, I just want to bring everyone back for the big picture outline here. We have status quo, we have the 12% reduction options and the 18% reduction options, so the big picture. Just a couple final AP comments. One AP member is concerned that recruitment here is the real problem.

There have been multiple reductions, so we need some more research on what's impacting recruitment in the Bay. Then one AP member just noted that when we're compiling comments it would be helpful to separate, when possible, comments by mode, to understand how much of each sector or mode supports an option. Okay that's it, I'm happy to take any questions.

CHAIR WARE: Well, I will start with kudos to Emilie for the presentation and all the work that the PDT has done. I'm also hoping people are gathering how untenable it would be to take this out for public hearings with a, I think it was a 35-minute presentation and about 20 tables of a 2-page table. What I would like to do is I would like to break this up. I'm going to start with Section 3.4, which is the section on the percent reduction.

What I'll do for each section is we'll start with questions, and then we'll go into motions. What I would like to do is for Section 3.4 we'll do questions, and then we have a specific PDT question over a 12 or 18%. Let's try and tackle that, and then we'll do a bio break. Then we'll come back and continue with the motions. That is what I'm hoping to get through before we break. Any questions on Section 3.4, which is again the percent reduction and all of those season tables. Nichola.

MS. MESERVE: I wanted to see if my interpretation is correct about something within the range of options presented. The Board has that flexibility, it says in the document, to select something within a range of options. This is a question about a specific number of days in a wave.

For example, Maine through Massachusetts could implement 44-day closures in Waves 3 and 5, no harvest, to receive a 12% reduction, or all of Wave 3

or all of Wave 5, something like that. But is it within the realm of options for the region in the end to say, rather than 44 days exactly in Wave 3 and Wave 5, if we could achieve 12% through 30 days in Wave 3 and 50 days in Wave 5, is that within the range of options here, or does it have to be the exact options in the tables right now? I think my interest lies in the fact that there may be particular holidays that we want to make sure are included in the number of days that are left open, for example.

MS. FRANKE: I think that it might be helpful to include a sentence to that effect, if that is what you would like to see. Basically, those options with the two waves are calculated to have the same number of days closed in each wave. I think as long as, if you want to change that so that instead of 44 and 44 it ends up being 30 and 50. I think as long as the 30 and 50 still gets you to the reduction. Like we would have to use the spreadsheet to make sure.

I think it would be up to the Board to decide if that is acceptable, and if so, I think we should include a sentence in the document that says something to the effect of, states could for the dual wave closures, the options show having the same number of days closed in each wave. The states could adjust the distribution of days in each wave, as long as it meets the total reduction. I think we could add a sentence, and if that is what you would like to, I would recommend adding a second so that is clear. We would just have to make sure that it still adds up to the reduction.

CHAIR WARE: Toni, for some reaction to that.

MS. TONI KERNS: I think Emilie is correct. You are almost going down the road of you're just saying, hey region, you need to meet a 12% reduction, come tell us how you're going to do that. Then if you're doing that, then how much time does that add on later on, because then you're saying, hey TC, now you need to review all of these proposals from these states to make sure that they've met that 12% reduction. Even

though I know we've created some tables already, but you're still going to have to like go back and make sure it's all been done correctly.

MS. FRANKE: I think the Board would still have to make that decision at the October meeting, just basically between now and the October meeting, if someone was interested in an option like that. We have the spreadsheets that would tell us however you wanted to divide up the days.

But I think we just need to make that a part of the addendum allowing states to deviate from 44 and 44 to something else. We just need to add language to the document saying, states could choose exactly what's in the table for the dual-wave options or they could craft alternative number of days, as long as it meets the reduction in the selected wave.

CHAIR WARE: Follow up, Nichola.

MS. MESERVE: Yes, my intent would be that that decision would have to be made at the Board meeting in October, not that is part of the implementation plan. You would still be leaving the October meeting saying it's going to be this number of days. Like you said, with the adjacent waves there might be some calculations having to be happening during the October meeting.

But you would have the opportunity to confirm that the reductions were being made, and something that is in the range of options here. It's impossible that the PDT could have crafted every single alternative of a number of days between Waves 3 and Wave 5, just for example. I feel like it's within the range of options to try to make some common-sense seasons, rather than opening on June 3rd, let's make it June 1st. You know something that helps the compliance enforcement as well, takes those patches into consideration.

CHAIR WARE: What I'm going to recommend is, let's hear the questions and see what we pare down, and then I've written a note and we can come back to that if we so desire. I had Bill Hyatt, and then I think Marty was next after that.

MR. HYATT: Yes, this is just a quick up follow up conversation to this discussion. I'm hearing states and regions being used interchangeably. Is the idea when the reduction would be across two waves that that would have to be consistent across the region? Okay.

CHAIR WARE: Good clarification. Marty.

MR. GARY: I apologize, have we entertained questions with any of the bullets up on the slide now? Is that correct.

CHAIR WARE: I would like to focus on the reduction and removal section for questions.

MR. GARY: Okay, I'll pass, thank you.

CHAIR WARE: I think I saw Mike Luisi, you're all good. David Borden, did you have a question? Yes, you're up.

MR. BORDEN: This is just for clarity purposes. Emilie, the reductions are 12 and 18%, is it the intent to apply that equally to both user groups, both commercial and recreational, or is there a potential to cut recreational on one level, and commercial at the other? If it's the latter, is that noted within the document now?

MS. FRANKE: Yes, so there are specific options for even reductions, and then there is a specific option for commercial taking 0% and recreational taking the rest, essentially.

MR. BORDEN: But could we pick, for instance, we've done this in the past. Could we pick another option that is in between for one of the user groups? In other words, you've got a range of options, 0 and 12%, can we pick a number between that? It's been taken to hearings and we've done it before.

MS. FRANKE: Yes, so I would say, and Toni just to confirm. The document has an option for commercial taking 0% and an option for commercial taking 12%. If the Board in the end wanted to pick something between 0 and 12,

that would be within the range. I will say, yes, but I will say the recreational options, so I would say for right now it is either 12 and 12 commercial and rec, or it's 0 commercial, 14 recreational.

If you pick something between 0 and 12 for commercial, maybe recreational could go down to 13. But I don't think we would be able to really do that on the fly. But I think recreational would have to be either 12 or 14, and you could pick something in the middle for commercial 0 to 12, does that make sense?

MR. BORDEN: I'm not advocating a particular outcome; I'm just talking about process. If there is an intent or a possibility to pick a number in between, I think we should note it with a sentence, just one sentence. The Board can pick a number between these values. Just so the public knows.

MS. FRANKE: There is a general statement in the document about picking within a range of options. If it comes up at public hearings, I'm happy to clarify, but there is a general statement in there about picking the range of options.

CHAIR WARE: Doug Grout, I think your hand was up and then Joe, you're next.

MR. GROUT: My question was in response to what Nichola was talking about that you said we're going to take up afterwards, it would be better if I ask it then.

CHAIR WARE: Great. Joe.

MR. CIMINO: I just wanted to actually follow up on what David just asked. My assumption would be that if we dropped the notion of recreational taking the full reduction, then what he had just asked of that is something in between would no longer be possible. All that would be presented to the public was an even split, and there would be no range to go in between anymore, is that correct?

MS. FRANKE: Right. Right now, the document has an even split, 12 and 12 or commercial 0, recreational 14. I think you're saying, if for some

reason the Board took out 0/14 today then right. I guess there would still be a range of status quo, which is 0 to 12. There would still be a range if you're looking at status quo or 12. Does that make sense?

Okay, I think Toni helped clarify. If you took out 0 commercial, 14 rec, then you're left with status quo or 12 and 12. If you were thinking about commercial taking less than 12. At that point the max for recreational in the document is only 12, so if you lower commercial you are no longer reaching your goal of 12%, so maybe that helped clarify it, thank you, Toni.

CHAIR WARE: These are great questions. Any other questions from the Board on this? What I would like to do is move into specifically addressing this 12, 18 or 0 percent reduction in the document and then we'll take a break. I don't know if anyone has a motion on this, but if they would like to make a motion on the percent reduction option, now would be the time to do that. It will go to the public for two comments if we get a motion. John Clark.

MR. CLARK: I'll get the ball rolling, sure. I would like to remove the 18% option. I guess I would move to remove the 18% reduction options from the document. If I get a second, I will address that.

CHAIR WARE: Great, is there a second to that motion? Nichola, great. We're going to pause to allow staff to get that on the board. Could we get you to just read that into the record, John.

MR. CLARK: Gladly. **Move to remove the 18% reduction option at Section 3.4, Option D and E.**

CHAIR WARE: We had a second from Nichola Meserve, so we'll go into discussion on this motion. Any rationale, John?

MR. CLARK: Yes, the origin of the 60% reduction was for demonstration purposes, I

recall. The Board just asked to see that, and I was a little surprised to see it become a full-blown option in this, and I just think given the complexity of this document as it is, throwing that in there, I just think it's more than we need at this point. I just think we have plenty on the table by considering even a 12% option.

CHAIR WARE: Nichola, as seconder, any rationale?

MS. MESERVE: Thank you, yes. I'm just in favor of this for the sake of trying to balance rebuilding objectives along with the socioeconomic impacts of the actions that we're considering. Also taking into consideration the uncertainty of the projections, and noting that we do have another chance to respond to stock status after the 2027 benchmark assessment if we need to, prior to the 2029 rebuilding deadline.

CHAIR WARE: Comments from the Board members, I saw Joe's hand.

MR. CIMINO: I support this motion. I think we've tried very hard. I've asked Katie and Mike on staff at NJDEP to try and explain to the public that 50% is not a flip of the coin. It means so much more than that, and that area of probability of rebuilding is, I think, appropriate for what we're trying to do here.

As we continue to move forward, I would continue to suggest that we continually explain that to the public, that when we say 50% probability of rebuilding we're not talking about a flip of the coin, we're talking about a very wide swath of development.

CHAIR WARE: Jason.

DR. McNAMEE: I want to pile on what Joe just said and add, so that the 50%, just like Joe said, not a coin flip, it's the most likely outcome. That is what that means, it's the peak of the distribution. You know it means that the most likely scenario, with all of the uncertainties we have is to achieve that reduction, the goal that we're trying to achieve.

Sixty percent, I understand what people are trying to do there. They want to be the more precautionous. The 50% choice isn't arbitrary, there is a reason that that is selected, 60%, well why not 55%, why not 70%. It gets arbitrary at that point, because we don't have a refined way of prescribing more risk aversion at this point. I support the motion.

CHAIR WARE: I'm going to go to the public for two quick comments on this. I'll look to anyone in the room want to make a comment on this motion? Seeing none, any in here? All right, easy-peasy, we'll bring it back to the Board. Is there any need to caucus on this? Just raise your hand if your state needs to caucus. Yes, okay, one minute caucus. I'm going to check in with our friends that requested a caucus, are you guys good? Okay, so we're going to call the question here. We're asking if we should remove the 18% reduction options in Section 3.4. **All states in favor, please raise your hands.** We're going to just read them. Yes, Toni, if you don't mind that would be great.

MS. KERNS: Rhode Island, Massachusetts, New York, New Jersey, Pennsylvania, North Carolina, Virginia, Potomac River Fisheries Commission, DC, Maryland, Delaware, Maine and New Hampshire.

CHAIR WARE: Any opposition to the motion?

MS. KERNS: NOAA Fisheries.

CHAIR WARE: No, Connecticut.

MS. KERNS: Connecticut, no, they didn't have their hand up.

CHAIR WARE: Any abstentions?

MS. KERNS: NOAA and Fish and Wildlife Service.

CHAIR WARE: Any null votes? The motion passes 13 to 1 with 2 abstentions. We're going to take a break. We'll come back at 3:55, so it's

a 7-minute break. If you have a motion in Section 3.4 to either remove or change something, if you could give that to staff during the break that would be great. Thank you.

(Whereupon a recess was taken.)

CHAIR WARE: I call the Striped Bass Board back to order here. I appreciate everyone getting motions in. We wanted to just take a few more minutes to get those typed up, but we are going to get started again, if folks could take a seat. We got several motions in, which is great. We've ordered them just by topic just by topic to kind of get some organization for this. We're still on the topic of percent reductions, and I'm going to turn to Nichola for another motion on percent reductions.

MS. MESERVE: I would like to make a motion to remove Option C from Section 3.4, and that is the 14% recreational reduction, 0% commercial reduction.

CHAIR WARE: Okay, so we have a motion by Nichola Meserve, is there a second? Dave Sikorski. Rationale, Nichola.

MS. MESERVE: Yes. Some of the prior questions identified, even without this 14-0 split there could still be an opportunity for the Board to pick something less than 12% for the commercial fishery. I'm not saying I support that, just that it is an opportunity that allows for a lesser for commercial fishery without placing it on the recreational fishery. This option for the 14% recreational reduction puts all the responsibility on the recreational fishery to help rebuild the stock. Part of our statement of the problem here is that we're responding to a lack of strong year classes since 2018, and that is something that all the stakeholders should be responsible for responding to, and sharing in the recovery of this stock.

I support moving forward with taking this out and being able to focus conversation at public hearings on the 12% and how we achieve it, because there is going to be a lot of discussion about how to get to that 12% without having to have the argument

about this 14% option all on the backs of the recreational fishery.

CHAIR WARE: Dave, as seconder, any rationale?

MR. DAVID SIKORSKI: I think we've done this quite a few times, where we leave some folks out of reductions. We've done it in our home state and we've done it as a Board. I think it's just important to show the public that we're serious about this moving forward.

As Ms. Meserve mentioned, we still have flexibility to make decisions like we made before, where we do not place a full reduction on the commercial fishery. If the Board chooses to do that at that point, I too do not support that at that time. But I think moving forward for the public, this will provide the most clarity, and again not put it on the backs of the recreational fishers.

CHAIR WARE: I'm going to go to Emilie for a comment.

MS. FRANKE: Yes, just for clarity and just to make sure that it was understood what I had said earlier. Yes, the Board absolutely, if you take out this option then in the document you have status quo, and then a 12-12. Yes, it is within the Board's purview to take something less than 12 for commercial, but if you do that, then let's say you pick 6% for commercial, that is 6% commercial combined with 12% rec won't get you quite to the total 12. That's the Board's prerogative; I just want to make that clear.

CHAIR WARE: Thank you for that. All right, so we are looking for comments on the motion. John Clark.

MR. CLARK: I oppose this motion, when we get to the commercial tagging. One of the things I was hoping we could try to head something like this off was by showing the recreational sector that we are doing everything we can to provide the fullest possible accounting for every fish caught commercially.

Once again, our recreational side is all based on estimates. We don't know what will happen with changes in regulations, whether we will get a 14% some years. It could end up being much more, other years much less. But we know that every pound we take away from the commercial fishery is revenue we're taking away from our commercial fishermen.

They since 2014 have seen, I think we're close to 50%, 40 to 50% of the quota has been taken away. Once again, as I said, I think if we can show on the recreational, to the recreational community that we are doing everything we can to make sure that every striped bass taken commercially is accounted for. I think that keeping the 0% option in there is valid and viable. Thank you.

CHAIR WARE: Any other comments on this motion from the Board. Chris Batsavage.

MR. CHRIS BATSAVAGE: Yes, I support the motion. As I've said in the past, on the commercial side it's a reduction in quota and a reduction in landings, so it's not exactly the same as the reductions we're looking at for the recreational fishery. Also, we look at how we deal with reductions with other fisheries, the commercial and recreational components. I think we've used equal reductions in every case. I can't think of any that we don't.

Probably the closest example to striped bass would be bluefish, where it's about 85, 86% recreational and the rest commercial. We take equal reductions. Then the final part is, although we know the ratio coastwide is that for striped bass, it's just like the bluefish, it's not an equal ratio commercial/rec across the coast.

We know it's a higher component of commercial removals in the Bay, just like with bluefish it's a higher percentage of commercial removals than North Carolina, for instance. I think going with the equal reductions removes some of the uncertainty, and improves our chances of meeting our stock rebuilding goals.

CHAIR WARE: Not seeing any other hands. Hold on one second, Nichola. Do you folks need a caucus on this motion? Yes, one, so Nichola I'll give you final word and then a one-minute caucus.

MS. MESERVE: Thank you for the second bite. I just wanted to respond to something that John had said about the commercial fishery quotas are knocked down about 50% from the hay day, and I'm glad you brought that up, because I've been thinking about how the same can be said for the recreational fishery. The access as they head back from two fish at 28 inches or one fish in a very narrow slot limit. I think we are in a place where it has been equitable to some degree how much each fishery has responded to the need to rebuild.

CHAIR WARE: John, you get 30 seconds to respond.

MR. CLARK: I would just say I certainly get that, and that is true, Nichola, but I would just say that you know we have people, very small-scale fisheries in Delaware, and there are guys that depend on this income, and it's a little different when they are just not able to make it. Thanks.

CHAIR WARE: One minute caucus and then we're going to vote. Is everyone okay to vote? Just as a reminder, we're voting on whether to remove Option C, which is 0% commercial reduction, 14% recreational reduction. **All those in favor of this motion, please raise your hand.**

MS. KERNS: Rhode Island, Massachusetts, Connecticut, Pennsylvania, North Carolina, DC, New Hampshire, Maine.

CHAIR WARE: All those opposed.

MS. KERNS: New York, New Jersey, Virginia, Maryland, Potomac River Fisheries Commission and Delaware.

CHAIR WARE: Any abstentions, it's the two services. Any null votes? Give us a second to count. **Motion passes 8 to 6 with 2 abstentions.** Emilie is just going to provide a clarification on the sentence around the commercial percent reductions.

MS. FRANKE: Just what I said earlier, I think it would be helpful to put that in writing in the Addendum that if the Board chooses to implement a commercial reduction less than 12%, which they can, then the total reduction would be slightly less than 12%. I just think it would be helpful to put that into the Addendum, so that is my plan.

CHAIR WARE: I'm going to move us, still in this section, but to the topic of closures, because we did receive some motions on that. If you had a motion on the topic of closures, now would be the time to raise that.

MR. GARY: I would like to ask, if I could, Madam Chair, just a quick question of you and Emilie, and I have one for Jeff Mercer if I could, and I'll have a motion after that. I guess the first question is, as Emilie illustrated in her presentation, most recently recreational contribution fishing mortality is 85 percent, commercial is 15%.

Of that rec fishing mortality about half of that is recreational discard mortality. My question, is the only tool available to this Board to affect a reduction in that recreational discard mortality of these no-targeting closures? Is that our only tool available to us?

MS. FRANKE: I think that is the only quantifiable tool at this moment in time it's the no-targeting closures intended to reduce the number of live releases.

MR. GARY: Thank you, Emilie, I appreciate it. That's what I thought and that is what I wanted to hear, have the whole Board hear, have the public hear, and then also have the public hear I have a question for Jeff, he's hopefully online, or Kurt's in the room, I know as well. I just wanted to hear it from them, have the Board hear and have the public hear the

characterization of the enforceability challenges, what those perspectives are from Law Enforcement.

I don't know that there was a formal memo or a letter, maybe there was. But my concerns are the enforceability that will be reflected in my motion, but I want the Board and the public to hear it directly from the LEC, so Jeff or Kurt.

MR. JEFF MERCER: This is Jeff. Yes, the LEC has weighed in on this multiple times at this point. We believe that no-targeting closures would be very difficult to enforce, particularly consider striped bass often overlap with other recreationally target species like bluefish. Any regulations that require us to prove intent is difficult to enforce in general, and even more difficult to prosecute. In the guidelines for resource managers on enforceability of fisheries management, it went dead last out of the 27 management measures that were read. To my knowledge, even though there has been a prohibition on targeting in the EEZ for over a decade, there have been no targeting specific cases that have been successfully prosecuted that didn't also include the possession of a striped bass. I think that in and of itself indicates how easily it is to enforce and prosecute.

MR. GARY: All right, thank you, Jeff. Madam Chair, my **motion would be to remove all nontargeting closure options for the ocean**, the coast only, and the Chesapeake Bay would be exempted. That is my intent, and Emilie, I don't know if you've got that captured in a different way. If that captures my intent, and I think it does, I would be happy to add a rationale if I can get a second to that.

CHAIR WARE: Let's see if you have a second. Matt Gates, so some rationale, Marty.

MR. GARY: The main rationale, of course, is the lack of enforceability. As Jeff mentioned, the LEC has come out about this pretty strong. I spent a lot of time talking to the Law

Enforcement officers at DEC. We've already seen the data from MRIP for Wave 6, we have a tremendous amount of effort in the fishery in Wave 6 on the south shore.

I've been out there, I've asked them point blank, if we put in a nontargeting closure, how do you see that playing out? They just can't write any tickets unless they are in possession. As Jeff mentioned, it applies in a lot of cases in the EEZ, et cetera. The enforceability is the main issue. I exempted the Chesapeake Bay because I spent a lot of my career working there.

I had a direct relationship to the nontargeting closures that were implemented in my previous agency at PRFC. Because of the extreme environmental conditions that occur during the summertime, the hypoxic volumes and the high-water temperatures, it's an incredibly arduous time for striped bass, and so I support the Bay jurisdictions desire to have those closures in place.

When I was at PRFC, I did have concerns about no targeting. I conveyed those to the Commission at the time; they implemented no targeting measures against my recommendation. I just wanted a closure there. But again, their measures in the Bay jurisdictions are because of these extremely hostile environmental conditions, so I support exempting them.

Then lastly, I would just say, I think the other thing that is missing here, and my other point for making this motion is, in my discussions with the public, they are not really exposed to a holistic discussion from this Board, a really robust discussion. I am hoping that a whole bunch of folks will add in their perspectives on this. I know there are perspectives that we are going to hear that will oppose this, and I think the public needs to hear this.

If the motion fails, that's fine, it stays in the document and then we'll have this debate again in October. But at least then the public will understand the different perspectives from the Board members. Then we'll have two discussions about this and not just one in October. That was

my other rationale, I just would want to have a really good holistic discussion of this issue. I'll stop there.

CHAIR WARE: Marty, while you have the microphone, can I just get you to read that motion into the record?

MR. GARY: Yes, Ma'am. I move to remove no targeting closure options for the ocean.

CHAIR WARE: I'll go to Matt Gates as the seconder.

MR. GATES: Not a lot I can add to what Marty just said, other than I would like to get good productive comments when we go out to the public hearing. I think if we keep this in there, judging by what my inbox looks like right now, we'll get a lot of comments against this, and not really focused on collecting the productive comments later on. That's all.

CHAIR WARE: Please raise your hand if you would like to comment on this motion. I will start with Dave Sikorski and then Joe.

MR. SIKORSKI: Marty, those were spot on comments, and I really appreciate you bringing up your Chesapeake Bay experience, because that is germane to something we're talking about here today in Maryland's Baseline Proposal, which I support the changes on for some of those reasons. It's also, I think about our participation in the workgroup that talked about this topic.

The conclusion was that when environmental conditions support no targeting closures, we should be using them as a Board. But otherwise, they are not enforceable, and they are not likely to meet the conservation gains that we need. Quickly back to Maryland, because I have the microphone.

I mentioned at previous Board meetings for many years now about the impact that no targeting closures can have on the sport fishing

economy, especially portions of it that purposely try to target cold water periods or periods of the year when they know that their impact is limited. There is a lot we have to learn on that.

But I think it's important to remember that in a recreational fishing community and support the industries, especially the supporting components like the tackle shops, which are a key part of it. They are selling hope for people to go fishing. That is so important for our coastal economies up and down the coast.

In the Chesapeake Bay we've learned our lessons, we're hoping for some relief on that and there may not be a complete agreement on that today, or into the future. But as managers, I think we need to rise above some of the smaller details, and really recognize what we can or cannot impact that means something, to saving these fish and leaving more fish in the water, but not completely wiping out the economic opportunity, which drives the reason that we're here. I support this motion.

CHAIR WARE: Joe Cimino and then Emerson.

MR. CIMINO: Oddly, I'm going to say I agree with Dave, but completely disagree with this motion. My career started being a technician in both New York and North Carolina.

CHAIR WARE: All right, we're going to take a 30 second break for audio restructuring.

MR. CIMINO: The hero of the day is Katie. Just for the record, New York did that. I'm sorry, Madam Chair, I'll get back on track here. You know I've said this before. I feel silly that I have to keep saying it. But this is about winning hearts and minds. It's the only way to actually reduce the amount of effort.

To not have this discussion, to me, whether or not we go with no targeting closures is completely inappropriate. We have lessened, apparently, the amount of catch and release discard mortality. But at one point very recently, it was 50% of the total mortality, and as the question went to Emilie, this is

the only way that we have a chance of addressing that.

I agree with Dave, that people need that chance to continue to fish for this species. I think if folks are conscientious and moving off of those fish at an appropriate time, then that is an entirely different discussion. I've been around enough that I've seen, and I don't disagree with Law Enforcement, but I don't like that they are treating this as a responsibility on them and not a management decision.

They can't enforce it, so please don't do it. Not necessarily asking you to do that. I've seen situations in Virginia, where you have gillnets that are sitting in the water forever, and it's just an abomination. You know you have lost gear for other species as well. There are egregious instances, where if you don't have something on the books and you can't do anything, it becomes almost an embarrassment to management.

I think that is another reason to have this discussion. Sure, maybe the case has never been made. But if any of you believe that the no targeting in the EEZ hasn't reduced the amount of effort in the EEZ, I would be shocked, and I would love to hear it. Because I think there is absolutely at the very least a shame factor of fishing in the EEZ.

Sure, yes, it comes to the actual tickets are based on possession. But that doesn't mean that we aren't explaining something else to the public. The fact that we need to reduce release mortality on this species, it's the only way to help this species. I can't imagine not taking that out to the public.

CHAIR WARE: I have Emerson and then Roy Miller, You're next.

MR. HASBROUCK: I'm opposed to this motion, and I think we should keep it in the document. But I look forward to this discussion around the Board today to hear what other people think,

and have a thorough discussion about this issue. I want to say at the start that my consideration for no targeting has nothing to do with different components of the for-hire fishery, nor how they are conducted.

That's not the issue. Emilie, there is a table in the Addendum, Table 3, yes, that's the table, thank you. In New York and most other states, you can see that 70 to 90% of the recreational striped bass trips were trips only releasing striped bass. Only 10 to 30% up and down the coast of striped bass trips retained any striped bass. The overwhelming percent of striped bass recreational trips are for catch and release only, 70 to 90% of the trips. In the table in the FMP review, you pointed out that in 2024 that 42% of the recreational mortality was from harvest and 42% from release mortality, so they are equal. We have half of the recreational fishing mortality coming from discards.

Further, we have 70 to 90% of the striped bass fishing trips are trips that only release fish, none kept. We're here again as a Board, discussing reductions in fishing mortality, because at the current rate, we're not going to have the 50% probability of rebuild by 2029. You know we're discussing a possible 12% reduction in fishing mortality through seasonal closures.

If the closures are only about no harvest, and do not include no targeting, we are only addressing one-half of the recreational fishing mortality, and only 10 to 30% of the striped bass trips in the ocean up and down the coast. We're only addressing half the problem. How do we address the other half of recreational fishing mortality in 70 to 90% of the trips?

We have over recent years reduced landings in the recreational fishery by 32%, but we have not addressed mortality of catch and release fishing. That mortality, discard mortality in the catch and release fishery is not reduced by slot sizes or minimum sizes or maximum sizes, or even seasons, if those closed seasons do not include no targeting.

I know that no targeting is not enforceable, and I mean no disrespect to the Law Enforcement Committee, and I value and respect their guidance. But other measures such as circle hooks and no gaffing, are likewise almost impossible to enforce. But we adopted them to help the resource. A colleague who sat around this table for many years offered some advice.

Many of you know Jim Gilmore. Jim calls it the 80-10-10 Rule. For something that is difficult to enforce, 80% of the anglers will do the right thing for the resource and abide by the regulations. 10% won't really know what's going on or understand the regulation, and 10% will willingly violate it.

I've got faith that anglers conducting the 70 to 90% of striped bass trips will do the right thing, to do their part to help rebuild the resource. As Nichola just pointed out in her motion, all stakeholders need to participate in rebuilding. If no targeting is not the right measure to have the 70 to 90% of trips do their part to help get us to a rebuilt stock, then what is the approach? I'll be listening for an answer as we rebuild this stock.

CHAIR WARE: Roy Miller and then Mike Luisi.

MR. ROY W. MILLER: Without intentionally trying to be repetitious, I would want to harken back to what Joe said. I don't understand the nuance or the differences in having an EEZ no-targeting closure and not having a no-targeting closure just inside the EEZ. We've had a no targeting closure in the EEZ for a long time now.

As I recall it was originally a federal measure, but this Commission also used it as a management tool in the recovery of our stocks. As my colleague, John, pointed out, what's the difference between the EEZ and inshore waters? Therefore, I'll just sum up quickly. I kind of agree with what Joe and Emerson said in regard to the no targeting closures.

CHAIR WARE: Mike Luisi and then Bill Hyatt.

MR. LUISI: In the interest of time, I will say that the comments that Joe and Emerson and others have made against the motion, I agree, and I support the comments that they made. The one thing that I'll throw out there that maybe could become part of a future discussion has to do with some sort of tradeoff for not doing no targeting closures.

We have a discard mortality issue; no targeting closures are one way to getting at that. If the public feels that that is too much, and they choose to do longer no harvest closures, perhaps the public that doesn't want to do the no targeting would be okay with trading off a bit of abundance. What I'm getting at that is the reference points that we use for management are set at a point that we've barely achieved our desired target abundance since the moratorium.

We've only just managed to kind of touch it and then we fell back down. I think by leaving no targeting in place in the Addendum, to go out to public comment, could be another mechanism to start having the discussion about what as a public are you willing to give to have the access, but maybe not the same amount of biomass that has been difficult for us as a Board to achieve, based on our management measures.

CHAIR WARE: Bill Hyatt and then Doug Grout.

MR. HYATT: I'm going to speak in favor of this motion, support of this motion. Not only are nontargeting closures unenforceable, but they also incentivize gamesmanship. They incentivize gamesmanship both in what anglers are willing to report about what they are pursuing, and they incentivize gamesmanship in what anglers are willing to report about what they caught.

It's not going to be every angler. Most anglers are going to remain to be honest. But there is going to be a significant number that under a no targeting closure are out there fishing for bluefish in our area, and if they happen to catch striped bass, they are going to be less than willing to report that striped bass.

I'm concerned that that type of gamesmanship further undermines the estimates that we're going to get, the estimates that we rely upon throughout MRIP, through our angler surveys. That adds on, in my mind, to the unenforceability, and there is a very strong reason for not going in this direction. Again, I support the motion.

CHAIR WARE: Doug Grout and then Dennis Abbott.

MR. GROUT: I would support this motion to try to make it a little bit more manageable, but I certainly could understand if we went with getting rid of one of the two types of nontargeting closures. I also wanted to make a point that I think the catch and release probably has done things to reduce catch and release mortality by a large percentage of them going to circle hooks. We just don't get credit for that savings, because we don't have the ability to look at the percentage of people actually doing it and how to apply that to the MRIP estimates. There is a recreational catch and release public has been trying to reduce recreational release mortality. The other argument that I have, at least in our little northern part of the range is, that really inshore there isn't any other options, except for a tiny bit of flounder fishing in Wave 3, and a tiny, tiny, tiny bit of bluefish that show up in August. If we were to go to a no targeting, we would essentially really end up with people not fishing within the inshore area of New Hampshire.

CHAIR WARE: I have Dennis Abbott and then Chris Batsavage.

MR. DENNIS ABBOTT: I'm quite conflicted over this particular issue at this time. When I arrived at this meeting, I was pretty much in favor of supporting a motion like this, if it would appear. In New Hampshire, as Doug just quoted, if we have a no-targeting situation, people might as well tie up their boats and not go fishing, because there is nothing to go fishing for.

But again, we're only one part of the fishery. I will support this motion. We'll probably end up nulling this out, or whatever. But I think that it's worth sending it out to get more public opinion. This probably could be the most effective way of achieving a savings in the fishery. Again, that is where I stand on this.

CHAIR WARE: Chris Batsavage and then Nichola Meserve.

MR. BATSAVAGE: Yes, I support this motion for many of the reasons given, kind of adding to that. The unenforceability and concerns over compliance, I worry about the assumptions made that a shorter number of days are needed for a no targeting closure, as opposed to a no harvest closure. I don't know if that will come to pass in the ocean, as opposed to in the Bay.

Similar to Doug's comments, about gear modifications. The Release Mortality Workgroup talked about gear modifications, and decided that research isn't quite ready for management yet. But we know that it is being voluntarily applied and adopted by anglers. You know looking at the Mass DMF study and modifying lures to reduce the chances of mortality of fish that are released.

It adds a lot of uncertainty, as we're relying on an unknown amount of voluntary action, as opposed to regulations. I think until we have more concrete information on gear modifications, that is probably the best approach for now, as opposed to this large scale no targeting closures that really haven't worked in any other situations.

CHAIR WARE: Nichola Meserve and then David Borden.

MS. MESERVE: Most of my points have been made about the enforceability and uncertainty in savings calculations. But I did hearken back to the Recreational Release Mortality Workgroup report, and their comments that no targeting closures are more enforceable when they are implemented in discrete times and areas, and where there are few other species to target. That is really not the case

that we're envisioning them in this document, or the closures for fishing in general. I don't think that is something we want to start talking about right now. But it does get to the point of what does no targeting, have you defined no targeting, and how would each state define no targeting in the regulations? That is not something that we've talked about yet, and I know there is a bit of controversy about how you define no targeting, and how those enforcement cases are made.

But Chris got to my last point, really, about the fact that no targeting closures are not the only tool that we have to reduce release mortality. That might be all that is in the document right now, but we are conducting research in Massachusetts to try to get to some quantifiable savings from different types of tackle choices that could be made.

I am looking forward to, I am sure there is going to be more discussions about that in the future. But for the time being, you know the equity concerns that are presented with harvest closures alone, I just think that they are outweighed by the compliance enforcement and calculated savings that come along with the no targeting closure options. I do support the motion.

CHAIR WARE: David Borden and then Adam Nowalsky.

MR. BORDEN: I support the motion, Marty's motion for the logic. It's the same logic he echoed. I'm not going to repeat it. But other than to say, that I think we disregard the advice of our Enforcement Committee at our own peril on this particular issue. They basically said, it's unenforceable, and they've given us good logic for that position.

I think we should heed the advice. I also note, as Nichola and others have noted, that the coastal fisheries are multispecies fisheries. It's not unusual to catch five or six different species in the same school of Bay anchovies, if you're

fishing off of that. I think that it's almost impossible to avoid having a bycatch of bass in that type of situation.

The final point is that I think the exemption for the Chesapeake states is warranted, because a lot of those states, Maryland, Potomac River Fisheries Commission have gone to great extents over the last four or five years on educational programs, to try to lower the discard mortality. They are working on the issue, particularly in the high-water temperature regime, which staff analysis are analysis by Mass Marine Fisheries, basically, indicated that that was a problematic timeline. I think this is a justified motion, I hope it passes.

CHAIR WARE: Adam Nowalsky and then we're going to go to the public.

MR. ADAM NOWALSKY: From the five-year period from 2017 to 2021, as we saw earlier, release mortality exceeded harvest mortality. After a brief flip in 2022, those two lines have now trended back together again, and we saw in 2024 that once again, recreational release mortality equals recreational harvest mortality.

If that trend continues, we'll be back to killing more fish for the sake of catch and release, not actually using them through harvest. I truly question that utilization of any resource. Hearing the conversation around the table thus far, we've heard comments that this concept of no targeting should at least go out to the public. We've heard concerns about perhaps the conservation benefit is expressed as too great in the document. I'm actually going to seek a middle ground here, Madam Chair, by making a motion to substitute, and my motion to substitute is to remove the no targeting options for the ocean, with the assumption that striped bass only trips are eliminated.

CHAIR WARE: All right, give us a second. We're going to pause on going to the public for right now, given we've got a new motion, but we will get on that. Adam, we're getting the recommendation that this might be better as a motion to amend,

adding just that you're specifically removing one type of the no targeting closures. Are you okay with that?

MR. NOWALSKY: Yes, I believe that captures my intent satisfactorily, thank you.

CHAIR WARE: Can I get.

MS. FRANKE: I just want to sort of double confirm, so you want to remove that first column from the table, right, and keep the furthest two?

MR. NOWALSKY: Technically, it's the middle column from the table, but it is the first of the no targeting columns.

MS. FRANKE: Perfect, thank you.

CHAIR WARE: While you're at it, Adam, can I get you to read that into the record.

MR. NOWALSKY: **I move to amend to include, with the assumption that striped bass only trips are eliminated at the end of the sentence.**

CHAIR WARE: You have a second from Emerson Hasbrouck. Any additional rationale, Adam?

MR. NOWALSKY: Again, I just want to reiterate that there has been a lot of conversation around the table about whether or not these trips would actually occur. I think the concept that people will be out targeting something else is really more realistic here. I think this strikes a reasonable middle ground, hearing the conversation.

That we want to get some more conversation, and hear from the public about the impacts of the release mortality on the conservation of these species, while putting forth to the public that we more accurately understand what the impact of this actually will be, and how angler behavior will actually take place on the water.

CHAIR WARE: Emerson, as the seconder, any brief rationale?

MR. HASBROUCK: Yes, I'll be brief. This really coincides with what I said before in opposition to Marty's motion. This is even consistent with that, but we're still keeping in a component about no targeting. I think this probably eliminates the least realistic reduction that we would get from those two different scenarios.

CHAIR WARE: We've had a really robust discussion so far. I'm going to see if folks who have not commented previously on the no targeting topic, would like to comment on the motion to amend. Daniel Ryan, did you want to comment? Go for it.

MR. DANIEL RYAN: I will support this motion. I was prepared to oppose the previous motion. I totally agree with the comments from Joe and Emerson. I do believe this is not scientific at all, but when Maryland closed the spring trophy season, one of my shameful hobbies is to watch Facebook Marketplace for fishing gear.

There was a flood of fellows who were getting rid of all of their big, trophy recreational fishing gear at a cheap price, so I got some of that. Now, I use them to create fun little mobiles for my baby grandbabies right now, in a fisheries theme. That's about all they are worth. While I agree with the Law Enforcement assessment that it is not enforceable, angler attitudes and behaviors do change, based on law.

There is a large portion of anglers that will simply do the right thing because it's a law. I've seen that as one who fishes the Bay often. I've seen that as one who used to fish bass tournaments. I've fished my whole life, and just as Mr. Q was offended when there were assumptions made about the commercial community, we should be equally offended when we make assumptions about how the recreational angling community will respond when there is a law put in place, so I can support this motion.

CHAIR WARE: Any Board members who have not spoken on no targeting closure topic in general yet? Okay, we're going to go to the public. If you would like to make a comment in the room, please raise your hand, and/or on the webinar. Mike, you can kick us off there, Mike Waine. Just to clarify, we're going to take one in the room, one on the webinar, two minutes each.

MR. MIKE WAINE: Two minutes. I appreciate the discussion on this topic, interesting justification from the original motion maker that has kind of a double go at it here. I'm pretty torn. I do not like no targeting closures, because of the economic impacts it would have to the tackle shops, that as Mr. Sikorski said, you know sell fishing tackle to the hope of going out and catching fish.

But at the same time, we're trying to rebuild this fishery, or excuse me this population. The release mortality represents 50% of the total mortality, give or take. How will we rebuild if the Board does not take action to address 50% of the mortality? Is it realistic? It's not just no targeting. This document also considers not taking a reduction on the commercial fishery, which would be another 10% of the mortality.

It also looks at giving the for-hire fleet a conservation pass, which is another few percentage points. This document considers not taking a reduction on 60 plus percent of the total mortality in this fishery, and yet we're still planning to rebuild. Nobody is even talking about that. They're talking about the enforceability. How will we do this? How will we rebuild this fishery, turning a blind eye to the mortality? I don't have a good solution, but I don't think, I guess I'm out of time.

CHAIR WARE: I see Charles Witek, the first hand raised on the webinar. Charles.

MR. CHARLES WITEK: One of the points that people seem to miss is that there are no better or worse types of mortality. A lot of the times for the recreational fishery, we keep focusing

on, well we have to reduce release mortality. No, we have to release total mortality. Whether the best way to do that is to reduce harvest mortality or release mortality, we just want to go to the most effective way.

A dead bass is a dead bass, which from an economic perspective maybe we're better off using that bass, theoretically eleven times before it dies, if we believe that 9% perspective, the 9% figure, rather than killing it once and taking it away from the public. Actually, release fisheries are more economically beneficial, and when the stock is as low as it is now, we probably should be saying, how can we get the greatest benefit from what we have?

That doesn't mean ending a harvest fishery completely, but it means showing the release fishery some respect. Because I can tell you, the enforceability issue is very real. Right now, in the EEZ in November, you can go off my inlet, Fire Island Inlet, and if the bass are in the EEZ, you will see five- or six-party boats surrounded by 50 to 100 private boats, fishing in the EEZ and ignoring the reg completed.

It's nice to think people will do the right thing, they won't. With striped bass being the only fish available in much of the northeast, and the only fish often available to sport fishermen, because the blue fishing is terrible. If you make an assumption that the no target is going to reach the reductions you think it's going to reach, the measure is bound to fail, because a lot of fishing will be going on. Thank you.

CHAIR WARE: Thanks, Charles. All right, well, Marty, your goal was robust discussion. I think we have exceeded that. Congratulations on that. I am going to call a caucus. One minute caucus, because I know, I think Maine needs to caucus. We'll come back and vote. I'm going to ask folks to take a seat.

As a reminder, we are voting on the motion to amend, in this case. All the states, or jurisdictions, I should say, in favor of the motion to amend, we are still caucusing. Okay, we are now ready to vote. As a reminder, we are voting on the motion to amend.

All jurisdictions in favor of the motion to amend, please raise your hand.

MS. KERNS: Delaware, Maryland, District of Columbia, Potomac River Fisheries Commission, Virginia, NOAA Fisheries, Fish and Wildlife Service and New Jersey and Rhode Island.

CHAIR WARE: All those opposed.

MS. KERNS: Massachusetts, Connecticut, Pennsylvania, North Carolina, New Hampshire and Maine.

CHAIR WARE: Any abstentions? Any null votes?

MS. KERNS: New York.

CHAIR WARE: The motion to amend passes 9 to 6 with 1 null vote. We're going to give staff a second to rejigger the screen here for our main motion. I'm just going to go to Emilie now. All right, we're going to Emilie.

MS. FRANKE: Just to be very clear. This is only for the ocean, this main motion is now proposing to eliminate one of the no targeting assumptions for the ocean. For the Bay we still have both assumptions in the document. Just clarifying where we are. Obviously, this motion hasn't been voted on yet.

CHAIR WARE: I'll go to some hands. Eric Reid.

MR. ERIC REID: This is my problem to start with is assumption means a couple of things to me. But by removing that one column in the table, what does that do to the rest of the table? The amount of days gets reduced to meet the 12% or whatever it is, it doesn't affect the rest of the table at all?

MS. FRANKE: Right, so in the document there is a column for how many days you have to close for no harvest. There is a column for how many days you have to close for a no targeting,

assuming all striped bass only trips are eliminated, and there is a column showing how many days you have to close for no targeting. If you assume people just switch target species. By removing one column, you're just taking that assumption off the table, so you are still left with a no targeting closure, but your assumption is they switch target species.

CHAIR WARE: Doug Grout.

MR. GROUT: Would I be able to make a motion to amend this?

CHAIR WARE: Yes, you can.

MR. GROUT: I would like to make a motion to amend that we have a no targeting closure option that would split the difference between the striped bass trips, switch targets and striped bass only trips are eliminated, essentially have a new column that would average the two. I'll be glad to give, if I can get a second to this motion, I will be glad to provide my rationale behind it.

CHAIR WARE: Two clarifying questions, Doug. Is this for the ocean or ocean and Chesapeake Bay?

MR. GROUT: Ocean.

CHAIR WARE: Ocean, and is it a straight up average between the two numbers?

MR. GROUT: Yes.

CHAIR WARE: Give staff a second, and we will get that on the screen. Doug, could I get you to read that into the record, please?

MR. GROUT: Move to amend, replace the two sets of recreational no targeting season closure options for the single set that averages the results of the two existing sets for the ocean.

CHAIR WARE: Is there a second to this motion? I am not seeing a second to the motion, Doug, so the **motion fails for lack of a second.** We are back to the motion to remove the no targeting closure option for the ocean, with the assumption that

striped bass only trips are eliminated. Are there any other modifications that are proposed to this motion? Does anyone need a caucus on this motion? Maine needs to caucus, thank you for that indulgence. I think we're ready to vote on this motion. **All those in favor of this motion, please raise your hand.**

MS. KERNS: Rhode Island, Connecticut, New Jersey, Fish and Wildlife Service, NOAA Fisheries, Virginia, Potomac River Fisheries Commission, DC, Delaware, Maryland, Maine and New Hampshire.

CHAIR WARE: Anyone opposed?

MS. KERNS: Massachusetts, North Carolina and Pennsylvania.

CHAIR WARE: Any abstentions? Any null votes?

MS. KERNS: New York.

CHAIR WARE: The motion passes, 12 in favor, 3 opposed with 1 null vote. I am aware of, I think one more motion on this section, in regards to the Chesapeake Bay options. Is anyone interested in making that motion? This is, I think, for size limits. Dave Sikorski.

MR. SIKORSKI: Move to remove in Section 3.4, Option B; Chesapeake Bay Options CB2, CB3, and CB5, which I think is consistent with what I provided staff, but my notes have gotten messy.

CHAIR WARE: All right, give us a second here. Great, you read that into the record. That's a motion by Dave Sikorski, is there a second, by John Clark, thank you. Dave, some rationale?

MR. SIKORSKI: Yes, I think as we look to some of the different options with the size limit changes, they are confusing, having them be different between different portions of the recreational fishery is an issue. The public has long opposed that in the Bay. I've heard from a lot of people that would not like that difference

between the different opportunities to go recreational fishing.

To trim down the document and stick with what is a consistent, and I think reasonable size limit option. We will continue to have CB1 and CB4, which provide two different options for the public to weigh in on for Chesapeake Bay measures, but remove some of these ones that divide our community.

CHAIR WARE: As seconder, John, any rationale?

MR. CLARK: No, I just wanted to give Mr. Sikorski, who knows the fishery so well, a chance to explain why he made the motion.

CHAIR WARE: Just want to clarify, this is removing mode split options in the Chesapeake Bay, so everyone knows what those options are. Looking for comments from the Board on this motion. No comments. Do folks need time to caucus? Okay, I think we're ready to vote. I don't want to rush folks, but we need to caucus. Okay, 30 second caucus. While folks are maybe still caucusing, I do think we've had a hand raised from the Board on a comment, so Mike Luisi, I'll go to you for a comment. If folks still need to caucus after that just raise your hand.

MR. LUISI: I wasn't caught off guard by this, but Dave and I have been talking, and I understand the rationale about keeping the Chesapeake Bay section clean, not having any type of sector split in there. We talked at length about bag limit differences, and now we're at a point where we're talking about size limit differences.

While I think that they would be very challenging for us to implement, I would like there to be some ability for the public, the charter public to comment on those options that provide them additional flexibilities in moving into 2026. Therefore, I'm not going to support this motion to remove all three of those options, just because I would really like to have a discussion, and have something for the public to comment on regarding those splits in the Bay.

CHAIR WARE: Nichola, comment?

MS. MESERVE: I feel like I'm wading into something here. I think the PDT did raise a concern, I believe with Action CB2, because it has different minimum and maximum size limits in between the two modes. I also kind of question whether the juice is worth the squeeze of Option CB5, where it's only a one-inch difference in the slot limit. I think my preference would be if there is interest from Maryland to keep one option in there, to have it be CB3. I would **move to amend to remove CB3 from the prior motion.**

CHAIR WARE: You have a second from Mike Luisi, so just give us a second to get that on the screen.

MS. FRANKE: To be clear, you want to remove CB3 from the motion, not from the document.

CHAIR WARE: Okay, so we have a motion to amend on the screen. Motion by Ms. Meserve, do you have any additional rationale, Nichola? I'll check in with Mike Luisi. Any rationale on this?

MR. LUISI: Yes, thank you, Nichola. I was going to do the same thing. I was waiting to see if anybody else had any other comments. But I certainly agree, and I think this leaves in the option to generate the discussion around split modes in the Bay for this Addendum.

CHAIR WARE: Comments from the Board. Pat Geer.

MR. PATRICK GEER: I actually have a question. Our stakeholders have routinely said they are not interested in a mode split. If that happened to pass, would we be mandated to do the mode split, or can we just keep both for-hire and private the same size limits?

MS. FRANKE: Yes, you could not do a mode split, we would just need to confirm that whatever you're choosing for all modes is more

conservative or the same as what's proposed in the option.

MR. GEER: All right, thank you.

MS. FRANKE: On the screen now, I know we've been just talking about the option numbers here. The options, just to remind you what we're looking at for the Chesapeake Bay.

CHAIR WARE: Any other comments from the Board on our motion to amend? I'm not seeing any. Does anyone need time to caucus? No, okay, we're going to call the question on this. **All those in favor of the motion to amend.**

MS. KERNS: Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, North Carolina and then Virginia, Potomac River Fisheries Commission, DC, Maryland, Delaware, Maine, New Hampshire.

CHAIR WARE: Any opposition? Any abstentions?

MS. KERNS: Fish and Wildlife Service and NOAA Fisheries.

CHAIR WARE: Any null votes? All right, so the motion passes in favor with 14, and 2 abstentions. I'm just waiting for the amended motion on the screen, and then we'll continue conversation. Okay, so we have our amended motion here. Does anyone need to caucus on this? Is there any opposition to this motion?

Seeing none; this motion passes by unanimous consent. I should check, is there any abstentions? Not seeing any. Okay, motion passes by unanimous consent. We are rounding the corner, the end of our percent reduction conversation. I just wanted to check in. Something the PDT applied was the area specific fisheries in the Hudson and Pennsylvania.

I think how it would work as it is currently written; those areas could submit proposals for whatever the percent reduction is that ultimately passes in

this document. If that is not what folks want, this would be the time to be discussing that. John Clark.

MR. CLARK: I don't have a problem with that; I just wish the document would point out that the Delaware CE fishery is different than the other two. As pointed out in the document, it does have MRIP coverage, so we have that. But also, it is pursued during July and August on resident striped bass, where the other two fisheries are actually.

Again, I'm not criticizing them. But they do take place during the spawn. They do expose striped bass to being hooked and released during the spawning season. I just wish that I can make that clear, because I think our fishery is one that is different qualitatively than the other two.

MS. FRANKE: Yes, so I think some of that language is in the memo, so we can take language from the memo and add it to the Draft Addendum.

CHAIR WARE: You have another motion? Okay, go for it, Nichola.

MS. MESERVE: I just want to check, so we removed one set of the no targeting calculations for the ocean, but we didn't address it for the Chesapeake Bay. Given all the uncertainties that there are with the calculations for no targeting closures, I would like to make the same motion for the Chesapeake Bay.

Remove the set of, maybe you can help me track this case on the other motion, but to remove the set of Chesapeake Bay no targeting options that are based on striped bass only trips being eliminated. That narrows down the two columns in the same way that we already have for the ocean targeting options.

CHAIR WARE: All right, give us a second on that. Nichola, can I get you to read that into the record?

MS. MESERVE: Thank you for helping me wordsmith. **Move to remove no-targeting closure options for the Chesapeake Bay with the assumption that striped bass only trips are eliminated.**

CHAIR WARE: There was a second by Doug Grout. Any rationale, Nichola, in addition to what you said? Doug, any rationale you want to provide?

MR. GROUT: Just that it makes the document a little bit simpler and clearer.

CHAIR WARE: Any comments on this motion? Seeing none; oh, Mike, do you want to make a comment?

MR. LUISI: If you're calling on me, I can try to come up with a comment. I wasn't necessarily ready for this one, but what I will say is that Chesapeake Bay and the Maryland portion of the Chesapeake Bay is a different animal than anywhere else on the coast, when it comes to striped bass intent, or intentions for striped bass fishing. I feel like when we have striped bass only trips eliminated. Some of the fishing is striped bass only trips. That's all the trips that there are.

By removing that portion out of there, I feel like we're not capturing the fishery, the reality in the fishery that we have in Maryland. I would prefer to leave that in there, because so many of our trips are focused on striped bass. If striped bass is closed the trip does not happen. They are not going out looking for some other type of resource. With that point, I'm not going to support the motion to remove that from the options in the Bay.

CHAIR WARE: Joe Cimino.

MR. CIMINO: I don't disagree with Mike; I spent plenty of time there. I think that they are in a different situation than what we're seeing in the ocean fishery. I do think that in a lot of the instances, the number of days is so small, that I think it's at least a reasonable motion, and I do support it. I do think, with all due respect to the group that put this together, these are very tough

assumptions. In general, I support the notion that people may still be fishing. Since the number of days are so small, in most instances, I would support it.

CHAIR WARE: Any other comments? Does anyone need a caucus on this motion? Seeing none; we are going to call the question here.

Everyone in favor of the motion, please, raise your hands.

MS. KERNS: Rhode Island, Massachusetts, Connecticut, New Jersey, Fish and Wildlife Service, NOAA Fisheries, Pennsylvania, North Carolina, DC, Delaware, Maine, New Hampshire.

CHAIR WARE: All those opposed.

MS. KERNS: Virginia, Potomac River Fisheries Commission and New York.

CHAIR WARE: Any abstentions? Any null votes? Maryland, do you want to clarify what your vote is?

MR. LUISI: Yes, I'm sorry, I was taking notes. We vote no.

CHAIR WARE: Thank you. The motion passes 12 to 4. The last thing that I have on my list is just returning to Nichola's comment from earlier about a sentence in the document regarding the range of alternatives on a number of days if it has dual wave closure. I think we can work with staff to include something like that. If there are any concerns with that, please let us know, otherwise we will work to craft that. Let's go to Matt Gates.

MR. GATES: Are they going to provide guidelines for how we would select it? Things like, sort of the two-week closure being sort of minimum. Is that something that would be included in that?

MS. FRANKE: Yes, so that is a great point. Basically, from what Nichola was saying. When

final options are selected, so in October, if the Board is considering one of those options where you close in two waves. The Board can either choose to do the number of days that's in the table, which is spread evenly between the two waves, or the Board can choose to change how many days are in each wave. Maybe the Board wants to put more days in one wave and fewer days in the other. I just want to point out, and will point out in the Addendum that the total days closed might change, because it depends on the wave you're looking at. Let's say it's 25 and 25; that's 50 days total. If you start distributing it differently in different waves the total might change.

I just want to make sure that's clear, and to your point, I think based on the Board's decision at the May meeting, where the Board decided it should be minimum 14 days. It might make sense to say that it would have to be at least 14 days in a wave. Is that helpful?

MR. GATES: Yes, that clarifies it, thanks.

CHAIR WARE: Doug Grout.

MR. GROUT: A comment I was going to make on that, to help us make this decision at the Board meeting, it might be helpful if members of a state could get a copy of that table that does the calculations, so that we could kind of look at it ahead of time and caucus with whatever states you're going to be grouped with, to see if we can come up with something ahead of time, so that we're not sitting here trying to make the decisions at the actual meeting.

MS. FRANKE: Yes, so I think leading up to the October meeting, Board members are thinking about these dual wave closures, and changing how many days are closed in each, or if they are thinking about an option where you want to close an entire wave, plus one of the adjacent waves, to definitely let staff know as soon as possible, so we can work with you to show you the calculations in advance. But yes, you can also share the spreadsheet if you would like.

CHAIR WARE: Okay, just based on body language, I'm going to suggest we do a five-minute bio break again. Then we're going to come back and do commercial tagging, and then the Maryland Baseline Season and total length. Again, I'm going to ask if you have motions on any of those three topics, please provide those to staff. We will be back at 5:29.

(Whereupon a recess was taken)

CHAIR WARE: If we could get Board members back to the table, that would be great. Our next topic is going to be the commercial tagging. Just to kind of set the stage on what we need to talk about with commercial tagging. It was a question from the PDT about point of landing, so we need to discuss that.

They have a question about the North Carolina fisheries, and how they're incorporated or not into this. Then I do think we had a motion submitted from a Board member on this. I'm actually going to start with the North Carolian portion of this, and Chris, I'm just going to go to you as a representative of that state.

MR. BATSAVAGE: Yes, it is my understanding that just through the more recent actions in this FMP that Albemarle Sound is not really connected to the management like it used to be in the past. However, as we consider tagging requirements, if we choose to go point of harvest or point of landing, whatever, as opposed to point of sale, and that is applied to the ocean portion of North Carolina. We would also apply that to Albemarle Sound as well. We wouldn't have two different tagging requirements for the commercial striped bass fishery in our state. We want it consistent. It will be much easier for enforcement and much easier for the commercial fishery to know that the requirements are the same, whether they are fishing in Albemarle Sound, if and when that fishery opens again, and in the ocean when fish decide to pay us a visit in our state waters again.

CHAIR WARE: I think the proposal I heard there is not to include Albemarle Sound in this, but just a recognition that North Carolina would expand whatever is decided on here to all of their fisheries for consistency. Is everyone okay with that? All right, not seeing any objection, so that is how we're going to proceed there. Next topic was the point of landing, and if we want to expand the point of harvest option to also include point of landing, so I'll see if there are any motions on that. John Clark.

MR. CLARK: Yes, I would like to move that point of harvest, point of landing, that both options be put in the document. I guess I would just move to include point of landing as part of the point of harvest.

CHAIR WARE: Great, just give us a second to get something on the screen here.

MR. BORDEN: He's making a motion, right. I'll second the motion for discussion purposes.

CHAIR WARE: Great, thanks, David. All right, John, could I just get you to read that into the record.

MR. CLARK: Certainly. **Move to add an option for tagging at first point of landing in Section 3.2.**

CHAIR WARE: There was a second by David Borden. John, any rationale from you?

MR. CLARK: Yes, as my colleague, Craig Pugh, pointed out as an actual commercial fisherman, that point of harvest can be dangerous for commercial fishermen that are attempting to make sure they get to their nets every day, so that there is not discard mortality. It makes things safer for them, and is a nice compromise between having to tag them right there, but still allowing enforcement to come right to the dock and check them there, and make sure.

I would just use our small state as an example. Our Natural Resources Police know where the fish will be landed. I think, Craig, you would agree with that, and that they can come to the point of landing and

check the fish there. As Craig said, It's a safety issue.

CHAIR WARE: David, any rationale?

MR. BORDEN: I just wanted to add, I seconded for discussion purposes, so John would have a chance. The only thing I would add a concern about it is that I think that ought to be defined, first point of landing. Is that what the intent is, John?

MR. CLARK: Yes, it is, Dave.

MR. BORDEN: It's prior to taking fish out of a boat.

MR. CLARK: Right, before the fish are on the dock.

MR. BORDEN: That needs to be clearly stated within the document, that's all.

CHAIR WARE: Thank you, David, for that clarification. We're going to go to comments from Board members. Mike Luisi and then Craig Pugh.

MR. LUISI: Thank you, Madam Chair, I support the motion. I think with that definition of point of landing, I think we're in a good place. In the state of Maryland, we went through an exercise, trying to define when our tags on fish were to be placed. We started at the harvest discussion, and that led to us ultimately having a rule in place that requires those fish to have tags before they are landed.

Due to safety and other concerns, fishermen can get back to close to the dock or even before they tie off at the dock. They can stop what they are doing and tag the fish that they have. We went through all the discussion about the harvest, and realized that that was a really difficult enforceability issue with us. Therefore, I'll support this moving forward.

CHAIR WARE: Craig Pugh.

MR. PUGH: Mike explained what our statute says, and it is before landing, not necessarily point of landing. I guess now is the time to decide what the language should read, and then what suits everybody the best. But that was our choice also, was before landing, before you put ashore was the understanding of the statute, and that seems to work for us.

It seems to work very well for us. It gives us a consideration of weather, it gives us time to call and size, so it works fairly well. But it also gives the opportunity before you put ashore for enforcement, for you to expose your catch, so they can check out serial numbers, the length, and whatever they need to know also.

CHAIR WARE: I have Nichola and then Emerson.

MS. MESERVE: I do support including this as an option. I just wanted to point out that we do have a small amount of shore-based commercial harvest, so the definition would have to be slightly different than before it comes off the boat for any shore-based commercial harvest. I would also point out that the perceived benefits of harvester tagging, that includes reducing high grading. You know that perceived benefit is not there when you're not tagging until the boat gets to the dock.

CHAIR WARE: Emerson and then Adam.

MR. HASBROUCK: Thank you, Madam Chair, but I did not have my hand up, sorry.

CHAIR WARE: Sorry, Emerson, was there someone else in that corner? Okay, Adam, and then Loren Lustig.

MR. NOWALSKY: Can you or Delaware again just clarify for me what we're doing to make this consistent with the Delaware regulation, which says, as I understand it, shall be tagged before landing is my belief from what I heard so far, and this says tagging at point of landing and then Nichola has got the concern. I just want to make sure whatever option we bring forward in this document is what is in the best interest of everyone

for consideration at the annual meeting. I'm not clear that it is as this is written.

MS. FRANKE: What I've heard is that tagging at point of landing essentially means point of landing is like the last possible time you can tag. It's, you have to have the tag on before you are offloading the fish, as Delaware says, before you put ashore. For the shore-based fishermen, it might be just immediately upon harvest. Just noting that if you're fishing from shore then it's immediately upon harvest. Does that make sense?

CHAIR WARE: Adam, any reactions to that?

MR. NOWALSKY: I think my request here tonight is just I have high confidence in staff, can work with the individuals affected here to make sure that the language encompasses all the needs, in order to make that option viable.

CHAIR WARE: Excellent. I echo that high confidence. Loren Lustig.

MR. LOREN W. LUSTIG: Just a point of clarifying. I believe someone here suggested that the word first appear just before point of landing. I think it was well received, but I haven't seen it put up on the motion. Is that a friendly motion to be considered?

CHAIR WARE: Would you like to make that a friendly motion, Loren?

MR. LUSTIG: Well, I'm not the originator of the idea, but I will do it as a motion if that is reasonable and acceptable, and if I get a second. Thank you.

CHAIR WARE: I think let's check in with John Clark. Do you have any concerns?

MR. CLARK: What was the actual? I heard Loren wanted to add a word to first point of landing, is what you said?

CHAIR WARE: That's correct.

MR. CLARK: If that helps people understand what we've been discussing here, sure, that's fine.

CHAIR WARE: David, how do you feel about that?

MR. BORDEN: I was the one that suggested it. It's fine to put first, if it's okay with the maker of the motion we can simplify this and just put first point of landing, and then define what that is in the document, okay?

CHAIR WARE: Great, thanks, Loren. Those are all the hands I have. Any other comments from the Board? Seeing none; do folks need opportunity to caucus? No, I'm going to try, **is there any opposition to this motion? Any abstentions? All right, seeing none this motion passes by unanimous consent.** I think I had just received one more motion on commercial tagging. I'm checking in with that person to see if they would still like to make that motion.

MR. CLARK: I assume you're referring to the, yes, I just wanted to add some text. I guess, Emilie I know, was changing some of the wording because part of what I had added has already been eliminated from the document. In any event, I could start explaining the purpose of this was just to, as going back to when this has come up.

Once again, it's not to impugn commercial fishermen, and it's certainly not to criticize those states that have point of sale tagging now. It's just once again a question of enforceability and confidence that the commercial fishery is maintaining the quota. There is a lot of text there that I just wanted to add.

Make it as an unquantifiable reduction the closer we get to like the point of landing to tag the fish. My thinking again is, well I guess at this point, now that it's up there as a motion, just to add this text to the document, should I read it and then see if we get a second, or try to get a second first?

CHAIR WARE: Let's have you read it.

MR. CLARK: What I had originally requested putting this in there for was because there were options in there that already said there would be zero reduction to the commercial fishery. Just a little background. To justify that I just wanted some wording in there to say, and of course where it says require and tagging at point of harvest I had point of landing in there also.

Can be considered an unquantifiable reduction in commercial removals, because it strengthens the enforceability of commercial quotas. The Board has approved unquantifiable reductions and recreational removals in recent years, for example, the gaffing prohibitions offset the reductions needed through other recreational measures.

If the public and Board decide to pursue an option in Section 3.4 requiring further reductions of striped bass removals, Option B, by providing an unquantifiable reduction in commercial landings justifies a smaller reduction for the commercial sector. If I can get a second, I would further elaborate on that.

CHAIR WARE: Is there a second to this motion?

MR. CLARK: Well, in that case I guess I won't say anything up front.

CHAIR WARE: All right, so that motion fails for lack of a second, but I appreciate you reading it into the record nonetheless.

MR. CLARK: If I could just say once again, I know as we've discussed with recreational fishermen, most commercial fishermen are upholding whatever the rules are. But we know from millennia of experience with human nature that there are certain people, if you give them an inch they will take a yard, and if you give them a yard, they'll take a mile. Once again, the whole point of this is just to hopefully increase confidence of the public that the commercial fishery is only taking the

commercial quota, and I think that alerting the public to that is helpful.

CHAIR WARE: I'll check in. Any other motions from the Commercial Tagging Section? I'm not aware of any. Okay, excellent. We're going to move on to the Maryland Baseline Section. I have received a few motions on that. Dave Sikorski, do you want to kick us off?

MR. SIKORSKI: I would like to move to remove the 25% buffer option in that section.

CHAIR WARE: Great, give us a second here. I need you to read what is on the screen, the motion.

MR. SIKORSKI: **Move to remove Section 3.3 Option D, the 25% uncertainty buffer for the Maryland season baseline.**

CHAIR WARE: Is there a second to this motion? John Clark, thank you. Rationale.

MR. SIKORSKI: As staff mentioned earlier in the presentation about this topic, when you look at the PSE it's below 30, it is not CE, plain and simple. Maryland, as I spoke about the last meeting, the DNR has worked through an important process with our recreational stakeholders, to discuss resetting our baseline, to provide different access and opportunity to address discard mortality in a different way.

From the lessons we've learned by having a season that is all over the calendar. The proposal in this document provides changes of seasons where waves change in MRIP, and I think that is something that I've learned for a long time is the best way to use MRIP, you know smaller than the wave level.

I think this gives us an opportunity to reset our perspective in the Chesapeake Bay moving forward. The buffers in some ways are almost punitive. If you look at what has already happened with reductions in effort, reductions in overall take, removals in the Chesapeake recreational fisheries, we're really doing our part to reduce our impact on this stock, or even going above and beyond that.

I think additional buffers at the level of 25% are germane to conservation equivalency proposals like we've agreed to as a Board. But this isn't conservation equivalency. The 10% buffer does, by staying in the document, provides opportunity for the public to speak to a buffer, and that is specifically why I've only targeted the 25% for removal in this case. I would ask your support.

CHAIR WARE: I'll go to the seconder, John Clark. Any rationale?

MR. CLARK: Well, I once again wanted to, unlike myself, I didn't think Dave would jump in and give an explanation without a second. I wanted to make sure he had a second, and I thought he made some good points there. Thanks, Dave.

CHAIR WARE: We're looking for Board comments on this motion. Adam Nowalsky.

MR. NOWALSKY: Just looking for a memory refresher here about any PDT comment. The buffers were percent buffers of reduction, as I recall. We took out the 18% reduction, so we're left with the 12% reduction. The only buffer potentially left now in the document is 10% of 12%, which would be 1.2%. I'm just wondering, again if I don't remember, because it seems like days ago at this point, if the PDT had any comments about the viability of even having that small of a buffer at this point, and it being calculable. Is it being realistically attainable? I would appreciate any insight in memory refreshing.

MS. FRANKE: Yes, so your math is correct, exactly. If Maryland were to implement their new baseline, and everyone is taking a 12% reduction, with the uncertainty buffer, Maryland would actually be taking a 13% reduction, because they're adding on that extra percent. The PDT didn't have a discussion on is that 1% or is it viable. I think that is a question to the Board, is whether they want to proceed with this buffer.

CHAIR WARE: Any other comments from the Board? Nichola.

MS. MESERVE: I came prepared to oppose this motion, to remove that higher buffer level. The pooled Maryland data does all have TFCs lower than 30, but that pooled data gives you the daily catch rates, that as applied to the 2024 data, which does have TFCs at the wave level above 30, and also above 40, which would make it a non-viable CE proposal at all, because Amendment 7 doesn't allow CE proposals with TFCs and MRIP data with TFCs above 40.

While this is not a CE proposal, it is all the data you would use in a CE proposal, it has all the methods you would use in a CE proposal, it just is going through the Addendum as opposed to being a proposal. It is subject to additional scrutiny. You don't have to follow the Amendment 7 rule, but I am concerned about the uncertainty that is associated with the great number of seasonal changes that are in the Maryland proposal.

That said, we did just vote to use the more conservative assumption when it comes to calculating the no targeting closures. I do feel that that provides a little bit of buffer. I can support this, but I would also feel more comfortable if we removed the no buffer scenario from the document as well, which would leave us with one alternative option for Maryland that applies a small buffer to increase the likelihood that their baseline is net neutral, i.e. conservationally equivalent. With that said, I will move to amend to add Option B, which for clarity would be the no buffer option.

CHAIR WARE: We have a motion to amend by Nichola. Once it's fully typed, I'll have you read it into the record.

MS. MESERVE: **Move to amend to add Option B, Maryland Baseline with no buffer at the end of the sentence.**

CHAIR WARE: Is there a second to this motion? Doug Grout. Any additional rationale? Doug, any rationale from you as the seconder?

MR. GROUT: Yes, in addition to what Nichola had said. The other thing that I was concerned about with the very good proposal that they had to change the seasons, and I certainly support that. But one of the assumptions is that when we go from a no targeting to a catch and release, that there is going to be no change in the number of trips.

Even the Technical Committee had concerns about that assumption. But they didn't have a quantifiable way of determining how much of an increase that increase in effort would be. Having a buffer like this kind of helps me feel fully comfortable with the Maryland proposal here.

CHAIR WARE: Any other comments on the motion to amend? Dave Sikorski.

MR. SIKORSKI: I used this word a moment ago and I think I'm going to use it again and it's punitive. I've been thinking about the margin of error and all the data we're using across this entire fishery. This is just a key case where Maryland is trying to reset things and provide some more balance, and we've got to give more. Now knowing that we're going to have to give more probably, when we all decide on the reduction in October.

Just simply the balance across the calendar that the baseline provides without a buffer is a, what most stakeholders agreed upon. We don't have 100% agreement. The majority of those that have been affected by the closures implemented in 2020, have made major efforts, to the point of actually organizing a brand-new recreational fishing group, guides group, because of the loss that they've had.

We're at the point with stakeholders arguing about one day here, one day there, which when we go back to our data we manage by is like almost embarrassing, one day here, one day there, 1% here, 2% there. I just simply ask that as we take this document out to the public, we stick with the original motion, we move forward

with the baseline option that Maryland proposed, that works best for our stakeholders, and is most consistent with the months on the calendar. January 1st, catch and release. May 1st, harvest. We have a no target period that if we have to do reductions, I will support more no targeting reductions, to have the best impact possible in protecting these young fish, so they can recruit into the fisheries that the rest of the coast benefits from.

Harvest again September 1st. Balancing on the calendar is good for everyone, it is good for us in management moving forward. I think the motion to amend, takes that away and adds more on top of it. It mixes up our calendar even further, which is really the intent of us trying to present this baseline in the first place. I would ask your opposition to this motion in support of the underlying.

CHAIR WARE: Robert Brown.

MR. ROBERT T. BROWN: I've got a substitute motion to put in.

CHAIR WARE: You cannot substitute on a motion to amend, so we need to dispose of the motion to amend first, and then I can go to you first.

MR. BROWN: Okay, thanks.

CHAIR WARE: Yes, no worries. Okay, I'm going to do a 30 second caucus and then we'll vote. Does anyone need additional caucus time? We're going to call the question, again this is on the motion to amend, so adding Option B to the end of the original motion. **All those in favor, please raise your hand.**

MS. KERNS: Massachusetts, Connecticut, North Carolina, New Hampshire.

CHAIR WARE: All those opposed.

MS. KERNS: New York, New Jersey, Virginia, PRFC, DC, Maryland, Delaware, Maine.

CHAIR WARE: Any abstentions?

MS. KERNS: Rhode Island, NOAA Fisheries, Fish and Wildlife Service and Pennsylvania.

CHAIR WARE: Any null votes? All right, so the motion to amend fails 4 to 8 with 4 abstentions. We're back to our original motion. I will go to Robert Brown for a substitute.

MR. BROWN: Yes, I would like to substitute that 3.3 to remove the Maryland new baseline from the Addendum III.

CHAIR WARE: Robert, can we get that read into the record, and just confirming, you want to remove that entire section from the Addendum, is that correct?

MR. BROWN: I wanted to remove the whole thing. Should I wait?

CHAIR WARE: Great, so I'll have you read that into the record.

MR. BROWN: Okay. Move to substitute, remove the entire Section 3.3 Maryland Recreational Seasonal Baseline.

CHAIR WARE: Thank you, is there a second to this motion? All right, I am not seeing a second, so that motion fails for lack of a second. We are now again back to our original motion to remove the 25% buffer option for the Maryland Season Baseline. Is there any further discussion on that motion? Does anyone need to caucus on that motion? We're going to call the question. **All those in favor of removing the 25% buffer option, please raise your hand.**

MS. KERNS: Connecticut, New York, New Jersey, Pennsylvania, North Carolina, Virginia, sorry, wrong arm, just Virginia no North Carolina. PRFC, DC, Maryland, Delaware. Did I miss anybody? Maine.

CHAIR WARE: All those opposed.

MS. KERNS: New Hampshire, North Carolina, Rhode Island.

CHAIR WARE: Any abstentions?

MS. KERNS: Massachusetts, Fish and Wildlife Service, NOAA Fisheries.

CHAIR WARE: The motion passes, 10 to 3 with 3 abstentions. Are there any other motions on the Maryland Season Baseline? I'm not sure I'm aware of any others. Great. We'll move on to our final section, which is total length. I'm not aware of any motions on the total length section. Does anyone have a motion on that section? Excellent, so we are now to the point of considering whether to approve our document we've amended today for public comment. Would anyone like to make a motion to that affect? John Clark.

MR. CLARK: Please, let's do this fast. **Move to approve Draft Addendum III for public comment as modified today.**

CHAIR WARE: Mike Luisi seconded that. I just want to thank everyone's patience. We had a lot of motions today. I think we made good progress in making this a bit more manageable for the public hearings. I appreciate everyone's extra time here. Any rationale, John Clark or Mike Luisi, any rationale from you guys?

MR. CLARK: Yes, I think it's just time.

CHAIR WARE: Any need for discussion on this motion? **Is there any objection to this motion? Any abstentions? Motion passes by unanimous consent.** I suspect Emilie will be in contact with folks about the public hearing schedule, so if you could just be prompt in responding to her. I know we don't have a ton of time between now and annual meeting. This is a lot of work to go on the road. Please help her get those scheduled as quickly as we can. Doug Grout, do you have a comment?

MR. GROUT: Yes, as we get ready to go out to public hearing. I made the comment at the last meeting that because we've gone through six years at least of very poor recruitment, and even though we're using a low recruitment scenario, I think we

have to be very clear to the public, that if we continue to have low recruitment beyond these six years, that even though we may achieve our target of rebuilding the stock, it will only be for a very short period of time.

Even though we're going through all of these options to try and reduce fishing mortality and improve our fishery, we could be, I think it's important that we really make this clear to the public that despite what we're going to go through here, we could end up below our target shortly after we get through, we attain it. Because I think we'll be in a new productivity scenario.

ADJOURNMENT

CHAIR WARE: Thanks, Doug, any other comments. I'll check in with Emilie. I think we've accomplished everything we needed, so we're looking for a motion to adjourn. Everyone's hand should be up, all right, excellent. We are adjourned.

MR. CLARK: Many thanks to the Chair and to the coordinators.

(Whereupon the meeting adjourned at 6:00 p.m. on Wednesday, August 6, 2025)