Atlantic States Marine Fisheries Commission

American Lobster Management Board

February 3, 2026
9:00 – 11:00 a.m.

Draft Agenda

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

1. Welcome/Call to Order *(R. Zobel)* — 9:00 a.m.

2. Board Consent — 9:00 a.m.
   - Approval of Agenda
   - Approval of Proceedings from October 2025

3. Public Comment — 9:05 a.m.

4. Consider Annual Data Updates *(T. Pugh, C. Truesdale)* — 9:15 a.m.
   - Jonah Crab Offshore Southern New England Indicators
   - American Lobster Indicators and Recruit Index for Gulf of Maine/Georges Bank (GOM/GBK) Stock

5. Technical Committee Report on Board Tasks *(T. Pugh)* **Possible Action** — 9:45 a.m.
   - Guidance on Management Strategy Evaluation for GOM/GBK
   - GOM/GBK Fishery Projections with Original Addendum XXVII Gauge Increases

6. American Lobster Advisory Panel Report *(C. Starks)* — 10:15 a.m.

7. Reports from Gulf of Maine States on Industry Surveys and Meetings *(C. Wilson, R. Zobel, R. Glenn)* — 10:30 a.m.

8. Update on Request for Information for Alternative Gear Marking Framework *(A. Murphy)* — 10:50 a.m.

9. Review and Populate American Lobster Advisory Panel Membership *(T. Berger)* **Action** — 10:55 a.m.

10. Other Business/Adjourn — 11:00 a.m.

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details.

MEETING OVERVIEW

American Lobster Management Board
February 3, 2026
9:00 – 11:00 a.m.

Chair: Renee Zobel (NH) Assumed Chairmanship: 03/25	Lobster Technical Committee Chair: Tracy Pugh (MA) Jonah Crab Technical Committee Chair: Corinne Truesdale (RI)	Law Enforcement Committee Rep: Rob Beal (ME)
Vice Chair: John Maniscalco (NY)	Lobster Advisory Panel Chair: Grant Moore (MA) Jonah Crab Advisory Panel Chair: Sonny Gwin (MD)	Previous Board Meeting: October 27, 2025
Voting Members: ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NMFS, NEFMC (12 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2025

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

4. Consider Annual Data Updates (9:15-9:45 a.m.)

Background

- An annual Data Update process between American lobster stock assessments was recommended during the 2020 stock assessment to more closely monitor changes in stock abundance. The objective of this process is to present information—including any potentially concerning trends—that could support additional research or consideration of changes to management. Data sets updated during this process are generally those that indicate exploitable lobster stock abundance conditions expected in subsequent years and include: young-of-year settlement indicators, trawl survey indicators, and ventless trap survey sex-specific abundance indices.
- This is the first Lobster Data Update after the 2025 Stock Assessment and includes the addition of 2024 data. Indicator status (negative, neutral, or positive) was determined relative to the percentiles of the stock assessment time series **(Briefing Materials).**
- Following review and acceptance of the first Benchmark Stock Assessment for Jonah crab in October 2023, the Technical Committee (TC) met to develop recommendations on possible management measures or other options to address concerns about substantial uncertainty

about stock status and some disconcerting data trends noted in the assessment and peer review. The TC did not recommend any management action, but did recommend conducting annual updates of indicators selected during the stock assessment for the Offshore Southern New England (OSNE) stock, the stock supporting the majority of coastwide landings, to identify any concerning trends between assessments.

- This is the second Data Update of the OSNE stock indicators. Indicator status (negative, neutral, or positive) was determined relative to the percentiles of the stock assessment time series (i.e., data set start year through 2023) **(Briefing Materials).**

Presentations

- Lobster Data Update by T. Pugh
- Jonah Crab Data Update by C. Truesdale

5. Technical Committee Report on Board Tasks (9:45-10:15 a.m.) Possible Action

Background

- After considering the findings of the 2025 stock assessment, the Board tasked the TC with several items to inform potential management responses.
- The Board tasked the TC with creating a combined index for tracking recruit abundance in GOM/GBK as part of future data updates to the Board **(Briefing Materials).**
- The Board requested the TC update and review the process for conducting an MSE for the GOM/GBK stock **(Briefing Materials).**
- The Board directed the TC to estimate the benefits to the GOM/GBK fishery that would have resulted from implementing the minimum gauge size increases under Addendum XXVII that were ultimately repealed.

Presentations

- Technical Committee Report by T. Pugh

6. Advisory Panel Report (10:15-10:20 a.m.)

Background

- The Advisory Panel met on January 12, 2026 to review the 2025 Benchmark Stock Assessment and Peer Review Report and provide input to the Management Board on the assessment findings and state of the fishery **(Briefing Materials).**

Presentations

- Advisory Panel Report by C. Starks

7. Reports from Gulf of Maine States on Industry Surveys and Meetings (10:30-10:50 a.m.)

Background

- Concurrent with the implementation of Addendum XXXII, the Gulf of Maine states agreed to work with the lobster industry to develop management strategies to ensure the long-term health of the resource and the coastal communities that it supports.
- The Board requested Maine and New Hampshire provide updates on industry meetings and possible alternative management measures to those of Addendum XXVII at each quarterly meeting.
- Maine, New Hampshire, and Massachusetts have completed industry meetings and surveys to gather input on management approaches.

Presentations

- Update from Gulf of Maine States on Industry Meetings by C. Wilson, R. Zobel, and B. Glenn

8. Update on Request for Information on Alternative Gear Marking Framework (10:50-10:55 a.m.)

Background

- The New England and Mid-Atlantic Fishery Management Council (Councils) are developing a joint alternative gear marking framework adjustment to provide alternative fixed gear surface marking requirements in all New England and Mid-Atlantic Fishery Management Council fishery management plans. This regulatory modification would allow for the use of fixed gears without a persistent buoy line (i.e., on-demand gear.
- The Councils met in September and October 2025 and each agreed to postpone further action on the Framework until additional information on ropeless gear and visualization technology, as solicited through a NMFS Request for Information, is available to inform stakeholder input and Council decision-making.

Presentations

- Update on Request for Information for the Joint New England and Mid-Atlantic Fishery Management Council Alternative Gear Marking Framework by A. Murphy

9. Review and Populate Advisory Panel Membership (10:55-11:00 a.m.) Action

Background

- New Jersey submits a new nomination to the American Lobster Advisory Panel: Joe Fiorentino, a recreational diver from Pennsylvania (**Briefing Materials**).

Presentations

- Advisory Panel Nominations by T. Berger

Board Actions for Consideration at the Meeting

- Approve Advisory Panel nomination

10. Other Business/Adjourn (11:00 a.m.)

American Lobster and Jonah Crab TC Task List

Activity level: Medium

Committee Overlap Score: Medium

Committee Task List
Lobster TC • Board tasks responding to 2025 stock assessment findings • August 1, 2026: Annual Compliance Reports Due • Fall 2026: Annual data update of lobster abundance indices *Jonah Crab TC* • August 1, 2026: Annual Compliance Reports Due • Fall 2026: Annual data update of Jonah crab abundance indices

TC Members

American Lobster: Kathleen Reardon (ME), Joshua Carloni (NH), Jeff Kipp (ASMFC), Justin Pellegrino (NY), Corinne Truesdale (RI), Chad Power (NJ), Tracy Pugh (MA, Chair), Matthew Jargowsky (MD), Somers Smott (VA), Renee St. Amand (CT), Burton Shank (NOAA), Allison Murphy (NOAA)

Jonah Crab: Corinne Truesdale (RI, Chair), Derek Perry (MA), Joshua Carloni (NH), Chad Power (NJ), Jeff Kipp (ASMFC), Allison Murphy (NOAA), Kathleen Reardon (ME), Justin Pellegrino (NY), Burton Shank (NOAA), Matthew Jargowsky (MD)

Lobster Stock Assessment Subcommittee Members: Tracy Pugh (MA, TC Chair), Conor McManus (RI), Joshua Carloni (NH), Kathleen Reardon (ME), Burton Shank (NOAA), Jeff Kipp (ASMFC)

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

AMERICAN LOBSTER MANAGEMENT BOARD

The Hyatt Place Dewey Beach
Dewey Beach, Delaware
Hybrid Meeting

October 27, 2025

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

TABLE OF CONTENT

INDEX OF MOTIONS

ATTENDANCE

Board Members

Carl Wilson, ME (AA)
Steve Train, ME (GA)
Rep. Allison Hepler, ME (LA)
Renne Zobel, NH (AA)
Doug Grout, NH (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)
Dan McKiernan, MA (AA)
Raymond Kane, MA (GA)
Sarah Peake, MA, proxy for Rep. Armini (LA)
Jason McNamee, RI (AA)
David Borden, RI (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Matthew Gates, CT (AA)
Robert LaFrance, CT, proxy for B. Hyatt (GA)
John Maniscalco, NY, proxy for M. Gary (AA)
Scott Curatolo-Wagemann, NY, proxy for E. Hasbrouck, NY (GA)
Joe Cimino, NJ (AA)
Jeff Kaelin, NJ (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
John Clark, DE (AA)
Roy Miller, DE (GA)
Michael Luisi, MD, proxy for L. Fegley (AA)
Joe Grist, VA, proxy for J. Green (AA)
Mike Pentony, NMFS

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

Ex-Officio Members

Tracy Pugh, Technical Committee Chair
Rob Beal, Law Enforcement Committee Rep.

Staff

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

The American Lobster Management Board of the Atlantic States Marine Fisheries Commission convened in the Ballroom East/West via hybrid meeting, in-person and webinar; Monday, October 27, 2025, and was called to order at 2:45 p.m. by Chair Renee Zobel.

CALL TO ORDER

CHAIR RENEE ZOBEL: Good afternoon, welcome back from lunch for some of you. I am going to call this meeting to order of the American Lobster Board, and I'm going to turn it over to Toni for some housekeeping.

MS. TONI KERNS: Thank you, Madam Chair. First of all, I just want to make sure that the Board and room knows that we are being filmed this afternoon. Then also for the Commissioners that are online, we have got Curatolo Wagemann, John Maniscalco, and Mike Pentony; and I apologize if I have missed anybody else.

CHAIR ZOBEL: Thank you, Toni. If everybody could take their conversations outside of this room that would be very helpful, thank you.

APPROVAL OF AGENDA

CHAIR ZOBEL: With that we'll get rolling on the first agenda item this morning, or this afternoon, which is the approval of the agenda. Are there any changes to the agenda? John Clark, go ahead.

MR. JOHN CLARK: Just wanted to add under Other Business the issue about the timing of the season opening for LCMA5 that there was a letter in the materials from Sonny Gwin about that.

CHAIR ZOBEL: Okay, we will add that to the official agenda, any other changes? We will move forward with the agenda as amended.

APPROVAL OF PROCEEDINGS

CHAIR ZOBEL: The next is approval of proceedings from the August 2025 meeting. Does anyone have any changes or edits they need to bring forth from those proceedings? Seeing none we'll consider the proceedings approved.

PUBLIC COMMENT

CHAIR ZOBEL: The next item on the agenda is public comment for items that are not on the agenda. Is there anyone in the room or online who would like to make a public comment on an item that we will not be discussing today on our agenda. Yes, in the back, come right up to the public mic, state your name and affiliation, please.

MR. SONNY GWIN: Thank you very much, Madam Chair. My name is Sonny Gwin, I am the owner and operator of the fishing vessel Skilligalee, been fishing for almost 50 years. I wrote the letter for changing our seasons, and I just want to touch base with you all to hopefully we can get these seasons changed to help out our fishing target. We would like to change it from March 9 to March 24, and if everybody has read the letter in the briefing book that we sent out, that is in your briefing book, excuse me. Anyway, I would like to get it on the agenda and hopefully we can get the season changed.

CHAIR ZOBEL: Thank you, Sonny, we have added that to the official agenda today. Is there any other public comment that is about something not on the agenda? Seeing no other public comment.

CONSIDER 2025 AMERICAN LOBSTER BENCHMARK STOCK ASSESSMENT

CHAIR ZOBEL: We're going to move on to Considering the 2025 American Lobster Benchmark Stock Assessment.

PRESENTATION OF STOCK ASSESSMENT REPORT

CHAIR ZOBEL: We'll start with a presentation of the Stock Assessment Report by Tracy Pugh.

DR. TRACY PUGH: This is a little bit long, it is actually kind of difficult to condense the giant stock assessment into a presentation, so bear with me. I will go through some of these sections a little bit more quickly than others, but if you have questions, we can always come back and take a closer look at some of the screens.

We've made no changes to the stock definitions for this assessment, so we are continuing with the Gulf of Maine/Georges Bank as a combined stock unit and the Southern New England stock. We do pay attention to the sub-stock dynamics, so some of the results I will show will break down Gulf of Maine and Georges Bank into the sub-stock units.

The stock boundaries align with the NOAA Fisheries Statistical Reporting Areas and this is the resolution that we have the landings data and the effort data for, which is why that is the spatial resolution. As you all know, there are 7 Lobster Conservation Management Areas or LCMAs, they are shown in the colors on the map, they are right here.

These do not align with the stock boundaries or the statistical areas. These areas were defined in the late 1990s, with the intention being to try to account for some of the localized industry dynamics. Butt the stock assessment itself focuses and operates on the stock units and the NOAA Fisheries Stat area.

With each of these stock assessments we do a fairly comprehensive review of the recent literature, to make sure that we are up to date on recent research. The entire Section 2 has been updated to incorporate recent literature. A couple of highlights with this, there were some minor updates to the size of 50% maturity for both stocks.

For the Gulf of Maine/Georges Bank, combined stock this results in an 86.2-millimeter size at 50% maturity. That is roughly, just a little bit over 3 and 3/8 of an inch carapace length. For Southern New England the size at 50% maturity is 78.9 millimeters, which is approximately 3 and 1/8 of an inch carapace length.

We did some comprehensive work on growth with this assessment, thanks to some external researchers, Dr. Nesslage and Dr. Wilbur. Most of that work is presented in Appendix 1 of the document. For the base case what this means is that we have some updates to the molt increment data that go into the growth matrix.

We do not have any new data for the molt probabilities, but we did find and correct a minor error in the Southern New England molt probabilities. We have also taken a look at that, to make sure that that didn't have any impacts. The impacts for that correction were very minor and only happened at very large sizes. One of the aspects of this new growth work was the development of a new growth model. We have not quite used that in the base case just yet, but what we did do is use that to test some sensitivities around growth. The results coming out is that indicates that the scale of the abundance estimates is sensitive to growth.

However, the abundance trends over time are very robust to any assumptions we make about growth. For natural mortality, the biggest change we made in that is how we do in Southern New England natural mortality. You can see the graph in the upper right of the screen here is an illustration of this.

Essentially, the baseline, natural mortality started out at 0.15, and then we bumped this up in 1998 to 0.285. In the past assessment it stayed at that higher level, but for this assessment what we've done is ramp that down over time, back to the 0.015 baseline. The rationale behind this being that we think that the remaining stock in Southern New England has sort of redistributed itself into deeper waters offshore, which is exposing them less to the inshore environment, where the temperature conditions have been particularly detrimental.

All right, so we also ran a number of sensitivities around our alternate natural mortality for both stocks, and again the trends over time are robust to the assumptions that we make around the natural mortality. For the environment and productivity, again this is something that we've paid a lot of attention to, particularly over the last couple of assessments.

In terms of the temperature, we are seeing a continued divergent trends in the thermal conditions being experienced by each of the stocks. For the Gulf of Maine particularly, the inshore portion we're seeing improving temperature conditions that are conducive to growth and settlement. However, in the Southern New England stock, particularly inshore again, we are seeing decreases in the thermal suitability.

The plot in the upper right of the screen here is essentially showing that over the decades the inshore Southern New England environment is staying hotter for longer and it's getting much hotter. We have looked into linkages between Calanus finmarchicus, which is a copepod and young of year lobsters, particularly in the Gulf of Maine. Calanus is a major food resource for larval lobster in the Gulf of Maine, and we are seeing correlations between lobster settlement and Calanus indices.

In particular we've seen decline in densities of Calanus that have happened since the 2000s, which is what is shown in the graph in the lower right here. The other thing we're looking into is that we're starting to see a mismatch in the seasonal timing, so the Calanus and the larval lobsters are not overlapping in time and space like they have in previous years.

Essentially, the larvae are not there at the same time as their food resource. Ultimately, what we're seeing with the Gulf of Maine is some conflict in between these environmental conditions, where we have thermal conditions that are good for growth and good for settlement, but we have these issues with larval survival that are coming from these issues with their food resources. I'm going to switch and spend a couple minutes talking about landings. This graphic shows landings data by state, going back to the 1950s. We do not have the resolution of the data to break it up by sub stock going back that far, but this does provide a little bit of a historical context when you look at it by state back to 1950. The top row, Maine, New Hampshire, Massachusetts, the middle row is Rhode Island, Connecticut and New York, and the bottom graph is New Jersey south combined.

Just note that the Y axis on all of these graphs differ. For the top three states that are fishing predominantly in the Gulf of Maine, you can see they show a very similar increase in landings over time, and particularly in the Maine graph, if you can see the recent downtrend in landings. For the three middle graphs and then the New Jersey south graph, you can see that they increased over time and peaked in the late 1990s, followed by the dramatic declines.

States are all focused primarily on the Southern New England stock, and for New Jersey we can actually see a little bit of a peak in the late '70s, followed by another one, probably the late '80s, early '90s, and then the declines over time. We looked just at the assessment timeframe, that is from 1982 through 2003, and now we can partition the landings by sub stock.

The black line is the Gulf of Maine stock, the gray line is Southern New England, and the dashed line is the Georges Bank Stock. As you can see, most of the U.S. landings are coming from the Gulf of Maine sub stock. This is particularly coming from the inshore statistical areas in the Gulf of Maine.

In particular, statistical area 512, which is mid coast Maine has become increasingly more dominant through the 2000s, such that in recent years it is seeing almost 50% of the catch from the entire Gulf of Maine is coming from that one statistical area. We are seeing some spatial shifts to the east in the Georges Bank sub stock area.

The Georges Bank landings have been shifting more towards Statistical Area 562 in recent years. We are seeing some declines in Area 521, which is the inshore Georges Bank/Outer Cape Cod area. Just a note on the timing of when the increase in landings that has happened in Georges Bank. We're seeing that particularly in the summer and the fall seasons.

Overall, Southern New England landings are at record lows, and if we take and break apart the Southern New England landings by inshore and offshore, this graph is the dotted line is the inshore statistical areas, the solid line is the offshore ones. You can see that the dramatic increase and then decline happened in those inshore areas.

The inshore areas have been kind of stable and low since about 2012 through current. However, the offshore area, which was a little bit stable from 2002 through about 2015. The recent decade offshore we have seen declining landings. This is new for this assessment. We had some external assistance from a University of Maine socioeconomics group, with Dr. Stow and Dr. Barnum working on this.

The top graph here is looking at the active licenses for each of our sub stocks, and you can see that active participation has declined in all of these sub stocks. The Gulf of Maine was looking at about a 30% decline. Georges Bank is looking at about a 57% decline, and for Southern New England we're looking at about an 86% decline, from around 1990 to current. The bottom portion of the screen is essentially showing you the proportion of landings that each active permit holder is seeing. The take home message here is the remaining permit holders are increasing their catch share, so they are seeing an increase in the amount of landings that they are catching.

This proportional increase of the share is lower in the Gulf of Maine. For the Gulf of Maine, it's about a 44% increase. Georges Bank we've seen about 134% increase, and in Southern New England those remaining are seeing about a 600 plus increase in the landings per permit holder. The analyst noted that these changes have some implications for access, equity and the fleet resilience.

All right, talk a little bit about the assessment model. As you all probably know, we use the length-based model for the stock assessment lobster. It operates on quarterly time steps. The data that we provide to the model include life history characteristics such as growth, natural mortality and maturity.

We provide commercial catch information, which is the weighted catch, the size structure and the sex ratio of the catch. For survey data we have both bottom trawl data and ventless trap surveys. These survey data are providing abundance trends, the length and sex of the survey catch, and then we have temperature-based catchability covariants that go along with these surveys.

Commercial selectivity is provided, and this essentially is gear retention information, so what size of lobsters are retained by the commercial fishing gear, and then the discards from the biosampling. The state agencies and the CFRF study fleet data describe information on the discard of sub legal's, of egg bearing females and of v-notched females.

We provide a number of recruit covariates and a note here is that the terminal year for status determination is 2023. We do use some preliminary 2024 data to help anchor the terminal year estimates, but the status determination will be based on a terminal year of 2023. The assessment model outputs include some diagnostics, which look at goodness of fit.

Then also an analysis that was recommended from the 2020 Peer Review, it's called the Jitter Analysis. These essentially tell us things about how good a job the model is doing. The model output and estimate of annual recruitment, and this is to the model size bins of 53 plus. There are also estimates of abundance and spawning stock biomass.

There is a population size composition and importantly, the model estimates reference abundance, which is all lobsters that are 78 millimeters and above, and an estimate of effective exploitation. We also look at a number of what we call model-free indicators, and these are essentially more straightforward just data.

We use these as sort of a series of common-sense indicators, with the idea being to corroborate the model results and provide additional information on stock health. The focus here is on trends, so similar to the model we're looking at change over time. This analysis is very similar to a traffic light approach, where we have essentially positive, neutral and negative for most of these indicators. We've switched over with these to using a graphical presentation, and you guys will be familiar with this presentation, it's the same type of a graph as what we've been providing in the annual data updates. The focus here is if you look at the individual symbols in any of these graphics. The black triangle is a negative or a bad status, the open circle is a positive or a good status, and the gray square is a neutral status.

The time series that we use to evaluate these is essentially 1982 through 2018, and then the more recent five years 2019 through 2023. The average of that is what we use to describe the status. These are evaluated at the sub-stock level. We'll go through some results for Gulf of Maine/Georges Bank.

I'm going to go through the model results first, and then talk about a couple of the model pre-indicators. The graphics here upper left is the reference abundance, and the bottom left is recruitment. In both of these graphs the solid black line is the sexes combined. The dark gray is the females and the light gray is the males.

Then the bottom right graph is the female spawning stock biomass. You can see from these that we have an increasing abundance since around 1990 to a peak in 2018. Since that peak we've seen declines of about 34% to levels that are similar to those that we saw around 2010 or so. Spawning stock biomass has followed a very similar trajectory, and the recruits are also showing a similar pattern over time.

With the recruits you do note that there is a little bit more interannual variation, and the recruits did peak a couple years earlier around about 2016. For effective exploitation, again the black line here is combined sexes. The light gray is males the dark gray is females. Effective exploitation is essentially catch divided by reference abundance.

You can see here that exploitation has generally been higher for males than for females. This is due to the extra protections that females received from harvest. Exploitation declined after the highs in early 1980s, after the implementation of some increased minimum legal sizes. Exploitation has been relatively stable around the interannual variation since about 2000.

I say stable and you look at this graph and it looks very jagged, but it's because we've zoomed in extensively on the Y axis. If this were actually showing the full zero to one axis it would not be quite so jagged. We don't provide the model with the stock recruit relationship, but we can estimate one from model outputs.

Then we use this estimate to infer trends about stock productivity. What you're looking at here is essentially an estimate of the stock productivity over time, and the recruitment years on the X axis there. What it's showing here is that we've seen an overall increase in the productivity of the Gulf of Maine/Georges Bank stock since the 1980s.

Essentially what that means is we're getting higher level of recruits per spawning stock biomass than we previously saw. We do have some recent declines in this productivity from the peak, so the peak was around recruit year 2015, which essentially would have resulted from spawning stock biomass in about 2015, so there is a five-year lag in this. As you can see from the graph, the dashed lines around the solid line represent

uncertainty in this. They are quite broad at the end of this, so we do have a fair amount of uncertainty around the future trajectory of productivity. For some of the model-free indicators, I've just grabbed a couple of pieces of these abundance indicators for the full suite of the abundance indicators please look at Section 5 figures in the assessment document.

What is shown here are spawning stock biomass and recruits for the fall surveys. The top would be the Maine/New Hampshire Survey, the middle ones are from Massachusetts, and the bottom ones are Federal Survey. In general, what the abundance indictors for the Gulf of Maine sub-stock is showing is declines from the peaks.

You can see these declines most clearly if you look at the Maine/New Hampshire Survey, and the status of these has changed. In the previous assessment a lot of these were positive, or all of them were positive, especially in the Maine/New Hampshire Survey. We have seen declines down into either the neutral status or for some of them into the negative status.

Again, check out the full suite of graphs in the document. For the YOY or young of year settlement in the Gulf of Maine, these are the diver-based surveys. If you look at these, essentially generally what we're seeing is lows in the late 1990s that increased to a period of highs during the 2000s.

That was then followed by some low periods in the mid to late 2010s. We have seen improvements in these in the most recent years. Essentially, the status for these is now neutral. That has improved from the 2020 stock assessment, where the 513 west and Area 514 were negative in the previous assessment. This is a good thing we've seen some improvements.

The Georges Bank sub-stock, again I'm just taking one of the abundance indicators as an example here. This is spawning stock biomass. The survey out there is just the federal survey, so I'm showing spring and fall here. In general, the abundance indicators for the Georges Bank sub-stock are mostly positive.

We switch over to relative exploitation indicators for the Gulf of Maine sub-stock. Again, the surveys are, the top row is Maine/New Hampshire, the middle is Massachusetts, the bottom is the Federal survey, spring is on the left, fall is on the right. What you can see here is from the Massachusetts and the Science Center Surveys, relative exploitation remains relatively low, and it has a positive status.

For the Maine/New Hampshire relative exploitation we have seen increases in recent years into the negative status. This is a new one for this assessment, it's recruit dependency. The idea here is describing the percentage of the marketable catch that is essentially one molt away from an illegal size. These data are from the commercial sea sampling data.

The graphic arrangement here is that the top is Maine 511, Maine 512. The middle row is Maine 513, and New Hampshire 513, and the bottom is Massachusetts 514. What we see with this is a consistent and high dependence on new recruits, particularly in the southern Gulf of Maine, so the bottom three graphs. Maine 513, New Hampshire 513 and Mass 514 are particularly high. We have noted some declines in the New Hampshire and the Massachusetts indices here in recent years. Maine 512, which is your upper right graph here, has increased over time, so they have become more recruit dependent over time, and Maine 511, which is the upper left graph is the least recruit dependent area in the Gulf of Maine sub-stock. The status for all of these is negative, except for Maine 511, which is a neutral status.

For Georges Bank the relative exploitation indicator here, again this is the Federal Survey, we're generally seeing a decreasing trend in this over time in both seasons, so this is a positive thing. The terminal status is positive for the Georges Bank sub-stock. For the Georges Bank sub-stock recruit

dependency, the upper left here is Area 521, which is the Outer Cape Cod Area and then the upper right is 562, the bottom left is 526, and then 525.

These data again are from either the sea sampling data conducted by the state agencies, or for the offshore areas this is the CFRF study fleet data. Overall, we see much lower recruit dependency in the Georges Bank sub-stock than we do in the Gulf of Maine. This is indicative of the broader size structure in the Georges Bank sub-stock.

The status for these is neutral in those western statistical areas, so the two graphs on the left, 521 and 526. It is positive for the two eastern statistical areas, so recruit dependence is lowest the further east you go. One of the effort indicators that we pulled out here is for traps. This is max traps fished, so the maximum number of traps that are reported in the water.

These data are just from Maine and Massachusetts, for the Gulf of Maine. Essentially you can see here that around the 2000s we had high values that are negative. But the number of traps in the water has declined over time. Since that peak, the terminal five-year status for this indicator is positive, so traps have declined is actually a good thing.

For Georges Bank that effort indicator, this is just using Massachusetts data because of the long time series. While New Hampshire/Rhode Island both have active vessels in the Georges Bank sub-stock, their censures is a little bit shorter and we have some confidentiality issues with those data. If you look at the time series here, we see a period of relative stability from around the mid-1990s until about 2010 or so, and then we've seen an increase in the number of traps fished in recent years. That increase has changed this into a negative status.

For Southern New England, again I'm going to give the model results first and then some of the indicators. The upper left is the reference abundance, the bottom left is recruitment, and the bottom right is female spawning stock biomass. Again, the black line in the left graphs is the combined sexes.

You can see the increasing abundance from the early 1980s to a peak around 1998, and then we had dramatic declines for several years followed by slower but more steady declines since the early 2000s. Currently reference abundance is at a time series low. Spawning stock biomass followed a very similar pattern, and recruits also followed a similar pattern.

Similar to the Gulf of Maine though, we see more interannual variation in recruit estimates, and the peak for recruits was a couple years earlier than the peak for reference abundance. For exploitation in Southern New England, we have essentially two periods here of relatively stable exploitation. We had a higher period through the early 2000s, and then a lower period since around the mid-2000s or so. This transition coincides with increased minimum legal sizes. Essentially, what happened here is that a higher proportion of the reference abundance is protected after that increase in minimum legal size. The stability here is essentially due to the fishery tending to remove similar proportions of that reference abundance annually, under the same period of management.

As long as the management conditions stay the same, the fleet is removing a similar proportion of the harvestable abundance. For productivity for Southern New England, we can see this increase to the peak for activity, happening around 1996. That would have been recruits produced by spawning stock biomass around the year 1992, so there is about a four-year lag on this in Southern New England.

Since that peak we've seen declines to all-time lows in productivity. If you look at the very end of this graph, if we see that relatively steep decline in productivity over the recent five years. For model free indicators, on the left we have spawning stock

biomass on the right we have recruits. These are all because of the fall surveys.

Again, I just had to take a snapshot of the abundance, so Section 5 graphs will show you all of the rest of them. The surveys here on the top is Massachusetts followed by Rhode Island then Connecticut, then the Federal Survey on the bottom. Nearly all of the Southern New England abundance indicators were negative.

Most of the inshore surveys have been at or below the 25th percentile for the past ten or more years. All of the surveys except for the Massachusetts fall spawning stock biomass have a negative status. Massachusetts fall spawning stock biomass is neutral, but we wanted to note that two of the last three years that SSB index was 0.

For young of year settlement in Southern New England, the top two graphs are diver-based surveys, and the bottom two graphs are larval surveys. You can see the top left is Massachusetts. Massachusetts has seen 0 young of year settlers since about 2015. Rhode Island has been very low in most years since 2016.

We've seen very few larvae detected in the Eastern Long Island Sound Survey since around 2012. The Western Long Island Sound Survey, which is the bottom right, they discontinued that survey in 2012, so we don't have a status for that one. But for the other three the terminal five-year status is negative.

For relative exploitation in Southern New England, these again are the trawl survey indicators, so the top is Massachusetts followed by Rhode Island then Connecticut, then the Federal Survey. On the left is spring and the right is fall. Again, this is landings divided by the survey reference abundance.

Essentially, what we've had to do here is proxy some of these survey values, because they are seeing zero lobsters in the reference size range. When we have to proxy those values, it is hard to see here, but if you look in your document, you'll be able to see little asterisks. It's the annual point that tells you that that is a proxy here, and those tend to make that index spike up. We do have mixed results with these. The Federal fall survey is a positive status. The Federal Spring and the Connecticut spring and fall have a negative status, and Rhode Island and Massachusetts are neutral.

For recruit dependency in Southern New England, again this is the commercial catch-based data from sea sampling or from the CFRF survey fleet. The top left is Massachusetts, top right is Rhode Island and the bottom left is the CFRF data. We again see very high dependence on new recruits. This is somewhat lower in recent years in the Massachusetts and CFRF datasets, so we've seen a little bit of decline here. But the status for all of these is negative.

Inshore is very recruit dependent. For the traps data, again this is a partial dataset, this is using data from Massachusetts, Connecticut and New York. You can see the traps fished have declined dramatically since their peak in the late 1990s, they are now at all-time lows, which is a good thing for traps, so the status here is positive.

Stock status determination; so, the stock status is based on the results of the model, and the status determination is based on the trend-based reference points that we defined using the regime shift analysis of model outputs. In the 2020 assessment we went through this process where we described abundance regimes.

We've redone that analysis and the regimes remain consistent with what was defined in the 2020 assessment. What that means is that there are no changes to the reference points as defined. Our focus here is on reference abundance. We make management recommendations primarily tied to the abundance status determination, because we think that the abundance is more informative than exploitation for understanding stock status.

We do still provide the exploitation status reference point. This acts as an extra safeguard against

sudden increases in exploitation that may not be explained by decreases in the abundance. The stability of the exploitation estimates during periods of really significant changes in abundance and for both stocks, really sort of challenges our ability to understand the populations' response to fishing mortality, and it's because of this that we take the abundance as the primary status determination here.

Those abundance reference points. We defined three of these, two of which are only relevant to the Gulf of Maine/Georges Bank stock. The fishery industry target, which is the highest level, is the 25th percentile of the high abundance regime. The recommended action if we were to fall below this target is that post assessment economic analyses be conducted to provide robust advice on appropriate action to stabilize the fishery and minimize economic harm.

The abundance limit, again just for the Georges Bank/Gulf of Maine combined stock is the median of the moderate abundance regime, and falling below this indicates concerns that the stock's ability to replenish itself is diminished and will worsen if no action is taken. The stock is considered depleted if the three-year average reference abundance falls below the limit. If this happens the SAS recommends management action be taken to halt the decline in abundance. Then the abundance threshold, which is put forward for both stocks is the average of the three highest abundance years during the low abundance regime. This is significant concern about the stock's ability to replenish itself, and that there is potential for stock collapse. The stock is considered significantly depleted if the three-year average reference abundance is below this threshold.

The recommended advice would be significant management action to halt the decline of abundance and increase reproductive capacity and recruitment to the stock, for example a moratorium. The exploitation reference points that we put forward, there are two of these. The first is the target. This is the 25th percentile of exploitation estimates during the current abundance regime.

Fishing mortality is favorable if the three-year average of exploitation is at or below the target. The threshold is the 75th percentile of exploitation estimates during the current abundance regime, and the stock is experiencing overfishing if the three-year average exploitation is above the threshold. The recommendation here would be that they initiate additional research to better understand the cause of the increased exploitation and determine if management action is necessary.

Stock status, for the Gulf of Maine/Georges Bank stock, again this is the model-based reference abundance. I've got the three lines on the chart here. The top line is the target, the middle line is the limit, and the bottom line is the threshold. You can see here that the stock status for abundance is below the target but above the limit.

The Gulf of Maine/Georges Bank stock is not depleted. For exploitation we've added some smoothers onto this graphic to try to help visualize things. The red line is just a running three-year average. The blue line is a little less smooth, that includes confidence intervals around it, so that is the gray shading that you see here.

The exploitation is above the threshold, but just barely. Technically, overfishing is occurring in the Gulf of Maine/Georges Bank stock. Some considerations that the SAS would like to put forth for this stock. Eastern Maine has seen more dramatic changes and is likely driving the increase in subsequent decline in survey abundance and landings over the past 15 years.

The inshore fishery is heavily recruit dependent. This leaves the fishery and the stock vulnerable to a downturn in recruitment. This also means that the resource is experiencing growth overfishing. The stable exploitation over time shows the fishery is very efficient at removing the harvestable component of the resource, again demonstrating recruit dependency.

This is an important metric to continue to monitor, but we feel it may not be the best way to assess the impact of fishing on the stock. Continued monitoring of the larval dynamics and settlement success is critical, as is monitoring suspected environmental drivers to these processes.

The SAS particularly wanted to highlight or emphasize that while environment likely has a large influence on survival of larvae and settlers, fishing and management actions impact adult biomass and thus the resulting larval production. Stock status for Southern New England, unfortunately there are no surprises here. Abundance is well below the threshold; this stock is significantly depleted. The SAS wanted to make a note that the Southern New England stock determination has been significantly depleted in every assessment since 2006. For exploitation, the same smoothers are shown here on this graphic.

Exploitation is below the target, so technically overfishing is not occurring in Southern New England. Some considerations for the Southern New England stock. The inshore landings have stabilized over the last decade at very low levels, but offshore landings have declined consistently since around 2015, after experiencing a period of relative stability.

Southern New England landings are at a new time series low. We now have limited ability to track settlement with surveys being either discontinued or the environmental changes taking place in the surveyed areas has essentially resulted in non-suitable thermal habitat. It is unclear, but it seems unlikely that settlement in non-traditional nurturing habitat, such as deep water, is going to be sufficient to provide recruitment to the stock.

Productivity in the stock is severely compromised. Environmental conditions inshore have continued to worsen. The reproductive success from existing spawning stock biomass appears to be insufficient to sustain a stable population at current exploitation levels. Like all models there is some uncertainty in the results and thus in the resulting stock status determination.

The way the SAS is characterizing uncertainty for this assessment is by using the results of the sensitivity analyses. The graphics here, the gold bars around the means are essentially showing you the level of uncertainty around our annual estimates. For the Gulf of Maine/Georges Bank stock we ran 21 different sensitivity runs. All of these runs were robust to the trends. For the abundance results, all of them were below the target and above the limit, same as the base case results.

For the exploitation, 11 of the runs were above the threshold, indicating overfishing, same as the base case. Ten of them were between the threshold and the target, suggesting that overfishing was not occurring. For Southern New England there were 38 different sensitivity runs. Again, all of the results were robust to the trends. For abundance the results were all below the threshold.

For exploitation, 12 of the runs produced an exploitation estimate below the target, suggesting no overfishing, same as the base case. Twenty of the runs essentially resulted in exploitation between the target and the threshold, while 6 of the runs resulted in exploitation above the threshold, indicating overfishing. Recommendations from the SAS to the Board, based on these assessment results.

For the Gulf of Maine/Georges Bank sub-stock the SAS recommends the Board immediately initiate a Management Strategy Evaluation, in order to clearly identify management goals and objectives for this fishery, to better understand that socioeconomic status and concerns and to identify potential management tools that will have buy-in from the industry and prevent further declines towards biological thresholds. We recommend continuing the annual data update process that was established after the 2020 assessment. We recommend that the next benchmark assessment

for this stock happen in five years. For Southern New England the SAS recommends that the Board initiate significant management action. This provides the best chance for stabilizing or improving abundance and reproductive capacity of this stock.

We recommend continuing the annual data update process that was established after the 2020 assessment, and we recommend that we simplify the next stock assessment for the Southern New England stock by discontinuing the modeling efforts and focusing instead solely on the use of model free indicators, to watch for any indications of improvement to the resource.

This should be completed in five years, coincident with the next Gulf of Maine/Georges Bank stock. Just for clarity here, this recommendation to simplify in Southern New England should not be taken as a recommendation that we're going to ignore this stock. Instead, it is going to let us focus on the simple indicators, which have consistently told the same story as the model results, and it allows us to free up some technical time and expertise to focus on the challenges with the Gulf of Maine/Georges Bank stock.

The final thing I have to present for you is a couple of projections. We use a simulation model to run projections, and we run these about ten years out. The simulation model works with the end results of the assessment model. One of the major assumptions here is that the fishing mortality is similar to the last five years from the assessment.

One of the challenges for doing these projections is in "what do we do about recruitment". The way that we deal with recruitment for these projections is three different methods. The first is no trend, it uses an average recruitment from the current abundance regime. Then there is a linear trend, which fits a linear trend to the recruitment in the current regime, and this last one and new for this assessment, it is a smooth trend.

Essentially it is modeling the entire recruitment time series, extending it forward in annual time steps. There are three sets of projections that we ran, a base case, sensitivity base and the historical. I'm only showing you the base case today, so for the rest of them please check out the assessment document.

The top graph is going to show the no trend on recruits, the middle one is the linear trend, and the bottom one is the results from the smooth trend in recruitment. The abundance with no trend in recruits essentially suggests an increase and then leveling off near the levels seen in the late 2010s. I'm sorry, I just clarify this is the Gulf of Maine/Georges Bank projected abundance.

With that top graph of no trend, the recruit estimate for this is relatively high, and the SAS considers this projection to be biased unrealistically high. The middle graph, the linear trends suggest a decline in abundance and the bottom graph, the smooth trend, also suggest a decline in abundance.

The smooth trend is actually an improvement over previous method. However, as you can see here it shows a very high degree of uncertainty in this projection. It sort of highlights the challenges with trying to figure out what recruitment is going to do in the future. Assuming that past recruitment dynamics are appropriate to apply to the future is a problem, especially as we're seeing the changing ecosystem processes. For Southern New England projected abundance, again the top graph is no trend in recruits, the middle graph is a linear trend, and the bottom is that smooth trend. Abundance with no trend in recruits is suggesting a slight increase in un-stabilization of abundance.

The linear recruits trend indicates further declines in abundance, and the smooth trend also indicates further declines in abundance. Essentially, if the trend in declining recruitment continues abundance is going to continue to decline. We do note here that these estimates might be overestimating that

decline, and that is based on some of the other projections that we run. That is everything I have, so do you want to take questions now or do you want to move to the peer review?

CHAIR ZOBEL: Thank you very much, Tracy, that was a lot of content, and thanks to the SAS for the great work that they did on the stock assessment. I think we're going to go ahead and move on to Dr. Tom Miller to present the Peer Review Report, so please hold your questions for both Tracy and Tom until the end.

PRESENTATION OF PEER REVIEW PANEL REPORT

DR. TOM MILLER: Good afternoon, everybody, my name is Tom Miller; I have the pleasure of presenting the results of the Peer Review of the Assessment that Tracy has just given you the results of. The Peer Review occurred in Woods Hole in September. The Review Committee found the SAS to be highly knowledgeable, highly engaged and highly responsive.

You are very lucky to have a team of Assessment Scientists as dedicated and as detail-oriented as this team are. The Assessment Review was conducted by four of us. I was joined by Adam Cook; who is a lobster expert at DFO and years of experience in lobster fisheries.

Dr. Yuying Zhang is at Florida International University, but she gained her PhD working at the University of Maine, where she was centrally important to developing the assessment model that lies at the heart of the assessment, and Dr. Chris Cahill is an emerging expert in state-space modeling, which is the coming wave of stock assessment.

This Review Panel was really well equipped to get into the details of this assessment, and to give you, I think, an unvarnished review of how reliable this assessment is. We found the assessment to be highly comprehensive. We found the assessment to be highly detailed, both in the information it provided, but also responsive in terms of previous guidance that other reviews have given.

This SAS took those onboard and worked with them. They were highly responsive to comments that the Review Panel offered to them in a pre-review meeting concerning some of their results, and they were highly responsive in changing some of their findings that you have seen presented today.

The indicator analysis was updated, based upon peer review comments and the speed with which the SAS did this was really remarkable, and they should be commended for this. This was a process in which the Assessment and the Peer Review worked as it should have done, it was a team effort and you have a better assessment as a result of it. We want to highlight the intense focus on environmental effects. There was a deeper analysis of environmental effects in this lobster assessment than almost any other assessment we have seen, so deep in fact the assessment team or the Review Team rather, became concerned that too much emphasis was being placed on the environment as the explanatory factor behind the changes that you've seen.

I think that we would feel that the assessment presentation you've just seen has been toned down somewhat in response to those comments. We also congratulate the SAS on the incorporation of the Social Science research that Tracy highlighted in her presentation, which is a reminder that in fisheries management we manage the people, not the stocks.

That research really helps us understand how management action is changing the structure and characteristics of the fishery itself. I am going to now run through the particular terms of reference, with some of the conclusions and some of the recommendations, and I'll close by offering some thoughts for the Board and your deliberations.

First of all, we felt that this assessment represents the best scientific information available for

management. We felt that the SAS evaluated all of the data that was available to them at great depth. We noted a considerable improvement in the quality of the catch and effort data over the last quarter century.

We noted significant advances in the way those data were handled prior to the modeling and in the modeling, and we also noted the importance of specific surveys such as the ventless trap survey. The Review Panel also noticed, as all of you will know that discarding is a prominent feature in the lobster fishery.

The idea of throwing back undersized lobsters or v-notched lobsters is a characteristic of this fishery. People should be congratulated on those efforts. But it does mean that discard mortality may require additional considerations in the future. Given the importance we assign to the Ventless Trap Survey, the Review Team strongly encourages the sources be made available to continue the Ventless Trap Survey in all regions.

The assessment model is highly sophisticated and highly complicated. You heard in the presentation that the SAS used the non-standard approach to modeling mortality, something that the Review Panel quizzed them on at length. Our concern is not necessarily with the form of the mortality, of the natural mortality that is imposed, but the consequences of that natural mortality schedule. Assessment models estimate the total mortality imposed on the stock, and calculate the effects of fishing by subtracting what it assumes to be the natural mortality rate.

If you have a different rate of natural mortality, how you partition the total mortality that the model estimates changes. As I said, we expressed some concerns about the effects of the assumptions on natural mortality on the understanding of fishing mortality. We noted significant advances in the improvement of the way growth was handled in the model.

We also enjoyed greatly the presentation of the alternative growth model that Tracy mentioned, developed by colleagues of mine. That offers hope in the future to integrate the growth modeling into the assessment model. At the moment, growth is modeled outside of the assessment and used in the assessment as another data stream as input parameters. This new approach allows the opportunity to estimate the growth parameters directly in the assessment model. The challenge is that the new growth model, shown in green on the figure yields significantly slower growth rates than the existing growth model, shown in red, and appears to be at odds with the estimates of growth of known-age lobsters shown as the blue points on the figure.

There is still work to be done on the new model, but the advantage is it has of being able to have its parameters estimated in the assessment, mean that we encourage further development of the model. We enjoyed all the discussion on the environmental drivers of lobster and their life history, and as I said, we expressed some concern of an overly detailed focus on the environment as the explanation of patents.

We also noted that this existing stock assessment model originally developed by the University of Maine is getting a little long in the tooth, and there are some signs in the diagnostics of the model that it may not be performing as well as it once did, and that it may be overly complex at the moment.

We also therefore strongly recommend the continued development to the new assessment model that the SAS provided a preliminary presentation to us at the Review meeting. I think I've said all my recommendations at the same time. Climatic drivers, as I've said before, this assessment really dug into the effects of climactic drivers.

The Review Panel certainly acknowledged that climate is affecting the dynamics of lobsters. We were also intrigued by the paradigm shift or the regime shift paradigm, which is used in this assessment, and which Tracy has already discussed. But we caution that overemphasizing

environmental drivers, risks underemphasizing the important role the fishery does have.

One of the concerns we had of the regime shift approach in the immortal words of Joni Mitchell is that "you don't know what you've got 'til it's gone", and it adds a delay into management that you cannot tell the current status of the fishery until you define the regime. It takes several years after a regime shift has occurred to tell you that you are in the new regime, so we expressed concerns over that point.

We found that the SAS fully met the terms of reference in estimating abundance and exploitation, but we strongly recommend the biological reference points should be developed in the future, and that is a point I will return to later in advice to the Board. The SAS undertook, as you heard from Tracy, what is known as a Jitter Analysis.

This is an analysis that asks, how robust are the model results? The SAS went into great depth at the request of the Review Panel to try and explain the highly uncertain results that came out of the Jitter Analysis. We congratulate them for the work they did between our first meeting and the Assessment Review meeting itself.

We encourage them to continue that work. We encourage them to integrate the Jitter Analysis into the development of the future assessment. We also encourage that to help understand that uncertainty, future assessments should be prepared to bring forward and evaluate multiple models. The Assessment Team also did an outstanding job on understanding the model diagnostics, including its sensitivity and its retrospective analysis. There were no significant issues raised with the sensitivity of the model, and there were no significant worrisome patterns in the retrospective.

The indicator analysis was comprehensive. The indicator analysis, we all supported the decision of the SAS not to use time series shorter than 10 years in duration. As I had already mentioned, the SAS has already updated the interpretation of the indicator analysis, based upon recommendations we made at the Review Panel, and we thank the SAS for the responsiveness of their work.

We agree that the reference points were calculated appropriately, based on existing definitions, and the stock status that Tracy defined for you in her presentation was also appropriate. We come back to this recommendation that we should be working towards reference points that include biological productivity, rather than being the somewhat ad hoc indicator approach that is currently in use.

We support all of the research recommendations made by the SAS, and we add three specific recommendations moving forward. We returned again to this issue of biological reference points, making the strong recommendation that they be calculated in the future. We strongly recommend that work should continue, to try and include the new growth model into the assessment, so that it becomes a single integrated assessment model, and we encourage the extension of estimates of natural mortality rate to smaller size lobsters.

That will be required if this integrated assessment model is completed. We support the proposed timing of the next assessment in five years. We recommend that interim assessments for both stocks be continued, and we strongly support the development of a management strategy evaluation for lobsters that could be conducted at a range of scales and still remain useful. At the smallest scale it could be something that the SAS used just to evaluate alternative modeling options.

At a slightly broader scale it could include members of the management board to explore alternative management options of the consideration, and at its most comprehensive and perhaps most useful, it would include all stakeholders, including both fishers who are engaged in the fishery, people in communities that rely on the fishery and other interested parties.

There is a tradeoff in cost and time for these different options, but the Review Panel think all three are strongly worthy of consideration. In conclusion, the advice to the Board from the Review Panel. We strongly recommend that you consider this the best scientific information available as a foundation for you to make management decisions.

We agree that environmental change has had a large influence on the decline of lobsters in Southern New England, but that should not be interpreted as evidence that has no effect on the stock, nor should it diminish the obligation to manage the fisheries that remain. Two of us on the Review Panel lived and worked in Canada during the decline of northern cod. We are intimately familiar with the social consequences of the collapse of northern cod in Canada, and the upheaval that it created in society. In the run up to the collapse of northern cod, cod catchers were hyper stable. They didn't change very much over time. There were strong differences in the harvest in different regions of the range of northern cod.

The offshore fleet in cod saw no change until cod collapsed. The inshore fleet saw worrisome signs that were ignored. There was also the belief that environmental factors were driving change. You have heard all three explanations as present in lobster. We are not saying for a minute that lobster is on the edge of collapse.

But we believe strongly that it is a responsible thing to do, would be to estimate biological productivity of this stock, and set that as reference points. Failure to do so would be like driving the car by looking in the rearview mirror, and concluding it is safe to proceed, because you haven't hit anything yet.

That is not the best practice for management. With those, perhaps some of the words to end. We do want to congratulate the SAS on its work. They really produced an excellent foundation on which you can make your management decisions, and I will be happy to answer any questions when the time is right.

CHAIR ZOBEL: Thank you, Dr. Miller, the time is right. If anyone has any questions for Tracy or Tom, I'll look on the floor to Board members for questions. Joe Grist.

MR. JOSEPH GRIST: Well, first, excellent work from both groups. Obviously, Dr. Miller up there to, but excellent work on both sides and good presentations. That was a lot to have to cover. Just a brief question that will probably go back to Tracy. In your presentation you noted that for the Southern New England stock, the recommendation is not to utilize the model approach. If we were to go that direction, what does it do to projections or the ability to produce projections?

DR. PUGH: The recommendation for the next stock assessment is to not use the model. In terms of this assessment and status, the status determination and recommendations we made were based on the model. In terms of the projections, yes that would complicate the projections, because we used the model results, essentially to base the projections on. I think that the looking at what we're seeing in terms of the patterns and trends in Southern New England, they've been very consistent.

The model free indicators that we use from the trawl surveys, both inshore and the offshore trawl surveys are all showing pretty consistent stories. I think that what the SAS is feeling is that the formal modeling effort and then this formal follow up with the projections is kind of overkill. That we're seeing clear patterns and clear pieces of information from those indicators by themselves.

The challenge with the projections, like I highlighted for the Gulf of Maine in particular, is making the assumption that conditions are going to continue. The Gulf of Maine we've seen changing conditions, and as I mentioned, we've seen a little bit of conflict in those conditions, where the temperatures are conducive to growth and conducive to settlement, but we've got that issue with the larval food sources. In Southern New England we're seeing

relatively consistent stories, in terms of the conditions affecting the stock. We don't have anything coming through to give us an indication that recruitment trends are going to change. We don't really have that conflict in the drivers that drive recruitment for Southern New England. I think that we're not super concerned about our lack of ability to do formal projections for that stock. We think that the information content in the existing indicators is enough to keep an eye on that stock.

Now if something starts coming through in either the temperature indicators, the stress indicators, which I haven't shown but are in the document, or in any of those surveys. You know then we revisit that recommendation. I think that that is always going to be on the table is if we see some indication of change or some positive signs for Southern New England, then we bring that back.

CHAIR ZOBEL: Steve Train.

MR. STEPHEN R. TRAIN: Dr. Miller or Dr. Cahill, either one of you could maybe answer this, and anyone around this table for this last four years, I've been saying there is a problem and we need to do something. But it sounds like in that presentation, if we used the old simplified model of overfished/overfishing to our bull's eye in the middle.

You want to be somewhere near the center. Right now, we're somewhere near the center and on the good side of it on one. That's the one I've understood easily for years. My question is, yes, I think we have to do something, but does it have to be now? It sounds like we have time to maybe figure out a little bit more.

DR. PUGH: I assume you're talking about Gulf of Maine/Georges Bank. The stock is not depleted, so the abundance is the one that we tie the, the sort of stronger management advice around. But at the same time, we have seen the decline is kind of a rapid decline from net peak. You know one might think that we're in between the target and limit right now, which is a reasonably decent place to be.

Now is the time to start having the conversations about, what are our tools, how do we stay there? I think that that is where the management strategy recommendation that we're making comes into play here, is that process there in discussing with the fleet, discussing with the policy makers. What are our tools, what are our goals here? What do we want this to look like and how do we get that?

DR. MILLER: I don't disagree with anything Tracy just said, but I will add two things to it. The reference points that you're talking about are not based upon biological yield, they are based upon guidelines of the availability of lobsters, and the idea that there is going to be something like 30 to 40% of them harvest each year.

Our recommendation is that you work to develop reference points that are based upon the biological potential. The only caution I would give you about how much time is left, is to review the decline of lobster in Southern New England. That was one thing that took the Review Panel by surprise. For an organism that lives reportedly 30 years or so, that fishery declined precipitously within a five-year period. Some people would argue even faster than that. Our concern is not that we see signs in the lobster that say it's going to decline. But our concern is, should it decline the management board won't get very much warning about that decline. I don't think the time for drastic curtailing of the fishery is now. But the time to act to give you the management tools is now.

CHAIR ZOBEL: Jason McNamee.

DR. McNAMEE: Great presentation, Dr. Pugh, it was a ton of work that you put together as efficiently as you could, thank you very much, and thank you as well, Dr. Miller. Great report out of the Peer Review Panel. I think this is directed, well it could be to either of you, I think. I was kind of thinking about the changepoint and regime shift discussions

that were going along with this assessment, and the recommendation from the Peer Review Panel.

They have this model that they were kind of working on in parallel in the background, which is really cool. What I wondered, what I didn't pick up on was whether or not that model has some of these state space attributes in them. I think in my mind the concern about these changepoints and being able to, like you only know the rearview mirror piece of it, and you don't know where you are currently, I think.

State space you kind of add in these random effects, you can solve that problem a little bit in it, also I think helps with some of the other aspects of the model. Is the new model a state space model or is that like a progression beyond what is being worked on? I know it is moving into RTMB which is good, but the actual type of model is what I'm wondering about.

MR. JEFF J. KIPP: Yes, I can take a shot at that. Jeff Kipp, I'm the staff scientist from the Commission, I'm working on lobster assessment. Yes, the new model is in RTMB, which has features on state space models, like Jay is asking about. The model that was presented at the Assessment Workshop was pretty much an exact replicate of the current ADMB model without those features implemented currently.

The idea is to use those features down the road, maybe even into the next assessment, but those have not been developed or a part of that model. We were essentially trying to build a bridge between the current assessment model and the new model in RTMB. Then once we could demonstrate that bridge we would branch off into building in random effects and those types of things into that model.

CHAIR ZOBEL: Carl Wilson.

DR. CARL WILSON: Dr. Pugh, Dr. Miller, this is an outstanding assessment and Peer Review. Having participated in several of these myself, this is an excellent document. I thought the review and the exchange with the SAS was fantastic. I went down to the Peer Review, and the collegial exchanges that I witnessed were invigorating to see the conversations going.

It is a real testament to the people that we have working on the stock assessment, and just the spirit that they are undertaking the work. Really, congratulations. As fun as it is to read a thousand pages, it was excellent work, and there is a little bit of something in there for everybody. Now, having said that, I would like to spend a little time on the recommendation around biological reference points, and tie that into the acknowledgement of how much environmental factors are driving some of the productivity.

I think we get ourselves in a bit of a twist there, in that biological reference points, the assumptions are that you know what the productivity of the resource is going to be, based on a series of life history parameters that have been estimated under the conditions that those studies conducted.

If we're in periods where environmental conditions are phasing alternatively, how does our estimates of biological reference points ever keep up with you if we don't know the rest of the rest of the Joni Mitchell song. I think that is, how do you reconcile those two? Because ultimately, biological reference points allow us to project under different conditions.

What we might think might happen, the projection aspects of the assessment right now, there was one section, I forget which page it was on, but where you went back and looked at the 2020 assessment with the projections and Gulf of Maine/Georges Bank were all projected to be positive. That is a net swing of 75% or so. We would have; I think a lot of work to do with biological reference points.

Now having said that, if we were to hit the limit for abundance, based on the reference points, is that a bad thing? The reference point doesn't necessarily say it's a bad thing biologically, because it is a point

where the fishery has already observed that for a number of years. I think we've got to like figure out how to move those two together, and I think it starts with how you do kind of time variable biological reference points. Just interested in how would you might want to respond to that.

DR. MILLER: First of all, I will reiterate what you said about the positive way in which this assessment and review occurred. It was a pleasure to be a part of, and I think it was an exceedingly collegial exercise. I certainly enjoyed being a part of this, and I hope the SAS also found the reviews to be helpful for them.

I think our concern or our suggestion is not that we know as the Review Team how to do estimates of biological productivity, when that productivity is changing over time. A common assumption in fishery science to date has been that conditions are static. That things return to an equilibrium condition.

There is certainly evidence in lobsters that the environment is changing. The structure of the fishery is changing, and perhaps an equilibrium assumption is one that is not valid. I will say that to not have biological reference points in arguably the most valuable fishery in the nation, and certainly if not in the nation on the east coast, seems to us to be misguided.

That recommendation is not something that the SAS received in the previous two assessments. In the previous two assessments the Review Panel agreed with the supposition that you had at the end of your comment that well, if it goes below what we've seen before, isn't that enough of a guideline? Our sense would be, perhaps it is. But until you calculate those reference points, you really wouldn't know whether the exploitation rate you are setting has been sustainable, has any relationship to what the potential yield of the stock could be.

It really is the value of the fishery, not just in dollar value, but the socioeconomic value of the fishery to the region that makes a suggest that not having biological reference points is a significant gap in management, and something that should be closed.

CHAIR ZOBEL: Carl, did you have a follow up?

DR. WILSON: Just a quick follow up on that. I think one thing in support of that idea is, if you were to get to the limit reference point in abundance, and you had some indication that your biological productivity had changed, that starts to answer the question of, is that a bad thing or not? I think there is that third exploitation abundance and reference point. That does start to support the school, I guess.

DR. MILLER: Just as a follow up, and hoping it doesn't just become a dialogue between the two of us. The other concern that makes biological reference points really important is the distribution of catch among the statistical areas. This concern is that it is hyper stable in the middle, and we begin to ignore what is going all around the edges of the range, we're at even more risk than it would have been otherwise.

CHAIR ZOBEL: Doug Grout.

MR. DOUGLAS E. GROUT: I will concur on the excellent, excellent work that has been done by both the SAS and the Technical Committee and the Peer Review. It was well explained, very complex, and I came away understanding 99% about what you said. My question for you, based on this recommendation coming out of the Peer Review of estimated biological reference points.

This is a question for either Tracy or Jeff. Do you see any difficulties in developing biological reference points for lobsters, either because of their life history characteristics or any of the information we have here? Do you see any problems with coming up with one, if you were given enough time?

DR. PUGH: Yes, so this is before me, so I am trying to remember history before me. But essentially the

previous assessments and I think the FMP was based on biological reference points, so with the F10% or the F.1. Those have been estimated for lobster in the past. The challenge, in terms of interpreting those has been that it never entirely, sort of passed the straight face test.

I think if I'm remembering correctly, the estimates for, yes 10% I think suggested that Southern New England could never be overfished, and the estimates for the Gulf of Maine indicated that overfishing was occurring, and yet we've seen these increases in the Gulf of Maine consistently over time. Those older reference points were saying, you're overfishing, you're overfishing and yet stock was going up and up. There is sort of a disconnect between what was coming out of that and what stock was actually doing. I think that some of this is coming down to some of the uncertainties we have about growth and natural mortality. I mentioned a number of times in the presentation that these uncertainties around growth and natural mortality have impacts to the scale of our results. They don't impact the trends over time. I think that those uncertainties impacting the scale of our abundance references are where these challenges are coming in. I'm going to do a little phone-a-friend here and ask if Jeff can weigh in a little further here.

MR. KIPP: Yes, I would emphasize the concerns with this scale of the estimates out of the assessment model, the Jitter Diagnostic that was discussed as not providing the favorable results that we're looking for, really indicated that the uncertainty around the scale of estimates is considerably large.

But really at the end of the day when we look at trends, we are very confident in the trends that are estimated here, and that has kind of pushed us in this direction of trend-based reference points. I think the scale of estimates is a major uncertainty that we really need to work out, to have more confidence in biological reference points, because those do depend on accurate scales of estimates of your population estimates.

Then the other thing that is challenging, I think Dr. Wilson was mentioning was, how do you formulate those biological reference points when productivity is changing through time. One of the challenges here is, we're dealing with recruitment in terms of five years after these animals have been produced.

There is sort of this really uncertain window from when they settle and when they actually recruit to the model that we're tracking them in. What year or period of productivity you use to represent the biological reference point for what you should be currently managing, creates some challenges with that lag.

That lag makes it difficult to directly relate a certain period of productivity to when you should be managing at that point. Yes, I think there are a number of things I think we would need to work out, and would likely take a considerable amount of time before we felt really confident about any biological reference points.

The scale of estimates we do hope to address with the new assessment model we were just talking about, and that that platform may allow us to address that issue better than the current platform, and that is going to be part of the next benchmark assessment.

CHAIR ZOBEL: Any other questions by the Board? Seeing no other question.

CONSIDER ACCEPTANCE OF BENCHMARK STOCK ASSESSMENT AND PEER REVIEW REPORT FOR MANAGEMENT USE

CHAIR ZOBEL: We have to consider accepting this Stock Assessment and Peer Review Report for management use. Does anybody have the desire to make a motion to do so? Doug Grout.

MR. GROUT: I'll make that motion. **I move to accept the 2025 American Lobster Benchmark**

Stock Assessment and Peer Review Report for management use.

CHAIR ZOBEL: Thank you, that is seconded by Eric Reid. Any discussion on the motion? Seeing no discussion, I'm going to try it the easy way, **so any opposition to the motion on the board? Seeing no opposition, this motion passes by unanimous consent**.

CONSIDER MANAGEMENT RESPONSE, IF NECESSARY

CHAIR ZOBEL: Is there any further discussion on considering management response to the Stock Assessment and Peer Review?

DR. WILSON: Yes, I think this discussion or a potential motion would be around acknowledging that the Gulf of Maine/Georges Bank stock has gone down by about 30% in this assessment period. Knowing that this Board, certainly prior to my arrival here, has been receiving annual updates from the TC for serving indices.

I do think that with the repeal of Addendum XXVII we did lose kind of an indicator on those annual updates. Happy to have a conversation about that. I do have a draft motion around that that I think might inform kind of our annual conversations around lobster.

CHAIR ZOBEL: Carl, why don't you go ahead and get that up, and that can kick off a discussion for us.

MR. WILSON: I believe they have the motion here. I **move to task the TC to include a recruitment index for the Gulf of Maine/Georges Bank, similar to what was used in Addendum XXVII (combined recruit survey index), as part of future data updates to the Board at the annual meetings.**

CHAIR ZOBEL: Is there a second to the motion? David Borden. Carl, rationale?

DR. WILSON: Yes, again, Gulf of Maine/Georges Bank is a resource that is changing, and I think it's prudent for this Board to keep as many eyes and ears on what's going on between assessments as possible.

CHAIR ZOBEL: Anything else to add, David? Okay, is there any discussion on the motion on the board? Jeff Kaelin.

MR. JEFF KAELIN: I've been sitting here thinking about this. By the way, Dr. Pugh and Tom, Dr. Miller, terrific work. When we repealed Framework XXVII and set aside the potential for gauge increases, at least for now. I noticed in your report, Dr. Pugh, you had a slide that showed an increase in the stock around the time that the last gauge increases were implemented.

Is there a way, when you come back to the Board following this motion, that you could try to project what the benefits of the stock today would be if those gauge increases were put into place, similarly to your ability to go back in time and recognize that the gauge increases had a significant effect on the stock at that time?

That is my question, and what has been going on in the back of my mind since I've been sitting here listening to this. In retrospect, it looks like we might have made a mistake. But is there a way to make some projections about what the benefits could have been, in terms of turning this around somehow?

DR. PUGH: Yes, so I think what you are referring to is the changes in the effective exploitation graph where, like for the Gulf of Maine it was high in the '80s, and then after they changed the gauge size, I think it was in '89 it came down. Then for Southern New England we had the period of stable high and then the transition down to a period of stable lows. That's what you are referring to, correct? Okay. I don't know that we could do projections for effective exploitation. I might have to punt that over to Jeff.

MR. KIPP: We could relate, sort of use an F in instantaneous fishing mortality rate for projections, but we can relate that back to an exploitation level, so we could map that to an exploitation level.

MR. KAELIN: Yes, I think that would be instructive, if it could be done with the magic of your models and the fairy dust that Mike was talking about earlier. It would be nice to use, to have something to grab onto that might help show us the way to turn this around, or have the Board find a way to do that. Thank you for the consideration.

DR. PUGH: I think, I'm trying to think how we would go through this, and if there is information that we put together with the construction of Addendum XXVII in the first place that will help with this. I don't know that we can do this quickly, I'm pretty sure we can't do this quickly. Is the request for us to essentially re-estimate exploitation levels as if a gauge change had gone into place in a specific year?

MR. KAELIN: Exactly. Understanding it would be an estimate and not something we definitely have to live with. But yes, other than that I don't see how we have any information in front of us to move ahead, other than looking at the potential benefits from the addendum that we set aside.

CHAIR ZOBEL: I think there is a little bit of a difference, Jeff, between your request and the motion we currently have on the board. I just want to make sure that that clears up that confusion. Carl's motion is separate from what you are requesting.

MR. KAELIN: It is. I was just trying to illustrate a question that I had in my mind about what the effects of setting aside the potential gauge increase was. If it doesn't fit here, I don't know, maybe it doesn't, but anyway, you know what is on my mind. I was in the lobster fishery myself for a long time. I am alarmed, frankly with the report today that we've seen. I'm wondering if we made a mistake, or how to calculate the magnitude of the mistake we may have made by setting that addendum apart. If it's separate from this motion, I apologize, and I'll just leave the question on the table.

CHAIR ZOBEL: Jeff, what we can do is dispense with this motion. If you desire to bring that up as a tasking then we can go to you after.

MR. KAELIN: That sounds good, Madam Chair.

CHAIR ZOBEL: Great, thank you. Any other discussion on this specific motion on the board? Seeing no more discussion, is there any opposition to the motion on the board? Go ahead and take a minute to caucus. Does anyone need more time, are we ready? Let me ask the question again, **is there any opposition to the motion on the board? Seeing no opposition the motion carries by unanimous consent**. Anything else to come before the board on this? Jeff, did you want to add a tasking?

MR. KAELIN: I do. I'm not sure how to put it, but I would like to task the TC to try to project the benefits to at least the Gulf of Maine/Georges Bank lobster fishery, if the gauge increases from Addendum XXVII were put into place when they were first proposed.

CHAIRS ZOBEL: Okay, just give us a second to catch up with the motion. Jeff, if this is what your intent was, do you mind reading this into the record, please.

MR. KAELIN: Sure. I **move to task the TC to project the benefits to the GOM/GB fishery** if the, because it's one, you're looking at it as one unit, right? **If the gauge increases from Addendum XXVII were put into place as originally scheduled.**

CHAIR ZOBEL: Okay, is there a second to the motion on the board? Bill Hyatt. Any further rationale?

MR. KAELIN: I'm looking for a signal that could give us a path forward and try to anticipate what the magnitude of the changes would be to see a turnaround in these stocks. Maybe that gauge increase wasn't big enough. I don't know if you can put this together, I would be impressed, but it's begging the question, I think that we set these aside and now we're moving ahead with a management strategy evaluation.

I'm thinking of the herring management strategy evaluation, which was a disaster frankly, for the herring industry. I'm not a big fan of MSEs and that is an awful lot. You don't have to record all of this, but yes, where do we go from here? The only clue that I can think of is to take a look at what we set aside and didn't do, in terms of projecting what the benefits to the stock would have been. Is that being clear enough, Madam Chair?

CHAIR ZOBEL: Yes, I think Jeff Kipp has a clarifying question.

MR. KIPP: Yes, I just wanted to clarify. You mentioned you wanted to see the changes in exploitation. But I think what you want to see is the changes in abundance if we changed the gauge size. What would the projected of stock abundance be? Is that the interest?

MR. KAELIN: Yes.

MR. KIPP: Okay yes, so we can do those projections. There will be the same caveats around those as the current projections that we provided in the assessment. One big thing is, there is no stock recruit relationship, so you don't get any kind of return on improvements in abundance that trickle through, through a stock recruit relationship. But we can include the caveats around those with these projections to consider, but yes, we can do what you are asking for.

MR. KAELIN: Good, thank you, Jeff, I appreciate that.

DR. PUGH: Just to follow up. You know this is something that we can do. Just to set sort of expectations, this is not something that we can do by February. This will require work from our federal partners on the TC and they have not been to work in three weeks, so we don't know what the future of that is, we don't know how long it is going to take them to either get back or to get caught up. This is definitely not a task that we can accomplish by February.

MR. KAELIN: Yes, understood. We're hung up in a lot of different areas, I understand. I appreciate that, Tracy. Thank you.

CHAIR ZOBEL: Are there any other discussion on this before we take a vote on this? Does anyone need to caucus before I call the question? No, okay. **Is there any opposition to the motion on the board? Okay, we do have opposition, so we're going to take a roll call vote, a vote. If you are in favor of the motion, please have one member of the delegation raise their hand.**

MS. KERNS: Rhode Island, Massachusetts, Connecticut, New Jersey, Virginia, Maryland, Delaware, New Hampshire, NOAA Fisheries, New York.

CHAIR ZOBEL: Opposed.

MS. KERNS: Maine.

CHAIR ZOBEL: The motion carries 10 to 1. Jason.

DR. McNAMEE: I'm not sures, this might be a little out of sequence, but we'll just kind of get it out on the table. I really appreciated the discussion about and the support from both the Peer Review Panel and the Stock Assessment Committee, the support for doing our management strategy evaluation.

We talked about this at length a few years back. I guess I am a little concerned it just kind of popped, you know doing that immediately, like right now let's start. I would like to see what we've worked on. I think there may have even been a white paper that was produced or something akin to that.

What I would love to see for February is kind of a resurrection of the materials that we had put together the last time we were talking about management strategy evaluation for lobster, so that we can review that and then potentially take action in February, just to give us a little time to think about it. I don't think I need a motion for that, but just offer it as a suggestion.

CHAIR ZOBEL: Yes, I will check width staff. I don't think you need a motion either, and everyone is agreeing. That has been noted, thank you. Any other motions on this topic for discussion points. Okay, seeing no other hands we'll move on to considering reports from Gulf of Maine states on industry surveys and meetings. I think we will be going from north to south here, if I recall correctly. Get the first slide up and then I can confirm or deny that. Great. Carl Wilson, go ahead.

CONSIDER REPORTS FROM GULF OF MAINE STATES ON INDUSTRY SURVEYS AND MEETINGS

DR. WILSON: Okay, so our survey went out late June or early July, it was due back at the first of August. We sent the survey to all lobster license holders greater than 18 years old and dealers. The questions were supported and crafted by Maine's Lobster Advisory Council and the Department, the Subcommittee of that Lobster Advisory Council.

We really felt this was an opportunity to gauge the opinions on the resource in the fishery directly from the participants. I think everyone was feeling a little bit of, what is the true sentiments out there after the Addendum XXVII conversations of last winter. In kind of a bit of some survey development trickery, not trickery, but just ways to get through what would have been a very large list for the Department to send out, 4,600 surveys.

We felt the way that each license holder got a unique paper survey that was coded to their license number, and they also had a unique QR Code that they could respond to directly electronically, skipping a scanned paper survey. We sent that out to 4,697 recipients. We had a 29% response rate. The last time we sent out a similar survey was back in 2008, and we had a 35% response.

We'll say that we sent it to over 2,000 fewer license holders this time around, and those are fewer license because of the limited entry things that we have in place. Overall, respondents seem to have a good representation by zone, so geographic location, age and activity, if they were active or inactive in the fishery.

We asked about the perception of the resource. Very quickly, the respondents came back as saying 63% felt that the resource was stable, 26% decreasing and 8% increasing. When asked compared to five years ago, lobster and traps are, as far as egg bearing 58% said they were increasing but 31% no change.

Legal lobsters 49% no change, 36% said it was decreasing. Oversize, 52% no change, 22% increasing. Sublegal 42% increasing, 36% no change and V-Notch lobsters, 49% of respondents said there was increasing, with 34% no change. Threats to the fishery, and I think this is a theme that you'll hear from all three states.

These are, I think very consistent, and strong as far as those responding, 91% of respondents were very or somewhat concerned with North Atlantic Right Whale Conservation measures impacting the way they fish, 88% of respondents were very or somewhat concerned about potential ASMFC plan changes, maybe not the most positive group in the room here.

Maintaining the stability of the fleet, respondents could check off three concerns and the top concerns were input cost 85%, again Right Whale protection 70%, 69% followed by market uncertainty and crew availability. Concerns around the long-term health of the resource, leading threats were predation at 53%, habitat 48%, lobster

distribution changes, water quality down to 30% and fishing competition 17%.

Perceptions of the future, 47% of respondents were very or somewhat optimistic of the future. Nearly 80% of respondents feel current Area 1 management is very or somewhat effective, 22% were neutral, 6% ineffective and 3% very ineffective. If they were compelled to act, conversations that might be had. Lower trap limits were the highest response, increasing v-notching in this order, seasonal closures and lobster hatcheries, followed by gauge increases, limited entry change, purchasing of v-notched lobsters and area closures. There was a strong, we've socialized these results with another round of Zone Council meetings. There is a strong sense of the need for continued engagement with fishery members at large, lobster Zone Councils and we would be talking a little bit about engagement with LCMTs.

In all zones that we've presented these results, one of their first questions was, what took you 15 years to send out this survey again? That is a response that we've definitely heard and we're thinking about ways that we might be able to increase the frequency of a survey such as this. I pass it to the next.

CHAIR ZOBEL: Okay, on to the New Hampshire survey, so we asked very similar questions to Maine, although somewhat tweaked for our own local industry. This was sent to all our commercial offshore license holders and opportunities as with Maine to gauge opinions on the resource in the fishery.

Our response rate, we were really impressed, and I want to personally thank the Commercial Fishermen's Association for also making sure that their members were encouraged to do the survey and to have their voices heard. We already had a high response rate and that drove it up even higher, so thanks for that collaboration with our industry members.

Our commercial and limited commercial, which are two limited access kind of more fulltime fishers in our state had a 51% response rate, which is incredible. Then we also have an open-access parttime commercial limited to 100 traps in our state, and that had 17% response rate. Perception of the Resource, you are going to hear a lot of similar themes in all New England states, which is interesting.

From the commercial unlimited commercial group, 63% stable, 13% decreasing, 17% increasing, 7% no opinion. That was very similar to Maine. Part time commercial, these are the100 traps, so a little bit of a different type of fishing, 45% said it was stable, 25% decreasing, 12% increasing, 18% no opinion.

Perception of the resource, and this is just from our more full-time commercial license holders. Compared to five years ago, egg bearing 68% increasing, 19% no change, legal 58% increasing 20% decreasing. Oversized 50% increasing 26% no change. Sublegal lobsters 57% increasing, 21% no change. V-notched 63% increasing 19% no change, so an overall perception of positivity in what was coming into our traps.

These numbers are almost identical to Maine, and you'll find they are also almost identical to Massachusetts, which is very interesting. Eighty-eight percent of respondents were very or somewhat concerned with North Atlantic Right Whale conservation measures impacting the way they fish. Eighty-eight percent of respondents were very or somewhat concerned about potential ASMFC plan changes.

I wanted to throw in a visual, just so it wasn't all boring text. Like Maine, individuals were allowed to pick up to three different answers in response to this question of, what do you feel is the biggest challenge to the long-term health of lobster resource population. Changes in water quality and climate were the majority of license holders, as 76% of respondents selected that, pollution 54% selected that. Predation pressures from native and invasive species 54% and then you can see from there changes in distribution, disease and

pathogens, too much fishing effort in my area, and habitat degradation due to fishing activities.

Also, very similar results to the state of Maine survey. In considering the future, which of these areas presents the greatest concern for maintaining stability of the fleet. The highest by a significant margin at 92% of respondents cost of inputs, followed by Right Whale protection and market uncertainty as the other kind of top three, along with the others that you see listed on the slide.

How did people feel moving on from here, 54% of respondents were very or somewhat optimistic of the future, and 75% of respondents feel current Area 1 management is very or somewhat effective. If compelled to act there was some response for increased gauge size on the small end, but very little percent on that, 1/16 was 19%, 1/32 was 19%.

Then other, 62% wanted no change on this or did not answer this portion. Lower trap limit, no change in trap limits was the majority, 58%. Limited entry or licensing changes at 27% and then some support for a 10 or 20% reduction at 8 and 7%. Seasonal closures, 52% were in support of a January 15 to March 31 closure, 32% January 15 to April 30.

Other management options, so these were other things that were listed, 53% checked off other, and they could provide their own response at that point, so none, more law enforcement, no 100 trap licenses, which is our open-access license. Reduction in maximum size 25%, area closures 10%, quotas 2%, trip limits 10%, so some other management measures that were brought forth. That was it from us, then our survey just closed, so we will be following up and presenting all of the details back to our lobster industry after this meeting. Dan.

MR. DANIEL McKIERNAN: I believe we have Anna Webb standing by.

CHAIR ZOBEL: Okay, make sure, yes, we've got you loud and clear, Anna, go ahead.

MS. ANNA WEBB: Awesome. Good afternoon, everyone. I'm sorry if I cough a little bit during this call, but I do have a drink here I hope will get me through it. Similar to Maine and New Hampshire, our questions were very similar. However, in Massachusetts we did have to modify it to accommodate all four LMAs that land here or fish out of here.

We did have very similar responses for LMA1 and similar overall response rate to Maine with 28%. We offered an online and a paper version of the survey. In terms of demographics, 78% were actively fishing in 2025, 60% did not have an active federal permit, 20% did, 60% fished more than 100 traps on average and about 50% were between 50 and 70 years old.

Our dashboard did go live today, so if you want to check it out and delve into some of our surveys in more depth, you can find out at that link and in that path. In terms of the Perception of the Resource, again LMA1 was very similar to Maine and New Hampshire. LMA2 and OCC were also, or Outer Cape Cod were also similar, we had about 60% stable, 15% decreasing, 14% increasing. LMA3 had a slightly different perception of the resource with 84% feeling it was stable, 11% decreasing and only 5% increasing. Continuing the perception of the resource, again with four LMAs I couldn't fit everything on one slide. Compared to five years ago, how did the lobsters in your traps change for these five categories.

In egg bearing LMA1 thought there were more, 53% felt there were more. LMA2, 41% said no change. Those Outer Cape Cod, 65% found more and LMA3 68% said no change. V-notches, LMA1 had more, LMA2 had no change. Those Outer Cape Cod about 50% said more and LMA3 was 58% no change. Only listed the percentages that were over about 20% here, but there is more information in the dashboard.

For legal size lobsters all four LMAs indicated, the majority of them indicated no change. Oversized, LMA1 51% did see more while the other LMAs saw no change, primarily, and then sublegal LMA1, 2 and 3 had primarily no change, but LMA1 was actually equal percentage also saw more sublegal lobsters. Outer Cape Cod had 50% more sublegal and 20% less sublegal.

In terms of Perception of the Threats to the Resource, kind of a simplified version on the right, where it's all LMAs combined, along with a simplified version of the prompts that were available to the fishers. But in LMA1 again, similar to Maine and New Hampshire, water quality and climate change were the top concern at 55%.

That was followed by predation, fishing pressures, pollution and distribution changes. In LMA2 predation was the highest concern, followed by water quality and climate, then pollution, disease and fishing pressures. Outer Cape Cod habitat degradation was the top concern followed by water quality and climate, and then pollution, predation and fishing pressure is there as well.

LMA3 fishing pressures was ranked highest, again followed by water quality and climate and then predation and distribution changes. Again, similar to Maine and New Hampshire, 93% of our respondents were very or somewhat concerned with North Atlantic Right Whale conservation measures, and 87% with potential ASMFC plan changes.

Similarly, the greatest concerns for the sustainability of the fleet were input costs and Right whale protections, followed my markets. The first two had a much larger percentage of people selected those. LMA2 did have a higher percentage for spatial conflict over markets. In terms of Perception of the Future, effectiveness of the current management area by LMA. LMA1 about 70% were somewhat or very effective, whereas 19% were neutral. LMA2, 56% were very or somewhat effective and 37% were neutral. Outer Cape Cod 85% were very or somewhat effective, whereas 5% were neutral. LMA3 it was 79% versus 11%. About half of the respondents were very or somewhat optimistic of the future of the industry, whereas 30% were neutral.

Then if required to act in response to the stock assessment, again, responses did vary by LMA. LMA1 was trap limit reductions, however, more conservative V-Notches. There was some support for increasing the minimum size or decreasing the maximum size. LMA2, trap allocation reductions ranked highest.

There was, again, some support for decreasing the maximum size and seasonal area closures and more conservative V-Notch regulations. Outer Cape Cod they were dominated by increasing the minimum size and LMA3 was more conservative V-Notch. I think that's it, but there might be one more. Nope, that's it. On the Dashboard you can filter by the LMAs, so you can go through all these questions a little more standard by LMA.

CHAIR ZOBEL: Thank you, Anna, does anyone have any questions for any of the three states on this? Dennis Abbott.

MR. DENNIS ABBOTT: Just to be clear, how many 1200 trap permits do we have in the state of New Hampshire?

CHAIR ZOBEL: Twenty-nine.

MR. ABBOTT: How many?

CHAIR ZOBEL: Twenty-nine.

MR. ABBOTT: Twenty-nine, and we have no 800 trap limits.

CHAIR ZOBEL: That's correct, not state license.

MR. ABBOTT: Just for the record, thank you.

CHAIR ZOBEL: John Clark.

MR. CLARK: That was very interesting, the results. I notice that predation came up as a big concern for a couple of states. Just wondering, is there a specific predation concern that is on the increase, or was this just overall?

CHAIR ZOBEL: Dan, go ahead.

MR. McKIERNAN: Black Sea bass in Southern New England and maybe up in southern Massachusetts, Cape Cod Bay waters as well.

CHAIR ZOBEL: David Borden.

MR. DAVID V.D. BORDEN: To John's point, it's not only black sea bass it's scup. I get constituents that call me all the time and basically say, how can you expect the lobster resource enclosed in Area 2 to respond favorably if the biomass of both scup and sea bass is this high. I mean it's logical the food preference for scup and sea bass primary food source is crustaceans. We've got a bit of a conflict. I can address that later, and I would be happy to address that later.

CHAIR ZOBEL: I can state that we've heard a number of different species listed as concerns over predation in our area, and I don't know if Carl has a similar sentiment.

DR. WILSON: Yes, we have definitely heard about striped bass.

CHAIR ZOBEL: Any other question? David.

MR. BORDEN: Just a general question for the state agencies. Did any of the state agencies look at the sampling, biological sampling in states and then compare it to the responses? If a state agency basically got a response that the industry wants to do more v-notching, I'm just making this up as an example, and then they look at the v-notching rates and the v-notching rates are declining.

What does that say to us? I mean my understanding in some of the north New England states v-notching rates have declined, and that has been from biological sampling. I don't know, maybe Carl, if that is erroneous, Carl, please correct my erroneous infraction.

DR. WILSON: I don't think we've gone, at least in our moving around with the responses. I don't think we've gone that deep into the analysis, kind of taken a cursory look and they linked our landings and licensing information to the responses. But I think that is a nice logical step. We did, looking at landings in the past five years.

There might have, in areas that have shown the most volatile declines there was a slight tendency that respondents indicated decreasing more than stable than in some of the other areas. But my general feel is this is a remarkable coherence across three jurisdictions and the results. I do think that that fits into the perceptions of industry participating. But some of the drivers within the reality of the industry is complementary and/or different than what this Board has traditionally discussed, and that's worthy of discussion.

CHAIR ZOBEL: Dan.

MR. McKIERNAN: Yes, just briefly. My guess is that the V-Notch rule, which was enacted 23 years ago for LMA1 with 100% requirement, all egg bearing females shall be notched. I'm guessing that the response from LMA1 participants is to get people to do more of that, which is already required by regulations.

I don't think there is any room for us to regulate that more, or they might be pointing fingers at an adjacent LMA, where they want the other LMA to be required to notch. But I'm guessing there is probably a decay in the rate of v-notch by the active participants in Area 1.

CHAIR ZOBEL: Any other last quick questions before we move on? Seeing none; I am going to go to Caitlin for this next item.

UPDATE ON JOINT COUNCIL OMNIBUS ALTERNATIVE GEAR MARKING FRAMEWORK

MS. CAITLIN STARKS: I'll be very, very quick. As most of you know, the meeting with the Mid-Atlantic Fishery Management Councils and NOAAs Greater Atlantic Regional Office have been developing the Omnibus Alternative Gear Marking Framework, which considers revisions to the current regulations for gear marking, to allow for the use of alternatives in the Greater Atlantic Region. This would potentially allow for more fishing access in areas that are closed to persistent buoy lines under the Atlantic Large Whale Take Reduction Plan. At their recent meetings in September and October respectively, the New England and Mid-Atlantic Council voted to delay action on this framework until additional information on ropeless gear and visualization technology is available, to better inform stakeholders and input to the Council's decision making.

To gather this information NOAA Fisheries has indicated they plan to issue an RFI or Request for Information in 2026 to solicit information from the public on various discussions pertaining to the alternative gear marking and the approval of certain systems for use. I think with that we'll have a quick update from Mike Pentony on that RFI.

MR. MICHAEL PENTONY: Thanks, Caitlin. I wish I was there with you in person, but alas not to be. I was going to try to give the timeline for the Request for Information, however, given the government shutdown extending for who knows how long, any kind of timeline is a little bit hard to predict. The intention was that we were going to publish something, as Caitlin said beginning of 2026.

List a number of questions, solicit information from all kind of stakeholders involved, the fishing industry, states, the developers of the technology both on the pier side and on the visualization side, hold that open for at least 90 days to ensure that we stand, you know multiple meetings of the Councils and the Commission. Then we would prepare a report based on the information we received addressing all of the issues, a lot of which we heard during the public comment on the draft framework.

Present that report back to the Councils and the Commission, at which point the Councils would decide if they want to proceed with the framework adjustment as initially developed, if they want to modify it, change from the alternatives, add alternatives and so forth. Then the Councils are going to take it from there and decide the sort of final outcome of that draft framework adjustment. Given that you are out of time I will stop there and keep it nice and short.

CHAIR ZOBEL: Thank you, Mike.

CONSIDER APPROVAL OF FISHERY MANAGEMENT PLAN REVIEWS AND STATE COMPLIANCE FOR AMERICAN LOBSTER AND JONAH CRAB FOR THE 2024 FISHING YEAR

CHAIR ZOBEL: So now I am going to go back to Caitlin for a review of the FMP reviews for lobster.

MS. STARKS: I will again be very, very quick to catch us up on a little bit of time. I'm going to step over a lot of our typical information on status of the stock, since you just heard about that. Then for the status of the FMP, I think you all have been at meetings every quarter for the last year talking about Addendum XXX through XXXII, so I will skip the history lesson on that and just go to the commercial landings for lobster.

We did see, we all know increases that are significant over the time series. The peak was in 2016, near 160 million pounds, but since then the landings have trended downward, and the 2024 coastwide commercial landings were around 112.6 million pounds, and that is a 7% decrease from 2023.

The largest contributors in 2024 were Maine, as usual and Massachusetts with 77 and 14% of landings, and the ex-vessel value in the dashed

black line was approximately 617 million dollars which is a 20% decrease from 2023. For state compliance there are just a few issues the PRT noted in their review. First is that Rhode Island, Connecticut and New Jersey, sorry just Connecticut, New Jersey, Rhode Island you said this year did not meet the minimum port or sea sampling requirement of 10 trips. There were no trips completed for New Jersey or Connecticut and then Massachusetts was not able to provide all of the required data by August 1st, otherwise everyone appears in compliance with the requirements of the FMP.

As for de minimis, Delaware, Maryland and Virginia requested and qualified for de minimis status, and so the PRT recommends Board approval of those requests. Then there is one more PRT recommendation, which is to task the Technical Committee with providing a recommendation on sampling needs by area or stock unit, to get at those issues with the inability of some states in the SNE region to complete the biological sampling.

Then I'm going to go straight into Jonah crab and take questions at the end, if they are out there. I will also skip the history lesson on the FMP for Jonah crab, remind you all that stock status for Jonah crab is based on the recent assessment in 2023, and there are four stock areas, they were all assessed separately.

The assessment concluded that the two Gulf of Maine areas, so inshore and offshore Gulf of Maine as well as offshore Southern New England have not been depleted to historical lows. However, we don't have a reliable abundance index for the inshore SNE stock, so we don't have a status determination for that stock.

For landings in 2024, Jonah crab landings totaled approximately 12 million pounds, and that is a 9% increase from 2023, but the ex-vessel value in 2024 was about 9.8 million, which is a 26% decrease from 2023 and Massachusetts is still the largest contributor to that fishery 2024, followed by Maine and Rhode Island.

Just a quick note, these values for Massachusetts are based on dealer reports because of the lag in receiving the harvester data. For PRT recommendations, again same issues as for lobster, including that sampling issue for Connecticut and New Jersey, so that included a new PRT recommendations here as well.

For de minimis requests its Delaware, Maryland and Virginia again, and all three qualify for Jonah crab de minimis as well so the PRT recommends approval of those requests. The two actions for Board consideration based on the PRT Review are to consider approval of the FMP Reviews and State Compliance Reports and de minimis status, as well as that Technical Committee task to recommend commercial sampling. I can take any questions.

CHAIR ZOBEL: Any questions for Caitlin? Seeing no questions, Joe.

MR. JOE CIMINIO: With no questions and acknowledging my states sampling issues, I would **move to approve the Lobster and Jonah crab FMP Reviews for the 2024 fishing year the State Compliance Reports and the de minimis status for Delaware, Maryland and Virginia, and also to task the TC with recommendations on commercial sampling needs by stock or management area.**

CHAIR ZOBEL: Seconded by Steve Train. Any discussion on the motion? **Is there any opposition to the motion on the board? Seeing no opposition the motion carries** by unanimous consent. We do have a clarifying question, go ahead.

DR. PUGH: With regards to the TC task, in terms of recommendations on commercial sampling needs by stock. Is this sort of to meet model needs? Is there a specific goal here that you're interested, in terms of identifying the sampling needs?

MS. STARKS: I'm going to help Joe out here. I think the intention is to get a sense of how we can maybe redistribute the different needs by state, in order to

meet the needs of the assessment, but acknowledge that it has been very challenging for some of those southern states to get samples in the current state of the fishery.

MR. CIMINO: Yes, Madam Chair, just a follow. Unfortunately, this isn't the only species that we dealt with these issues for, you know for weakfish to winter flounder, these are the same type of sampling needs that we've struggled with, where it's appropriate to get them from.

You know particularly, we want to put a face on fisheries dependent sampling, and yet for some of these species we struggle so hard that we go at the fisheries independent sometimes. Any help that we can get on understanding what would be best here would be appreciated.

CHAIR ZOBEL: Thank you, I think we're all set there.

ELECT VICE-CHAIR

CHAIR ZOBEL: We need to elect a Vice-Chair to the Board; do you have any nominations? Eric Reid.

MR. ERIC REID: Thank you, Chair, I would **nominate Mr. John Maniscalco from the Empire State to be the Vice-Chair of the Lobster Board.**

CHAIR ZOBEL: Dan McKiernan is seconding that. Do we have any other nominations? Seeing none; **anyone opposed to Mr. Maniscalco becoming Vice-Chair? Congratulations**.

MR. REID: Sorry, John, they made me do it.

CHAIR ZOBEL: This is what happens if you aren't at the Board meeting.

OTHER BUSINESS

CHAIR ZOBEL: Okay, we have one other item I know of under Other Business.

LCMA 5 SEASON OPENING

CHAIR ZOBEL: Go ahead, John Clark.

MR. CLARK: It's already come up at the beginning of the meeting, of course, and the request that Sonny Gwin wrote the letter, but I know it's something that the lobstermen from all of LCMA5, New Jersey, Delaware and Maryland are interested in making this season change. I assume that this has to be done by Federal Rule, since it is in Federal water, so I think we're just hoping that the Board will recommend that that season change be investigated, and hopefully put into place in the future here as soon as possible, actually.

CHAIR ZOBEL: Toni Kerns.

MS. KERNS: John, I think that it might be helpful to task the Technical Committee to look into what it means to have this season change relative to the current stock assessment, looking at what current effort levels are versus what the effort levels were when we put that 10%, because this was specifically in response to the 10% reduction to the Southern New England stock, I think back in 2012, 2013 timeframe.

I think in order for us to provide information to NOAA Fisheries to get something into rulemaking, the TC is going to have to do a little work and help all of the states that are impacted by the TC members get some information over to NOAA, in order to justify that change.

MR. CLARK: Then I will request the TC do just what Toni said, thank you.

CHAIR ZOBEL: Is anyone opposed to that approach to task the TC? Great, we have it captured. Jason.

DR. McNAMEE: Not on this topic, but before we stop. There was one recommendation that I wanted to explicitly address. I won't do that now, but I'm hoping we can put a discussion about the Southern New England stock assessment on the next agenda, so that we can talk about that recommendation.

CHAIR ZOBEL: Thanks, Jason, that's been captured for an agenda item in February.

ADJOURNMENT

Is there any other business to come before the Board today? With that I will take a motion to adjourn, Steve Train, seconded by Doug Grout. We are adjourned, thank you very much.

(Whereupon the meeting adjourned at 5:00p.m. on Monday, October 27, 2025)

Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: **American Lobster Management Board**

FROM: **Jonah Crab Technical Committee**

DATE: **January 20, 2026**

SUBJECT: **Jonah Crab Indicator Update Through 2024**

Background

The 2023 Jonah Crab Benchmark Stock Assessment determined that the abundance of three of four Jonah crab stocks (Offshore Southern New England or OSNE, Inshore Gulf of Maine or IGOM, and Offshore Gulf of Maine or OGOM) has not been depleted to historical lows observed in the 1980s and 1990s. Data were insufficient to make determinations about abundance for the Inshore Southern New England stock (ISNE) or fishing mortality rates for any of the four stocks. The Peer Review of the assessment noted substantial uncertainty about stock status and expressed concern due to similarities between some trends in data for the US stocks and a Canadian stock assessed in the late 2000s that appeared sensitive to fishing pressure and experienced a rapid decline in abundance.

Following review and acceptance of the assessment in October 2023, the American Lobster Management Board tasked the Jonah Crab Technical Committee (TC) to "recommend possible management measures or other options to correct what appear to be deficiencies in the stock". A TC recommendation at the 2024 ASMFC Winter Meeting in response to this tasking was to conduct annual updates of indicators selected during the stock assessment for the OSNE stock, the stock supporting the majority of coastwide landings, to identify any concerning trends between assessments. Indicators for the other three stocks should be updated every five years. The TC also recommended monitoring several additional indicators to understand important contextual information from the fishery. The TC did not believe management action was necessary at the time.

This memo provides results of the second annual indicator update. Indicators include the number and proportion of pot/trap trips landing Jonah crab, the number and proportion of lobster/crab permits landing Jonah crab, landings, the number of trips landing Jonah crab in Massachusetts alone, catch per trip (CPUE) in Rhode Island, price per pound of Jonah crab and American lobster, and fishery-independent abundance indicators from the Northeast Fisheries Science Center bottom trawl survey. Fishery-independent abundance indicators include recruit abundance (male crabs 90-119 mm carapace width), exploitable abundance (male crabs 120 mm+ carapace width), and spawning abundance (female crabs 80 mm+ carapace width).

All fishery-dependent indicators have been updated with 2024 data. Fishery-independent indicators are updated every two years due to intermittent processing of these data and this

update includes the first update of these indicators since the stock assessment, with updated data from 2022-2024. Historical indicator data from this survey have also changed since the stock assessment due to (1) correction of an error leading to some crabs being excluded from the data set during the stock assessment, (2) application of a gap-filling procedure to address strata with missed sampling in a given year (as applied to American lobster in its recent 2025 benchmark stock assessment), and (3) modification of the survey domain to better align Jonah crab stock boundaries with existing survey strata boundaries.

Additionally, fishery-dependent catch rate data from the Commercial Fishery Research Foundation's (CFRF) Research Fleet ventless trap sampling were revisited during this second update. During the first data update, the TC recommended revisiting CFRF data to determine if there is any utility in including these data in indicators, despite their limited utility during the stock assessment. Commission staff and the TC Chair communicated with CFRF Research Fleet leads following the call and were informed of several developments that may improve the data collected. An increased stipend was offered to fleet participants for fishing ventless traps starting in the fall of 2022, increasing sample size, and collection of target species information for the commercial research fleet began in 2021 that could be linked to some ventless traps sampled. These changes could improve recent and future data, but limitations will remain with the historical data. The CPUE of exploitable-sized (121 mm+ carapace width) male crabs from OSNE sampling sessions was updated with the methods used during the stock assessment for consideration during this update.

The annual update does not include a process or decision rules to trigger management action but rather provides the TC an opportunity to review updated indicators and provide recommendations to the Board for action in response to concerning trends. During the first update last year, the TC determined that stock conditions were similar to what they were at the end of the assessment and that data limitations precluded a recommendation for management intervention at the time. For indicators provided during the stock assessment, time series percentiles are used as a qualitative characterization of the indicator status. The indicators are categorized as positive if above their 75th percentile, neutral if between their 75th and 25th percentiles, and negative if below their 25th percentile. Three-year averages of these indicators to smooth out interannual variability are provided from the final three years of the assessment time series (2019-2021; black asterisk) and the updated time series (2022-2024; red asterisks) for comparison. For indicators added since the stock assessment, most of which have short time series, only time series are provided.

Results

Abundance Indicators

When interpreting trawl survey indicators, it is important to consider the magnitudes of the average catch per tow on the figure x-axis. Jonah crab are an infrequently encountered species during this survey, leading to high interannual variation and narrow ranges of negative abundance conditions near zero. Additionally, an important caveat with these data is that vessel calibration factors are unavailable for Jonah crab to adjust catch rates due to vessel and gear changes that occurred in 2009.

Recruit abundance experienced marginal deterioration since the stock assessment. The updated three-year average abundance in spring declined from a positive status to a neutral status, while fall abundance remains positive. Note that the historical data changes since the stock assessment resulted in a change to the 2021 spring status reported in the assessment from neutral to positive.

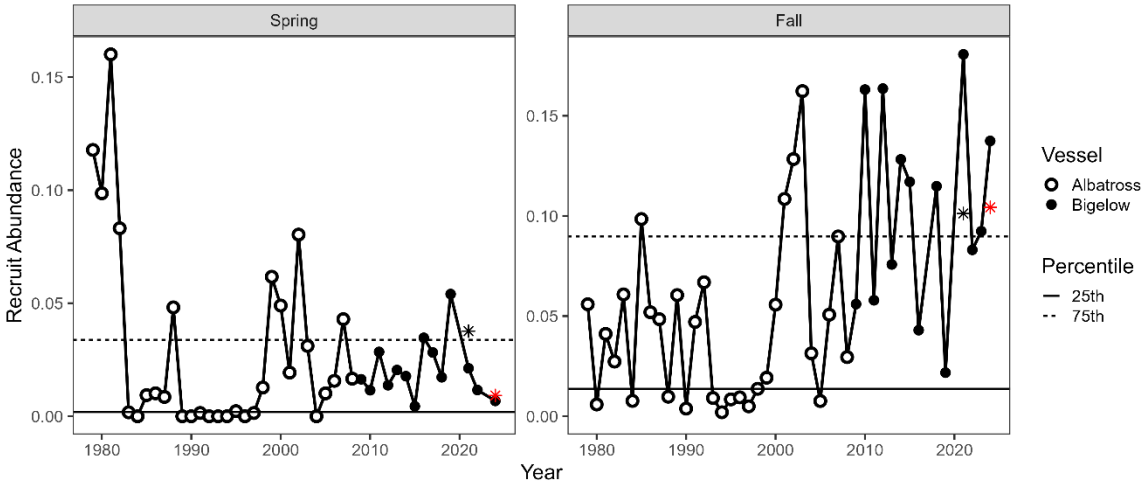

Figure 1. Jonah crab recruit (male crabs 90-119 mm carapace width) abundance as measured by the Northeast Fisheries Science Center Bottom Trawl Survey from the Offshore Southern New England stock.

Exploitable abundance has been stable since the assessment, remaining at a neutral status in spring and positive status in fall. This indicator appears most affected by the vessel and gear changes in 2009, with the current vessel (R/V Bigelow) being more efficient at catching larger, exploitable-sized male crabs. The historical data changes since the stock assessment did not result in any changes to the 2021 statuses reported in the assessment.

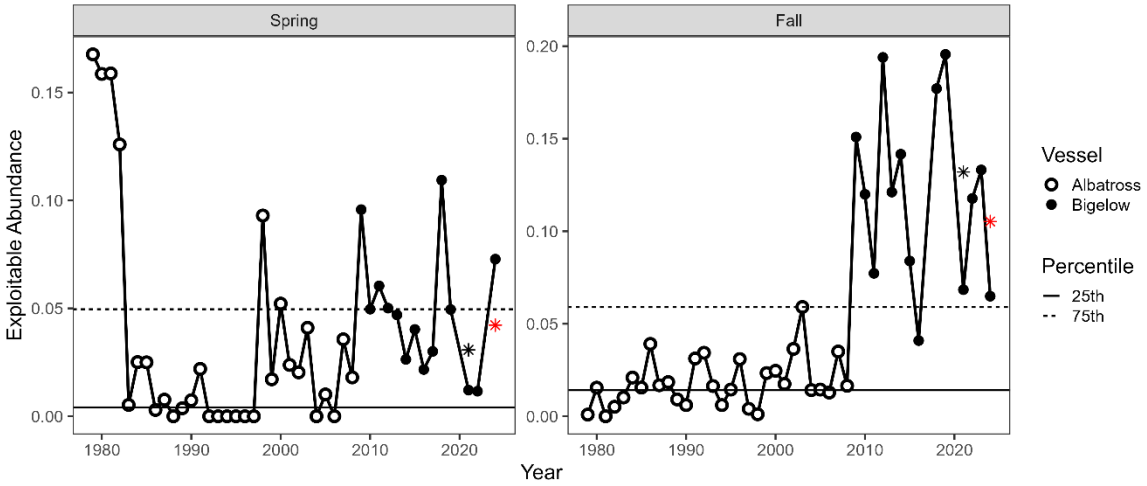

Figure 2. Jonah crab exploitable (male crabs 120 mm+ carapace width) abundance as measured by the Northeast Fisheries Science Center Bottom Trawl Survey from the Offshore Southern New England stock.

Spawning abundance has also been stable since the stock assessment, remaining at neutral statuses in both seasons. The historical data changes since the stock assessment did not result in any changes to the 2021 statuses reported in the assessment.

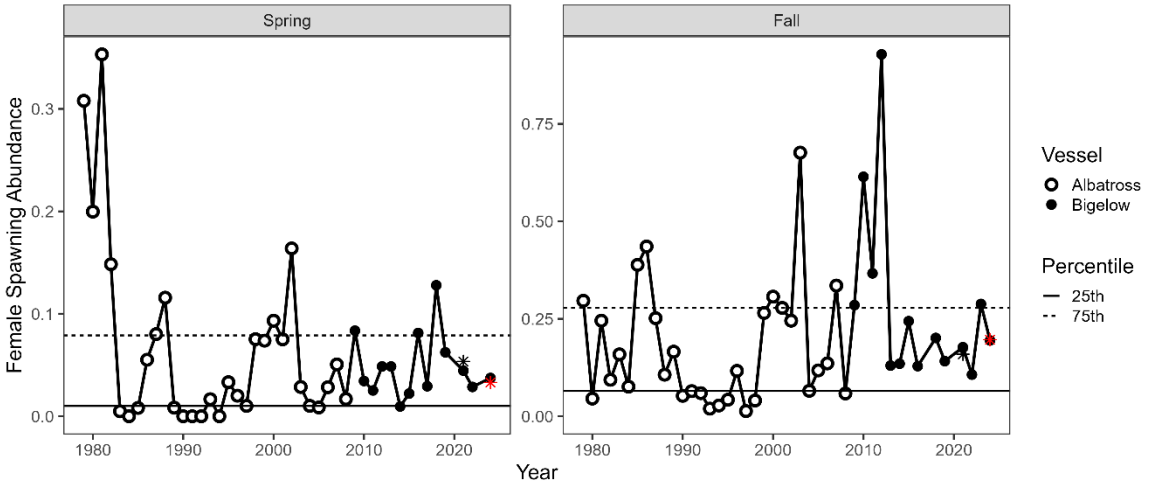

Figure 3. Jonah crab spawning (female crabs 80 mm+ carapace width) abundance as measured by the Northeast Fisheries Science Center Bottom Trawl Survey from the Offshore Southern New England stock.

Trip Indicators

The number of trips landing Jonah crab has declined continuously since 2014 to the lowest point of the time series in 2024. The three-year average remained negative. The proportion of trips in the lobster/Jonah crab fishery landing Jonah crab showed an increasing trend until 2020 but has steadily declined since, moving from positive to neutral conditions since the stock assessment. These indicators show a general reduction in trips by the fishery through time, though it is unclear if this reduction is driven by availability or markets.

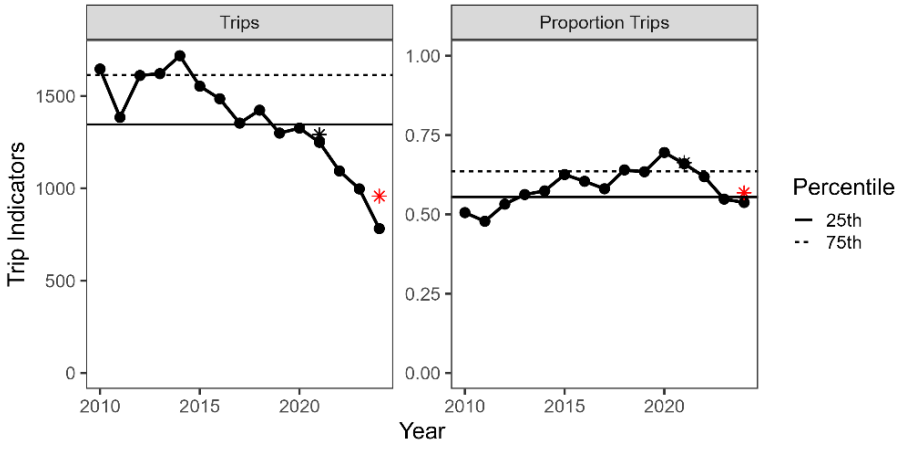

Figure 4. Number (left) and proportion (right) of lobster/crab pot/trap trips landing Jonah crab from the Offshore Southern New England stock.

An additional trip indicator recommended by the TC following the stock assessment, trips landing Jonah crab from Massachusetts alone, shows declines to the lowest levels in 2024. This value is just slightly below the 2023 value which represented a relatively large decrease from previous years. CPUE data from Massachusetts similar to the Rhode Island time series was not recommended because vessel participation in the fishery has been more inconsistent, complicating selection of a "high liner" fleet.

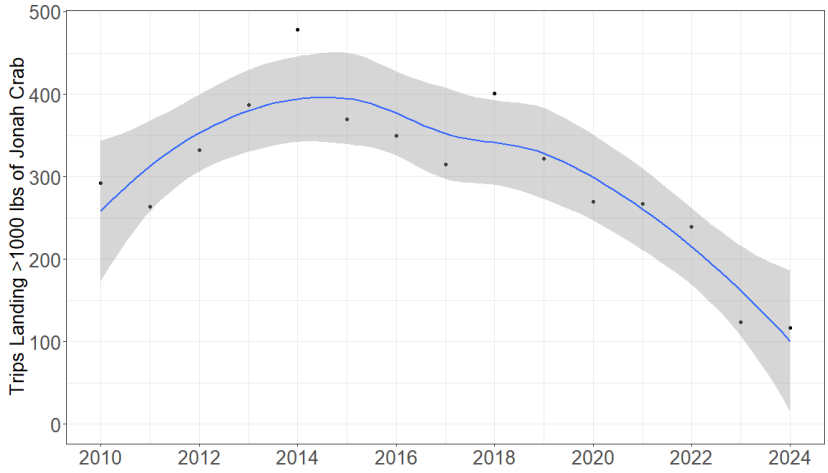

Figure 5. Number of trips landing Jonah crab from the Offshore Southern New England stock in Massachusetts. The blue line and shaded area represent a LOESS smoother and confidence intervals fitted to the data.

Permit Indicators

Permit indicators show similar trends to the trip indicators. The number of permits reporting Jonah crab landings, based on harvester logbook data, declined to its lowest level in 2024, with the status moving from neutral to negative since the stock assessment. The proportion of permits landing Jonah crabs also dropped to a new time series low in 2024 with the status changing from positive to negative since the stock assessment.

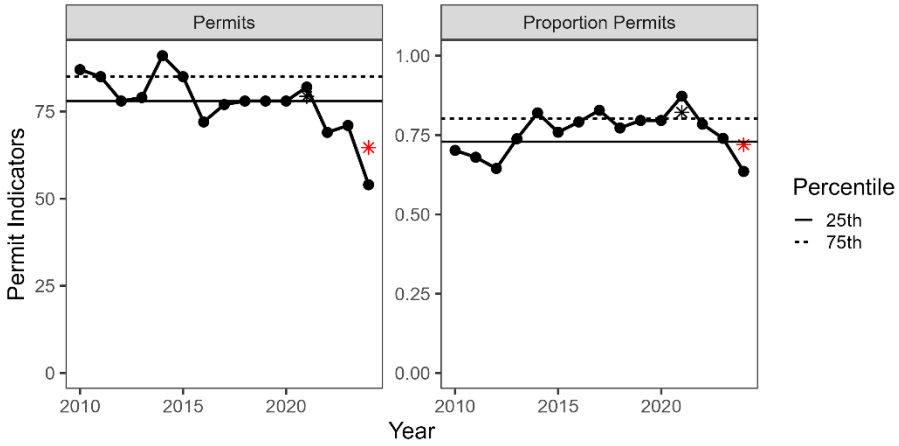

Figure 6. Number (left) and proportion (right) of lobster/crab permits contributing to Jonah crab landings from the Offshore Southern New England stock.

Landings Indicator

Landings are presented at the state and coastwide level because stock-specific landings are only available during the stock assessment cycle. However, the majority of landings from the two largest contributing states, MA and RI, are from the OSNE stock. Landings had declined at the end of the assessment in 2021 to the lowest values since the early 2010s. Landings have stabilized around these low levels since the assessment. Of note is a continued increasing trend in ME landings since the assessment which are primarily from the Inshore Gulf of Maine stock. Average annual ME landings since the assessment (2022-2024) have more than doubled from the previous three-year average at the end of the assessment (2019-2021). In Maine, due to continued issues in identification between Jonah crab and Atlantic rock crab, the Jonah crab landings include both Jonah and rock crab landings because the landings staff believe most of the landings entered as rock crab are actually Jonah crab landings.

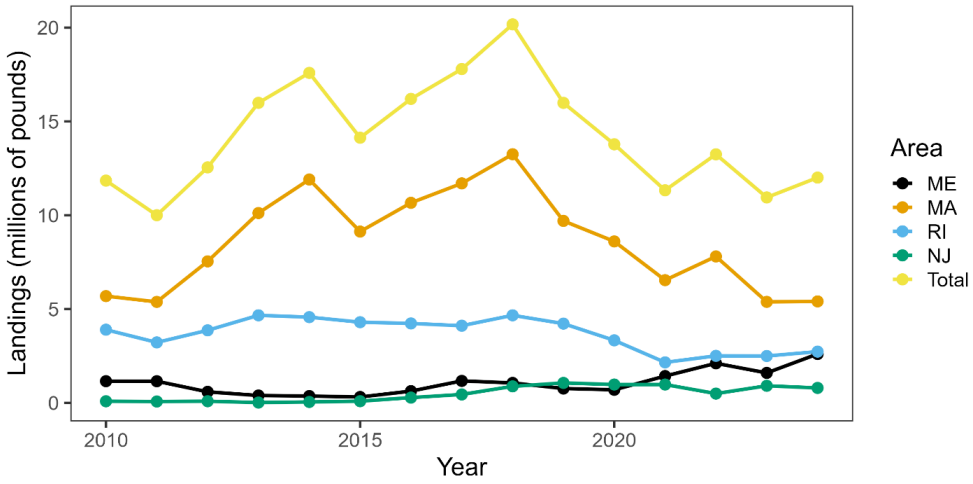

Figure 7. Landings of Jonah crab. Total landings include all Atlantic coast states with non-confidential annual values.

CPUE Indicators

Trip-level CPUE from RI had been declining since the mid-2010s to the lowest point of the time series at the end of the stock assessment in 2021. Low CPUE continued in 2022 but then increased significantly in 2023 and again in 2024 to the highest value of the time series. It is important to note that selection of "high liner" vessels changed since the stock assessment due to some vessels exiting the Jonah crab fishery. Supplementary data also indicates catch per day has declined while vessels have been conducting fewer, longer trips so CPUE data may be confounded by other drivers like market conditions and harvester behavior.

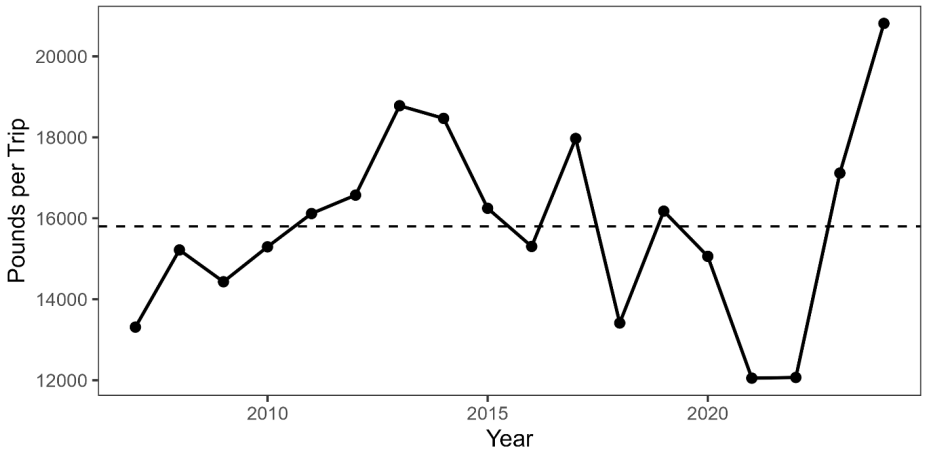

Figure 8. Pounds of Jonah crab landed per trip by the Rhode Island highliner fleet (n vessels=4) in the Offshore Southern New England stock. The dashed line is the time series mean.

CFRF ventless trap CPUE has been at lower levels since the end of the stock assessment, similar to levels at the beginning of the time series in the mid-2010s. Only three sessions were conducted in the terminal year of the assessment (2021), so an index value was not calculated for that year. A few caveats are important to keep in mind for this data set. This sampling program is intended to provide information on presence of sublegal lobsters and crabs and some temperature information and was not designed to measure abundance. Research Fleet participants decide when to record a sampling session and can decide not to record a session after hauling the traps (e.g., when inundated with crabs). Target species at the time/location of sampling sessions is not currently identified, which can impact catch rates. These data fields are anticipated moving forward and can be used to account for these impacts when calculating future CPUE.

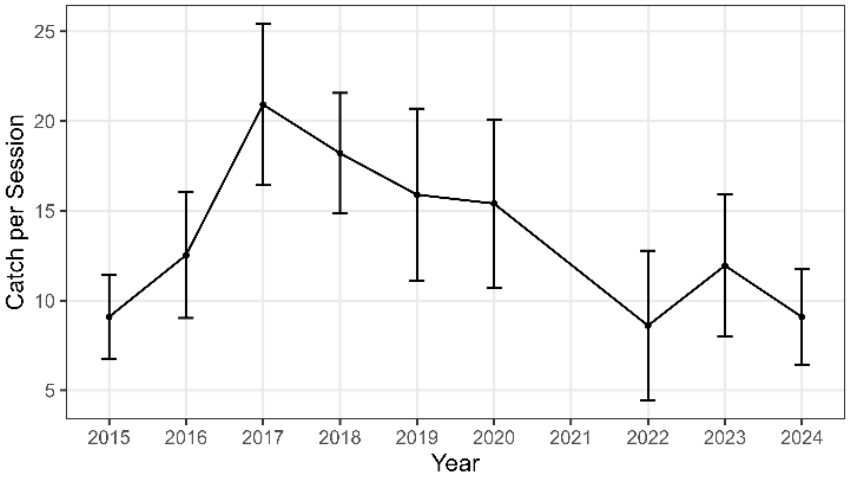

Figure 9. CFRF VTS CPUE of exploitable-sized (121 mm+ carapace width) male crabs in the in the Offshore Southern New England stock.

Price per Pound Indicators

In the indicator update last year, only nominal price data were presented. During this update, the TC recommended adding price data adjusted for inflation. These data were adjusted based on the unprocessed and prepared seafood producer price index (PPI) with 2024 as the base year (https://fred.stlouisfed.org/series/WPU0223), consistent with the methodology applied in the recent American lobster stock assessment. Nominal price per pound of both American lobster and Jonah crab has increased throughout most of the time series. Price per pound adjusted for inflation has been more stable through time. Notably, lobster prices increased sharply in 2021, the year of the lowest RI Jonah crab landings and second lowest MA Jonah crab landings since 2011. Jonah crab prices then increased sharply in 2022 when landings in RI and MA increased, albeit to levels lower than in the 2010s, while lobster prices returned to trending levels (nominal) or decreased (adjusted) relative to those observed before 2022. Jonah crab prices decreased in 2023 but remained high relative to years when landings were highest and in line with the underlying increasing or stable trends observed previously, depending on price type (nominal or adjusted). Prices reversed trend in all areas reported in 2024, decreasing to the lowest levels since 2020 while lobster prices did not decrease. There was some discussion of increased Jonah crab price per pound in preliminary 2025 data from some areas (MA), though data were not yet available for all areas. These data will be reviewed at the next indicator update in October.

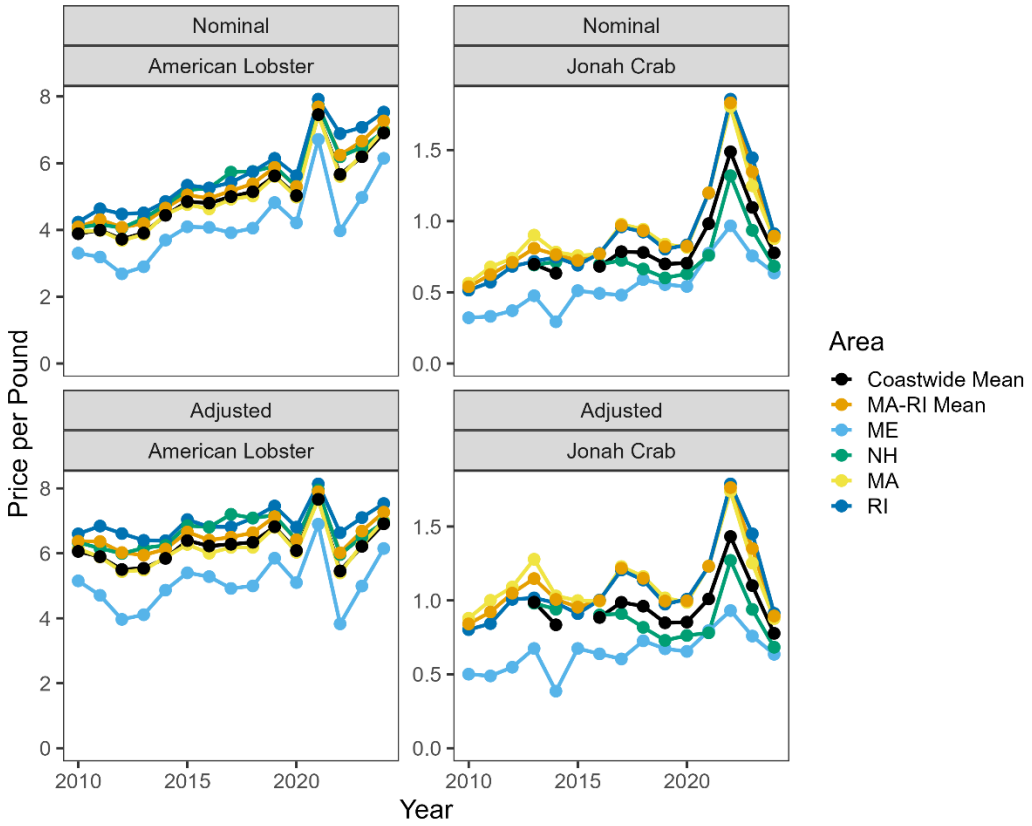

Figure 10. Price per pound (nominal and adjusted for inflation) of American lobster and Jonah crab.

Conclusions and Recommendations

The TC consensus is consistent with conclusions from the first indicator update. Stock conditions appear similar to what they were at the end of the assessment and data limitations preclude a recommendation for management intervention at this time. There remain indications that market factors, as indicated by poor fishery performance indicators, continue to be dominant factors influencing effort to target and land Jonah crabs. The additional fishery-independent abundance indicators available during this update do not support consistent changes in abundance since the stock assessment that would confirm abundance (i.e., availability) as a driver in these short-term fishery changes. Though these are the best available abundance data, there remains uncertainty in their ability to detect short-term changes in abundance and stock status.

Following the recommendation during the first indicator update to reconsider CFRF ventless trap CPUE data as an indicator, the TC recommends including the time series in the indicator update process. However, the TC cautions the market factors discussed above continue to impede interpretation of this and other available fishery-dependent indicators for inference on Jonah crab availability and abundance. The RI CPUE and MA effort indicators were affected by changes in the fleet. Some vessels considered “high liners” in the Jonah crab fishery have changed their trap configurations and shifted their effort to target lobsters or exited the fishery

altogether. There are also continued anecdotal reports of dealers imposing trip limits, causing artifacts in effort and price per pound data. While it does not affect the OSNE stock indicators, the TC also notes ME harvesters have reported relatively high catches of Jonah crabs recently that are primarily being discarded due to unfavorable market conditions.

As a next step in aiding interpretation of existing indicators, the TC recommends (1) comparing offshore wind farm survey data (e.g., Revolution Wind Farm and South Fork Wind Farm Surveys) to available indicators and (2) identifying a process to track dealer/processor-imposed trip limits, such as state-conducted dealer interviews that might provide context for changes in Jonah crab fishing effort or landings. Wind farm data streams are temporally and spatially limited, but additional years of data since the stock assessment have yet to be revisited. As a long-term recommendation, the TC reiterates its recommendation from the assessment to develop a camera-based survey for measuring Jonah crab abundance.

Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: **American Lobster Management Board**

FROM: **American Lobster Technical Committee**

DATE: **January 20, 2026**

SUBJECT: **American Lobster Data Update through 2024**

Background

An annual Data Update process between American lobster stock assessments was recommended during the 2020 stock assessment to more closely monitor changes in stock abundance. The objective of this process is to present information—including any potentially concerning trends—that could support additional research or consideration of changes to management. Although a stock assessment was completed in 2025, the American Lobster Management Board (Board) requested at its August 2025 meeting that a Data Update also be conducted and presented at the February 2026 Board meeting. Data sets updated during this process are generally those that indicate exploitable lobster stock abundance conditions expected in subsequent years and include:

- Young-of-year (YOY) settlement indicators
- Trawl survey indicators, including recruit abundance (71-80 mm carapace length lobsters) and survey encounter rate
- Ventless trap survey (VTS) sex-specific abundance indices (53 mm+ carapace length lobsters)
- Combined recruit abundance (71-80 mm carapace length lobsters) from Gulf of Maine (GOM) state spring and fall trawl surveys and VTS

VTS abundance indices are presented here in addition to several abundance indicators used in the stock assessment. At its October 2025 meeting, the Board also tasked the Technical Committee (TC) to include a combined recruit index for the GOM/GBK stock, similar to that used in Addendum XXVII, as a part of future Data Updates to the Board. The combined recruit index presented in this update is consistent with the recruit index established in Addendum XXVII and averages relative recruit abundance across: 1) a combined Maine/New Hampshire and Massachusetts spring trawl survey three-year running average index, 2) a combined Maine/New Hampshire and Massachusetts fall trawl survey three-year running average index, and 3) a model-based VTS three-year running average index. Individual survey indices are scaled to their 2017 values so indices are on a consistent scale before combining into the combined recruit index. All data are from the Gulf of Maine sub-stock, so this index is presented with the Gulf of Maine sub-stock indicators.

This is the fifth Data Update and the first since the completion of the 2025 benchmark stock assessment (terminal data year of 2023). The update provides the standard Data Update indicators plus the new combined recruit index with data through 2024.

For all indicators other than the combined recruit index, an updated status based on the mean value over the most recent five years (2020-2024) is provided for each time series, for comparison to the five-year means provided at the end of the most recent stock assessment (2019-2023). Indicator status (negative, neutral, or positive – see table below) was determined relative to the percentiles of the stock

assessment time series excluding the final five years used to determine status in the stock assessment (i.e., 1st year of the data set through 2018). This treatment represents a change from previous updates that included status years in percentile calculations. This change was recommended by the Peer Review Panel of the 2025 assessment and subsequently adopted by the TC. Indicator figures have also been modified from previous updates to align with presentation adopted in the 2025 stock assessment. Annual data points are presented as shapes that indicate the status of the annual data point. A dashed red vertical line separates new data added in the current Data Update from data previously presented. A solid red horizontal line has been added at the current five-year mean used as status for comparison to the assessment status. This line is broken where missing data points occur during the five-year period. See Section 5 in the 2025 stock assessment report for more detail on indicator calculations.

Indicator	**< 25th percentile**	**Between 25th and 75th percentile**	**> 75th percentile**
YOY settlement (larval or YOY)	Negative	Neutral	Positive
Trawl survey recruit abundance	Negative	Neutral	Positive
Trawl survey encounter rate	Negative	Neutral	Positive
Ventless trap survey abundance	Negative	Neutral	Positive

For the combined recruit index, annual index values represent proportional change of the running three-year average from the peak three-year average (2015-2017). For example, the 2024 index value represents proportional change of the 2022-2024 average from the 2015-2017 average. The proportional changes in the combined index are expected to approximate comparable changes in overall future abundance of the stock. For more details on the combined recruit index calculations, see Addendum XXVII.

Note that updated five-year means for several trawl survey-based indicators updated during the 2025 assessment and in this Data Update remain impacted by COVID-19 survey disruptions and an additional (unrelated to COVID-19) survey disruption to the NEFSC trawl survey in Spring 2023. See the appendix for details on any data changes since the previous Data Update. Below are the results of updates by sub-stock.

Results

Gulf of Maine (GOM)

Overall, Gulf of Maine indicators show marginal changes since the stock assessment. Five of the seven 2024 annual values for MA 514 data sets are negative.

- YOY conditions show marginal improvements since the stock assessment (Table 1 and Figure 1).
    - Updated status for the statistical area (SA) 512 five-year mean improved from neutral to positive, while the other four remain neutral.
    - It is important to note that changes in YOY indicators are not expected to be detected in the recruit indicators for several years.
- Trawl survey recruit abundance indicators are unchanged since the stock assessment (Table 2 and Figure 2).
    - Three of the five-year means remain neutral and three remain positive.
    - The first negative annual value since 2010 was observed in 2024 (MA 514 spring).

    - Three annual values in 2024 decreased relative to 2023, while two increased (one is not available in 2023).
    - Five of six annual values are not available for 2020 due to COVID-19 sampling restrictions, and one is not available for 2023 (spring NEFSC) due to vessel issues.
- Trawl survey encounter rates show marginal deterioration since the stock assessment (Table 3 and Figure 3).
    - One of the updated five-year means changed from neutral to negative since the stock assessment. Both offshore means remain positive while the other three, all inshore, remain neutral.
    - Two annual values from the MA spring trawl survey are negative (2022, 2024), the first negative observations since 2008.
    - Note that the ME/NH survey encounter rates (spring and fall) are still high within a narrow range relative to other surveys.
    - Five of six annual values are not available for 2020 due to COVID-19 sampling restrictions, and one is not available for 2023 due to vessel issues.
- Ventless trap survey indices show marginal improvements since the stock assessment (Table 4 and Figure 4).
    - Updated status for one five-year mean improved from neutral to positive (SA 513 males), while three remain neutral and four remain negative.
    - Although categorical status for updated means show marginal improvement, the actual mean values declined for six of the eight indicators (all but SA 513).
    - Statuses are variable across the stock with no clear latitudinal pattern.
    - The indicators for SA 513 have been more stable through time than the indicators for the other three areas.
    - The first positive annual values since 2020 were observed in 2024 (SA 513 males).
- The combined recruit index stabilized at lower levels in 2024 following a decline from 2018-2023 (Figure 5).
    - The 2024 combined index value (2022-2024 average) is 0.56 which represents a 44% decline from the index peak in 2017 (2015-2017 average abundance of 1.00).
    - All individual indices contributing to the combined index show similar patterns across years.

Georges Bank (GBK)

Overall, Georges Bank indicators are unchanged since the stock assessment. Note that there are no YOY or VTS indicators for this sub-stock area.

- Trawl survey recruit abundance indicators are unchanged since the stock assessment (Table 5 and Figure 6).
    - Both updated five-year means remain neutral.
    - 2024 values are the highest annual values for their time series since the early 2000s.
    - No values are available for 2020 due to COVID-19 sampling restrictions and the spring value is not available for 2023 due to vessel issues.
- Trawl survey encounter rates are unchanged since the stock assessment (Table 6 and Figure 7).
    - The updated means both remain positive.
    - The annual values are at time series highs for both seasons in 2024.

- No values are available for 2020 due to COVID-19 sampling restrictions and the spring value is not available for 2023 due to vessel issues.

Southern New England (SNE)

Overall, Southern New England indicators show continued unfavorable conditions since the stock assessment. Most updated indicators are at or near time series lows.

- YOY conditions are unchanged since the stock assessment (Table 7 and Figure 8).
  - Updated status for the five-year means both remain negative.
  - No YOY have been caught during the MA survey for the last ten years.
  - The CT/ELIS YOY index presented in previous assessments and Data Updates is no longer updated due to survey changes in response to decreased catch rates. The index was last updated in 2021 and had a negative status reported during the stock assessment (2019-2021 average).
- Trawl survey recruit abundance indicators are unchanged since the stock assessment (Table 8 and Figure 9).
  - Updated status for the five-year means all remain negative.
  - Annual values for four of eight indicators are at time series lows in 2024, including two that observed no recruits (MA fall and CT fall).
  - Six of eight annual values are not available for 2020 due to COVID-19 sampling restrictions and the spring value is not available for 2023 due to vessel issues.
- Trawl survey encounter rates are unchanged since the stock assessment (Table 9 and Figure 10).
  - Updated status for the five-year means all remain negative.
  - Annual values for three of eight indicators are at time series lows in 2024, including one that observed no lobsters of any size (MA fall).
  - Six of eight annual values are not available for 2020 due to COVID-19 sampling restrictions and the spring value was not available for 2023 due to vessel issues.
- Ventless trap survey indices show slight deterioration since the stock assessment (Table 10 and Figure 11).
  - Updated status for one five-year mean deteriorated from neutral to negative, while three remain negative.
  - RI annual values in 2024 show relatively large increases for both sexes.
  - It is important to note that the ventless trap survey has only taken place during depleted stock conditions coinciding with an adverse environmental regime, so interannual variability can be misleading without the context of a longer time series encompassing varying stock conditions.

Tables and Figures

Table 1. GOM abundance indicators: YOY indices.

YOUNG-OF-YEAR INDICES					
Survey	*ME*				*MA*
	511	*512*	*513 East*	*513 West*	*514*
1981					
1982					
1983					
1984					
1985					
1986					
1987					
1988					
1989			1.64		
1990			0.77		
1991			1.54		
1992			1.30		
1993			0.45		
1994			1.61		
1995		0.02	0.66		0.91
1996		0.05	0.47		
1997		0.05	0.46		0.10
1998		0.00	0.14		0.03
1999		0.04	0.65		0.43
2000	0.00	0.10	0.13	0.17	0.07
2001	0.24	0.43	2.08	1.17	0.39
2002	0.13	0.29	1.38	0.85	1.00
2003	0.22	0.27	1.75	1.22	0.75
2004	0.18	0.36	1.75	0.67	1.02
2005	1.42	1.25	2.40	1.12	1.06
2006	0.49	1.06	1.57	1.08	0.45
2007	0.59	1.11	2.23	1.30	1.27
2008	0.32	0.59	1.27	1.10	0.33
2009	0.66	0.33	1.51	0.48	0.17
2010	0.16	0.64	1.25	0.63	0.44
2011	0.41	0.98	2.33	0.90	0.58
2012	0.44	0.62	1.27	0.30	0.08
2013	0.09	0.22	0.34	0.12	0.00
2014	0.16	0.47	1.04	0.42	0.11
2015	0.15	0.22	0.42	0.03	0.00
2016	0.13	0.21	0.42	0.14	0.08
2017	0.21	0.36	0.65	0.23	0.08
2018	0.27	0.34	0.62	0.22	0.03
2019	0.43	0.64	0.94	0.45	0.06
2020	0.29	0.51	1.06	0.33	0.19
2021	0.06	0.12	0.38	0.28	0.28
2022	0.13	0.59	0.71	0.42	0.11
2023	0.44	0.95	1.43	0.57	0.22
2019-2023 mean	0.27	0.56	0.90	0.41	0.17
2024	0.50	0.82	1.15	0.59	0.08
2020-2024 mean	0.28	0.60	0.95	0.44	0.18

25th	0.16	0.18	0.51	0.23	0.08
median	0.22	0.34	1.26	0.63	0.33
75th	0.43	0.60	1.60	1.09	0.67

Figure 1. GOM abundance indicators: YOY indices.

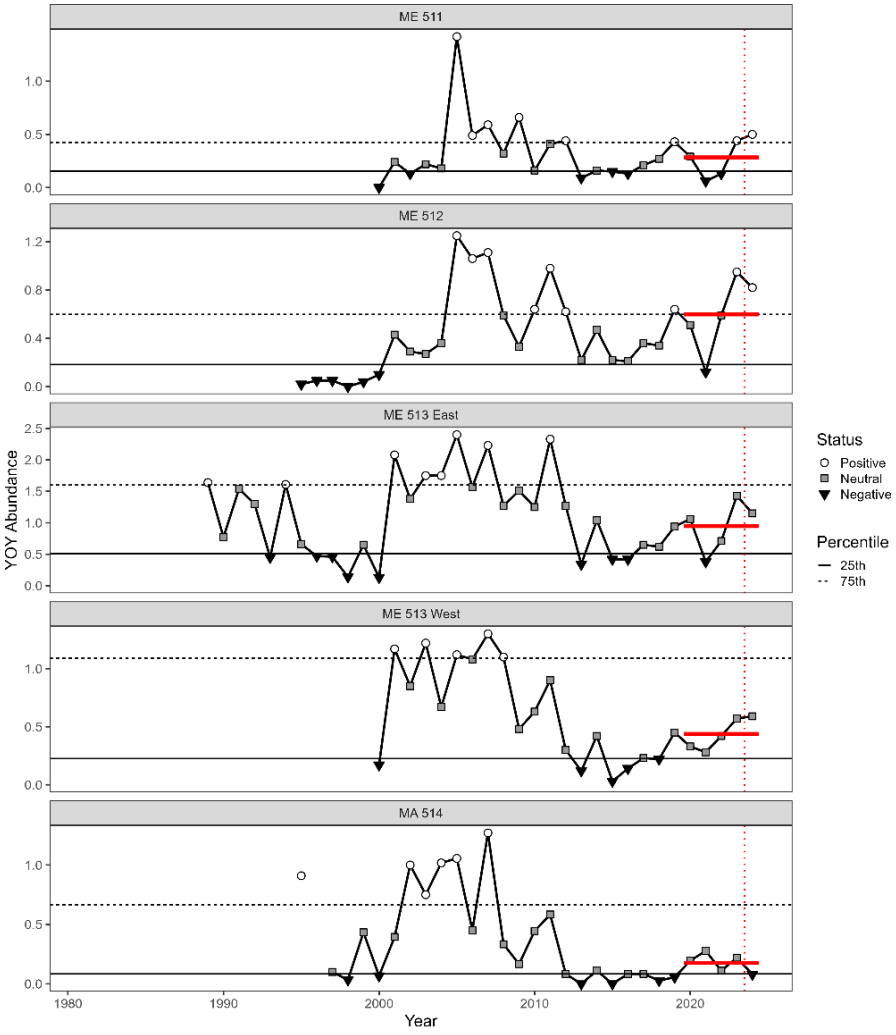


Table 2. GOM abundance indicators: trawl survey recruit abundance.

RECRUIT ABUNDANCE (SURVEY)						
Abundance of lobsters 71 - 80 mm CL (sexes combined)						
Survey	*NEFSC*		*ME/NH*		*MA 514*	
	Spring	*Fall*	*Spring*	*Fall*	*Spring*	*Fall*
1981	0.17	0.23			6.38	4.84
1982	0.29	0.43			2.74	3.85
1983	0.31	2.57			1.76	9.76
1984	0.22	2.57			2.15	6.13
1985	0.16	1.42			4.48	9.60
1986	0.29	3.33			3.01	3.80
1987	0.78	0.59			2.47	1.16
1988	0.78	2.94			2.52	4.12
1989	0.52	2.56			4.48	7.51
1990	0.37	2.88			6.11	15.36
1991	0.64	1.45			2.73	7.55
1992	0.54	1.39			4.31	8.95
1993	0.39	1.98			5.12	3.19
1994	0.17	5.39			7.59	13.77
1995	1.50	3.73			4.54	12.12
1996	0.78	4.74			3.09	12.10
1997	2.07	3.85			4.59	6.46
1998	1.64	2.66			4.50	7.47
1999	1.51	3.11			4.29	8.73
2000	4.84	3.10		24.09	4.24	8.87
2001	1.09	1.55	9.28	17.81	4.32	1.58
2002	1.14	1.97	22.00	22.41	3.43	5.00
2003	1.45	0.78	10.65	18.32	1.96	0.66
2004	0.87	2.75	7.55	12.29	2.46	1.30
2005	0.35	0.95	18.51	25.90	4.35	2.11
2006	2.23	1.29	18.07	18.30	6.09	5.30
2007	1.66	0.65	15.91	16.82	0.77	1.61
2008	1.01	2.47	17.88	31.61	2.54	6.12
2009	2.22	2.25	24.72	32.67	3.19	8.88
2010	1.38	2.46	17.66	37.35	2.22	9.39
2011	4.67	5.43	39.25	46.09	5.24	15.04
2012	5.12	3.10	36.55	37.12	3.03	11.30
2013	4.89	8.17	34.50	37.86	4.83	12.20
2014	5.20	9.70	50.79	41.95	3.35	7.06
2015	6.54	8.18	38.51	67.99	7.05	17.91
2016	6.04	10.21	50.83	60.07	13.61	17.41
2017	7.04	6.02	48.42	48.13	7.85	13.58
2018	6.35	6.25	42.77	55.84	5.25	25.69
2019	7.52	3.52	46.37	50.85	10.69	14.59
2020				34.65		
2021	4.64	3.69	32.86	32.19	6.39	10.16
2022	5.35	3.79	22.78	24.86	8.61	6.27
2023		7.62	25.08	32.09	4.51	8.78
2019-2023 mean	5.84	4.65	31.77	34.93	7.55	9.95
2024	4.06	5.80	33.11	40.73	2.65	6.28
2020-2024 mean	4.69	5.22	28.46	32.90	5.54	7.87
25th	0.42	1.47	17.72	20.37	2.73	4.30
median	1.11	2.61	23.36	32.67	4.30	7.53
75th	2.23	3.82	39.07	44.02	5.05	11.90

Figure 2. GOM abundance indicators: trawl survey recruit abundance.

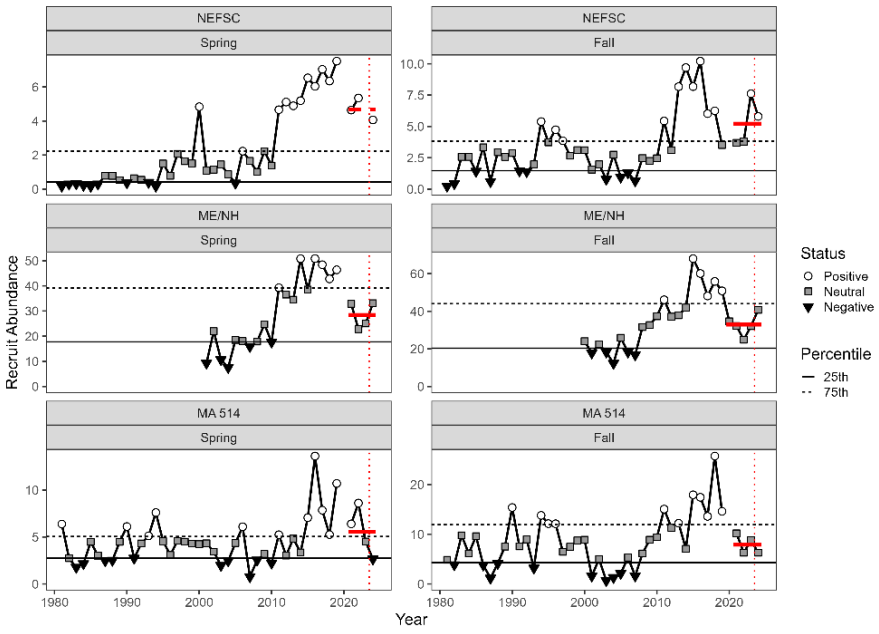


Table 3. GOM abundance indicators: trawl survey encounter rate.

SURVEY LOBSTER ENCOUNTER RATE						
Proportion of postive tows						
Survey	NEFSC		ME/NH		MA 514	
	Spring	Fall	Spring	Fall	Spring	Fall
1981	0.45	0.28			0.86	0.73
1982	0.35	0.24			0.50	0.70
1983	0.30	0.38			0.76	0.76
1984	0.30	0.41			0.76	0.76
1985	0.38	0.49			0.71	0.67
1986	0.34	0.49			0.68	0.83
1987	0.42	0.24			0.85	0.54
1988	0.38	0.38			0.76	0.58
1989	0.37	0.43			0.78	0.95
1990	0.45	0.34			0.86	0.95
1991	0.41	0.32			0.87	0.94
1992	0.44	0.24			0.93	0.77
1993	0.44	0.41			0.97	0.82
1994	0.45	0.42			1.00	0.93
1995	0.43	0.44			0.93	0.93
1996	0.54	0.54			0.91	0.96
1997	0.64	0.38			0.93	0.86
1998	0.52	0.41			0.76	0.69
1999	0.52	0.42			0.73	0.91
2000	0.64	0.44		0.94	0.93	0.98
2001	0.56	0.42	0.88	0.86	0.93	0.72
2002	0.76	0.53	0.94	0.95	0.91	0.73
2003	0.69	0.49	0.92	0.85	0.82	0.55
2004	0.86	0.36	0.89	0.86	0.84	0.56
2005	0.77	0.38	0.95	0.91	0.95	0.67
2006	0.72	0.60	0.93	0.93	0.91	0.88
2007	0.72	0.43	0.97	0.85	0.51	0.54
2008	0.84	0.49	0.92	0.86	0.83	0.75
2009	0.82	0.63	0.98	0.92	0.89	0.87
2010	0.85	0.78	0.98	0.96	0.87	0.98
2011	0.83	0.74	0.99	0.96	0.89	0.85
2012	0.86	0.78	0.98	0.98	0.91	0.95
2013	0.87	0.73	1.00	0.93	0.96	0.96
2014	0.90	0.71	1.00	0.99	0.79	0.96
2015	0.93	0.69	1.00	0.96	0.98	0.95
2016	0.94	0.75	1.00	0.96	0.96	0.97
2017	0.86	0.82	0.99	0.94	0.84	0.98
2018	0.86	0.77	0.98	0.96	0.84	0.90
2019	0.83	0.71	0.99	0.95	0.85	0.92
2020				0.96		
2021	0.90	0.75	1.00	0.91	0.86	0.90
2022	0.79	0.76	0.98	0.90	0.78	0.85
2023		0.80	0.96	0.91	0.85	0.83
2019-2023 mean	0.84	0.75	0.98	0.93	0.84	0.88
2024	0.88	0.75	0.98	0.95	0.62	0.95
2020-2024 mean	0.85	0.77	0.98	0.93	0.78	0.88

25th	0.43	0.38	0.93	0.89	0.78	0.72
median	0.60	0.44	0.98	0.94	0.86	0.86
75th	0.84	0.62	0.99	0.96	0.93	0.95

Figure 3. GOM abundance indicators: trawl survey encounter rate.

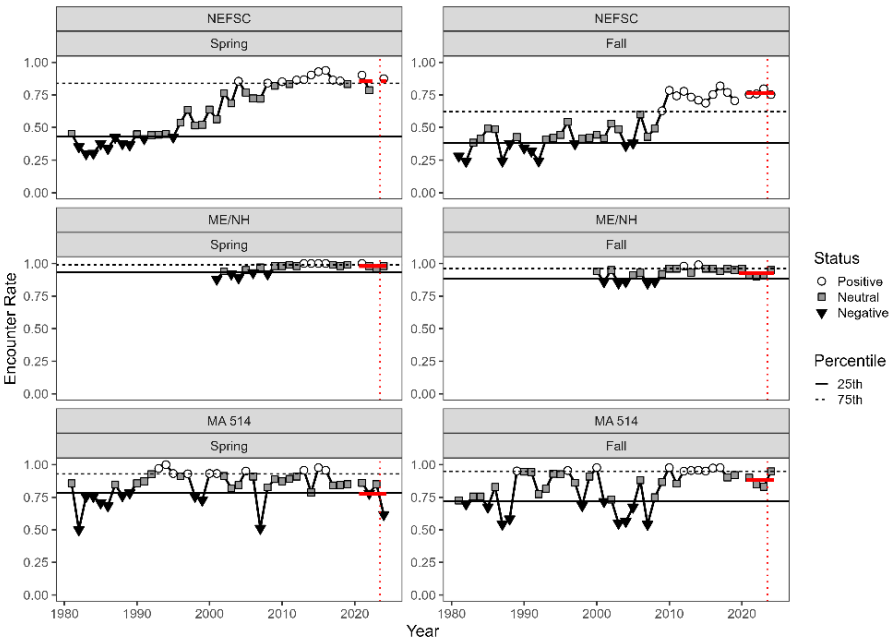


Table 4. GOM abundance indicators: ventless trap survey abundance.

VENTLESS TRAP ABUNDANCE Abundance of lobsters ≥ 53 mm CL								
Survey	*511*		*512*		*513*		*514*	
	Female	*Male*	*Female*	*Male*	*Female*	*Male*	*Female*	*Male*
1981								
1982								
1983								
1984								
1985								
1986								
1987								
1988								
1989								
1990								
1991								
1992								
1993								
1994								
1995								
1996								
1997								
1998								
1999								
2000								
2001								
2002								
2003								
2004								
2005								
2006	7.66	5.35	6.87	5.36	5.71	4.33	3.08	3.38
2007	5.07	3.92	3.95	3.81	5.79	4.29	1.85	1.83
2008	4.94	3.87	5.79	4.93	5.73	4.91	2.75	2.50
2009	3.60	2.65	6.30	5.33	6.86	5.48	2.71	2.65
2010	5.66	3.89	6.96	5.67	6.59	5.22	2.48	2.20
2011	8.70	6.52	11.12	8.46	7.29	5.54	3.46	2.59
2012	10.94	7.63	12.06	9.43	11.43	7.70	5.21	4.51
2013	11.17	7.95	11.91	8.64	9.35	6.45		
2014	10.41	6.63	11.95	8.03	7.74	4.94	3.15	2.34
2015	8.50	4.64	10.41	7.67	8.56	5.45	4.01	3.15
2016	14.61	9.15	14.39	10.72	10.77	7.49	4.78	3.55
2017	11.71	7.07	11.64	8.50	8.46	5.52	3.38	2.45
2018	15.12	9.43	11.30	8.21	9.58	6.34	3.47	2.42
2019	12.96	8.28	8.24	5.93	8.66	5.20	2.85	1.92
2020	7.68	5.48	7.94	5.95	9.26	6.55	2.50	1.68
2021	7.35	5.44	5.97	5.23	8.25	5.90	1.76	1.37
2022	6.70	4.96	4.86	4.21	7.84	6.19	1.62	0.96
2023	4.95	3.86	5.17	4.56	8.35	6.31	1.81	1.50
2019-2023 mean	7.93	5.60	6.44	5.18	8.47	6.03	2.11	1.49
2024	5.99	4.36	6.02	4.73	9.48	7.38	1.58	0.99
2020-2024 mean	6.53	4.82	5.99	4.94	8.63	6.47	1.86	1.30
25th	5.66	3.92	6.87	5.36	6.59	4.94	2.74	2.40
median	8.70	6.52	11.12	8.03	7.74	5.48	3.26	2.54
75th	11.17	7.63	11.91	8.50	9.35	6.34	3.61	3.21

Figure 4. GOM abundance indicators: ventless trap survey abundance.

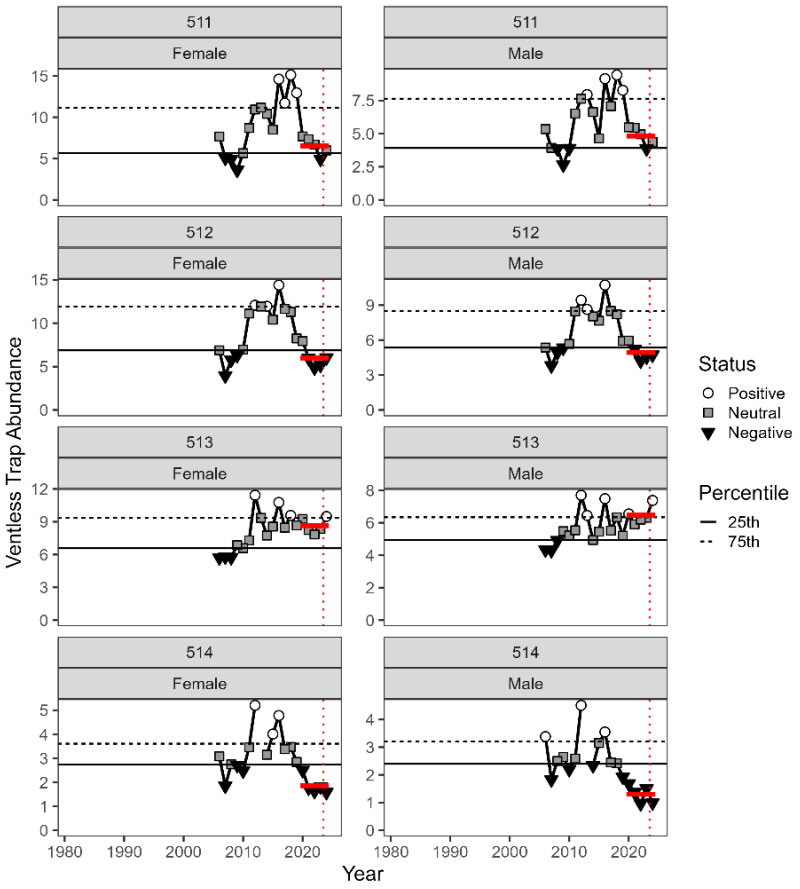


Figure 5. GOM recruit abundance indices aggregated into a combined index (top) and presented individually.

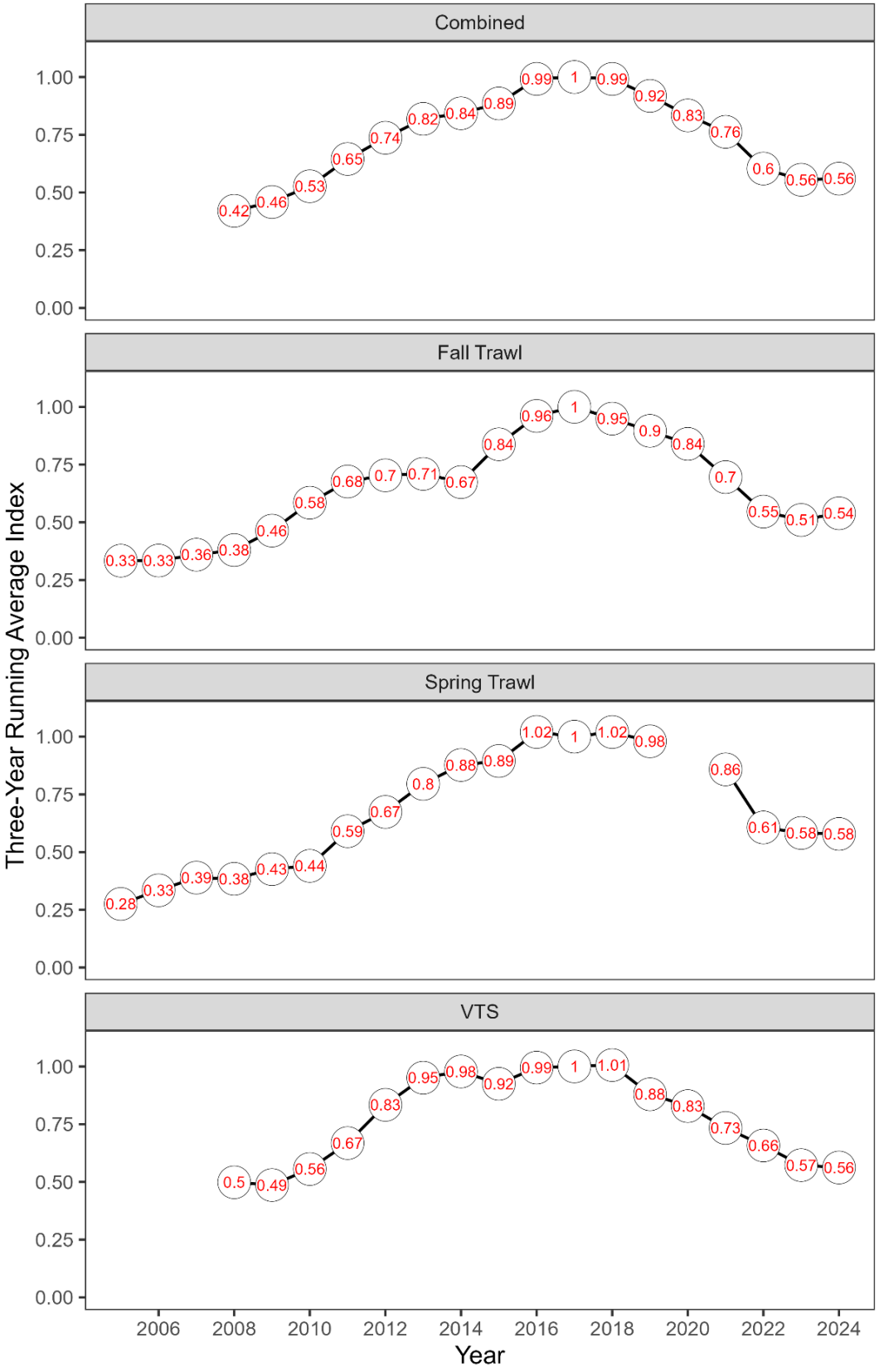


Table 5. GBK abundance indicators: trawl survey recruit abundance.

RECRUIT ABUNDANCE (SURVEY)		
Abundance of lobsters 71 - 80 mm CL (sexes combined)		
Survey	*NEFSC*	
	Spring	*Fall*
1981	0.07	0.30
1982	0.19	0.42
1983	0.17	0.19
1984	0.01	0.33
1985	0.12	0.06
1986	0.56	0.67
1987	0.45	0.57
1988	0.09	0.40
1989	0.04	0.14
1990	0.46	0.33
1991	0.08	0.31
1992	0.16	0.64
1993	0.49	0.23
1994	0.68	0.12
1995	0.00	0.22
1996	0.66	0.16
1997	0.76	0.92
1998	0.72	0.12
1999	0.60	0.29
2000	0.31	0.24
2001	1.26	0.37
2002	0.79	0.64
2003	0.32	0.18
2004	0.11	0.20
2005	0.05	0.14
2006	0.23	0.18
2007	0.03	0.13
2008	0.06	0.17
2009	0.13	0.17
2010	0.13	0.08
2011	0.04	0.16
2012	0.07	0.08
2013	0.07	0.14
2014	0.07	0.09
2015	0.03	0.19
2016	0.07	0.06
2017	0.16	0.19
2018	0.02	0.10
2019	0.07	0.06
2020		
2021	0.18	0.20
2022	0.19	0.27
2023		0.36
2019-2023 mean	0.15	0.22
2024	0.25	0.45
2020-2024 mean	0.21	0.32

25th	0.07	0.14
median	0.13	0.19
75th	0.45	0.32

Figure 6. GBK abundance indicators: trawl survey recruit abundance.

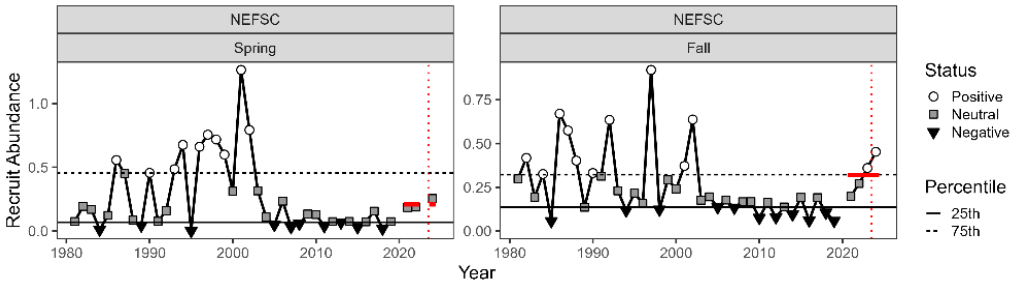


Table 6. GBK abundance indicators: trawl survey encounter rate.

SURVEY LOBSTER ENCOUNTER RATE		
Proportion of postive tows		
Survey	*NEFSC*	
	Spring	*Fall*
1981	0.26	0.52
1982	0.23	0.43
1983	0.20	0.38
1984	0.12	0.36
1985	0.21	0.38
1986	0.25	0.36
1987	0.19	0.34
1988	0.34	0.39
1989	0.19	0.39
1990	0.20	0.41
1991	0.20	0.42
1992	0.28	0.47
1993	0.22	0.36
1994	0.14	0.39
1995	0.13	0.42
1996	0.18	0.37
1997	0.13	0.49
1998	0.13	0.38
1999	0.19	0.56
2000	0.24	0.38
2001	0.26	0.47
2002	0.28	0.57
2003	0.26	0.43
2004	0.19	0.51
2005	0.17	0.56
2006	0.26	0.57
2007	0.25	0.46
2008	0.30	0.52
2009	0.33	0.55
2010	0.36	0.63
2011	0.30	0.69
2012	0.35	0.58
2013	0.33	0.66
2014	0.37	0.61
2015	0.27	0.59
2016	0.45	0.55
2017	0.40	0.56
2018	0.29	0.59
2019	0.36	0.57
2020		
2021	0.41	0.48
2022	0.34	0.62
2023		0.73
2019-2023 mean	0.37	0.60
2024	0.46	0.76
2020-2024 mean	0.40	0.65

25th	0.19	0.39
median	0.25	0.47
75th	0.30	0.56

Figure 7. GBK abundance indicators: trawl survey encounter rate.

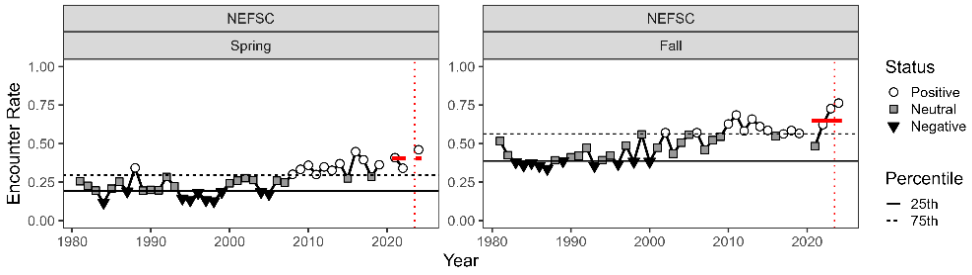


Table 7. SNE abundance indicators: YOY indices.

YOUNG-OF-YEAR INDICES		
Survey	***MA***	***RI***
1981		
1982		
1983		
1984		
1985		
1986		
1987		
1988		
1989		
1990		1.13
1991		1.45
1992		0.63
1993		0.51
1994		1.21
1995	0.17	0.34
1996	0.00	0.15
1997	0.08	0.96
1998	0.28	0.54
1999	0.06	0.91
2000	0.33	0.28
2001	0.11	0.72
2002	0.11	0.25
2003	0.00	0.70
2004	0.06	0.40
2005	0.17	0.54
2006	0.22	0.44
2007	0.17	0.54
2008	0.00	0.14
2009	0.06	0.06
2010	0.00	0.08
2011	0.00	0.00
2012	0.00	0.09
2013	0.17	0.19
2014	0.11	0.22
2015	0.00	0.17
2016	0.00	0.03
2017	0.00	0.03
2018	0.00	0.03
2019	0.00	0.03
2020	0.00	0.14
2021	0.00	0.08
2022	0.00	0.03
2023	0.00	0.01
2019-2023 mean	0.00	0.06
2024	0.00	0.04
2020-2024 mean	0.00	0.06

25th	0.00	0.14
median	0.06	0.34
75th	0.17	0.63

Figure 8. SNE abundance indicators: YOY indices.

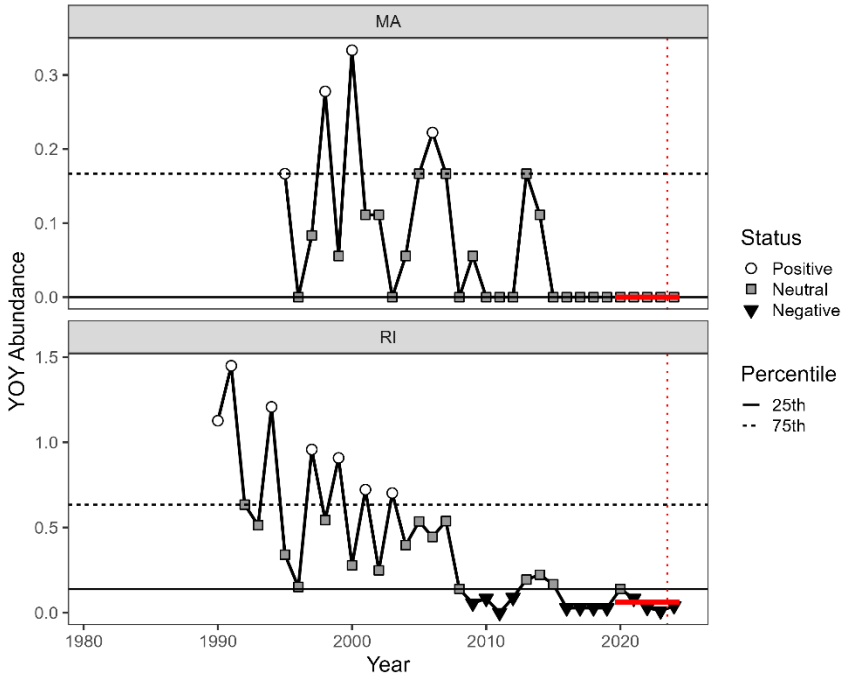


Table 8. SNE abundance indicators: trawl survey recruit abundance.

RECRUIT ABUNDANCE (SURVEY)								
Abundance of lobsters 71 - 80 mm CL (sexes combined)								
Survey	*NEFSC*		*MA*		*RI*		*CT*	
	Spring	*Fall*	*Spring*	*Fall*	*Spring*	*Fall*	*Spring*	*Fall*
1981	0.17	1.40	0.65	0.07	0.89	1.31		
1982	1.13	1.15	0.10	0.04	0.26	0.64		
1983	0.61	1.12	0.09	0.04	0.94	0.43		
1984	0.15	1.31	0.42	0.01	1.03	1.36	10.09	6.80
1985	3.05	1.65	0.34	0.09	0.28	0.97	3.08	3.93
1986	0.28	0.92	0.17	0.20	0.91	1.28	2.77	5.76
1987	1.54	0.96	0.26	0.17	0.79	3.14	2.93	6.86
1988	1.23	1.00	0.24	0.16	0.47	4.05	1.85	4.88
1989	0.15	2.57	0.14	0.43	0.91	3.26	4.86	5.28
1990	1.06	1.63	2.29	0.31	2.17	2.69	6.89	7.74
1991	0.47	0.98	1.18	0.87	4.77	3.10	10.83	10.32
1992	0.30	1.57	0.10	0.57	0.62	1.97	10.31	10.65
1993	1.02	0.61	0.25	0.52	7.81	8.29	7.78	15.18
1994	0.33	0.69	0.95	0.42	1.00	3.88	5.07	11.51
1995	0.13	0.93	1.14	0.03	1.33	4.50	12.13	11.20
1996	0.62	3.76	0.40	0.32	1.60	6.55	11.37	11.08
1997	2.62	2.49	1.45	0.12	2.58	6.10	15.42	24.99
1998	1.22	1.84	1.09	0.11	1.63	3.24	24.06	12.72
1999	3.74	1.21	0.75	0.19	1.71	2.07	24.57	12.96
2000	1.12	2.17	0.56	0.13	1.54	1.83	13.37	8.27
2001	0.60	0.86	0.18	0.03	2.97	2.17	10.77	7.41
2002	2.48	0.65	0.34	0.00	2.68	0.73	8.07	2.75
2003	0.55	0.67	0.07	0.00	0.29	0.93	3.52	4.08
2004	0.43	0.56	0.05	0.00	1.87	1.48	2.38	3.37
2005	0.22	0.51	0.08	0.00	1.07	2.53	2.26	1.54
2006	0.29	0.49	0.08	0.03	3.63	2.24	2.02	1.38
2007	0.30	0.55	0.08	0.00	0.68	2.68	2.65	1.12
2008	0.32	0.53	0.16	0.01	0.64	2.95	2.20	1.27
2009	0.10	0.24	0.16	0.05	1.14	1.36	1.20	1.33
2010	0.16	0.49	0.06	0.18	0.44	1.21	1.26	
2011	0.03	0.46	0.18	0.00	0.42	1.02	0.43	0.18
2012	0.07	0.70	0.07	0.21	0.30	0.18	0.44	0.08
2013	0.08	0.32	0.11	0.04	0.16	0.02	0.23	0.06
2014	1.47	0.49	0.04	0.00	0.02	0.14	0.15	0.05
2015	0.00	0.17	0.07	0.30	0.05	0.37	0.15	0.06
2016	0.57	0.47	0.05	0.14	0.57	0.25	0.16	0.00
2017	0.05		0.13	0.16	0.14	0.41	0.03	0.00
2018	0.05	0.27	0.02	0.01	0.18	0.68	0.00	0.01
2019	0.04	0.29	0.01	0.02	0.52	0.50	0.03	0.00
2020					0.23	0.32		
2021	0.00	0.43	0.01	0.00	0.27	0.07	0.03	0.00
2022	0.05	0.15	0.00	0.00	0.09	0.16	0.00	0.01
2023		0.14	0.00	0.01	0.07	0.05	0.00	0.00
2019-2023 mean	0.03	0.25	0.01	0.01	0.24	0.22	0.01	0.00
2024	0.10	0.07	0.05	0.00	0.02	0.07	0.01	0.00
2020-2024 mean	0.05	0.20	0.02	0.00	0.14	0.13	0.01	0.00

25th	0.15	0.51	0.08	0.02	0.42	0.78	1.23	1.16
median	0.38	0.86	0.16	0.10	0.91	1.65	2.93	4.48
75th	1.11	1.31	0.41	0.19	1.62	3.07	10.20	9.81

Figure 9. SNE abundance indicators: trawl survey recruit abundance.

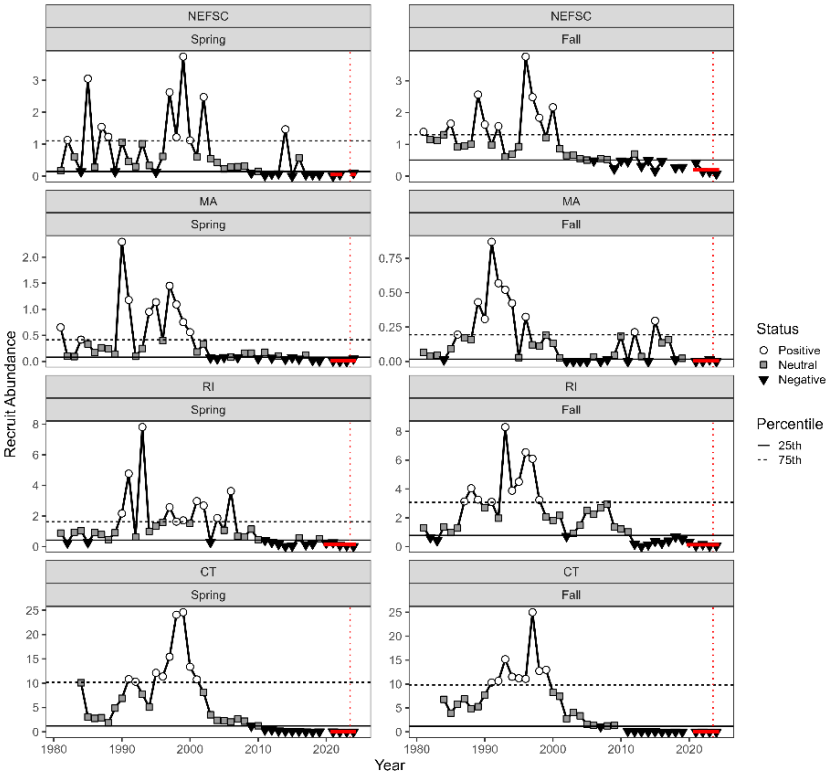


Table 9. SNE abundance indicators: trawl survey encounter rate.

SURVEY LOBSTER ENCOUNTER RATE								
Proportion of postive tows								
Survey	*NEFSC*		*MA*		*RI*		*CT*	
	Spring	*Fall*	*Spring*	*Fall*	*Spring*	*Fall*	*Spring*	*Fall*
1981	0.26	0.67	0.38	0.15	0.49	0.41		
1982	0.35	0.52	0.28	0.21	0.30	0.44		
1983	0.18	0.43	0.21	0.16	0.47	0.37		
1984	0.10	0.44	0.40	0.18	0.59	0.44	0.63	0.76
1985	0.29	0.47	0.51	0.22	0.31	0.50	0.57	0.69
1986	0.22	0.40	0.39	0.39	0.64	0.46	0.67	0.61
1987	0.19	0.41	0.28	0.18	0.35	0.47	0.63	0.76
1988	0.17	0.46	0.39	0.21	0.49	0.55	0.65	0.66
1989	0.18	0.53	0.50	0.33	0.52	0.57	0.75	0.63
1990	0.18	0.63	0.66	0.44	0.64	0.53	0.73	0.76
1991	0.20	0.56	0.41	0.40	0.77	0.69	0.81	0.77
1992	0.29	0.48	0.51	0.23	0.41	0.57	0.77	0.68
1993	0.20	0.40	0.54	0.27	0.50	0.71	0.73	0.75
1994	0.17	0.41	0.51	0.20	0.58	0.57	0.73	0.74
1995	0.09	0.51	0.44	0.13	0.55	0.67	0.77	0.68
1996	0.16	0.57	0.30	0.16	0.79	0.76	0.66	0.78
1997	0.39	0.43	0.45	0.21	0.75	0.71	0.71	0.81
1998	0.16	0.54	0.54	0.13	0.59	0.55	0.83	0.71
1999	0.29	0.44	0.41	0.21	0.76	0.59	0.78	0.79
2000	0.23	0.49	0.45	0.15	0.68	0.63	0.81	0.73
2001	0.29	0.39	0.28	0.18	0.65	0.60	0.77	0.58
2002	0.25	0.38	0.28	0.03	0.61	0.45	0.73	0.59
2003	0.17	0.44	0.14	0.03	0.51	0.41	0.71	0.64
2004	0.17	0.29	0.28	0.03	0.54	0.50	0.61	0.66
2005	0.14	0.32	0.34	0.15	0.49	0.45	0.63	0.54
2006	0.21	0.35	0.43	0.03	0.79	0.62	0.61	0.51
2007	0.19	0.33	0.34	0.10	0.44	0.54	0.70	0.53
2008	0.15	0.41	0.33	0.10	0.55	0.52	0.63	0.65
2009	0.24	0.46	0.50	0.05	0.57	0.41	0.49	0.55
2010	0.19	0.52	0.23	0.24	0.47	0.45	0.54	
2011	0.17	0.56	0.18	0.05	0.30	0.23	0.46	0.28
2012	0.19	0.56	0.18	0.15	0.27	0.16	0.43	0.20
2013	0.09	0.47	0.18	0.08	0.21	0.09	0.28	0.15
2014	0.22	0.41	0.13	0.08	0.07	0.23	0.26	0.10
2015	0.08	0.40	0.10	0.05	0.12	0.16	0.27	0.10
2016	0.21	0.38	0.08	0.11	0.30	0.14	0.25	0.03
2017	0.09		0.08	0.16	0.16	0.23	0.08	0.03
2018	0.12	0.42	0.11	0.06	0.09	0.18	0.09	0.01
2019	0.10	0.41	0.05	0.11	0.16	0.11	0.09	0.00
2020					0.16	0.16		
2021	0.04	0.29	0.07	0.00	0.20	0.12	0.06	0.03
2022	0.10	0.29	0.00	0.00	0.14	0.09	0.01	0.04
2023		0.29	0.00	0.03	0.18	0.05	0.00	0.01
2019-2023 mean	0.08	0.32	0.03	0.04	0.17	0.11	0.04	0.02
2024	0.15	0.26	0.03	0.00	0.02	0.07	0.03	0.01
2020-2024 mean	0.10	0.28	0.02	0.01	0.14	0.10	0.02	0.02

25th	0.17	0.40	0.21	0.08	0.32	0.41	0.52	0.52
median	0.19	0.44	0.34	0.16	0.51	0.49	0.65	0.64
75th	0.23	0.52	0.44	0.21	0.60	0.57	0.73	0.74

Figure 10. SNE abundance indicators: trawl survey encounter rate.

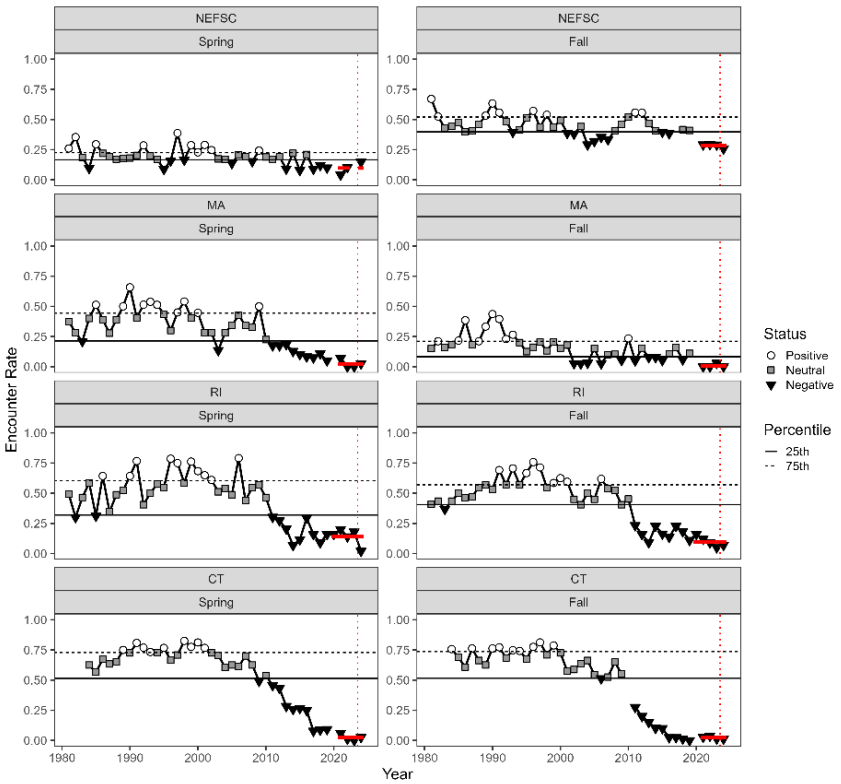
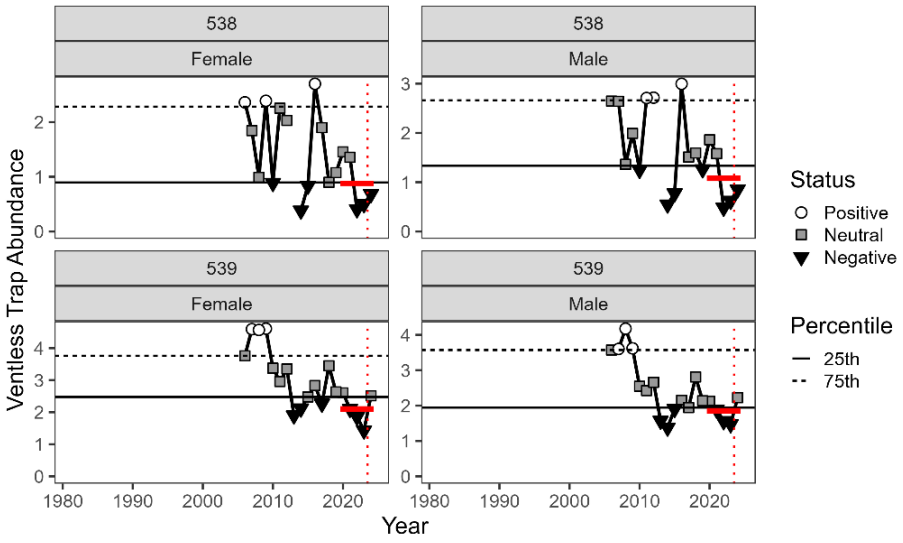


Table 10. SNE abundance indicators: ventless trap survey abundance.

VENTLESS TRAP ABUNDANCE Abundance of lobsters ≥ 53 mm CL				
Survey	*538*		*539*	
	Female	*Male*	*Female*	*Male*
1981				
1982				
1983				
1984				
1985				
1986				
1987				
1988				
1989				
1990				
1991				
1992				
1993				
1994				
1995				
1996				
1997				
1998				
1999				
2000				
2001				
2002				
2003				
2004				
2005				
2006	2.36	2.64	3.76	3.57
2007	1.84	2.64	4.59	3.60
2008	0.99	1.36	4.57	4.18
2009	2.39	1.99	4.61	3.62
2010	0.89	1.25	3.37	2.55
2011	2.25	2.71	2.96	2.43
2012	2.03	2.71	3.35	2.66
2013			1.90	1.57
2014	0.38	0.55	2.12	1.38
2015	0.84	0.77	2.48	1.91
2016	2.70	3.00	2.83	2.15
2017	1.90	1.51	2.27	1.94
2018	0.90	1.59	3.45	2.81
2019	1.08	1.26	2.63	2.14
2020	1.46	1.86	2.60	2.13
2021	1.36	1.58	2.11	1.89
2022	0.41	0.48	1.86	1.56
2023	0.50	0.62	1.43	1.47
2019-2023 mean	0.96	1.16	2.13	1.84
2024	0.68	0.85	2.51	2.23
2020-2024 mean	0.88	1.08	2.10	1.86

25th	0.90	1.33	2.48	1.94
median	1.87	1.79	3.35	2.55
75th	2.28	2.66	3.76	3.57

Figure 11. SNE abundance indicators: ventless trap survey abundance.



Appendix: Data Update Data Changes

Ventless Trap Survey (Update through 2024)

Strata areas used to calculate ventless trap survey abundance indicators from the stratified random survey design as well as to weight observations in the model-based index used in the GOM combined recruit index changed marginally since the previous Data Update. This change was due to the transition from the retired *rgdal* R package to the modern replacement *sf* R package to calculate strata areas from shapefiles with strata spatial polygons. The transition resulted in similar trends over time within each time series, and less than 2% change from index values in the previous Data Update for areas with no data changes (see Rhode Island data changes below).

Northeast Fisheries Science Center (Update through 2024)

Updated indicators presented here for the NEFSC trawl survey are based on changes to the treatment of survey data developed during the 2025 stock assessment. This includes the removal of many survey strata in SNE that rarely captured lobster over the entire time series, removal of one strata in GBK that is no longer surveyed by the new survey vessel, and the use of gap-filling techniques to address cases where individual strata were unsampled in an otherwise mostly complete survey. Details of these changes are included in the 2025 stock assessment.

Additionally, as a general caveat, we recognize that the vessel change in 2009 for the federal trawl survey creates a bias in the trawl survey encounter rates across all regions. The NEFSC calibration study indicated that the new trawl vessel and gear catch more lobsters than previously. By extension, it is also more probable for lobsters to be present in a trawl than previously. While a calibration is applied to the recruit abundance to account for this, a similar calibration for encounter rates has not been developed. Thus, we expect encounter rates for the federal trawl survey are biased high, relative to the earlier time period, starting in 2009.

Rhode Island (Update through 2024)

The 2023 settlement survey abundance index value for Rhode Island has been modified to account for a calculation discrepancy between the state database and the coastwide data warehouse. The trajectory of the index remains the same, with recent values being the lowest in the time series. Additionally, minor QA/QC adjustments were made in the database to identify traps that should be excluded from analyses. Any index value adjustments were minor and produced no change in the indicator status throughout the time series.

Rhode Island (Update through 2023)

A slightly more conservative method for identifying traps to exclude from the VTS data set was adopted during the 2024 Data Update (terminal data year of 2023). For example, some traps with a hole in the funnel or side head were excluded whereas they were not in previous years. The table below compares the number of traps retained for index calculation between the 2024 Data Update and 2023 Data Update.

Year	2023 Data Update	2024 Data Update
2006	852	851
2007	848	848
2008	864	864
2009	804	804

2010	858	857
2011	858	858
2012	834	830
2013	839	836
2014	832	825
2015	854	846
2016	831	817
2017	833	831
2018	846	839
2019	858	850
2020	836	826
2021	864	851
2022	861	815

The only change in conditions the data change causes is for 2019 and 2020 annual values for both sexes which change from negative conditions during the 2023 Data Update to neutral conditions during the 2024 Data Update. The terminal five-year means are negative for both sexes during both Data Updates.

Maine (Update through 2022)

During the 2023 Data Update (terminal data year of 2022), a few errors were found in the upload process where data was not uploaded correctly and treated in a consistent manner as the assessment. For the Fall 2021 ME/NH Trawl Survey, the sex of sampled lobsters did not upload correctly, leading to 7 tows being excluded in error. These data have now been corrected and included. During the 2020 assessment, the stock assessment team, in consultation with survey staff, determined that a very large outlier tow in the Spring 2014 ME/NH Trawl Survey should be excluded from the assessment. However, this outlier tow was not excluded in the 2022 Data Update. It was excluded for the 2023 Data Update, consistent with the stock assessment. For the Maine settlement survey, data for 2013 was not uploaded completely and this has now been corrected.

Massachusetts (Update through 2022)

Following the 2022 Data Update (terminal year of 2021), an error was discovered in the data pull for the SNE VTS index that did not filter the frequency of trawl hauls per month in historical data to match the reduced sampling frequency in data since the footprint reduction (see below; reduced to 1 haul/month). This error was corrected in the data pull for the 2023 Data Update.

Massachusetts (Update through 2021)

Following the 2021 Data Update (terminal data year of 2020), there was a reduction in the spatial coverage of the SNE VTS (Statistical Area 538) due to reduced participation. This change necessitates dropping out data collected during earlier years from areas no longer sampled to calculate an index from a consistent survey footprint, resulting in changes to the indices. Note that the updated index increased slightly in scale (the reduced footprint excludes most of the interior of Buzzards Bay), but the pattern over time is generally consistent with the previous index.

Rhode Island (Update through 2021)

Some changes to the SNE VTS Statistical Area 539 (RI) data occurred between the 2021 Data Update (terminal data year of 2020) and 2022 Data Update (terminal data year of 2021). Upon further QA/QC in site or sample location, strata classification for select stations over time were rectified. Data as such were updated to reflect these changes during the 2022 Data Update.

Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: **American Lobster Management Board**

FROM: **American Lobster Technical Committee**

DATE: **January 20, 2026**

SUBJECT: **GOM/GBK Lobster Management Strategy Evaluation Development**

Background

The 2025 American Lobster Benchmark Stock Assessment was presented to the Commission's American Lobster Management Board (Board) at the 2025 Annual Meeting. The assessment found that the terminal three-year (2021-2023) average reference abundance of the Gulf of Maine/Georges Bank stock had declined 34% from the time series highs of the previous (2020) assessment. Abundance fell below the Fishery/Industry target, indicating potential for degradation of economic conditions of the lobster industry, but remained above biological reference points indicating the stock is not depleted. Exploitation just exceeded the exploitation threshold, indicating that overfishing was occurring. Abundance status is the primary metric for management advice. Exploitation status (and its interpretation) is less certain and is provided as an extra safeguard against sudden increases in exploitation that may not be explained by decreasing reference abundance.

Given these results, the assessment did not recommend immediate management action in terms of regulatory changes but strongly recommended that the Board immediately initiate a Management Strategy Evaluation (MSE) for the GOMGBK stock. The goals of the MSE process would be to clearly identify management objectives (across all stakeholders), to better understand socioeconomic status and concerns, and to identify potential management tools that will have buy-in from industry and prevent further declines towards biological thresholds. This recommendation is similar to a recommendation from the 2020 stock assessment but is emphasized here given the changing trends in abundance observed during the current assessment.

In response to the assessment findings and recommendations, the Board tasked the Lobster Technical Committee (TC) at the Annual Meeting to refresh guidance on initiating a MSE for American lobster at the Commission's 2026 Winter Meeting. This guidance was requested to assist the Board in considering how MSE could be of use for lobster fisheries management. The TC met via webinar two times following the Annual Meeting to develop the following guidance.

MSE Guidance

As first steps toward the development of a GOMGBK lobster MSE, the TC provides two recommendations consistent with those provided to the Board in 2021 following the 2020 stock

assessment[1]. First, the TC recommends forming a steering committee for scoping and coordinating all parts of an MSE process, including the process to elicit management objectives from a variety of stakeholders as a first step. The TC recognizes the highly interdisciplinary nature of MSE and the need for additional expertise outside of the TC to successfully guide a lobster MSE. The TC recommends that representation on the steering committee include Board members, TC members, Commission staff, members of the Commission's Committee on Economics and Social Sciences, industry stakeholders (preferably those with experience participating in the fisheries management process), and members of the Commission's Assessment and Science Committee or Management and Science Committee with past experience in MSE. To be effective, the number of people in the steering committee should be limited to approximately a dozen members. A steering committee could be populated through a call for nominations and approved via Board action.

Second, the TC recommends initiation of a formal process to develop management goals and objectives for the future of the GOMGBK lobster fisheries. The steering committee would be responsible for the design and development of this process, but the TC believes a successful process would include a series of meetings, including meetings at local scales (e.g., state management zones and/or LCMAs) and at a regional stock wide scale. The spatial scale, number, and sequence of meetings would be developed by the steering committee. Management objectives developed through such a process would be used to develop an MSE, with consideration of what is feasible with available data and modeling capabilities. Until management objectives are clearly established for the future of the fishery, the TC believes further details of a MSE, including timelines and costs, will be uncertain.

The TC emphasizes that such a management objectives process is a necessary precursor to initiating an MSE but does not commit the Board to pursuing an MSE. Outcomes of such a management objective process will be beneficial no matter the direction the Board ultimately takes on MSE for lobster. The costs incurred for this process will include funding for a professional facilitator or team of facilitators and meeting costs. The TC believes contracting a professional third-party facilitator to lead stakeholder meetings will be critical to ensure discussions are respectful and productive and that the outcomes of the meetings have higher potential to be useful to future management. The cost of hiring a facilitator will depend on their role, which could range from only facilitation of regional meetings to participation in the development and planning of the process (with guidance from the steering committee) in addition to facilitation of regional and local meetings. Based on similar processes that have recently been undertaken by the Commission and other agencies, the TC estimates facilitation costs for the proposed management objectives process would fall in the range of $40,000 (facilitation only) to $100,000 (process development and facilitation of all workshops).

[1] Technical Committee Memo: LobsterTCReport_ManagementStrategyEvaluation_April2021.pdf

Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • asmfc.org

MEMORANDUM

TO: **American Lobster Management Board**

FROM: **American Lobster Advisory Panel**

DATE: **January 20, 2025**

SUBJECT: **Advisory Panel Input on 2025 Benchmark Stock Assessment**

The American Lobster Advisory Panel (AP) met via webinar on January 12, 2026 to review the 2025 Benchmark Stock Assessment and Peer Review Report and provide input to the Management Board on the assessment findings and state of the fishery. Tracy Pugh, Technical Committee Chair, summarized the 2025 Benchmark Stock Assessment and Peer Review Report for the AP.

Advisory Panel Attendance: Lanny Dellinger (RI), Joe Fiorentino (NJ), Sonny Gwin (MD), Eric Lorentzen (MA), Grant Moore (MA), Jeff Putnam (ME), Sooky Sawyer (MA), John Whittaker (CT)

Staff: Caitlin Starks, Jeff Kipp, Tracy Pugh (TC Chair)

Other Attendees: Renee Zobel, David Borden, Raymond Kane, Josh Carloni, Nick Hagler, Heidi Henninger, Kevin Guiney, Frank Macalik

The American Lobster Advisory Panel (AP) met via webinar on January 12, 2026 to review the 2025 Benchmark Stock Assessment and Peer Review Report and provide input to the Management Board on the assessment findings and state of the fishery. Tracy Pugh, Technical Committee Chair, summarized the 2025 Benchmark Stock Assessment and Peer Review Report for the AP.

The AP discussed and asked questions about the assessment results, data, and methods. The comments provided by the AP are summarized below. These do not reflect consensus agreements, but rather individual perspectives.

Lanny Dellinger (NY) commented that he sees some issues with the assessment with regard to the Southern New England (SNE) stock. He noted that predator species (e.g., scup, black sea bass) are well above their management targets in the region and the large numbers of predators are doing damage to the lobster stock. He stated that there are no federal estimates for striped bass in the offshore area, and it seems like there are high numbers. He also noted that there have been significant losses of habitat for lobster production in major estuaries due to nitrogen reduction, and the decline of kelp and rockweed has lowered lobster productivity. Policies for habitat management and predator fishery management are in conflict with a healthy lobster resource. For these reasons it does not make sense to restrict the lobster fishery in SNE. Tracy Pugh noted that the assessment team tried to account for predation through using different natural mortality rates in the assessment model. Lanny Dellinger noted it could be useful for the Habitat Committee to consider these issues.

Sonny Gwin (MD) commented that the lobster effort below the Delaware Bay is really only from three fishermen. Any more regulations would mean nothing is left for those fishermen. He noted that he has

been fishing off of Ocean City for over 30 years and is seeing more small lobsters now than ever. Divers down there are also seeing an abundance of lobsters.

John Whittaker (CT) stated that there is hardly any effort in Area 6. He wonders if making cuts to the fishery would make any difference because effort is so low. He also commented that he thinks fishing bait is providing food for the remaining lobsters in the area, and removing bait by cutting fisheries could negatively impact the population.

Grant Moore noted that since the assessment found that overfishing is not occurring in SNE, the recommendation to further reduce fishing mortality with additional measures for that stock would be hard for the industry to swallow. He also commented that unless enforcement improves, additional regulations will not be successful. He stated that the lobster management plan is great, and that a lot of effort could be removed if the current regulations were fully enforced.

With regard to the GOM/GBK stock, Jeff Putnam asked for clarification on the recruit-dependency indicators and why high recruit-dependency would be negative for the fishery. Tracy Pugh explained that high recruit-dependency means the fishery is vulnerable to decreases in settlement; if settlement and recruitment decline, landings, which are dependent on recruits, will be depressed.

Jeff Putnam also noted that it is important to recognize regional differences within the stocks when thinking about management. He said some areas are quite stable and the future looks healthy, whereas other areas seem to have issues. In contrast to the southern areas of Maine, the areas where he fishes are seeing fewer predators and colder water temperatures, which are encouraging. So it needs to be considered how regulations may have different effects in different areas. In Maine they have also lost fishermen through the entry/exit ratios with much fewer licenses than there used to be, and trips may be down as well.

Eric Lorentzen commented that consideration of regulations should be tabled until the new right whale rules come out in a few years to see how those interact with conservation efforts for the lobster stock. If there are more closed areas to the lobster fishery for the whales that will serve as lobster conservation too.

Grant Moore concluded the meeting by stating that he is looking to step down as Chair, and asked the advisors present to consider taking on the role.

Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • asmfc.org

MEMORANDUM

January 13, 2026

To: **American Lobster Management Board**

From: **Tina Berger, Director of Communications**

RE: **Advisory Panel Nomination**

Please find attached a new nomination to the American Lobster Advisory Panel – Joe Fiorentino, a recreational diver from Pennsylvania. He replaces Jack Fullmer on the Panel. While Mr. Fiorentino resides in Pennsylvania, New Jersey supports his nomination as a New Jersey representative. Please review this nomination for action at the next Board meeting.

If you have any questions, please feel free to contact me at (703) 842-0749 or tberger@asmfc.org.

Enc.

cc: Caitlin Starks

American Lobster Advisory Panel

Maine (4)

Jon Carter (comm/pot)
333 Main Street
Bar Harbor, ME 04609
Phone: (207)288-4528
CARTERLOB@GMAIL.COM
Appt. Confirmed: 5/30/96
Appt. Reconfirmed 7/26/00
Appt. Reconfirmed 1/2/06
Appt Reconfirmed 5/10
Confirmed Interest: 10/21

Christopher Welch
339 Alfred Road
Kennebunk, ME 04043
Phone: 207.205.2093
littleskeet@ymail.com
Appt. Confirmed: 8/2/22

Eben Wilson (commercial inshore/offshore trap)
5 Lincoln Street
PO Bix 87
East Boothbay, ME 04544
207.380.6897
ebensail@gmail.com
Appt Confirmed 1/25/22

Jeff Putnam (commercial inshore - out to 20 miles - trap)
107 Littlefield Road
Chebeague Island, ME 04017
207.650.3327
Putnamjeff543@gmail.com
Appt Confirmed 1/25/22

New Hampshire (2)

Robert Nudd (comm/inshore pot)
531 Exeter Road
P.O. Box 219
Hampton, NH 03842
Phone (eve): (603)926-7573
LOBSTAMAN@MYFAIRPOINT.NET
Appt. Confirmed: 10/30/95
Appt. Reconfirmed 9/15/99
Appt. Reconfirmed 1/2/06
Appt Reconfirmed 5/10
Confirmed Interest: 9/21

James A. Willwerth (comm./trap)
10 Mill
Hampton Falls, NH 03844
Phone (day): (603) 765-5008
Phone (eve): (603) 926-3139
JAW080257@comcast.net
Appt Confirmed 10/22/12

Massachusetts (4)

Arthur Sawyer Jr. (comm pots)
368 Concord Street
Gloucester, MA 01930
Phone: (978)281-4736
FAX: (978)281-4736
sooky55@aol.com
Appt. Confirmed: 1/29/01
Appt. Reconfirmed 1/2/06; 5/10; 9/15; 8/18
Confirmed Interest: 9/21

Grant Moore (comm/offshore pot)
4 Gooseberry Farms Lane
Westport, MA 02790
Phone (day): 508.971.2190
Phone (eve): 508.636.6248
FAX: 508.636.5789
grantmoore55@gmail.com
Appt. Confirmed 11/2/15
Appt. Reconfirmed 8/18
Confirmed Interest: 9/21

Todd Alger (recreational diver)
7 Holly Street
Hingham, MA 02043
Phone: 339.236.0736
Todd.alger@gmail.com
Appt. Confirmed: 8/2/22

Eric Lorentzen (comm/inshore/offshore pot)
173 Spring Street
Hull, MA 02045
Phone: 774.217.0501
ericreedlorentzen@gmail.com
Appt. Confirmed: 8/2/22

American Lobster Advisory Panel

Rhode Island (2)
Lanny Dellinger (comm./pot)
160 Snuffmill Road
Saunderstown, RI 02874
Phone (day): (401)932-5826
Phone (eve): (401)294-7352
lad0626@aol.com
Appt Confirmed 2/21/06
Appt Reconfirmed 5/10

Vacancy (comm/offshore pot)

Connecticut (2)
John Whittaker (comm./pot)
37 Spring Street
Groton, CT 06340
Phone (day): (860)287-4384
Phone (eve): (860)536-7668
FAX: (860)536-7668
whittboat@comcast.net
Appt Confirmed 2/21/06
Appt Reconfirmed 5/10
Confirmed Interest: 9/21

Vacancy (comm pot)

New York (2)
George Doll (comm/inshore pot)
70 Seaview Avenue
Northport, New York 11768
Phone: (631)261-1407
FAX: (631)261-1407
Appt. Confirmed: 11/29/00
Appt. Reconfirmed 1/23/06
Appt Reconfirmed 5/10

James Fox (comm/pot)
152 Highland Drive
Kings Park, NY 11754
Phone: (631)361-7995
jcfox22@verizon.net
Appt. Confirmed: 10/16/01
Appt. Reconfirmed 1/23/06
Appt Reconfirmed 5/10

New Jersey (2)
John Godwin (processor)
1 Saint Louis Avenue
Point Pleasant Beach, NJ 08742
Phone: 732.245.0148
FAX: 732.892.3928
JOHN@POINTLOBSTER.COM
Appt Confirmed 11/2/15

Joe Fiorentino (rec diver)
40 Beechwood Ct
Bangor, PA 18013
Phone: 610.704.2687
joefdive@gmail.com

Maryland
Earl Gwin
10448 Azalea Road
Berlin, MD 21811
Phone: (401) 251-3709
Email: sonnygwin@verizon.net
Appt confirmed 11/1/15
Confirmed Interest: 9/21

ATLANTIC STATES MARINE FISHERIES COMMISSION

Advisory Panel Nomination Form

This form is designed to help nominate Advisors to the Commission's Species Advisory Panels. The information on the returned form will be provided to the Commission's relevant species management board or section. Please answer the questions in the categories (All Nominees, Commercial Fisherman, Charter/Headboat Captain, Recreational Fisherman, Dealer/Processor, or Other Interested Parties) that pertain to the nominee's experience. If the nominee fits into more than one category, answer the questions for all categories that fit the situation. **Also, please fill in the sections which pertain to All Nominees (pages 1 and 2). In addition, nominee signatures are required to verify the provided information (page 4), and Commissioner signatures are requested to verify Commissioner consensus (page 4). Please print and use a black pen.**

Form submitted by: Joseph Fiorentino (your name) State: New Jersey

Name of Nominee: Joseph Fiorentino

Address: 40 Beechwood Ct

City, State, Zip: Bangor, Pennsylvania 18013

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

Phone (day): (610) 704-2687 Phone (evening): _____

FAX: _____ Email: joefdive@gmail.com

. . . . . .

FOR ALL NOMINEES:

1. Please list, in order of preference, the Advisory Panel for which you are nominating the above person.
   1. Lobster
   2. _____
   3. _____
   4. _____

2. Has the nominee been found in violation of criminal or civil federal fishery law or regulation or convicted of any felony or crime over the last three years?

   yes _____ no X

3. Is the nominee a member of any fishermen's organizations or clubs?

   yes X no _____

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

Vice-Chairman for NJ Council of Divers and Clubs, Neptune, NJ

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

Lobster
Sea Bass
Striped Bass
Blackfish
Flounder (Fluke)

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

Same as above

FOR COMMERCIAL FISHERMEN:

1. How many years has the nominee been the commercial fishing business? NA years
2. Is the nominee employed only in commercial fishing? yes_____ no_____
3. What is the predominant gear type used by the nominee?_____
4. What is the predominant geographic area fished by the nominee (i.e., inshore, offshore)?_____

FOR CHARTER/HEADBOAT CAPTAINS:

1. How long has the nominee been employed in the charter/headboat business? NA years
2. Is the nominee employed only in the charter/headboat industry? yes _____ no_____

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

3. How many years has the nominee lived in the home port community? _____ years

   If less than five years, please indicate the nominee's previous home port community.

FOR RECREATIONAL FISHERMEN:

1. How long has the nominee engaged in recreational fishing? 45 years

2. Is the nominee working, or has the nominee ever worked in any area related to the fishing industry? yes _____ no X

   If "yes," please explain.

_____

_____

_____

FOR SEAFOOD PROCESSORS & DEALERS:

1. How long has the nominee been employed in the business of seafood processing/dealing? NA years

2. Is the nominee employed only in the business of seafood processing/dealing?

   yes _____ no _____ If "no," please list other type(s) of business(es) and/or occupation(s):

See Attached

See Attached

See Attached

3. How many years has the nominee lived in the home port community? _____ years

   If less than five years, please indicate the nominee's previous home port community.

_____

FOR OTHER INTERESTED PARTIES:

1. How long has the nominee been interested in fishing and/or fisheries management? 45 years

2. Is the nominee employed in the fishing business or the field of fisheries management? yes _____ no X

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

See attachment

See Attached

_____

FOR ALL NOMINEES:

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

See attachment

Nominee Signature: _____ Date: 12/22/2025

Name: Joseph Fiorentino
(please print)

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

_____
State Director

_____
State Legislator

_____
Governor's Appointee

Joe Fiorentino

I am an active New Jersey SCUBA diver since 1978, with extensive experience in spearfishing and legally hand-harvesting lobster. Through decades of diving, I have gained a unique, first hand perspective on lobster habitat, behavior, and broader underwater environmental conditions that are not visible from the surface. Regular in-water observation allows me to notice changes in habitat, population presence, and ecosystem health over time. I believe this direct long-term underwater experience would be a valuable complement to the scientific and fishery perspectives represented on the Lobster and Jonah Crab Advisory Panel.

I have a bachelor degree in Environmental Studies. My career has been working in the field hazardous waste management and environmental consulting, from which I recently retired.

This is my YouTube Channel link. To date I have created 41 short videos documenting recent SCUBA diving trips to New Jersey shipwrecks.

https://www.youtube.com/@joefiorentino4551

NEW JERSEY MARINE FISHERIES COUNCIL
501 EAST STATE STREET, 3RD FLOOR
P.O. BOX 420 Mail Code 501-03
TRENTON, NJ 08625-0420
609-292-7794
609-984-1408 FAX

July 23, 2025

Joseph Fiorentino
40 Beechwood Court
Bangor, PA 18013

Dear Joseph Fiorentino,

In July 2025, the New Jersey Marine Fisheries Council (MFC) reviewed and accepted your application to become an advisor or to renew your membership to the Council committee(s) specified below.

- Lobster/Jonah Crab

You stated authorization to represent the following organization(s) for the above committees:

- NJ Council of Divers

Advisors are appointed for a three-year term, so your term as an advisor will expire on July 31, 2028. There is no limit on the number of terms an individual may serve; however, there is no automatic reappointment. Following a three-year term, advisors must submit another application in order to be considered for reappointment to each committee. Please note that membership cannot be renewed until the term is approaching expiration. Any applications submitted for non-expiring terms were not reviewed and must be submitted near the time of expiration.

As described in the Marine Fisheries Council Administrative Guidelines, advisors are expected to contact constituents from their region/organization/fishery before an advisory meeting so that they can provide input from the community they represent, rather than their own personal viewpoint. In addition, the Council recently approved new guidelines for advisors which state that:

> *Committee advisors are expected to uphold the mission and responsibilities of the Council. Any advisor who is issued a marine fisheries violation will be given a warning. A second violation will result in the advisor being removed from their advisory position*

for all committees, and they will be ineligible to serve as an advisor for any committee for three years from the date of the violation. New applicants who have received a violation in the last three years will be ineligible to serve as an advisor for any committee until three years from the date of the violation.

Please visit the NJDEP Fish and Wildlife website for the following additional information:

MFC Administrative Guidelines
https://dep.nj.gov/wp-content/uploads/njfw/mfc_guidelines.pdf

MFC Committee Advisor Membership
https://dep.nj.gov/wp-content/uploads/njfw/mfc-advisory-committees.pdf

Thank you for your interest in serving as a committee advisor and I look forward to working together. Please do not hesitate to contact Bureau of Marine Fisheries staff, via email (marinefisheriescouncil@dep.nj.gov) or phone (609-748-2020), with any questions.

Sincerely,

Patick F. Donnelly, DMD
Acting Chairman

Atlantic States Marine Fisheries Commission

Winter Flounder Management Board

February 3, 2026
11:15 a.m. – 12:15 p.m.

Draft Agenda

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

1.	Welcome/Call to Order *(B. Hyatt*)	11:15 a.m.
2.	Board Consent • Approval of Agenda • Approval of Proceedings from January 2023	11:15 a.m.
3.	Public Comment	11:20 a.m.
4.	Review 2025 Management Track Assessments for Gulf of Maine and Southern New England/Mid-Atlantic Stocks of Winter Flounder (*P. Nitschke/T. Wood*) • Consider Management Response, If Necessary **Possible Action**	11:30 a.m.
5.	Set 2026-2028 Specifications (*T. Bauer*) **Final Action** • Review Technical Committee Recommendations (*R. Balouskus*) • Review Advisory Panel Report	11:50 a.m.
6.	Consider Fishery Management Plan Review and State Compliance for the 2024 Fishing Year (*T. Bauer*) **Action**	12:05 p.m.
7.	Elect Vice-Chair **Action**	12:10 p.m.
8.	Other Business/Adjourn	12:15 p.m.

This meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details

MEETING OVERVIEW

Winter Flounder Management Board
February 3, 2026
11:15 a.m. – 12:15 p.m.

Chair: William Hyatt (CT)	Technical Committee Chair: Rich Balouskus (RI)	LEC Representative: Keith Williams
Vice Chair: Vacant	Advisory Panel Chair: Bud Brown	Previous Board Meeting: January 31, 2023
Voting Members: ME, NH, MA, RI, CT, NY, NJ, NMFS, USFWS (9 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from January 2023

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

4. Review 2025 Management Track Assessments for Gulf of Maine Winter Flounder and Southern New England/Mid-Atlantic Winter Flounder (11:30 – 11:50 a.m.) Possible Action

- The Gulf of Maine and Southern New England/Mid-Atlantic Winter Flounder Management Track Assessments were completed and peer-reviewed in Fall 2025.
- The Gulf of Maine winter flounder stock biomass status remains unknown and not experiencing overfishing. The Southern New England/Mid-Atlantic winter flounder stock is not overfished and not experiencing overfishing.

Presentations

- 2025 Management Track Assessment for Gulf of Maine winter flounder by P. Nitschke
- 2025 Management Track Assessment for Southern New England/Mid-Atlantic winter flounder by T. Wood

Board Actions for Consideration

- Consider management response, if necessary

5. Set 2026-2028 Specifications (11:50 a.m.– 12:05 p.m.) Final Action

- In January 2023, the Winter Flounder Management Board (Board) set status quo specifications for state waters for the 2024-2025 fishing years.
- In December 2025, the New England Fishery Management Council (NEFMC) took final action on 2026-2030 fishing years specifications in Framework Adjustment 72, which includes the Gulf of Maine (GOM) and Southern New England/Mid-Atlantic (SNE/MA) winter flounder stocks.

- Although the NEFMC approved specifications for 2026-2030 fishing years for the GOM and SNE/MA winter flounder stocks, the Commission's Addendum III to Amendment 1 of the Winter Flounder Fishery Management Plan only allows specifications to be set for up to three years.
- The Technical Committee (TC) met on January 6th to review the GOM and SNE/MA stock assessments, recent fishery performance, and federal specifications approved by the NEFMC. After reviewing these items, the TC recommended no changes to the state water specifications for the 2026-2028 fishing years **(Briefing Materials).**
- The Advisory Panel (AP) met on January 12th to discuss current management issues and provide input on state water specifications for the 2026-2028 fishing years. The AP also recommended no changes to the state water specifications for the 2026-2028 fishing years **(Briefing Materials).**

Presentations

- Overview of NEFMC 2026-2030 Fishing Years Specifications, Current State Waters Management Measures, and Advisory Panel Summary by T. Bauer
- Technical Committee Summary by R. Balouskus

Board Actions for Consideration

- Consider GOM and SNE/MA winter flounder specifications for the 2026-2028 fishing years

6. Consider Fishery Management Plan Review and State Compliance for the 2024 Fishing Year (12:05 – 12:10 p.m.) Action

- Winter flounder state compliance reports are due on December 1.
- The Winter Flounder Plan Review Team (PRT) has reviewed state reports and compiled the annual FMP Review. New Jersey has requested continued *de minimis* status for their commercial fishery **(Briefing Materials)**.

Presentations

- 2024 FMP Review for Winter Flounder by T. Bauer

Board Actions for Consideration

- Consider approval of the 2024 FMP Review, state compliance reports, and New Jersey's *de minimis* request for their commercial fishery

7. Elect Vice-Chair

8. Other Business/Adjourn

Winter Flounder Technical Committee Task List

Activity Level: Low

Committee Overlap Score: Low

Committee Task List
• There are no on-going tasks for this Winter Flounder TC at this time • Annual state compliance reports are due December 1

TC Members

(Richard Balouskus, RI DEM – Chair), Tony Wood (NEFSC), Paul Nitschke (NEFSC), Dr. Robert Pomeroy (UCONN), Tara Dolan (MA DMF), Jared Lamy (NHFG), Tyler Harris (NJ DEP), Paul Nunnenkamp (NYS DEC), David Ellis (CT DEEP), Joseph Myers (ACCSP)

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

WINTER FLOUNDER MANAGEMENT BOARD

The Westin Crystal City
Arlington, Virginia
Hybrid Meeting

January 31, 2023

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

TABLE OF CONTENTS

INDEX OF MOTIONS

ATTENDANCE

Board Members

Megan Ware, ME, proxy for P. Keliher (AA)
Steve Train, ME (GA)
Sen. Cameron Reny, ME, proxy for Rep. Hepler (LA)
Renee Zobel, NH, proxy for C. Patterson (AA)
Doug Grout, NH (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)
Dan McKiernan, MA (AA)
Raymond Kane, MA (GA)
Rep. Sarah Peake, MA (LA)
Conor McManus, RI, proxy for J. McNamee (AA)
David Borden, RI (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Justin Davis, CT (AA)
Willian Hyatt, CT (GA)
Jesse Hornstein, NY, proxy for B. Seggos (AA)
Emerson Hasbrouck, NY (GA)
Joe Cimino, NJ (AA)
Adam Nowalsky. NJ, proxy for Sen. Gopal (LA)
Peter Clarke, NJ, proxy for T. Fote (GA)
Jay Hermsen, NMFS

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

Ex-Officio Members

Richard Balouskus, Technical Committee Chair
Keith Williams, Law Enforcement Representative

Staff

Robert Beal
Toni Kerns
Madeline Musante
Kristen Anstead
Tina Berger
Kurt Blanchard
Pat Campfield
Emilie Franke

Guests

Pat Augustine, Coram, NY
Alan Bianchi, NC DENR
Colleen Bouffard, CT DEEP
Michael Brown, ME DMR
Jeff Brust, NJ DEP
Alan Butler
Mike Celestino, NJ DEP
Matt Cieri, ME DMR
Heather Corbett, NJ DFW
Jamie Cournane, NEFMC
Jessica Daher, NJ DEP
Tara Dolan, MA DMF
Peter Fallon, Maine Stripers
Glen Fernandes
Angela Forristall, NEFMC
Robin Frede, NEFMC
Lewis Gillingham, VMRC
Willy Goldsmith
Melanie Griffin, MA DMF
Rep. Allison Hepler, ME (LA)
Carol Hoffman
Kiana Kekoa, Ofc. Sen. Reed
Kris Kuhn, PA F&B
Jared Lamy, NH F&G
Mike Luisi, MD DNR
Jeff Mercer, RI DEM
Steve Meyers
Paul Nitschke, NOAA
Will Poston, ASGA
Cheri Patterson, NH (AA)
Nicole Pitts, NOAA
Craig Pugh, Leipsic, DE
Lenny Rudow
Tara Scott, NOAA
Jason Seman
Phillip Sheffield
David Sikorski, CCA MD
Ethan Simpson, VMRC
Renee St. Amand, CT DEEP
Amanda Small, MD DNR
Davud Stormer, DE DFW
ElizaBeth Streifeneder, NYS DEC
Kevin Sullivan, NH F&G
Rachel Sysak, NYS DEC
Michael Toole
Beth Versak, MD DNR
Mike Waine, ASA
Ben Whalley
Steven Witthuhn
Anthony Wood, NOAA
Chris Wright, NOAA
Erik Zlokovitz, MD DNR

The Winter Flounder 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; Tuesday, January 31, 2023, and was called to order at 1:45 p.m. by Chair Bill Hyatt.

CALL TO ORDER

CHAIR BILL HYATT: Good afternoon, folks. This meeting of the Winter Flounder Management Board is called to order. My name is Bill Hyatt; I'm the Governor's appointee from Connecticut, and the current Chair of this Board.

APPROVAL OF AGENDA AND APPROVAL OF PROCEEDINGS

CHAIR HYATT: The first two items of business are Approval of the Agenda and Approval of the Proceedings from February, 2021.

Does anybody have any edits to either of those items? Seeing none; both the agenda and the proceedings from February, 2021 are approved by consent.

PUBLIC COMMENT

CHAIR HYATT: Next item on the agenda is Public Comment. Is there anybody in the room who would like to make a comment on something that is not on the Winter Flounder agenda for today? Seeing no hands; is there anybody online? Allan Butler, go ahead.

MR. ALLAN BUTLER: No, I'm good.

REVIEW OF THE 2022 MANAGEMENT TRACK ASSESSMENT FOR GULF OF MAINE AND SOUTHERN NEW ENGLAND/MID-ATLANTIC STOCKS OF WINTER FLOUNDER

CHAIR HYATT: The next item on the agenda is Review of the 2022 Management track Assessment for Gulf of Maine and Southern New England/Mid-Atlantic Stocks of Winter Flounder. We'll have a presentation that is by Paul Nitschke and a presentation by Tony Wood. Paul, I believe you're first, going ahead with the Gulf of Maine.

GULF OF MAINE

MR. PAUL NITSCHKE: Good afternoon. I'll be giving a quick summary of the Gulf of Maine Winter Flounder Management Track Assessment, which was reviewed this last September. This was a Level 2 assessment. Keep in mind this is an empirical approach now for Gulf of Maine, based on 30 plus centimeter Survey Area-Swept estimates, so it's a fairly simple approach.

Quick overview here. As I said, it's a Level 2 assessment. Stock status is unknown for overfished, because this method doesn't really have a way of evaluating that. Overfishing is not occurring. The stock is not in the rebuilding plan, since this stock was never declared overfished.

In terms of uncertainties, there are uncertainties with the missing 2020 surveys, due to COVID. This is a bigger uncertainty here, because this assessment now is 100 percent based on the surveys. This uncertainty around the survey Qs. The Qs here are basically the efficiency estimates for the surveys for the Area-Swept calculations. There is more uncertainty around the state surveys, since we don't really have any experiments on efficiency for state survey gear. There is uncertainty around the rejected analytical model, which based from the past just basically says that we don't really understand a lot of the population dynamics for this stock, due to the failure of that model.

This continues somewhat into the empirical approach as we build up this time series. It still doesn't seem to be responding as we would expect it, so there are no big questions around the population dynamics. In terms of review of comments, the reviewers suggested that you use the 75 percent of the exploitation rate, at 40 percent for catch advice, using the average of the

2021 fall 21, 2021 spring and 2022 spring surveys. That's basically where the catch advice came from.
In terms of changes, there was a revision done to the survey Q, based on updated information from Miller et al. He re-estimated the Qs and some updated modeling. The Qs efficiency estimate was revised up from 0.71 to 0.81 in the fall survey, and from 0.62 to 0.7 in the spring. Keep in mind the efficiency increases, that means the biomass estimate will decline.

The Gulf of Maine stock was historically the smallest of the three-winter flounder stock. I'm not sure if that is no longer the case, things have changed a bit since early on in the time series. The Gulf of Maine stock is mostly located in Area 514 off Massachusetts; Cape Cod Bay, Mass Bay, Stellwagen Bank are important fisheries.

Over 95 percent of the stock is in this small area. This is a longstanding slide, just showing some of the history here. Just to remind everyone, analytical models failed in GARM III, also at SARC 52, due to the retrospective pattern. There is a large conflict, basically between the large reduction in the catch over time, with little change in the survey indices and little change in the size of the age structures.

We don't really understand the dynamics of what is going on with this stock. That seems to have continued with a simple approach as we build up this time series. Here are the survey trends, the raw survey trends. On top is the Northeast Fishery Science Center Bottom Trawl Survey. In the middle is the Mass DMF Survey, and on the bottom is the Maine/New Hampshire Survey. You can see that the indices are relatively flat in all over the longer time series.

They did bounce around quite a bit, but overall, there is not much real change over the decades. Perhaps more recently, there is a little bit of a hint of an increase. This is a positive sign. Hopefully that trend continues, but we're probably too early to make a strong judgment on that. Here are the trends in catch over time. You can see there has been a very large reduction in catch. The recreational fishery was a major component of the removals in the 1980s.

That declined very quickly into the 1990s. The commercial catch was more of a gradual decline, and more recently over the last three years were down near record lows, in terms of catch. Catch is very low. This assessment is now just simply based on the 30 plus Area-Swept to calculate biomass. We have to use three different surveys, because we don't have a single survey that covers the entire stock. We basically use three surveys with nonoverlapping strata. The new survey covers the offshore strata in parts of Massachusetts inshore, and Maine/New Hampshire covers the inshore area for the north, and the Mass DMF covers the shallow square that the Bigelow can't sample off the coast of Massachusetts. The exploitable biomass is now defined as the 30 plus centimeter biomass index per tow, multiplied by this expansion factor, which is simply the total survey area divided by the total footprint times Q.

Q here you can think of as efficiency of the gear. Exploitable biomass is sensitive to this assumption, so it's an important assumption to make. But exploitation rate then is simply the catch over that 30 plus centimeter biomass estimate. The biological reference points are based on the yield per recruit analysis, some at elect ratio recruit bio or F40. (NOTE FROM TRANSCRIBER: Audio unclear.)

Here is some work that Tim Miller updated, in terms of the efficiency experiment. This was based on the twin trawl study comparing the relative catches of the Bigelow versus a more efficient flat net, done on a vessel that can tow both nets at the same time. We can get some idea of that relative efficiency of the Bigelow gear. Tim updated the calculations of Q, of the efficiency taking into account the day/night differences, and also length effects. You can see the day/night effects are pretty different. Then during the day, you can see there was a length effect.

Here are the estimates from the spring on top and the fall on the bottom. Different colors represent the proportion in each survey. In the spring you can see there is a greater proportion of the stock in the inshore areas in the state surveys, since more of the stock is inshore spawning during that time.

Originally, we had more confidence in the fall estimates, because there were some concerns that fish could be inside the estuaries, and you could be missing those fish in the spring. Also, we have better information on the Bigelow efficiency. There was a little more confidence in the fall. However, regardless about those facts, both estimates are very similar between the spring and fall.

Here basically, the lines here are the total estimates from the bar graph. You can see that the spring/fall estimates are very similar. More recently there is an increase, those last three points at the end here in the biomass estimates, and we are basically using the average of those three points for the catch advice.

There are some signs of hope here, and hopefully this continues into the future, and perhaps there is a response to the low catches at this point. Here are the Area-Swept estimates over time on the left. This is from the fall survey. You can see that it doesn't really correspond to the exploitations on the right. The exploitation rates have been far below the overfishing definition, which is that dotted line on the top, for the entire time series. It doesn't seem to be responding overall to what we think as low exploitation rates.

But, perhaps here at the end of the time series there is the beginning of a response. Hopefully that continues and it's just not a year effect going forward. Here is another way of looking at that response. You can see how the response has been going in the wrong direction under low exploitation rates from the beginning of the time series. More recently, things have turned around and it seems like biomass is increasing. But perhaps that is due to where the catches are and where the exploitation rates are at the end of the time series. This is the time series for the catch advice coming out of this, mostly this in empirical approach, you can see how the catch advice does bounce around when assessments come in. However, all the catch advice has been relatively high compared to the catches.

You can see the catch trend over time has been declining, and is far below the catch advice. It doesn't appear that quotas are very constraining for the stock, as the catches continue to decline, even though the quotas have been higher. I don't know if you want me to answer questions now.

CHAIR HYATT: Thank you, Carl, thank you for that presentation. Yes, we would take a few questions now before we roll into the Southern New England/Mid-Atlantic presentation. Any questions for Paul? I've got one, Emerson.

MR. EMERSON C. HASBROUCK: Thank you, Paul, for your presentation. I had a question on the Q estimates. Each of those three different gear types, I'm guessing, has a different catchability, right? Were they averaged together? When I say the three different gear types I mean the three different surveys.

I guess it's a two-part question. One is, for those three surveys, each of those trawl gears have their own catchability, and if it is different from the others, then the Q that you presented, is that an average of the three, or how did you compute that Q, the catchability?

MR. NITSCHKE: I mean that is one of the major sources of uncertainty. We only have efficiency estimates on the Bigelow gear type from the experiment. We don't have any information on what the equivalency is for Mass DMF survey gear and the Maine/New Hampshire survey gear.

With the lack of that information, we're basically assuming the same Qs from the Bigelow on those surveys. Even though those survey gears are different. That's one of the reasons why I have a

little more confidence in the fall estimates, when a greater proportion of the population is in the Offshore NMFS Survey. Does that answer your question?

MR. HASBROUCK: Thank you.

SOUTHERN NEW ENGLAND/MID-ATLANTIC

CHAIR HYATT: Okay, we have no other questions in the room and none online, so at this point we'll move on to the Southern New England/Mid-Atlantic Stock Management Track Assessment. Tony Wood.

MR. ANTHONY WOOD: Thanks very much. I just want to confirm that people can hear me still okay.

CHAIR HYATT: Great. This is a review of the Southern New England Winter Flounder Assessment from last year. This stock went through the spring management track schedule, so it was reviewed in June, a little earlier than Gulf of Maine. Just a little history. The last assessment for this stock was the 2020 management track updates, the multispecies groundfish updates. The current model at that time was the statistical catch at age, Ages 1 through 7 plus, and years through 2019. The reference points at that time, the one I would like to point out here and just note. The biomass reference point of about 12,000 metric tons. That is going to come back a little later. The stock status at the time, it was overfished, but overfishing was not occurring.

For data that goes into the assessment there, the data structure, model structure, model type, nothing in that regard changed for this update. It was a very straightforward update. The major changes for this management track, and what caused it to be a Level 3 assessment, were changes to how the reference points were calculated, but again, I will get to that later.

But everything else was consistent with how the operational assessments have been run for the past decade or so. Commercial landings for this assessment. From 1981 to 2019 came from our AA tables, and from 2020 to 2021 from our new catch accounting and monitoring system. These are stratified by market category quarter, or half year.

Commercial discards are based on our standardized bycatch reporting methodology, and the recreational information that goes into this assessment comes from MRIP. Again, the 2020 and 2021 commercial landings are from our new catch accounting and monitoring system, and the rest comes from our old AA table algorithm, 2020 landings were 120 metric tons, and 2021 landings were 87 metric tons.

These are the lowest in the time series, and are down around the levels of when there was a bit of a moratorium for the species in 2009 to 2012. The time series average for commercial landings is 2,800 metric tons. A lot of these plots are similar to what you've seen in the Gulf of Maine. Things seem to have fallen of the cliff.

Commercial discards are mainly from trawl and scallop drudge fisheries, 2021 commercial discards were 122 metric tons, with a time series average of about 400 metric tons. For recreational information, the recreational component for this stock used to be pretty important. Now it's almost nonexistent.

Two thousand Twenty-One recreational landings were 5.1 metric tons, they were well below the time series average. But these two recreational plots I have the old MRIP information, so the uncalibrated information prior to the MRIP calibration proposed in 2017-ish, and the blue is the new information.

The blue is the information that is currently going into the assessment. For recreational discards, 2021 recreational discards were 1.1 metric tons, again, very much lower than they used to be, and much lower than the time series average. For total catch the 2021 total catch was 216 metric tons. The total catch components here are mostly made up of commercial landings and commercial discards

now, with the two recreational components much reduced from historical levels. For survey information going into this assessment, we have the Northeast Fishery Science Center Surveys, winter, spring and fall. The NEAMAP spring, Mass DMF spring, Rhode Island and Connecticut spring surveys, New Jersey Ocean and River Trawl Survey, URI Graduate School of Oceanography Trawl Survey, and then two Age 0 recruitment surveys from Massachusetts and Connecticut. These are the regional surveys. The Science Center Surveys and the NEAMAP Surveys, scaled to their means, showing fairly similar trends in decline from the late nineties, early 2000s to now. This one is kind of a jumble, but again, they all show generally the same trend, but the catch has shown drastic declines from historical levels.

These are all of the local state trawl surveys that are in the assessment. Then for the two Age 0 survey indices, they're both pretty flat, except for the Connecticut, which has really dropped off in the past decade or so. The biological information is consistent with what came out of the last benchmark in 2011 for this stock.

Natural mortality is set at 0.3. Maturity information comes from Massachusetts DMF spring survey maturity data. And again, it's carryover from the last benchmark. These input values were retained for this, and previous operational assessments. For a final model configuration, we have a single fleet going into the model, with commercial and recreational landings and discards.

There are three selectivity blocks, with a fourth flat top selectivity on the selectivity block. Twelve survey indices, and then a single penalty on the numbers in the first year. Two thousand Twenty-One biomass estimates, 4,600 metric tons for total biomass, and about 3,300 metric tons for spawning stock biomass.

Two thousand twenty-one F, 0.061, almost the lowest in the time series. Recruitment has been pretty low, and much lower than historical levels for the past decade and a half, 2021 recruitment was at 4.4 million fish. For retrospective patterns, the retrospective bias has actually decreased a little bit since the previous operational assessment, and it's considered a minor retrospective, so there is no retro adjustment going into stock status determination for this stock.

Reference points, our SPR 40 percent, but F 40 percent is 0.265, based on yield per recruit SPR analyses. This is where the major change was for this go around. The current biomass reference point methodology uses recruitment from the entire time series, or prior to this assessment it did. Based on comments from the Commission, the Councils, SSCs et cetera, and just realizing that current productivity of this stock is probably not able to match historical productivity levels.

We decided to move to a more recent stanza for recruitment that is more reflective of the current stock productivity. You can see looking at the median values for different subsets of the time series, previously being fed into the projections, to determine that biomass reference point, the median from the entire time series is 15,000 metric tons. If we switch to some more recent stanza, a 20 year and a 10 year, we drastically lower that median of the recruitment values that are being used in the projections.

Trying to find some support for making this decision, we looked at research that Rich Bell and I have done, looking at estuarine winter water temperatures, and how the mean of the index that we came up with has moved above a 5-degree level, which is a level that has been shown in the literature to be detrimental to recruitment events in a given year, if an estuary has a temperature at or above this level. In the past 10 years the index that we came up with has traveled above this level 4 times. In the past 20 years it's traveled above this level about 6 times. But you can just see the general trend of warming from this temperature index over time, and how it's potentially effecting the productivity in this stock. The final thing that we looked at, which I didn't show here, it gets

pretty technical. But a quantitative analysis using a recursive partition regression tree did end up splitting our productivity time series and our recruitment time series at about the 20-year mark.

The temperature index has crossed over the 5-degree level 6 times in the past 20 years, 4 times in the past 10. It is possible if we see some stable or cooler winter temperatures, we could achieve some of those middle levels of recruitment from the early 2000s. For this assessment we proposed and did use the last 20 years of recruitment for the biomass reference point projection.

For updated reference points, the fishing mortality in 2021 was 0.61, and the SSB in 2021 was 3,300 metric tons. Our new fishing mortality reference point at 40 percent is 0.265, and our SSB and MSY reference point is 3,300 metric tons, down from what I pointed out earlier at about 12,000 metric tons.

Half of that is our threshold, and then MSY is currently sitting at about 1,000 metric tons. We're currently at 101 percent of the target biomass, realizing that we have not changed our perception of the stock, we've just moved the goalpost. Our status has changed. The stock is now not overfished and overfishing is not occurring. There is no retrospective adjustment necessary. I think that's it. Are there any questions?

CHAIR HYATT: Thank you, Tony. Any questions for Tony specific to the Southern New England/Mid-Atlantic stock of winter flounder? There are no hands in the room, is there anybody online? Nobody online, so great, we'll move on to the next item on the agenda. Paul, Tony, thank you for those excellent presentations, excellent although not exactly encouraging, but thank you very much.

SET SPECIFICATIONS FOR 2024-2025

CHAIR HYATT: Next item on the agenda is to set the 2024/'25 specifications. Tracey is going to provide an overview, then we'll go into review the Technical Committee recommendations, review the Advisory Panel Report, then we'll have some opportunity for questions. Then there is a motion that's been prepared by staff that will be put up for your consideration. Tracey, why don't you take it away.

MS. TRACEY BAUER: Good afternoon, everyone. I will be reviewing a couple of items under this agenda item. First, I will be taking you through an overview or summary of the New England Fishery Management Council Winter Flounder Specifications for Fishing Year 2023 through 2025. Then I will be moving into a little brief summary of the Addendum III specifications process. Then I will hand over the presentation to Rich, the TC Chair, who will give a summary of the TC recommendations.

Then I will provide the AP report summary, and lastly, we'll move into Board action. After the two management track stock assessments that Tony and Paul just reviewed were accepted for management use, the Council met this past December to set specs for federal waters for fishing years 2023 through 2025, through the approval of Framework 65. There is a tentative date of May 1st for implementation for this Framework 65. I have a table here which displays the total ACL and the groundfish set ACL for this past year, 2022, and the upcoming ACL for fishing years 2023 through 2025 as set in Framework 65, so you can compare the two. The total ACL increased by 60 percent for the Gulf of Maine stock, and 37 percent for the Southern New England/Mid-Atlantic stock compared to the previous year.

They were adjusted up as a reflection of the results of the 2022 management track stock assessments. Moving into the state subcomponents, this table displays the state subcomponents for each of the stocks that can be found in Framework 65. The

state subcomponent is comprised of both the recreational and commercial catch.

The commercial portion of the state subcomponent is caught by vessels that do not hold federal northeast multispecies permits, and the recreational portion is based off of MRIP estimates of recreational catch. The state subcomponent is an estimate of catch that was accepted in the upcoming years from state waters, and is determined by the average catch from the most few recent years.

The state subcomponent is not an allocation, and so there is no accountability measures associated with the state waters subcomponent, meaning there is no pound for pound payback if the state water subcomponent is exceeded. Looking at the table, you can see that the 2023 through 2025 Gulf of Maine and Southern New England/Mid-Atlantic state subcomponents were revised downwards from the 2022 value, to reflect recent fisheries trends.

In both cases the five-year average of catch was used to determine what the state subcomponent would be. They used the five-year average as opposed to two-yar average, just to better account for the variability in landings in recent years, as at least the past couple years, as you saw from the previous presentation, they've been very low.

Moving into a little summary, or a reminder about the Addendum III step process. It's been a couple of years since you guys have looked at this. I think it was back in 2021. As a reminder, Addendum III, which was approved in 2013, to revise the state specs setting process, so that recreational and commercial measures may be set for up to 3 years. This was to better align with the federal waters step process. The Commission measures that are subject to change.

As you can see up on the screen are trip limits, trigger trip limits, size limits, season, area closures. Then the rec measures, size limit, bag limits and seasons. I'll have slides of these later if you want to see it again, but this is a table showing the commercial winter flounder regulations as they are today, and they have not been changed since 2014. You can see the differing regulations between the Gulf of Maine winter flounder and the Southern New England/Mid-Atlantic winter flounder through the stock unit column.

Here we have the current recreational winter flounder regulations listed by state for both the Gulf of Maine stock and the Southern New England/Mid-Atlantic stocks, with their differing creel limits of 8 for Gulf of Maine and 2 for Southern New England/Mid-Atlantic, a net size limit across the board of 12 inches. Then you can see in a lot of the Southern New England/Mid-Atlantic they have seasonal closures. I think we're going to move past this here, is that correct, Mr. Chair. Yes, so we're going to jump right into the Technical Committee meeting summary, if Rich is available.

TECHNICAL COMMITTEE REPORT

MR. RICHARD BALOUSKUS: I'm Rich Balouskus; I'm a biologist for the state of Rhode Island. I work on winter flounder, and I've taken over the Chair this year for the TC from Paul Nitschke, who has been running this for quite some time. But as he has ten other stocks to work on, we thought we would give him a break on this.

The TC met last week, or a couple weeks ago on the 11th, and we started off the conversation by acknowledging this increase in federal catch advice through the New England Fishery Management Council, as well as that change in stock status for the Southern New England/Mid-Atlantic stock from overfished to not overfishing.

Honestly, you know we started the conversation thinking that at least there was a possibility that we may be discussing potential increases in the mix as we go on. That said, it was equally noted that for the change in stock status, first up in New England, that despite those changes, as Tony said, we really

have no change in our perception of how that stock looks overall.

You know on that note, these surveys across the board for both stocks have seen either declines, or are really remaining honestly near detection levels. You know we have those couple slight increases most recently in the Gulf of Maine stock, but certainly not enough data to suggest a trend of any sort to recovery.

As was noted, even with the extraordinarily low rates of fishing mortality that we've had for quite some time, we've not really seen a measurable rebound in either of the stocks. It's pretty well understood that climate and natural mortality might be hindering that recovery. We chatted on this topic for quite some time, and worked our way to unanimous agreement for status quo for both stocks moving forward, for both commercial and recreational limits as they stand now.

There was some discussion moving forward about how we'll go about potentially figuring out decreases moving forward. But as of now, status quo felt like the right move. Then finally, the group as a whole was thinking about this, as well as in consultation with Tony and Paul that status quo is probably our best technical advice moving forward, as a bridge to the 2026 research track stock assessment, where we plan to incorporate a significant amount more of climate data into modeling.

That is very hopefully going to give us some more insights into the trends for both Gulf of Maine and Southern New England stock moving forward. The summary, it was a very productive meeting, a lot of back and forth, but as noted the TC is recommending status quo for both stocks, commercial and recreational.

ADVISORY PANEL REPORT

MS. BAUER: Thanks, Rich. I will be taking over the AP meeting summary. Bud Brown was not able to make it today due to a work obligation. I'll be covering that for him. Four AP members met on January 12, a day after the TC met to discuss some of the same things. They looked at the specifications from the New England Fishery Management Council, current fishery management issues, and provided some research recommendations. I will start off with the recommendations related to the specs, and then management measures specifically. One advisor recommended a moratorium in the Gulf of Maine and Southern New England/Mid-Atlantic stocks. One advisor recommended allowing at least some catch for the following benefits that he listed on where it minimizes dead discards, and allows for biological data to continue to be collected on catch, which is something we wouldn't really have if there was a moratorium.

Then another advisor saw merits to both recommendations. One advisor commented that the winter flounder fishing season in the Southern New England/Mid-Atlantic region should be limited again. The Southern New England/Mid-Atlantic region's recreational season was expanded by Board action in 2014. It used to be a 60-day recreational open season before that.

In addition, these two advisors said there should be some, well two advisors expressed support for all states in the Southern New England/Mid-Atlantic and Gulf of Maine region to adopt a commercial and recreational spawning season closure. They had also recommended that this closure be consistent among states, in terms of dates, and that all states adopt this.

Moving into some more general concerns and recommendations that they discussed. There were some general concerns, of course, about the continued low abundance of winter flounder in the Southern New England/Mid-Atlantic and Gulf of Maine regions. One advisory commented on that the low rates of reproduction may not be able to overcome the high rate of natural mortality that winter flounder is currently experiencing.

The AP also had a few research recommendations. Two advisors were concerned that the way stock

assessments are currently conducted aren't capturing the potential differences between localized sub stocks, and recommended further research into the genetic structure of winter flounder. Another AP member expressed concern that discards from observer data are being misreported, and recommended that discard and discard mortality in state waters should be further investigated.

Winter flounder discards in state waters are currently calculated for only federal observer data, and so these data are more uncertain than federal discard numbers. This advisor had recommended that states should not only rely on the federal observer program to calculate the discards, but instead invest in other systems that calculate discard and discard mortality. With that I think we can take any questions.

CHAIR HYATT: Thank you, are there any questions, any questions on the overview, any questions on the Technical Committee recommendations or the Advisory Panel report? No hands in the room, any hands online? We have no questions, and at this point in time I believe we've got a prepared motion that we can put up that reflects the Technical Committee's recommendation.

We'll put that up for consideration and see if anybody is willing or interested in making that motion. Okay, so here is a motion prepared by staff. Is there anybody on the Board who is willing to make that motion? Conor, do we have a second? Justin. Okay, Conor, would you like to speak to the motion, please?

DR. CONOR McMANUS: Yes, I think the rationale the Technical Committee has put forth is pretty sound that our perception on the stock has not quite changed, even with the changes in the reference points, and how the projections have been done. I think the status quo approach is warranted for the time being. Thanks.

CHAIR HYATT: Justin, do you have anything to add? All set, so we've got a motion. Move to approve status quo commercial and recreational Southern New England/Mid-Atlantic and Gulf of Maine winter flounder measures for the 2024 – 2025 fishing years. Motion by Dr. McManus, second by Dr. Davis. Is there any discussion? Emerson.

MR. HASBROUCK: I will support this motion. I mean all we did really was we changed the reference points, and therefore we have instant underfishing, even though spawning stock biomass has not really changed. For that reason, I would support this motion.

CHAIR HYATT: Thank you, Emerson, is there any other comments? **Anything online or anything from the public? Seeing none; is there any objection to this motion? Any abstentions? The motion passes by unanimous consent.**

CONSIDER THE FISHERY MANAGEMENT PLAN REVIEW AND STATE COMPLIANCE FOR THE 2021 FISHING YEAR

CHAIR HYATT: Next item on the agenda is to Consider the Fishery Management Plan Review and State Compliance for the 2021 Fishing Year**.** Tracey.

MS. BAUER: I will be presenting on the Winter Flounder FMP Review for the 2021 fishing year. Fishery performance and the assessment for all the information were already touched on by Paul and Tony, so I'm not going to rehash any information. I'm going to keep this short and sweet. This is the abbreviated presentation of the recommendations of the PRT.

Generally waiting for things to the plan requirements under Amendment 1. Under Amendment 1 the states of Massachusetts, Rhode Island and New York are required to conduct annual surveys of juvenile recruitment, to develop an annual juvenile abundance index for winter flounder. In addition, the states of Massachusetts, Rhode Island and Connecticut and New Jersey are

required to conduct annual trawl surveys, to develop an index of spawning stock biomass.

All states except for New Jersey have resumed normal operation of their sampling programs by 2021. New Jersey did not conduct their ocean trawl program sampling in 2021, due to COVID protocols, but normal operations resumed in 2022. Overall, survey indices, as you saw, with the previous presentations, remain below average in those Southern New England/Mid-Atlantic area.

For state compliance, no inconsistencies were found among the states, with regard to the FMP requirements. The PRT recommends approval of state compliance reports and de minimis status for New Jersey's commercial fishery, which they requested this year. Any research recommendations can be found in the FMP review document, or in the stock assessment reports. Like I said, short and sweet. Are there any questions?

CHAIR HYATT: Any questions for Tracey? Seeing none in the room, any online? None online, and so once again we do have a motion that's been prepared by staff, a motion to approve the fishery management plan review, if we can have that up there and see if anybody on the Board is interested in making the motion. Emerson.

MR. HASBROUCK: Yes, I'll make the motion, do you want me to read it into the record?

CHAIR HYATT: Yes, please.

MR. HASBROUCK: **Move to approve the Winter Flounder Fishery Management Plan Review for the 2021 fishing year, state compliance reports, and *de minimis* status for New Jersey commercial fisheries.**

CHAIR HYATT: Do we have a second? Eric Reid. We've got a motion by Mr. Hasbrouck, a second by Mr. Reid. Move to approve the Winter Flounder Fishery Management Plan Review for the 2021 fishing year, state compliance reports, and de minimis status for New Jersey commercial fisheries. Is there any discussion? Nothing online. **Is there any objection to this motion, any abstentions? Motion passes by unanimous consent.**

REVIEW AND POPULATE THE ADVISORY PANEL

CHAIR HYATT: item that we have on the agenda is Review and Populate the Advisory Panel. We have a nomination from Tina.

MS. TINA L. BERGER: Thank you, Mr. Chairman. I present for your consideration and approval the nomination of Allan Butler from Massachusetts. He's a recreational angler to the Winter Flounder Advisory Panel.

CHAIR HYATT: **We have a motion made by Dan McKiernan, second by Justin Davis** Thank you, do we have a second? Any discussion. New motion, yes. Sorry, Justin seconds it. Okay, thank you. Do we have any discussion? Nothing in the room, anything online? Move to approve Allan Butler of Massachusetts to the Winter Flounder Advisory Panel.

Is there any objection? Are there any abstentions? Motion passes by unanimous consent. At this point that brings us to the end of the agenda.

ADJOURNMENT

CHAIR HYATT: Is there any other business to come before the Winter Flounder Management Board? Seeing none; meeting is adjourned. Thank you.

(Whereupon the meeting adjourned at 2:35 p.m. on Tuesday, January 31, 2023)

draft working paper for peer review only

Gulf of Maine Winter Flounder

2025 Management Track Assessment Report

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northeast Fisheries Science Center
Woods Hole, Massachusetts

Compiled 08-29-2025

This assessment of the Gulf of Maine Winter Flounder (Pseudopleuronectes americanus) stock is a management track assessment of the existing 2022 area-swept management track assessment (NEFSC, 2022). Based on the previous assessment the biomass status is unknown but overfishing was not occurring. This assessment updates commercial and recreational fishery catch data, research survey indices of abundance, and the area-swept estimates of 30+ cm biomass based on the fall NEFSC, MDMF, and MENH surveys.

State of Stock: Based on this updated assessment, the Gulf of Maine Winter Flounder (*Pseudopleuronectes americanus*) stock biomass status is unknown and overfishing is not occurring (Figures 1-2). Retrospective adjustments are not possible with this area-swept assessment. Biomass (30+ cm mt) in 2024 was estimated to be 4,537 mt (Figure 1). The 2024 30+ cm exploitation rate was estimated to be 0.044 which is 19% of the overfishing exploitation threshold proxy (E_{MSY} *proxy* = 0.23; Figure 2).

Table 1: Catch and status table for Gulf of Maine Winter Flounder. All weights are in (mt) and E_{Full} is the exploitation rate on 30+ cm fish. Biomass is estimated from survey area-swept for non-overlaping strata from three different fall surveys (MENH, MDMF, NEFSC) using an updated q estimate of 0.79 based on the wing spread from the sweep study (Miller et al., 2023).

	2019	2020	2021	2022	2023	2024
			Data			
Recreational discards	2	1	1	1	1	0
Recreational landings	42	51	43	39	61	23
Commercial discards	8	7	15	16	13	14
Commercial landings	102	79	118	85	117	161
Catch for Assessment	155	138	177	142	192	198
			Model Results			
30+ cm Biomass	2,672	NA	5,195	5,469	4,714	4,537
E_{Full}	0.058		0.034	0.026	0.041	0.044

Table 2: Comparison of reference points estimated in an earlier assessment and from the current assessment update. An $E_{40\%}$ exploitation rate proxy was used for the overfishing threshold and was based on a length-based yield per recruit model from the 2011 SARC 52 benchmark assessment.

	2022	2025
E_{MSY} *proxy*	0.23	0.23
B_{MSY}	Unknown	Unknown
MSY (mt)	Unknown	Unknown
Overfishing	No	No
Overfished	Unknown	Unknown

Projections: Projections are not possible with area-swept based assessments. Catch advice was based on 75% of $E_{40\%}$(75% E_{MSY} *proxy*) using the most recent two year average (2023 and 2024) of the fall area-swept estimates assuming q=0.79 based on the wing spread which was updated using the average efficiency from 2009-2024 from the sweep experiment (Miller et al., 2023). Note that the 2022 management track assessment used the average of 2021 and 2022 spring and fall 2021 fall 30+ cm area-swept biomass to develop catch advice since the 2020 surveys were not available due to disruptions in sampling related to the COVID pandemic. However, catch advice (OFLs and ABCs) from the 2020 management track assessment were based on the average of the last two years of the fall surveys to make better use of the available new information and to help stabilize the catch advice. This management track returns to this approach. Updated 2023-2024 two-year fall 30+ cm area-swept average biomass

(4,626 mt) implies an OFL of 1,064 mt based on the E_{MSY} *proxy* and a catch of 798 mt for 75% of the E_{MSY} *proxy*.

Special Comments:

- What are the most important sources of uncertainty in this stock assessment? Explain, and describe qualitatively how they affect the assessment results (such as estimates of biomass, F, recruitment, and population projections).

  The largest source of uncertainty with the direct estimates of stock biomass from survey area-swept estimates originate from the survey gear catchability (q). Biomass and exploitation rate estimates are sensitive to the survey q assumption. However, this 2024 update does incorporate the use of a re-estimated q through an average estimate of efficiency from 2009-2024 fall and 2009-2025 spring (q=0.79 fall and q=0.71 spring) from the sweep study for the NEFSC survey. This updated q assumption (0.79) results in a slightly higher estimates of 30+ biomass (4,537 mt in 2024) relative to the 2022 estimate q=0.81 assumption (4,453 mt in 2024) for the fall surveys. More uncertainty is associated with the efficiency in state surveys due to the lack of sweep studies. Therefore, higher confidence is given to the fall survey estimates which possess a higher proportion of the stock in the more offshore NEFSC survey. Another major source of uncertainty with this method is that biomass based reference points cannot be determined and overfished status is unknown.

- Does this assessment model have a retrospective pattern? If so, is the pattern minor, or major? (A major retrospective pattern occurs when the adjusted SSB or F_{Full} lies outside of the approximate joint confidence region for SSB and F_{Full}

  The model used to determine status of this stock does not allow estimation of a retrospective pattern. An analytical stock assessment model is not currently available for Gulf of Maine Winter Flounder. The previous analytical model was determined to be no longer valid to be used for stock status determination at SARC 52 (2011) due to concerns with a strong retrospective pattern. Models for this stock have difficulty reconciling the apparent lack of a relationship between a large decrease in the catch with little change in the indices and age and/or size structure over time.

- Based on this stock assessment, are population projections well determined or uncertain? If this stock is in a rebuilding plan, how do the projections compare to the rebuilding schedule?

  Population projections are not available for area-swept assessments and stock biomass status of Gulf of Maine Winter Flounder is unknown. This stock was never declared as overfished. Catch advice from area-swept estimates tend to vary with interannual variability in the surveys. A two-year average of the most recent fall surveys is used to help stabilize the biomass estimates and catch advice. The fall survey is also thought to be a better estimate of the exploitable biomass due to concerns of missing fish within the estuaries during the spawning late winter/early spring season.

- Describe any changes that were made to the current stock assessment, beyond incorporating additional years of data and the effect these changes had on the assessment and stock status.

  The assumption on q changed from 0.81 to 0.79 for the fall and from 0.70 to 0.71 for the spring using information from the updated average q's from the NEFSC surveys (Miller et al., 2023).

- If the stock status has changed a lot since the previous assessment, explain why this occurred.

  The overfishing status of Gulf of Maine Winter Flounder has not changed. Overfished status remains unknown.

- Provide qualitative statements describing the condition of the stock that relate to stock status.

  Gulf of Maine Winter Flounder has relatively flat survey indices with little change in the size structure over time. There have been large declines in the commercial and recreational removals since the 1980s. This large decline over the time series does not appear to have resulted in a clear response in the stock's size structure within the catch and surveys nor has it resulted in a change in the survey indices of abundance. However, there have been some general more recent increases in the fall and the spring area-swept biomass estimates. If increasing biomass trends continue then perhaps this is the beginning of a response to time series lows in exploitation rates.

- Indicate what data or studies are currently lacking and which would be needed most to improve this stock assessment in the future.

  Direct area-swept assessments could be improved with additional studies on state survey gear efficiency. Quantifying the degree of herding between the doors and escapement under the footrope and/or above the headrope for state surveys is needed to improve the area-swept biomass estimates. Studies quantifying winter flounder abundance and distribution among habitat types and within estuaries could improve the biomass estimate. However, development of state space analytical models that incorporate process error which can account for conflicting data trends may ultimately be needed to improve our understanding and more appropriately quantify the stock population dynamics.

- Are there other important issues?

  The general lack of a response in survey indices and age/size structure are the primary sources of concern with catches remaining far below the overfishing level. However, recent increases in the overall biomass (2021-2024) could perhaps be the beginning of a response to removals being at record lows over the last few years (2019-2024 average = 167 mt). If recent increases in biomass is a response to the low catches then continuation of keeping the catch near recent levels may result in further increases in biomass.

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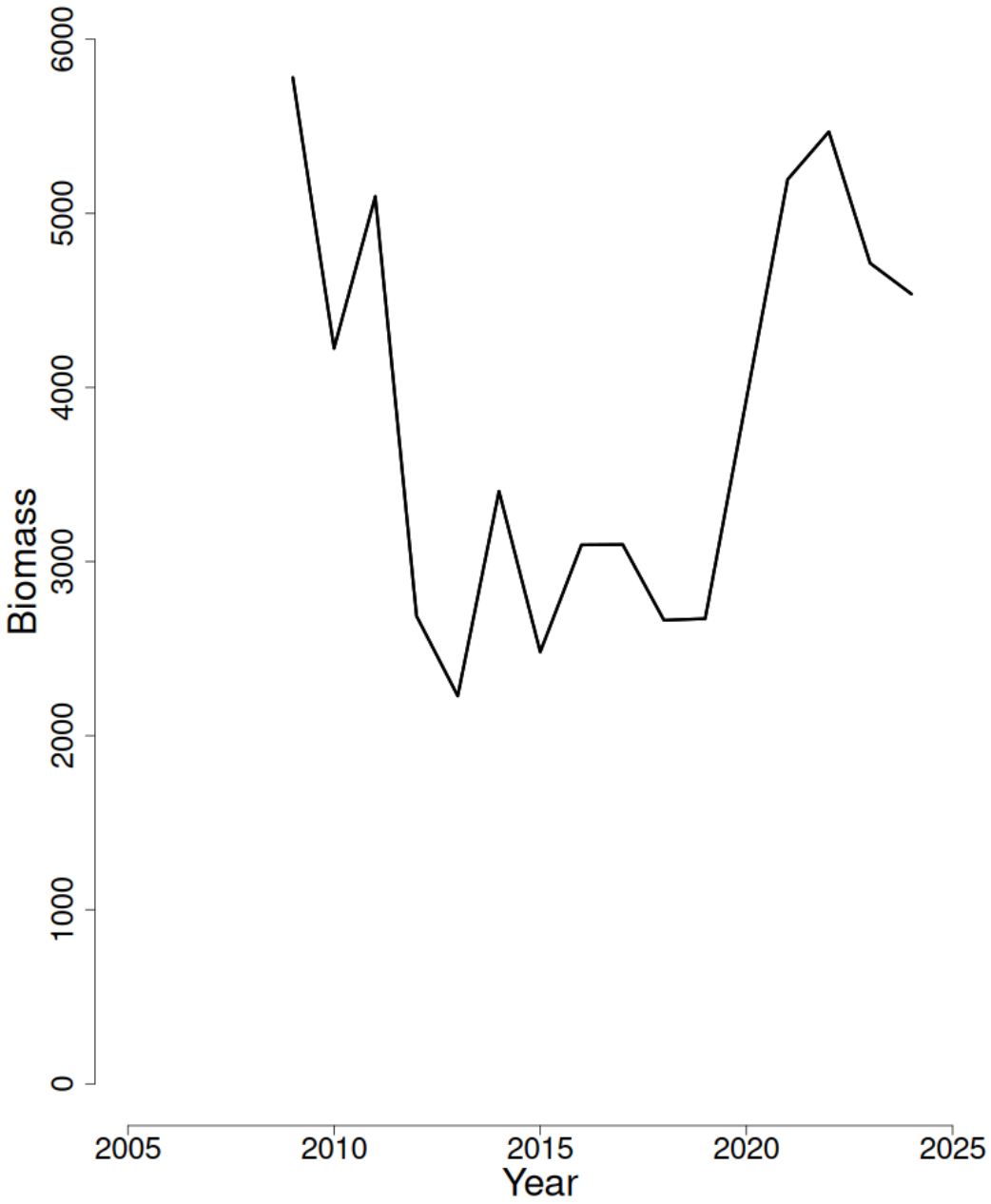

Figure 1: Trends in 30+ cm area-swept biomass of Gulf of Maine Winter Flounder between 2009 and 2024 from the current assessment based on the fall (MENH, MDMF, NEFSC) surveys.

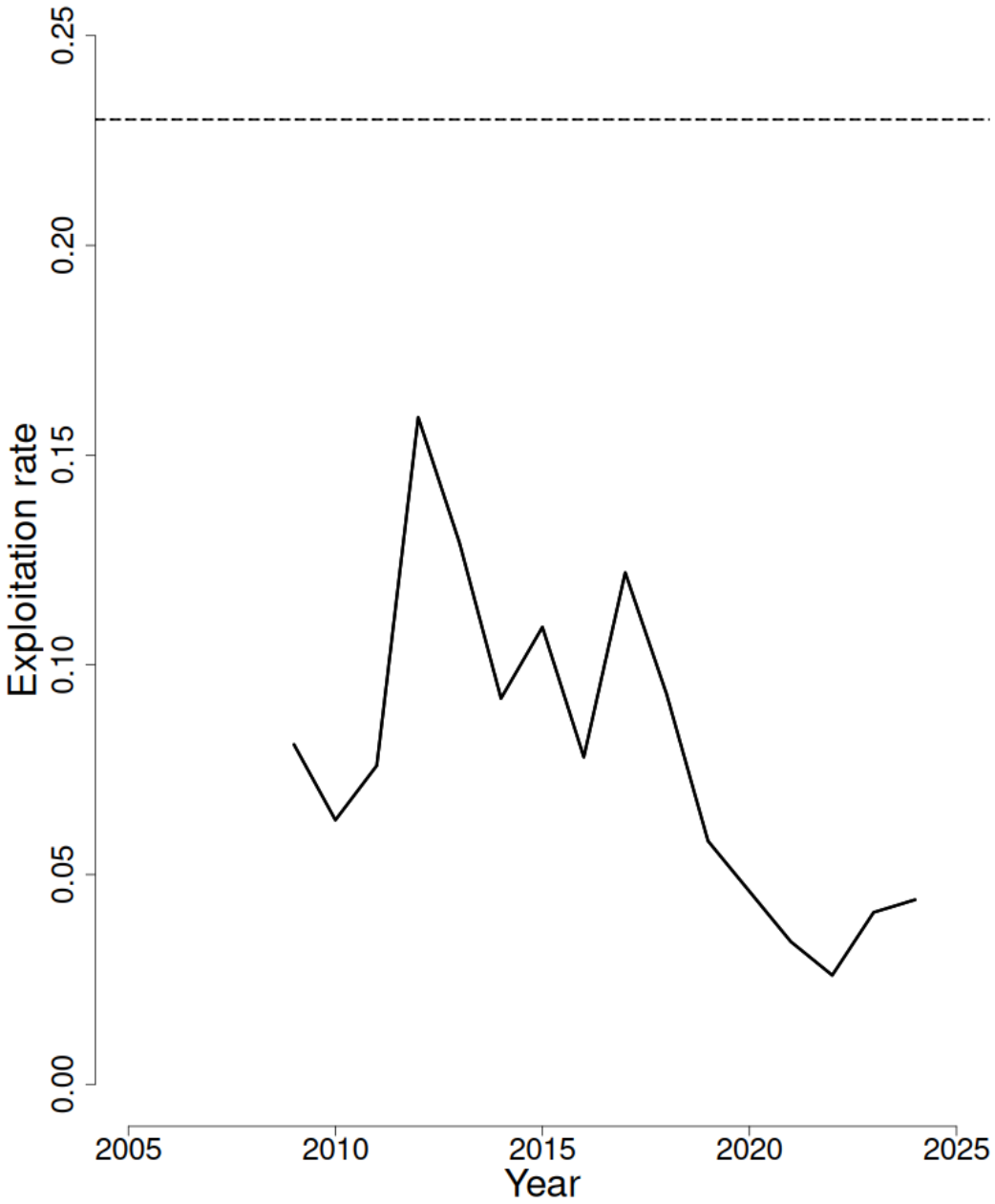

Figure 2: Trends in the exploitation rates (E_{Full}) of Gulf of Maine Winter Flounder between 2009 and 2024 from the current assessment based on the fall (MENH, MDMF, NEFSC) surveys and the corresponding $F_{Threshold}$ (E_{MSY} *proxy*=0.23; horizontal dashed line).

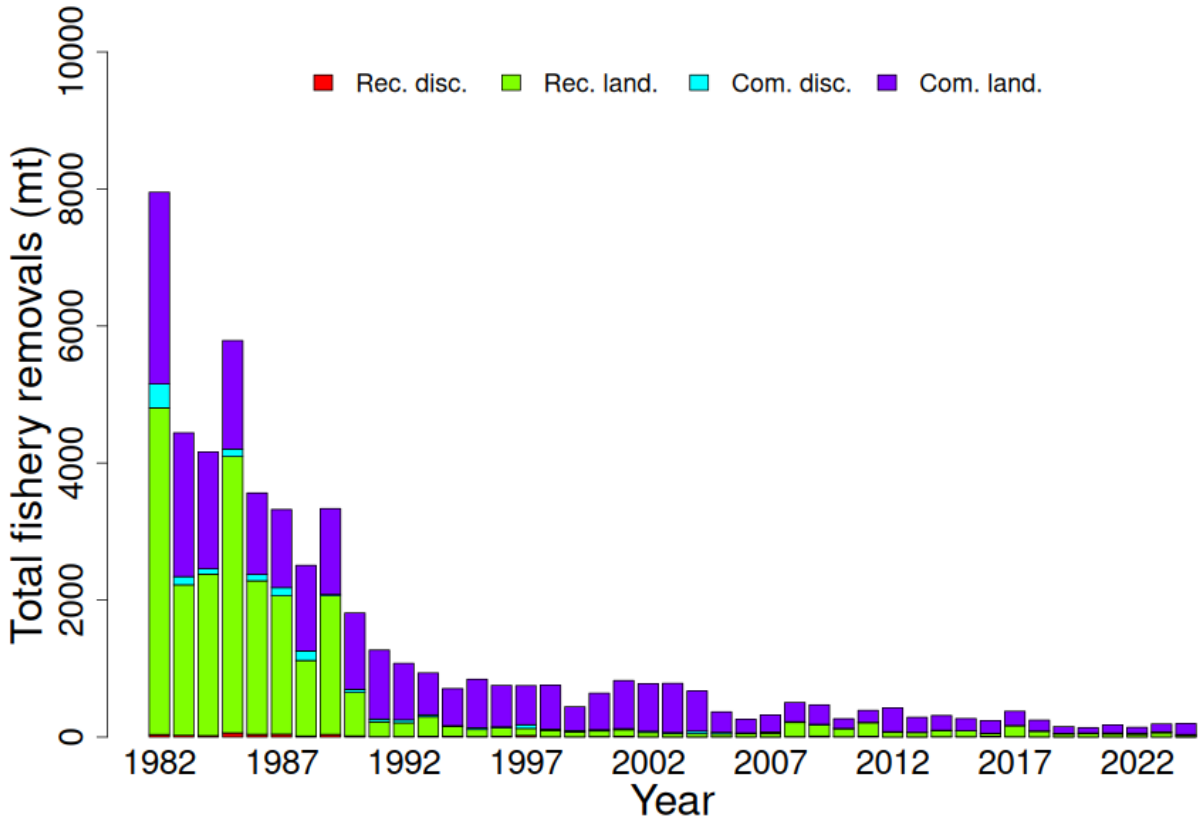

Figure 3: Total catch of Gulf of Maine Winter Flounder between 2009 and 2024 by fleet (commercial and recreational) and disposition (landings and discards). A 15% mortality rate is assumed on recreational discards and a 50% mortality rate on commercial discards.

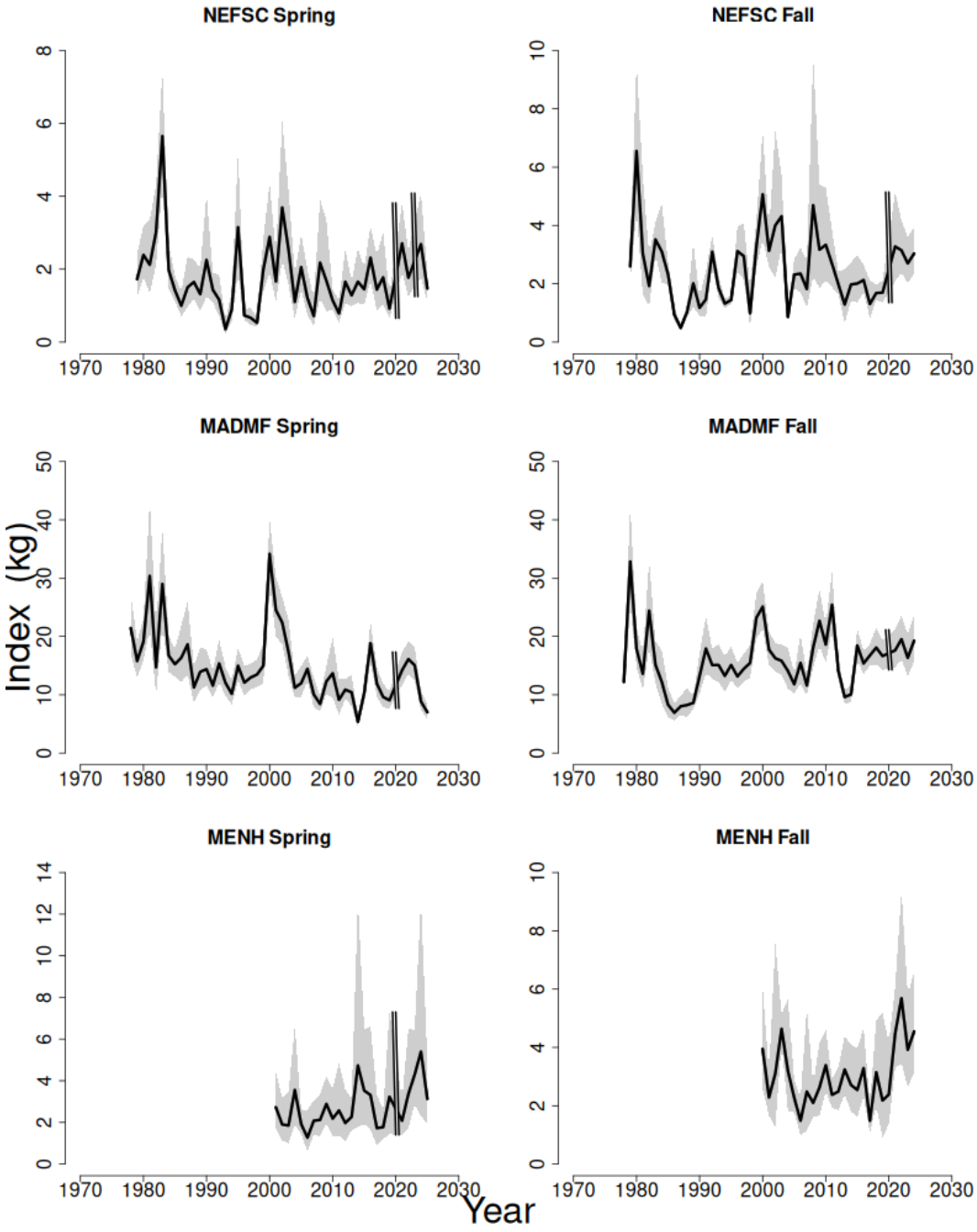

Figure 4: Indices of biomass for the Gulf of Maine Winter Flounder between 1978 and 2025 for the Northeast Fisheries Science Center (NEFSC), Massachusetts Division of Marine Fisheries (MDMF), and the Maine-New Hampshire (MENH) spring and fall bottom trawl surveys. NEFSC indices are calculated with gear and vessel conversion factors where appropriate. The approximate 90% lognormal confidence intervals are shown.

draft working paper for peer review only

Southern New England Mid-Atlantic Winter Flounder

2025 Management Track Assessment Report

U.S. Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Northeast Fisheries Science Center
Woods Hole, Massachusetts

Compiled 09-30-2025

This assessment of the Southern New England Mid-Atlantic Winter Flounder (Pseudopleuronectes americanus) stock is a management track assessment update of the existing benchmark assessment (NEFSC 2011), and follows management track updates in 2015, 2017, 2020, and 2022. In each assessment since the benchmark, except for 2022, the stock was overfished, but overfishing was not occurring (NEFSC 2015, 2017, 2020, 2022). In the 2022 management track, stock status changed to not overfished due to a change in the recruitment stanza used to calculate biological reference points. The current assessment updates commercial fishery catch data, recreational fishery catch data, research survey indices of abundance, and the analytical ASAP assessment models and reference points through 2024. Additionally, stock projections have been updated through 2028.

State of Stock: Based on this updated assessment, the Southern New England Mid-Atlantic Winter Flounder (*Pseudopleuronectes americanus*) stock is not overfished and overfishing is not occurring (Figures 1-2). Retrospective adjustments were not made to the model results. Spawning stock biomass (SSB) in 2024 was estimated to be 2,787 (mt) which is 89% of the biomass target (3,114 mt), and 179% of the biomass threshold ($SSB_{Threshold}$ = 1557 (mt); Figure 1). The 2024 fully selected fishing mortality was estimated to be 0.048 which is 21% of the overfishing threshold (F_{MSY} = 0.233; Figure 2).

Table 1: Catch and status table for Southern New England Mid-Atlantic Winter Flounder. All weights are in (mt), recruitment is in (000s), and F_{Full} is the fishing mortality on fully selected ages (ages 4 and 5). Model results are from the current updated ASAP assessment.

	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024
					Data					
Recreational discards	13	3	2	4	2	3	1	3	3	2
Recreational landings	39	61	10	10	0	9	5	33	16	2
Commercial discards	82	125	101	108	127	47	117	98	83	89
Commercial landings	654	519	515	337	212	120	87	84	35	76
Catch for Assessment	787	708	629	460	342	179	210	219	136	169
					Model Results					
Spawning Stock Biomass	5,289	4,471	4,035	3,906	3,615	3,486	3,566	3,203	2,747	2,787
F_{Full}	0.145	0.155	0.147	0.115	0.086	0.045	0.059	0.066	0.043	0.048
Recruits	4,633	4,462	2,718	3,995	2,284	2,334	2,517	3,394	4,553	6,211

Table 2: Comparison of reference points estimated in the 2022 management track assessment and from the current assessment update. $F_{40\%}$ was used as a proxy for F_{MSY} and an SSB_{MSY} proxy was calculated from a long-term stochastic projection drawing from the cumulative distribution function of empirical recruitment from 2002 to 2024. Recruitment estimates are median values of the time-series from 2002 to 2024. 90% CI are shown in parentheses.

	2022	2025
F_{MSY} *proxy*	0.265	0.233
SSB_{MSY} (mt)	3,314	3,114 (2,180 - 4,515)
MSY (mt)	1,025	910 (642 - 1,317)
Median recruits (000s)	4,752	4,633
Overfishing	No	No
Overfished	No	No

Projections: Short term projections of biomass were derived by sampling from a cumulative distribution function of recruitment estimates from 2002 to 2024. The annual fishery selectivity, maturity, and mean weights at age used in the projection are the most recent 5 year averages. Catch in 2025 was estimated at 194 (mt) by the NEFMC

Groundfish Plan Development Team. The model exhibited a minor retrospective pattern in F (Mohn's rho = -0.11) and SSB (Mohn's rho = 0.09) so retrospective adjustments were not applied in the projections.

Table 3: Short term projections of total fishery catch and spawning stock biomass for Southern New England Mid-Atlantic Winter Flounder based on a harvest scenario of fishing at F_{MSY} *proxy* between 2026 and 2028. Catch in 2025 was estimated to be 194 (mt). 90% CI are shown in parentheses next to SSB estimates.

Year	Catch (mt)	SSB (mt)	F_{Full}
2025	194	2,991 (2,478 - 3,549)	0.049

Year	Catch (mt)	SSB (mt)	F_{Full}
2026	961	3,456 (2,839 - 3,963)	0.233
2027	922	3,243 (2,773 - 3,799)	0.233
2028	902	3,128 (2,630 - 3,940)	0.233

Special Comments:

- What are the most important sources of uncertainty in this stock assessment? Explain, and describe qualitatively how they affect the assessment results (such as estimates of biomass, F, recruitment, and population projections).

  One important source of uncertainty is the estimate of natural mortality based on longevity, which is not well studied in Southern New England Mid-Atlantic Winter Flounder. Natural mortality affects the scale of the biomass and fishing mortality estimates. Natural mortality was adjusted upwards from 0.2 to 0.3 during the last benchmark assessment (2011), assuming a maximum age of 16. Since the 2011 benchmark, numerous fish older than 16 have been sampled by the NEFSC survey, as old as age 20. There is still uncertainty in the true max age of the population and the resulting natural mortality estimate. A full re-evaluation of natural mortality, including testing model estimation within a state-space model framework, is on-going as part of a graduate research project.

  Other sources of uncertainty include the length distribution of the recreational discards. The recreational discards are a small component of the total catch, but the assessment suffers from very little length information used to characterize the recreational discards. For this assessment a cumulative discard length distribution over all years was used to characterize the recreational discards. Reduced sampling of recreational fishery information could be an issue for this assessment moving forward.

  The population projections are sensitive to the recruitment model chosen, as well as the temporal period selected from which recruitment estimates are drawn. In addition, recruitment and natural mortality are both likely to be dependant on environmental conditions, which can not be explored within the ASAP framework. Investigations of environmental covariates within a state-space model framework are ongoing.

- Does this assessment model have a retrospective pattern? If so, is the pattern minor, or major? (A major retrospective pattern occurs when the adjusted SSB or F_{Full} lies outside of the approximate joint confidence region for SSB and F_{Full}

  The retrospective patterns for both F_{Full} (Mohn's rho = -0.11) and SSB (Mohn's rho = 0.09) are minor and a retrospective adjustment in 2024 was not required.

- Based on this stock assessment, are population projections well determined or uncertain? If this stock is in a rebuilding plan, how do the projections compare to the rebuilding schedule?

  Population projections for Southern New England Mid-Atlantic Winter Flounder are uncertain, and

project higher than realized SSB from the model.

The stock was recently in a rebuilding plan with a rebuild date of 2023. The projections and BRP calculations for the 2022 assessment update used a truncated stanza for recruitment, incorporating values from 2002-2021 (last 20 years). Previous assessments had used the entire time-series of recruitment, with historical recruitments that were well beyond the current productivity of the stock. The truncated recruitment stanza used in the 2022 management track led to a much reduced biomass target and as a result the overfished status of the stock changed. While the perception of the stock did not change, the stock was considered rebuilt by the 2023 deadline.

- Describe any changes that were made to the current stock assessment, beyond incorporating additional years of data and the effect these changes had on the assessment and stock status.

No changes were made to the data structure, model settings or assumptions for this assessment. Data were updated through 2024 and the model was run.

- If the stock status has changed a lot since the previous assessment, explain why this occurred.

The stock status of Southern New England Mid-Atlantic Winter Flounder has not changed since the previous management track update.

- Provide qualitative statements describing the condition of the stock that relate to stock status.

The Southern New England Mid-Atlantic Winter Flounder stock shows an overall declining trend in SSB over the time series, with the current estimate (2,787 mt) at the second lowest in the time series. Estimates of fishing mortality have been declining since 2015 and the current value (0.048) is among the lowest of the time-series. Recruitment has remained low and steady over the past decade with a slight increase at the end of the time series. The 2024 estimate of 6.2 million fish is slightly above the average since 2002 (6.1 million).

- Indicate what data or studies are currently lacking and which would be needed most to improve this stock assessment in the future.

The Southern New England Mid-Atlantic Winter Flounder assessment could be improved with additional studies on maximum age, as well as improved recreational discard length information. In addition, further investigation into the localized struture and genetics of the stock is warranted. Finally, a future shift to WHAM could provide the ability to model environmental factors that may influence recruitment and mortality, and help develop more informed population projections.

- Are there other important issues?

During the 2022 management track assessment, an important and impactful change was made to the stanza of recruitment used in the projections. The new recruitment stanza used the last 20 years of estimates (2002-2021) for both short term projections, and to estimate the biomass target (SSB_{MSY}) from a long term (100 year) projection. This was a shift from previous assessments that used the entire time-series of recruitment (1981-present), which included historical recruitment estimates that were overly optimistic for the recent stock size and productivity. Some of the early recruitment estimates are 20 times the levels seen in recent years. This adjustment was supported by guidance from previous peer review panels, with the main recommendation from the 2020 management track review being:

'The Peer Review Panel notes, as had been done in previous reviews, that recruitment had been declining throughout the period and was currently very low. As for several other stocks under the purview of the NEFSC it would be helpful to evaluate if the previously observed high recruitment are possible; i.e., is it simply a matter of building back SSB and recruits will follow, or are there other factors at play. If the productivity of the resource(s) has decreased, it would be helpful to adjust reference points accordingly. This would be unlikely to change fisheries yield much but would be more realistic in terms of setting expectations.'

It is also important to recognize that extensive work has been carried out to evaluate the effects of the environment on recruitment for Southern New England Mid-Atlantic Winter Flounder. Two assessment models that include environmental covariates have been developed: an environmental ASAP model (Bell et al.

2018) and the transition of this environmental model into the state space Woods Hole Assessment Model (WHAM). Research should continue to move to one of these alternative models for management. To help bridge the gap until environmentally linked reference points can be developed, a time-series of winter mean estuary temperature is being used as support to select an appropriate time period of recruitment for the projections and reference points.

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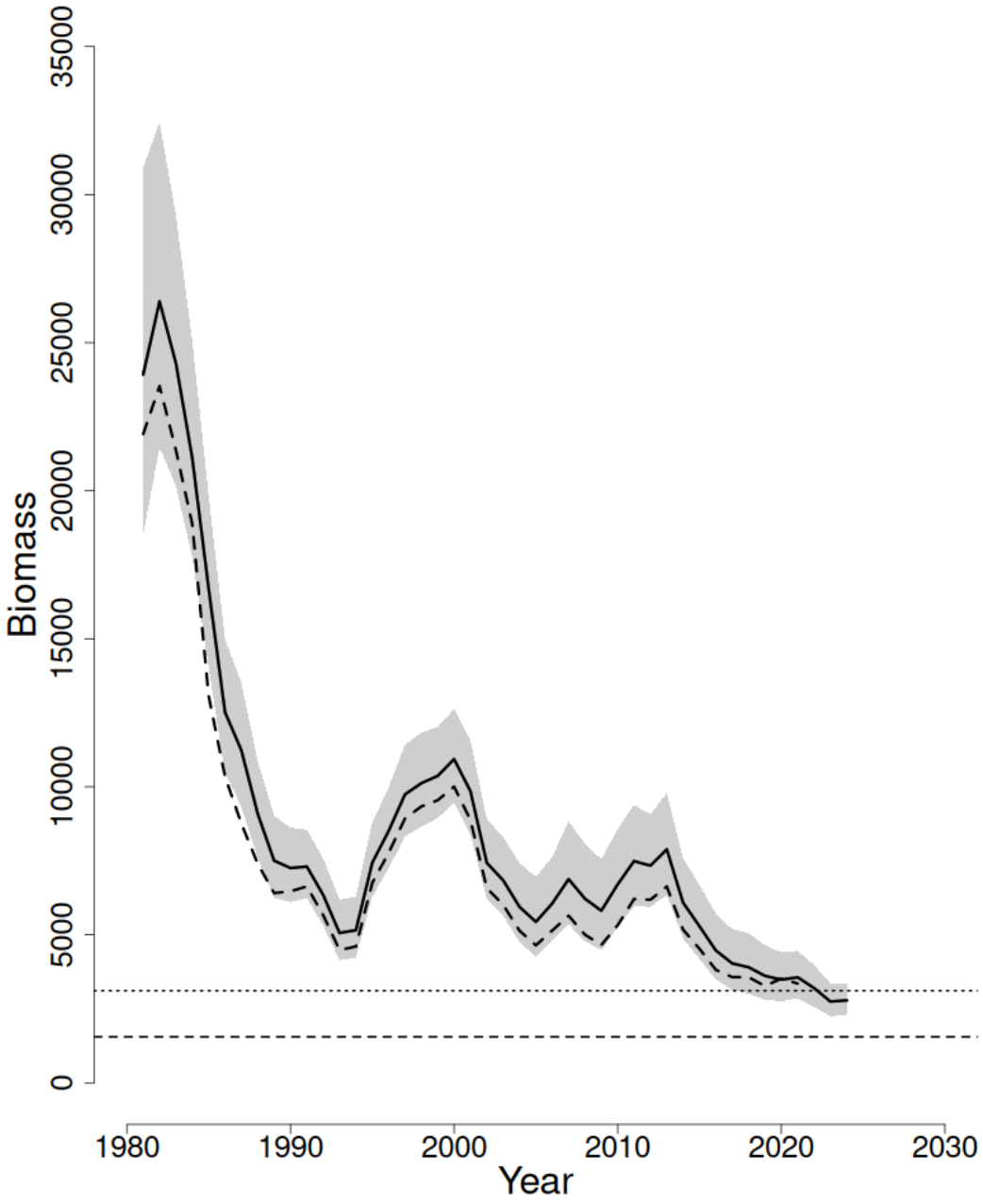

Figure 1: Trends in spawning stock biomass of Southern New England Mid-Atlantic Winter Flounder between 1981 and 2024 from the current (solid line) and previous (dashed line) assessment and the corresponding $SSB_{Threshold}$ ($\frac{1}{2}$ SSB_{MSY} *proxy*; horizontal dashed line) as well as SSB_{Target} (SSB_{MSY} *proxy*; horizontal dotted line) based on the 2025 assessment. The approximate 90% lognormal confidence intervals are shown.

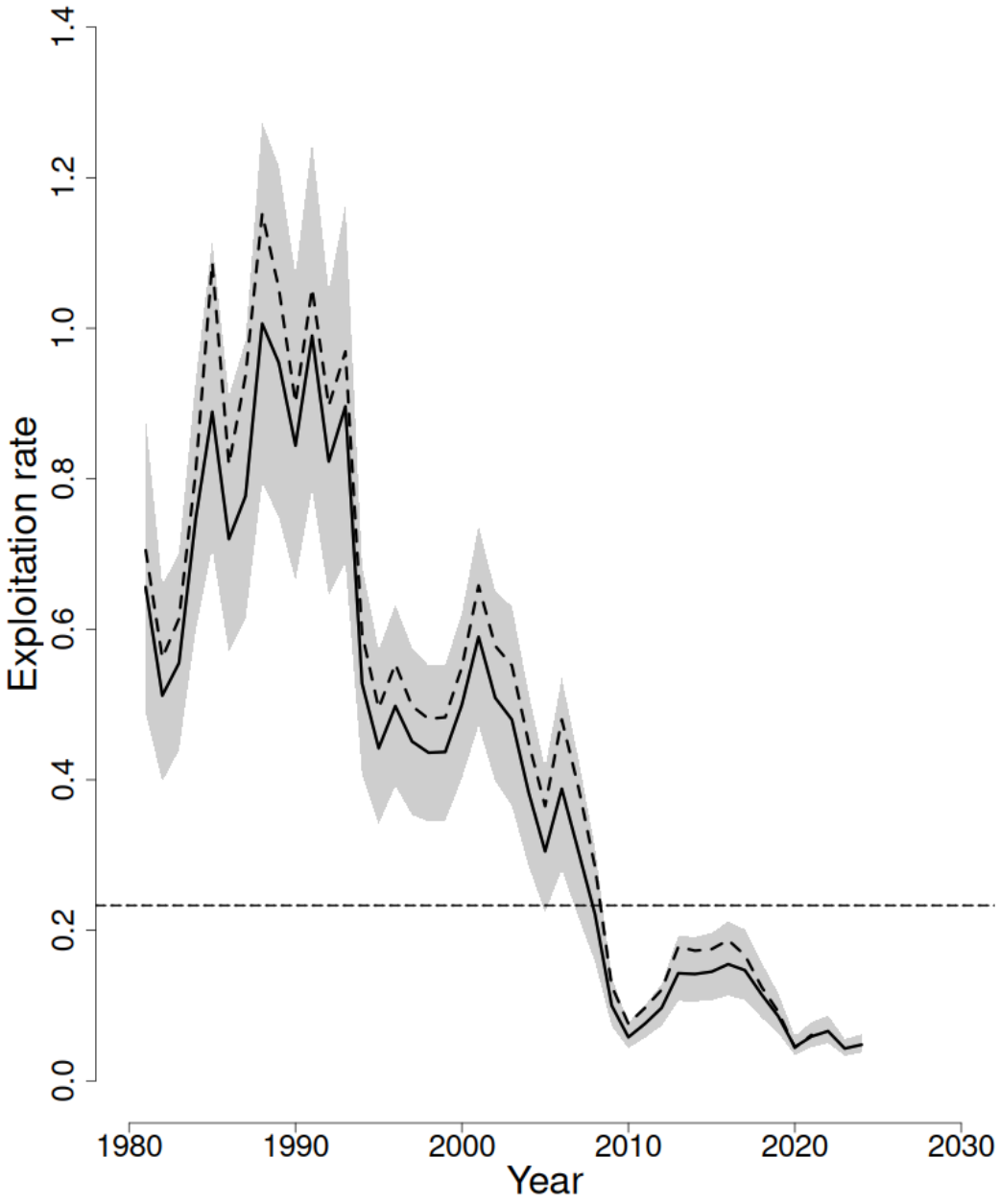

Figure 2: Trends in the fully selected fishing mortality (F_{Full}) of Southern New England Mid-Atlantic Winter Flounder between 1981 and 2024 from the current (solid line) and previous (dashed line) assessment and the corresponding $F_{Threshold}$ ($F_{MSY} = 0.233$; horizontal dashed line) based on the 2025 assessment. The approximate 90% lognormal confidence intervals are shown.

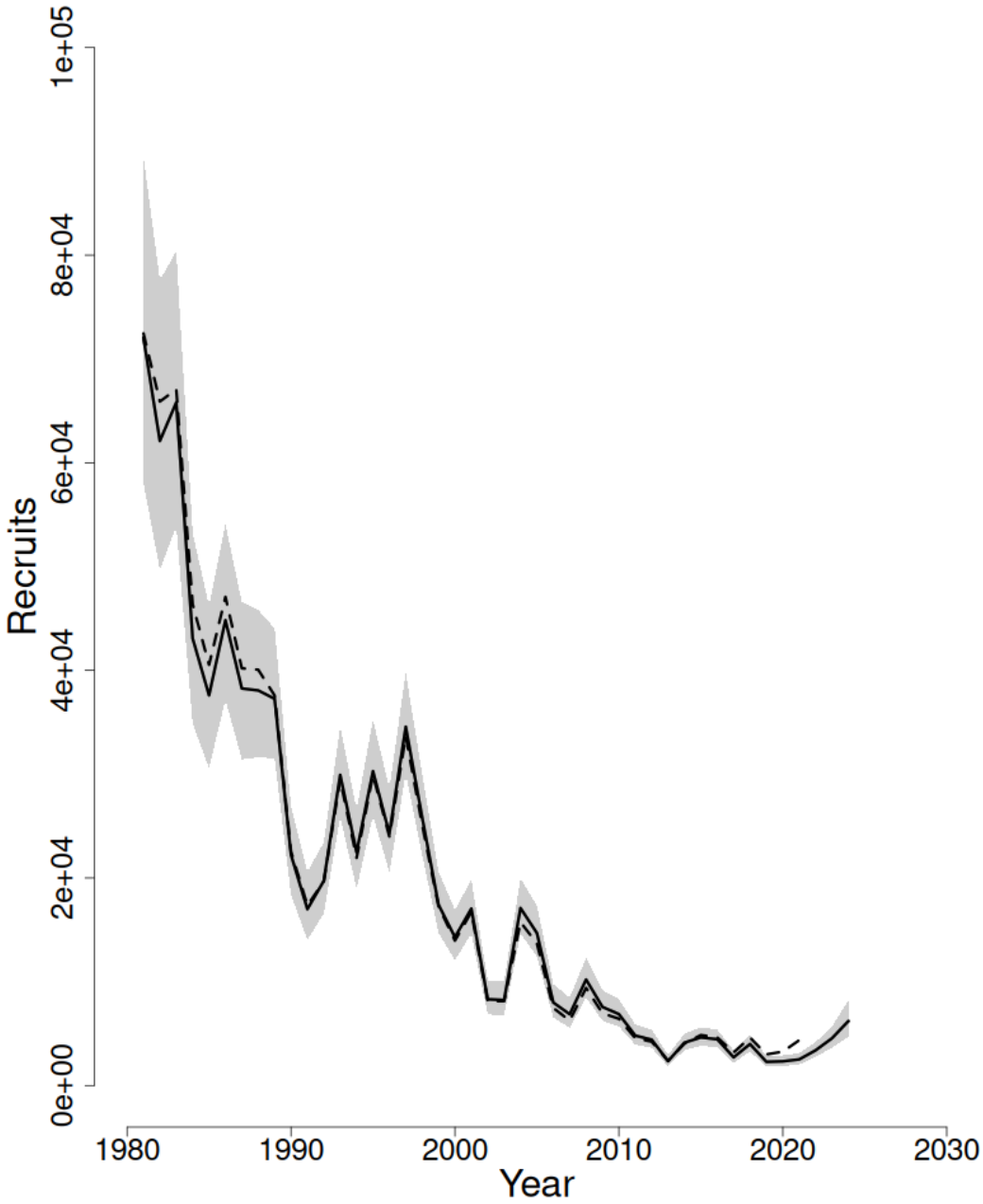

Figure 3: Trends in Recruits (000s) of Southern New England Mid-Atlantic Winter Flounder between 1981 and 2024 from the current (solid line) and previous (dashed line) assessment. The approximate 90% lognormal confidence intervals are shown.

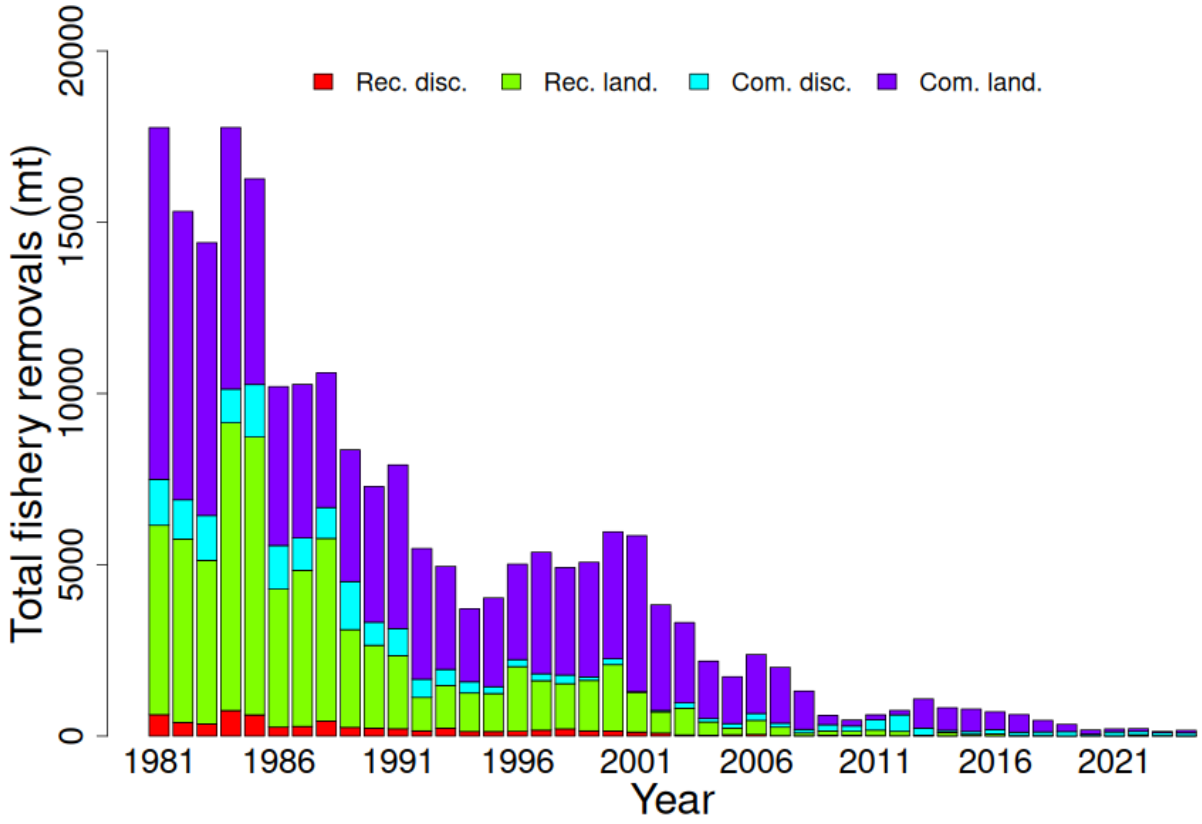

Figure 4: Total catch of Southern New England Mid-Atlantic Winter Flounder between 1981 and 2024 by fleet (commercial, recreational) and disposition (landings and discards).

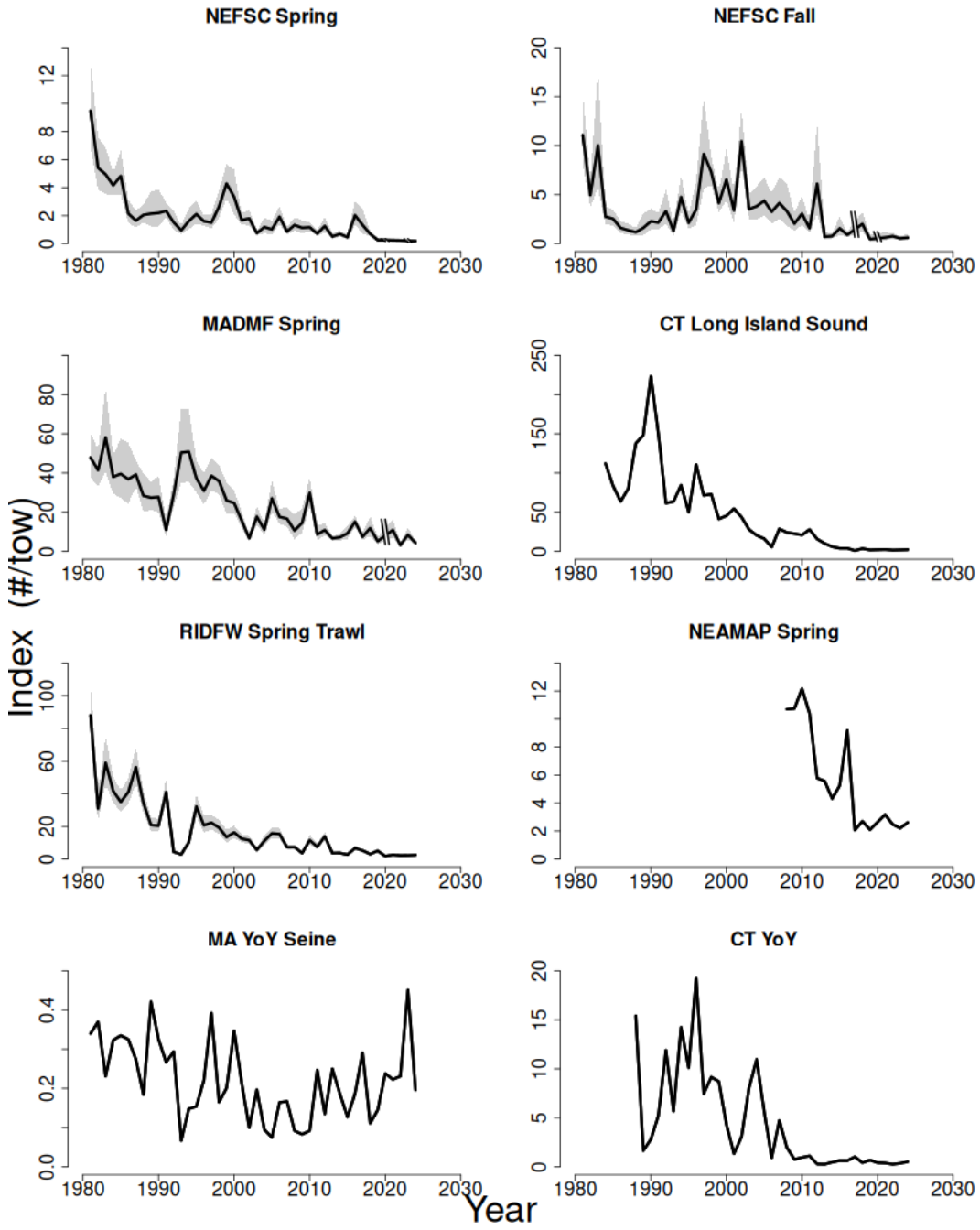

Figure 5: Indices of biomass for the Southern New England Mid-Atlantic Winter Flounder between 1981 and 2024 for the Northeast Fisheries Science Center (NEFSC) spring and fall bottom trawl surveys, the MADMF spring survey, the CT LISTS survey, the RIDFW Spring Trawl survey, the NEAMAP Spring Trawl survey, and two young of the year (YoY) surveys from MADMF and CTDEEP. Where available, the approximate 90% lognormal confidence intervals are shown. Slashes through the solid line indicate a hole in the survey time series.

Atlantic States Marine Fisheries Commission

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Winter Flounder Technical Committee
Meeting Summary

Webinar
January 6, 2026

Technical Committee Members: Rich Balouskus (Chair, RI), Paul Nunnenkamp (NY), Tony Wood (NEFSC), Ben LaFreniere (ME), Tyler Harris (NJ), David Ellis (CT), Paul Nitschke (NEFSC), Tara Dolan (MA)

ASMFC Staff: Tracey Bauer, Joe Myers

The Winter Flounder Technical Committee (TC) met via webinar to review the Gulf of Maine (GOM) and Southern New England/Mid-Atlantic (SNE/MA) stock assessments, commercial and recreational fishery trends, and federal specifications for fishing years 2026-2030 approved by New England Fishery Management Council (NEFMC). Addendum III to Amendment 1 to the Interstate Fishery Management Plan for the Inshore Stocks of Winter Flounder allows the Winter Flounder Management Board to set specifications for up to 3 years at a time. Therefore, the Winter Flounder Technical Committee focused on recommendations for management measures for fishing years 2026-2028.

Fishery Performance and Stock Status
The Winter Flounder TC began by reviewing fishery performance and stock status information for both the GOM and SNE/MA stocks. Both the GOM and SNE/MA winter flounder catch (commercial and recreational landings and discards) remained low through 2024.

Based on the 2025 assessment, the GOM stock biomass status is unknown and overfishing is not occurring. Biomass (30+ cm mt) in 2024 was estimated to be 4,537 mt. The 2024 30+ cm exploitation rate was estimated to be 0.044 which is 19% of the overfishing exploitation threshold proxy (0.23). Overall, indices of GOM winter flounder abundance have not demonstrated any positive response to the large declines in commercial and recreational removals since the 1980s. However, there has been some more recent increases in the fall and the spring area-swept biomass estimates, which may be the beginning of a response to time series low in exploitation rates.

The SNE/MA stock is not overfished and overfishing is not occurring in 2024. The SNE/MA stock biomass (SSB) in 2024 was estimated to be 2,787 mt which is 89% of the biomass target (3,114 mt), and 179% of the biomass threshold (1,557 mt) for an overfished stock. This change in stock status is due to a change in the years of recruitment estimates that were used to complete the projections to estimate biological reference points. Instead of drawing upon the entire time series of recruitment estimates, the projections now only use recruitment estimates since 2002

(2002-2024). The winter flounder stock is most likely not capable of achieving the high levels of recruitment prior to 2000; therefore, using a truncated recruitment time series better reflects the current state of the stock. Despite a change in stock status, the perception of the stock has not changed; trends in survey indices and model estimates all continue to indicate the stock is in poor condition.

Federal Specifications Approved by the NEFMC

Table 1 displays the sub-ACLs and corresponding state sub-components for both the GOM and SNE/MA stocks that were approved in Framework Adjustment 72 by the NEFMC at their December 2025 meeting. A comparison of the 2025 to the 2026 fishing year federal groundfish sub-ACLs reveals that the GOM sub-ACL was adjusted up by 9% and the SNE/MA sub-ACL was adjusted down by 14% to reflect the results of the 2025 management track stock assessments. The state sub-component is an estimation of what the state recreational and commercial fisheries will harvest each year based on status quo state regulations; it is not an allocation. The commercial portion of the state sub-component is caught by vessels that do not hold federal Northeast multispecies permits, and the recreational portion is based on calibrated Marine Recreational Information Program catch estimates. There are no accountability measures associated with the state waters sub-component, meaning there is no payback if the state waters sub-component is exceeded. The federal output control system requires an assumption of state water catches to estimate the sector quotas. Table 1 displays the state sub-components for both the GOM and SNE/MA stocks were adjusted to reflect average catch for the years 2022-2024. In the case of the GOM state sub-component this represents a 7% decrease, and for the SNE/MA state sub-component this represents a 2% increase.

Table 1. GOM and SNE/MA Specifications and State Sub-component Average Catch.

	Sub-ACLs				
Stock	FY26 (mt)	FY27 (mt)	FY28 (mt)	FY29 (mt)	FY30 (mt)
GOM	660	660	660	660	660
SNE/MA	381	399	417	417	417

	State Sub-component					
Stock	FY26 (mt)	FY27 (mt)	FY28 (mt)	FY29 (mt)	FY30 (mt)	2022-2024 average catch (mt)
GOM	96	96	96	96	96	94.4
SNE/MA	25	27	28	28	28	25.5

Technical Committee Recommendations

The TC did not recommend any changes to the state waters specifications for the 2026-2028 fishing years. The commercial and recreational measures listed in Tables 2 and 3 have been in place since 2014. The TC discussed whether any adjustments were needed to regulations for the GOM and SNE/MA stocks separately. However, it was noted the most recent 2025 management tracks did not change our perception of the two stocks from the last assessment in 2022.

GOM Winter Flounder Stock

The TC expressed no concern with commercial and recreational measures remaining status quo. Massachusetts recently implemented (as of September 2024) a conservation equivalency program that allows participants to possess and land up to 1,000-lb of GOM winter flounder caught over two consecutive fishing days with each day subject to the 500-lb per day limit. The TC briefly discussed the uncertainty of how this program could incentivize targeting of winter flounder and impact Gulf of Maine commercial catch. Massachusetts is continuing to monitor participation in this program, and will be reporting results in their annual compliance reports. It was noted no analysis has been completed to estimate how much catch may increase as a result of this program.

SNE/MA Winter Flounder Stock

The TC agreed to recommend status quo commercial and recreational management measures. TC members from all the SNE/MA states highlighted continued low utilization rates in their respective states and low abundance in all surveys. Several TC members also noted they had not heard any interest to liberalize measures from commercial or recreational fishermen in their states.

The TC spent time discussing how 223% and 133% of the state sub-component was caught in 2022 and 2023, respectively; however, in 2021 and 2024, only 34% and 29% of the state sub-component was caught. The TC discussed why catch has been so highly variable, largely due to highly variable MRIP data with high PSEs. However, as the state sub-component catch has consistently remained a very small portion of the overall ABC for SNE/MA winter flounder, it is currently not concerning if catch exceeds the amount allocated in the state sub-component. Additional discussion by the TC on the inherent issues with estimating state sub-component catch can be found under the last section, “Other Comments”.

Lastly, a TC member noted the TC previously recommended management of the SNE/MA stock should remain status quo until results are available from the research track assessment. However, the winter flounder research track has been put on hold for the foreseeable future, so now there will be no new information to evaluate whether changes are needed to winter flounder management as previously planned for.

Other Comments

In addition to the above recommendations, the TC would like to remind the Board the challenges of the current management system of both SNE/MA and GOM winter flounder, and encourages discussion of this issue by the Board and Council.

Currently, the federal output control-based management requires accounting for all removals, including assumptions of state water removals, to estimate the ACLs in the federal groundfish fishery. The NEFMC’s Groundfish PDT makes an initial estimate what state water fishery catch is likely to be in the future (state sub-component) for the specifications. However, the Groundfish PDT does not know what potential changes ASMFC will make since their call is held well before

the Board meeting, so they have been basing their recommendations on the average of recent catches in state waters with the underlining assumption that there will be little to no change in current state waters measures. As a result, the state sub-component has continued to decline with declining state waters harvest, regardless of any increases in the sub-ACL on the federal side due to recent management track assessment results. In addition, if the TC ever recommends and the Board approves a liberalization of measures for either winter flounder stock in the future, the process for how the NEFMC might incorporate the Board's decision into their previously approved sub-ACLs is unclear, and has not yet been established.

The TC encourages future discussion on whether adjustments need to be made to the current state waters specifications process to improve the communication and collaboration for the management of these two winter flounder stocks.

Table 2. Commercial Fishery Winter Flounder Regulations.

State	Stock Unit	Size Limit	Trip Limit	Seasonal Closure (dates inclusive)	Min. Mesh Size
Maine	GOM	12"	500 lbs	May 1 – June 30	6.5"
New Hampshire	GOM	12"	500 lbs	April 1 – June 30	6.5"
Massachusetts	GOM	12"	500 lbs	Open all year	6.5"
	SNE/MA	12"	50 lbs	Open all year	6.5"
Rhode Island	SNE/MA	12"	50 lbs	Open all year	6.5"
Connecticut	SNE/MA	12"	50 lbs or 38 fish	March 1 – April 14	6.5"
New York	SNE/MA	12"	50 lbs	June 14 – Nov 30 (for all gear besides fyke nets, pound and trap nets)	6.5"
New Jersey	SNE/MA	12"	38 fish	June 1 – Nov 30 (all gear except for fyke nets) Feb 20 – Oct 31 (Fyke net)	6.5"

Table 3. Recreational Fishery Winter Flounder Regulations.

State	Stock Unit	Creel Limit	Size Limit	Seasonal Closure (dates inclusive)
Maine	GOM	8	12"	Open all year
New Hampshire	GOM	8	12"	Open all year
Massachusetts	GOM	8	12”	Open all year
	SNE/MA	2	12"	January 1- February 28
Rhode Island	SNE/MA	2	12"	January 1 – February 28
Connecticut	SNE/MA	2	12"	January 1 – March 31
New York	SNE/MA	2	12"	May 31 – March 31
New Jersey	SNE/MA	2	12"	January 1 – February 28
Federal Waters	GOM & SNE/MA	Unlimited	12”	Open all year

Atlantic States Marine Fisheries Commission

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Winter Flounder Advisory Panel
Meeting Summary

Webinar
January 12, 2026

Advisory Panel Members: Allan Butler (MA), Art Defrancisco (CT), David Goethel (NH), Charles Witek (NY)

ASMFC Staff: Tracey Bauer

Public: Paul Rollinson, Paul Nitschke, Tara Dolan, Tyler Harris, Michael Keller, Vinny Makfinsky, Tony Wood, Steve

The Winter Flounder Advisory Panel (AP) met via webinar on January 12, 2026 to review the Gulf of Maine (GOM) and Southern New England/Mid-Atlantic (SNE/MA) stock assessments, provide recommendations for fishing years 2026-2028 specifications for state waters, and to comment on any other current fishery management issues of concern.

Specifications Recommendations
Two advisors recommended status quo commercial and recreational management measures for FY2026-2028 based on the available information. It was noted that managers and the AP would be able to reassess winter flounder regulations in only three years if any changes are needed. Several advisors agreed recreational fishermen are no longer targeting winter flounder, particularly in the SNE/MA area, so any changes to the recreational regulations may not matter. In New York, shops have stopped carrying bait in April, most party boats are no longer targeting them, and most anglers aren't putting their boats in the water until May. For Gulf of Maine winter flounder, biomass estimates have been generally stable in the last 10 years, potentially indicating the stock has stabilized after years of overexploitation, which matched an advisor's on-the-water observations. The advisor from Massachusetts noted that anglers in Cape Cod Bay have had the most success recently, but it was difficult to find winter flounder on the North Shore this past spring.

General Comments & Research Recommendations

- One advisor, who is also a member of the Northeast Trawl Advisory Panel, noted there have been recent improvements in estimating catchability in the NEFSC's Northeast Trawl Survey; the improved estimates of catchability were incorporated in the 2025 management track for Gulf of Maine winter flounder. The advisor recommended similar work be conducted to update the catchability estimates of the state surveys used in the Gulf of Maine winter flounder assessment.

- An advisor shared his observations of an expansion of Gulf of Maine winter flounder size classes, especially larger fish. The advisor noted this may not necessarily mean the age structure is also expanding, but does potentially indicate something within their environment may be changing, such as increased prey, leading to increased growth rates.
- The AP discussed different types of natural mortality which may be impacting winter flounder's, particularly SNE/MA winter flounder, ability to recover. For example, the AP raised concerns about the impacts predation by birds, seals, and striped bass may be having on the population. The AP expressed interest in additional research to incorporate ecosystem approaches in winter flounder management and to improve estimates of natural mortality, especially changes through time.
- The AP discussed recent research that found that the number of young-of-year winter flounder which survive their first year is very low, and lower than estimates from previous studies. Advisors expressed general frustration with the lack of answers on how to ensure winter flounder survive to maturity, and continued low biomass.
- An advisor reiterated his recommendation from the AP's January 2023 meeting that managers need take a second look into stocking as a potential path forward for winter flounder. The AP discussed considerations to increase the success of any future stocking efforts, such as location of and size at release.
- The AP also discussed the need for an assessment specific to winter flounder in Long Island Sound.

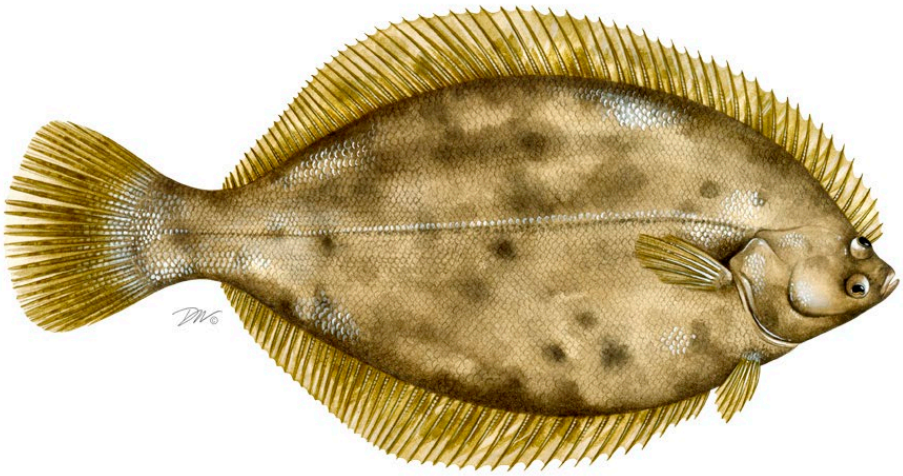
DRAFT FOR BOARD REVIEW

ATLANTIC STATES MARINE FISHERIES COMMISSION

REVIEW OF THE INTERSTATE FISHERY MANAGEMENT PLAN

FOR WINTER FLOUNDER
(Pseudopleuronectes americanus)

2024 FISHING YEAR



Prepared by the Plan Review Team
January 2026

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

DRAFT FOR BOARD REVIEW

Table of Contents

I. Status of Fishery Management Plan

Date of FMP Approval	Original FMP (October 1988)
Amendments	Amendment 1 (November 2005)
Addenda	Addendum I (May 1992) Addendum II (February 1998) Addendum I to Amendment 1 (May 2009) Addendum II to Amendment 1 (October 2012) Addendum III to Amendment 1 (May 2013)
Management Units	Three stocks units: Gulf of Maine (GOM), Southern New England/ Mid-Atlantic (SNE/MA), and Georges Bank (GBK). Commission participates in management of GOM and SNE/MA stocks.
States with Declared Interest	Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey
Active Boards/Committees	Winter Flounder Management Board, Advisory Panel, Technical Committee, Plan Review Team

The Atlantic States Marine Fisheries Commission (Commission) and the New England Fishery Management Council (Council) manage winter flounder in state and federal waters. The Commission participates in the management of two inshore winter flounder stocks: 1) the Gulf of Maine (GOM) stock, which consists of waters north of Cape Cod; and 2) the Southern New England/Mid-Atlantic (SNE/MA) stock, which consists of waters south of Cape Cod to the Delaware-Maryland border. The decision to consider only inshore stocks of winter flounder was based upon the Commission's focus on fisheries in state waters, and the differences in biological characteristics from the offshore stock in Georges Bank.

Interstate Fishery Management Plan (1988)

The Commission authorized development of the first Fishery Management Plan (FMP) for Winter Flounder (*Pseudopleuronectes americanus*) in October 1988. The purpose of the plan was to: 1) address management of inshore stocks of winter flounder; and 2) prominently consider habitat and environmental quality as factors affecting the condition of the resource. The original FMP and Addendum I called for reductions in fishing mortality on winter flounder. It allowed states the flexibility to achieve those reductions based on the life history characteristics of the particular stocks inhabiting each region. Implementation of the plan required cooperation between state fishery management agencies, NOAA Fisheries, the Council, and the Commission.

Although all states submitted plans that were approved by the Winter Flounder Management Board (Board), results from a 1995 stock assessment concluded that none of the states achieved a fishing mortality rate corresponding to F_{30}. Subsequent analyses in early January 1997 indicated that fishing mortality on a coastwide basis was slightly higher than the F_{30} target for the SNE/MA stock complex. Fishing mortality in the GOM stock was presumed to be higher than in the SNE/MA stock, and the spawning stock biomass was estimated to be at a low level, indicating that the GOM unit might be in greater need of rebuilding than the SNE/MA unit.

In February 1998, the Board approved Addendum II to the FMP. Addendum II adjusted the implementation schedule for management measures by the participating states and called for plans to reach the target fishing mortality goal for rebuilding (F_{40}).

Amendment 1 (2005)

In May 1999, the Board acknowledged that it was necessary to update the Interstate FMP for Inshore Stocks of Winter Flounder through an amendment. The original plan and addenda did not prove successful in rebuilding inshore winter flounder populations. In addition, the FMP did not reflect the goals and objectives of the Atlantic Coastal Fisheries Cooperative Management Act (ACFCMA), which was established in 1993 after the original FMP was approved. The Board further noted that an upcoming stock assessment would likely provide new information on the status of winter flounder stock complexes. After the assessment was completed in late 2002, the Commission began development of Amendment 1 in February 2003.

Amendment 1 to the Interstate FMP for Inshore Stocks of Winter Flounder, approved in November 2005, replaced all previous Commission management plans. It focused on joint management of winter flounder between the Commission and Council, and was designed to rebuild and maintain spawning stock biomass at or near target biomass levels. In addition, Amendment 1 prioritized restoration and maintenance of essential winter flounder habitat.

Amendment I required a minimum size limit of 12 inches for commercial and recreational fisheries for both GOM and SNE/MA stock units. Recreational creel limits were ten (10) fish in the SNE/MA stock area and eight (8) fish in the GOM. There were no required closed recreational seasons in the GOM, while a closed season of 20 days during March and April was required in SNE/MA. The 60-day open season for recreational winter flounder fishing could be split into no more than 2 blocks. States were required to implement a minimum size of 6.5 inches square or diamond mesh for the cod-end in both GOM and SNE/MA inshore waters. Additionally, a 100-pound trip limit was required if smaller mesh was being used in the SNE/MA. This “mesh trigger” was intended for the landing of a small amount of winter flounder as bycatch in small-mesh fisheries.

Addendum I to Amendment 1 (2009)

Addendum I was approved in May 2009, following the 2008 GARM III stock assessment which indicated that the SNE/MA spawning stock biomass was only 9% of the target and the GOM stock was likely to be overfished and experiencing overfishing. For the GOM commercial

fishery, Addendum I established a maximum possession limit of 250 pounds per vessel. This limit was estimated to reduce 2006-2007 harvest levels by 31% for state water fishing vessels. For the GOM recreational fishery, Addendum I required states to implement regulations to reduce fishing mortality by 11% from the average of 2006-2007 levels. This 11% reduction was estimated to reach F_{MSY}. States were allowed to achieve reductions through possession limits, seasons, or a combination of both, and also had the option to submit conservation equivalency proposals to achieve the necessary reductions through alternative management measures, subject to approval by the Board.

For SNE/MA, Addendum I's management measures were designed to reach the lowest fishing mortality (F) rate possible with minimal economic and social impacts. The Addendum also sought to reduce dead discards and prevent an influx of effort into state waters. Non-federally permitted commercial vessels were allowed to possess a maximum of 50 pounds of winter flounder. This F rate was projected to reduce harvest by 65%, and was intended solely to allow for bycatch. Recreational fishermen were permitted to possess a maximum of two (2) winter flounder from inshore waters of the SNE/MA stock area. This bag limit was established with the expectation that it would reduce harvest by 46%.

Addendum II to Amendment 1 (2012)

In response to updated stock status information and federal action to substantially increase the GOM winter flounder state waters subcomponent, the Board initiated Addendum II to Amendment 1 of the Winter Flounder Interstate FMP. This Addendum changed commercial and recreational management measures for the state waters component of the GOM stock only. Specifically, it increased the maximum possession limit for non-federally permitted commercial vessels to 500 pounds. It also removed the 11% reduction in F for the recreational fishery and allowed states the option to open their recreational fishing season year-round.

Addendum III to Amendment 1 (2013)

Addendum III established an annual specification process to set commercial and recreational management measures for the GOM and SNE/MA fisheries. Each year, with advice from the Winter Flounder Technical Committee, the Board can adjust trip limits, size limits, and seasons for the commercial fishery; the Board can also adjust size limits, bag limits, and seasons for the recreational fishery. The Addendum enables the Commission to quickly respond to federal actions and changes in the winter flounder fishery.

II. Status of Stocks

The most recent peer reviewed stock assessment for all three winter flounder stocks was conducted by the Northeast Fisheries Science Center in 2025. These management track stock assessments included data through 2024.

Gulf of Maine

The 2025 management track stock assessment determined that GOM winter flounder stock biomass status is unknown and overfishing is not occurring. 2024 biomass (30+ cm) was estimated to be 4,537 metric tons (mt) and the exploitation rate was estimated to be 0.044, which was 19% of the overfishing exploitation threshold proxy (Figures 1 & 2). The assessment noted that there have been significant declines in commercial and recreational removals since the 1980's. As catches continue to remain far below the overfishing level, the general lack of a response in survey indices and age/size structure has been a primary source of concern. However, recent increases in the overall biomass (2021-2024) could potentially be the beginning of a response to record low removals. Significant sources of uncertainty include the reliance of estimates of stock biomass on survey gear catchability and that biomass-based reference points cannot be determined. This 2025 management track did however incorporate a re-estimated catchability based on a sweep study for the NEFSC survey. (Source: Gulf of Maine Winter Flounder 2025 Assessment Update)

Southern New England/Mid-Atlantic

The SNE/MA management track assessment indicates the stock not overfished and overfishing is not occurring. However, spawning stock biomass has shown an overall declining trend in SSB over the time series, with the current estimate (2,787 mt) at the second lowest in the time series (Figure 3). The current SSB is 89% of the biomass target and 179% of the biomass threshold (Figure 4). Estimates of fishing mortality have been declining since 2015, and the current value (0.048) is among the lowest of the time series. Recruitment, an important indicator of the stock's ability to rebuild, has remained low and without trend in the last decade, with a slight increase at the end of the time series (Figure 5). During the 2022 management track assessment, the recruitment stanza was changed to use only the recruitment estimates since 2002 instead of the entire time series to make projections. The current stock size and productivity mean many of the historic recruitment estimates are nearly impossible to achieve, making the adjusted recruitment stanza more realistic. The lower median recruitment estimate from this shortened recruitment stanza in the long term biological reference point projection results in a much-reduced biomass target. While stock status has changed, the perception of the stock has not, and model results, continued low harvest, and fishery independent survey indices all reveal a poor stock condition for SNE/MA winter flounder. (Source: Southern New England/Mid-Atlantic Winter Flounder 2025 Assessment Update)

III. Status of the Fishery

Stockwide

Across all stocks (GOM, SNE/MA, and GBK), the winter flounder fisheries are a fraction of their historic productivity. Specifically, commercial and recreational landings have declined since the early 1980s (Table 1, Figure 6). Landings are reported for the 2024 calendar year unless otherwise stated.

Commercial landings peaked at 18,279 mt (40.3 million lbs) in 1981, the highest since 1950, but have generally declined throughout the 1990's and 2000's. In 2024, commercial landings were 859.7 mt (1.89 million lbs), a 130% increase from 2023 landings of 372.9 mt (0.82 million lbs). A majority of the landings were taken in Massachusetts (98%; Table 2). It is important to note that management action has impacted yearly landings as annual catch limits increased in 2011 and 2012, and a moratorium was in place for the SNE/MA stock between May 2009 and April 2013. (Landings source: NMFS, State Compliance Reports)

Recreational harvest was 25.2 mt (0.055 million lbs) in 2024, a 66% decrease from 2023 harvest of 75.2 mt (0.16 million lbs; Table 1). These recent recreational harvest values represent a significant decrease from the 17,535 mt (38.6 million lbs) caught in 1981. In 2024, Massachusetts comprised the majority of coastwide recreational winter flounder landings, at 77.1%. Generally, the percentage standard error (PSE) values around each state's recreational data are very high (>50) and indicate very imprecise estimates (Landings source: MRIP).

Gulf of Maine

Commercial landings of GOM winter flounder have substantially declined since the early 1980s, with recent landings being roughly 10% of harvest levels in the 1980s. From 1964 through the mid-1970s, commercial landings were near 1,000 mt. Productivity peaked at nearly 2,793 mt in 1982, and steadily declined to 141 mt in 2010 and has remained low. In 2024, commercial landings in the GOM winter founder stock were 161 mt. The 2024 estimate for total commercial discards is 14 mt (Source: NEFSC 2025).

Recreational landings have declined significantly since their peak in the 1980s. During 2024, the estimate for recreational harvest in the GOM was 23 mt. Recreational dead discards make up a small portion of catch and were estimated at 0 mt for 2024 (NEFSC 2025).

Southern New England/Mid-Atlantic

Commercial landings of SNE/MA winter flounder generally declined throughout the time series from 1964 to 2024, with periodic peaks and dips. After reaching a historical peak of 11,977 mt in 1966 and then declining through the 1970s, total U.S. commercial landings again peaked at 11,176 mt in 1981. After 1981, SNE/MA commercial landings declined to 2,159 mt in 1994 and then increased to 4,672 mt in 2001. Commercial landings have decreased since the 2001 peak. Landings in 2024 were 76 mt, and total commercial discards was estimated to be 89 mt (Source: NEFSC 2025).

Recreational landings of SNE/MA winter flounder peaked in 1984 and have declined substantially since. During 2024, the estimate for recreational harvest in the SNE/MA stock was 2 mt. Recreational discards in 2024 were estimated at 2 mt (NEFSC 2025). The principal mode of fishing is private/rental boats, with most recreational landings occurring during May and June (Source: MRIP).

IV. Status of Research and Monitoring

Amendment 1 to the Interstate Fishery Management Plan for Winter Flounder requires the following research and monitoring activities by certain states:

- Massachusetts, Rhode Island, and New York are required to conduct annual surveys of juvenile recruitment to develop an annual juvenile abundance index.
- Massachusetts, Rhode Island, Connecticut, and New Jersey are required to conduct annual trawl surveys to develop an index of spawning stock biomass.

In 2024, states with a declared interest in the winter flounder FMP conducted the fisheries-independent surveys summarized below.

Maine

Maine Department of Marine Resources (MEDMR) conducts spring and fall bottom trawl surveys in cooperation with the New Hampshire Fish and Game Department (NHFG). The Maine-New Hampshire (MENH) Inshore Trawl Survey collects length, weight, maturity stage, and age samples for winter flounder. In 2024, 4,081 winter flounder were caught with 357 taken for maturity samples during the spring survey. There has been an increasing trend in winter flounder mean catch and weight in the spring survey, with mean weight at its highest index to date, almost tripling since 2021. In 2024, the analysis of a backlog of 7,585 winter flounder otoliths that had been collected since 2002 was completed. Age-length keys and other ageing statistics are in the process of being created, with hope of publishing findings in 2026. In the fall survey, 4,034 winter flounder were caught, but none were taken for maturity samples. Winter flounder mean catch and weight have varied over time, but indices have remained greater than the time series average since 2021, particularly in terms of weight.

New Hampshire

NHFG conducts an annual seine survey of juvenile fish in its estuaries from June through November. Winter flounder encountered in the survey during 2024 ranged in size from 2.3 to 18.9 cm total length with a mean of 6.23 cm total length. The survey produces an index of relative abundance for each species encountered using a geometric mean catch per seine haul. The 2024 index value (0.65) for winter flounder increased from 2023 but is below the average (1.08) since 1997; the index has been highly variable. In addition, NHFG has worked with MEDMR since the fall of 2000 to conduct an inshore trawl survey off Maine and New Hampshire. Winter flounder are regularly caught in this survey.

Massachusetts

The Massachusetts Division of Marine Fisheries (MA DMF) has conducted a biannual trawl (spring and fall) survey covering MA territorial waters since 1978, except for in 2020 due to the COVID-19 pandemic. For the GOM, fall survey abundance and biomass increased from 2023 to 2024, and percent occurrence remained the same at 100%. However, spring survey biomass and abundance decreased from 2023 to 2024, while percent occurrence remained the same. All indices were above their time series mean except spring biomass and abundance. The spring

GOM indices depict a declining trend through about 2010, followed by an increasing trend since then. The fall indices' trends are more variable around the mean but show a steadily increasing trend post-2000. Percent occurrence of winter flounder in the GOM surveys is very high; routinely 100% with few exceptions in the spring and generally 90-100% in the fall.

For SNE, all indices decreased from 2023 to 2024 except for percent occurrence in the spring. All 2024 indices were still below their time series means. The spring indices depict a steadily declining SNE stock since the beginning of the time series, while the fall indices' trends have generally declined but are more variable around the mean. Percent occurrence of winter flounder in the SNE surveys is much lower than the GOM, with the spring averaging 83% and the fall only 36%, and both showing overall declining trends. Typically, the spring indices are thought to be more representative for inshore surveys when winter flounder undertake seasonal migrations to spawn.

From June 12 – July 3, 2024, MA DMF conducted the 49th Nantucket Sound Estuarine Winter Flounder Young-of-the-Year (YOY) Seine Survey. The survey covers six Nantucket Sound estuaries on the south side of Cape Cod: Great Pond, Waquoit Bay, Cotuit Bay, Lewis Bay, Bass River and Stage Harbor. The 2024 pooled (all estuaries combined) winter flounder YOY index (0.201 YOY / m^2) is a decline from 2023 and below the timeseries mean of 0.245 YOY/m^2.

To enhance habitat understanding, DMF continued its eDNA research in 2024, building on an initial 2021–2022 pilot study with the Gloucester Marine Genomics Institute (GMGI). To build on the initial pilot study, a dual eDNA-fyke net survey was initiated in Waquoit Bay in 2023 and continued in 2024 to provide eDNA validation and direct observation of winter flounder spawning status. Four fyke nets were monitored weekly from December to April, with all flounder measured, assessed for reproductive status, tagged if above 12 inches, and released alive. Biweekly water samples were collected from 13 stations for eDNA analysis by GMGI. Catch peaked in January–February, aligning with active spawning, but sharply declined in March–April. In summer 2024, DMF collected eDNA samples during its YOY seine survey in Waquoit Bay in July, archiving samples for later analysis. eDNA analysis of 2024 Waquoit Bay samples and submission of a manuscript detailing the initial eDNA pilot study are both planned for 2025.

In 2024, DMF Fisheries Research and Monitoring continued to track movements of adult winter flounder and document immigration, emigration, and residence time inside the Boston Harbor estuary and movements around northern Massachusetts state and federal waters. Adding to the 151 tagged Boston Harbor winter flounder, researchers conducted two tagging trips on Gloucester and Scituate Massachusetts-based commercial fishing vessels and tagged an additional 98 winter flounder. A 19-receiver array in Boston Harbor and a 40-receiver costal array was maintained throughout the year. This array, along with Marine Fisheries Large Pelagic Program's array, provided comprehensive coverage of Massachusetts state waters and was instrumental in tracking year-round movements of adult winter flounder. This information will also be valuable to help inform future winter flounder time of year restrictions and will be used as leverage to obtain future funding.

Rhode Island

Rhode Island Division of Marine Fisheries (RI DMF) conducts five surveys to monitor juvenile and adult winter flounder in its state waters; spring and fall seasonal trawl surveys, a monthly trawl survey, a Narragansett Bay juvenile finfish seine survey, a coastal pond seine survey, and a coastal pond winter flounder spawning stock survey. The seasonal demersal trawl survey samples 42 fixed and random stations in the spring and fall. The spring seasonal trawl survey had a 2024 catch per unit effort (CPUE) of 2.55 winter flounder per tow. The survey's values remain very low and well below the time series median. The fall seasonal trawl survey had a 2024 CPUE of 0.34 winter flounder per tow, which is the lowest value of the time series thus far. The monthly demersal trawl survey samples 13 fixed stations each month. CPUE from this survey in 2024 was 0.83 winter flounder per tow; the index remains very low and well below the time series median. The Narragansett Bay juvenile finfish seine survey samples 18 stations once a month from June through October. The 2023 CPUE was 0.3 winter flounder per seine haul, which was the lowest index value in the time series. The coastal pond seine survey samples 24 stations in 8 coastal ponds from May through October. The 2024 survey had a CPUE of 5.6 winter flounder per seine haul. The survey index remains low and below the time series median. The coastal pond winter flounder spawning stock survey samples 6 stations with fyke nets from January to May in Potter and Ninigret Pond. The 2024 survey had a CPUE of 4.0 winter flounder per fyke set, which is a slight increase from 2023, and near the time series median. The overall trend in winter flounder abundance for all surveys indicates continued low abundance of this species in Rhode Island waters.

Connecticut

Winter flounder have been monitored through the Long Island Sound Trawl Survey (LISTS) since 1984. Spring and fall surveys are conducted each year. The 2024 LISTS spring (April-May) index (geometric mean fish/tow) for all ages of winter flounder was 2.18, the fifth lowest value in the 40-year time series (lowest value = 0.76 in 2017). Similarly, the 2024 spring index for age-4+ winter flounder was 0.41, the fourth lowest value in the time series. Connecticut Department of Energy and Environmental Protection also conducts a fall estuarine seine survey that provides an index of abundance for young-of-year winter flounder. The geometric mean fish/tow in 2024 was 0.53, which increased 47.2% from the previous year.

New York

The New York State Department of Environmental Conservation has been conducting a small mesh trawl survey targeting juvenile finfish since 1987. The weekly survey runs from May through October in Peconic Bay using a small mesh sixteen-foot semi-balloon shrimp trawl. In 2024, the YOY CPUE of winter flounder from June through July was 1.29, the highest CPUE of YOY since 2011. Two age-1 winter flounder were caught in 2024. No age 2+ winter flounder were caught during 2024.

The Department also conducts a seine survey in western Long Island bays, which has been ongoing since 1986, using a 200-foot ¼ inch mesh seine. Sampling is conducted at multiple stations twice a month within Jamaica Bay, Manhasset Bay, Little Neck Bay, Hempstead Harbor,

and Oyster Bay from May through October. Winter flounder catch per seine for all ages, aggregated for all 5 bays, was 3.816 for 2024. 846 of the total 851 winter flounder caught were YOY, and 5 were age-1+.

New Jersey

The Bureau of Marine Fisheries has conducted an Ocean Trawl program in nearshore ocean waters since 1988. Winter flounder are most abundant in New Jersey during April, and data from this survey cruise are used to develop an index of relative abundance in New Jersey waters. Otolith samples have been collected from the Ocean Trawl Survey's April cruise from 1993 to 2018, and all cruises since 2022. Age structures were collected from 112 winter flounder in 2024.

V. Status of Management Measures and Issues

The Winter Flounder Management Board set status quo specifications for the 2023-2025 fishing years. The recreational and commercial regulations listed in Tables 3 and 4 have remained consistent since 2014. The TC's 2018 commercial measures analysis indicates the SNE/MA region is essentially a bycatch fishery. Any further restriction in measures would likely increase regulatory discards and have a limited impact on fishing mortality. The Board intends to continue to work collaboratively with the Council to determine the best path forward in improving understanding of the biology of the winter flounder stock and determining the right management approach for this depleted stock.

Conservation Equivalency

There is currently one conservation equivalency plan in effect, for the Massachusetts GOM commercial winter flounder fishery, which was approved by the Board in 2024. Massachusetts' Groundfish Consecutive Daily Trip Limit Pilot Program, initiated in September 2024, allows participants to possess and land up to 1,000-lb of GOM winter flounder caught over two consecutive fishing days with each day subject to the 500-lb per day limit, with the goal of improving the economic viability of the state groundfish fisheries in this area. The program requires fishermen to hold a limited entry state waters groundfish permit and an annually issued Letter of Authorization (LOA). Other program requirements include no more than one limit is taken in a single day, and completion of a DMF-issued logbook of trip level catch. The FY2024 program had a requirement that catch from the first day must be stored in a container sealed shut with a DMF-issued tag; however, starting in FY2025, conditions were slightly modified to no longer require each day's catch to be sealed with a DMF issued tag but still to be clearly and accurately labeled. The Winter Flounder Plan Review Team will continue to monitor and evaluate this program through Massachusetts' annual compliance reports.

VI. Implementation of FMP Compliance Requirements and *De Minimis*

De Minimis

Amendment I allows a state to be granted *de minimis* status if their fishery constitutes less than 1% of the coastwide commercial or recreational landings for the preceding three years for which data are available. A state that qualifies for *de minimis* status based on their commercial landings will qualify for exemptions in the commercial fishery only, and a state that qualifies for *de minimis* based on their recreational landings will qualify for exemptions in their recreational fishery only. States that apply for and are granted *de minimis* status are exempted from biological monitoring/sub-sampling activities for the sector for which *de minimis* has been granted.

Request for *de minimis* status

New Jersey has requested *de minimis* status for its commercial fishery. New Jersey commercial landings have remained well below 1% of coastwide landings for the years 2022-2024, which meets the *de minimis* criteria.

State Compliance

All the states with a declared interest in the management of winter flounder have implemented commercial and recreational regulations that are consistent with ASMFC's Winter Flounder FMP (Tables 3 and 4).

VII. Research and Monitoring Recommendations

The 2025 Management Track Stock Assessments noted several data needs that would improve future population estimates.

Gulf of Maine

- Additional studies on state survey gear efficiency
- Additional studies quantifying winter flounder abundance and distribution among habitat types, especially within estuarine environments
- Consider applying year specific catchability estimates instead of averaging the full time series
- Develop a state space analytical model to incorporate process error

Southern New England/Mid-Atlantic

- Additional studies on maximum age
- Improved recreational discard length information
- Investigation of localized structure/genetics of the stock
- Shift to the state space Woods Hole Assessment Model (WHAM) could provide the ability to model environmental influences on recruitment and mortality, and help develop more informed population projections

VIII. Plan Review Team Comments and Recommendations

- The PRT finds that all states implemented regulations consistent with the Winter Flounder FMP.
- The PRT recommends several questions be added to the winter flounder compliance report template for all states to help the PRT track how often overages occur on commercial trips:

Gulf of Maine

  - [Insert State] commercial fisherman reported landing winter flounder on [x number of trips] trips, with [x number of trips] trips catching exactly 500 pounds of winter flounder in 2025.
  - [Insert State] commercial fisherman reported landing more than 500 pounds of winter flounder on [x number of trips] trips, with a combined overage of [x] pounds in 2025.
  - No commercial fishing trips in [Insert State] exceeded 500 pounds of winter flounder in 2025.

Southern New England/Mid-Atlantic

  - [Insert State] commercial fisherman reported landing winter flounder on [x number of trips] trips, with [x number of trips] trips catching exactly 50 pounds of winter flounder/38 fish in 2025.
  - [Insert State] commercial fisherman reported landing more than 50 pounds of winter flounder/38 fish on [x number of trips] trips, with a combined overage of [x] pounds/fish in 2025.
  - No commercial fishing trips in [Insert State] exceeded 50 pounds of winter flounder/38 fish in 2025.

- The PRT has the following comments and/or recommendations regarding Massachusetts' CE program:
  - The PRT recognizes the FY2024 Massachusetts compliance report only reports on the performance of the program for a portion of year, as the program was not implemented until September 2024, so there is interest on how it will perform in its first full year.
  - In the future, it may be useful to consider the types of socioeconomic data that could be gathered to evaluate a CE program's performance. For example, socioeconomic data could be helpful to determine if Massachusetts' CE program is meeting the goals and objectives put forward by Massachusetts in their CE proposal. The proposal stated: "DMF is making this request as a Conservation Equivalency proposal on socio-economic and fleet greening grounds. The intent of the pilot program is not to increase landings, such as a trip limit increase would achieve, but to allow the fleet to achieve the current level of landings more efficiently, both from a cost and emissions standpoint."
  - The PRT expressed some concern with Massachusetts dropping FY2024's requirement for each day's catch to be sealed with a DMF issued tag, instead requiring each day's catch to be "clearly and accurately labeled". Following the meeting, Massachusetts clarified why the change was being made and that they did not anticipate additional enforcement issues resulting from this change. Daily

limits can still be adequately monitored and enforced through segregation, labeling, and review of logbook information.

IX. References

National Oceanic and Atmospheric Administration. Commercial Fisheries Statistics Tool. Access: http://www.st.nmfs.noaa.gov/commercial-fisheries/commercial-landings/annual-landings/index

National Oceanic and Atmospheric Administration. Marine Recreational Fisheries Program: Recreational Fisheries Statistics Tool. Access: http://www.st.nmfs.noaa.gov/recreational-fisheries/access-data/run-a-data-query/index

Northeast Fisheries Science Center. 2025. Gulf of Maine Winter Flounder 2025 Management Track Assessment Report, Northeast Fisheries Science Center, Woods Hole, Massachusetts. US Department of Commerce, NOAA Fisheries; 7 p. Available online at https://asmfc.org/resources/stock-assessment/2025-gulf-of-maine-winter-flounder-management-track-assessment/

Northeast Fisheries Science Center. 2025. Southern New England Mid-Atlantic Winter Flounder 2025 Management Track Assessment Report, Northeast Fisheries Science Center, Woods Hole, Massachusetts. US Department of Commerce, NOAA Fisheries; 9 p. Available online at https://asmfc.org/resources/stock-assessment/2025-southern-new-england-mid-atlantic-winter-flounder-management-track-assessment/

Figures and Tables

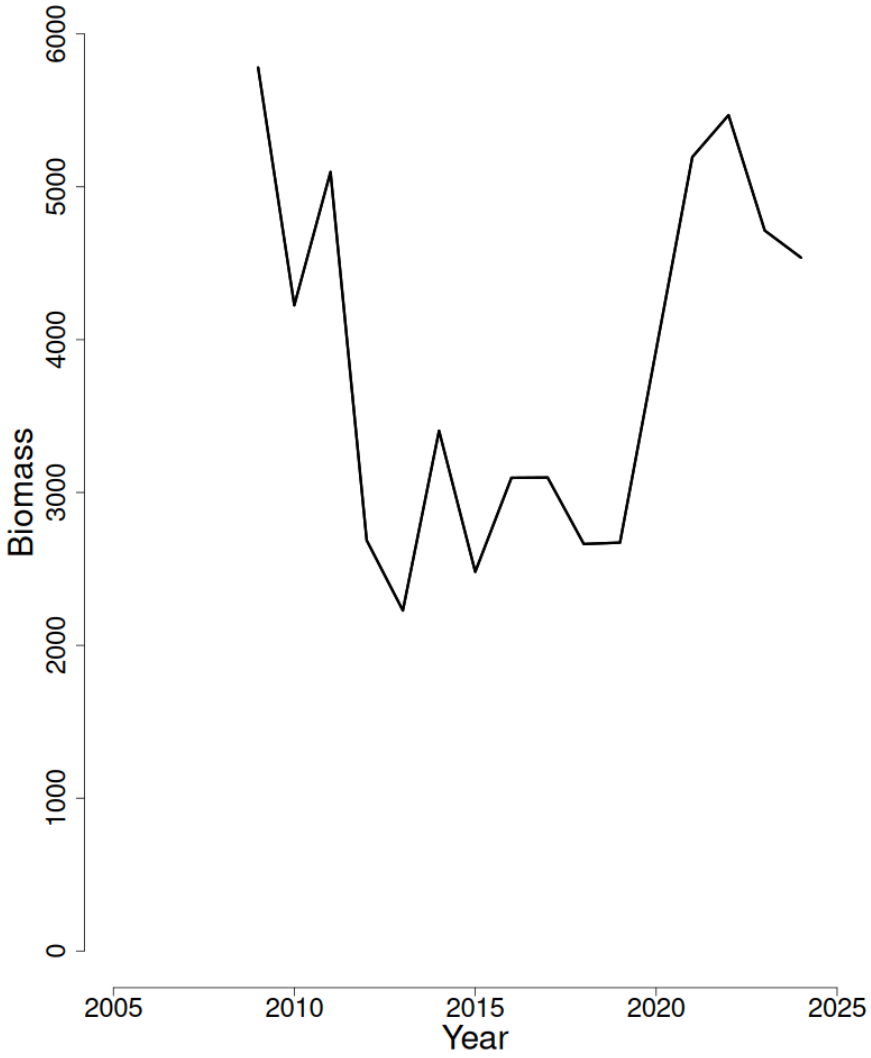


Figure 1. Estimates of exploitable biomass (30+ cm) for Gulf of Maine winter flounder between 2009 and 2024 as estimated from the fall MENH, MDMF, and NEFSC trawl surveys. (Source: 2025 Assessment Update of Gulf of Maine Winter Flounder)

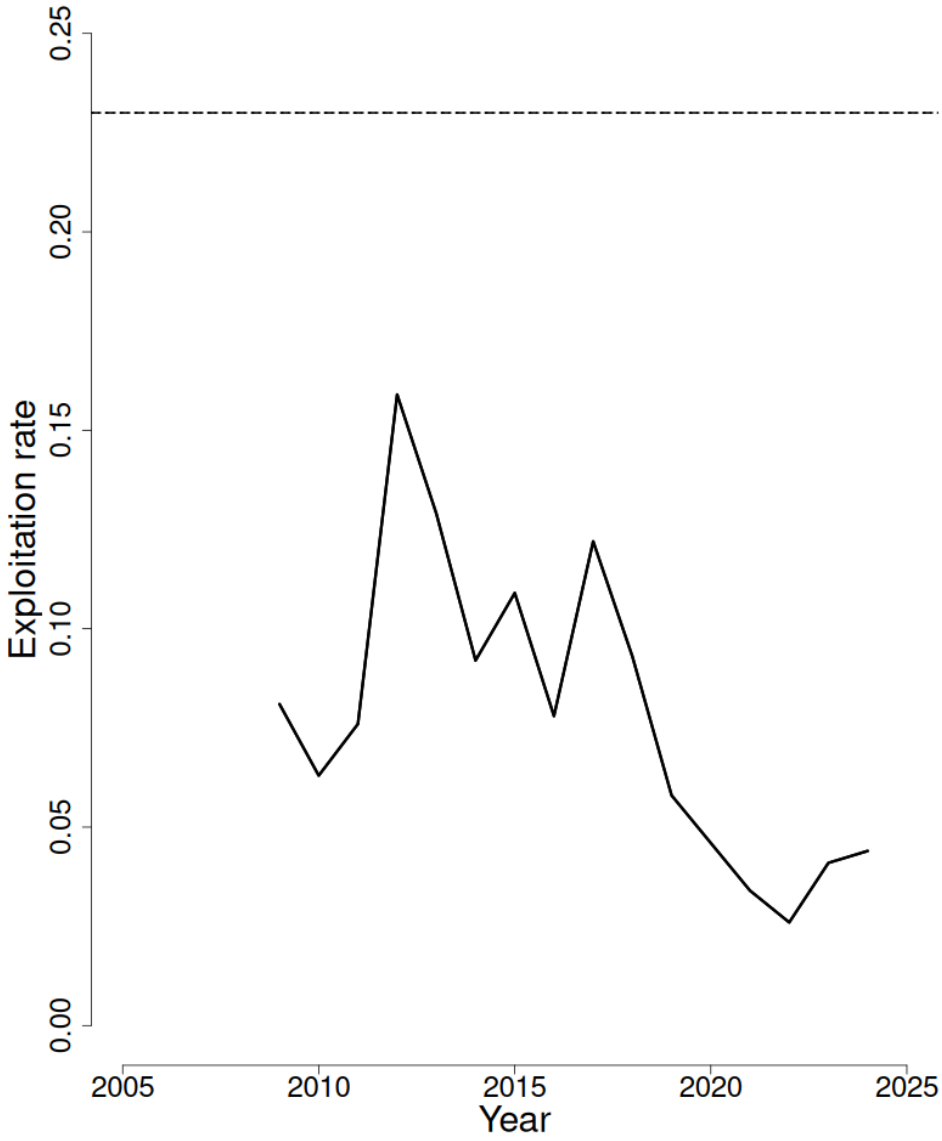


Figure 2. Gulf of Maine winter flounder exploitation rate between 2009 and 2024. The dashed line represents the corresponding F-Threshold from the 2025 assessment. (Source: 2025 Assessment Update of Gulf of Maine Winter Flounder)

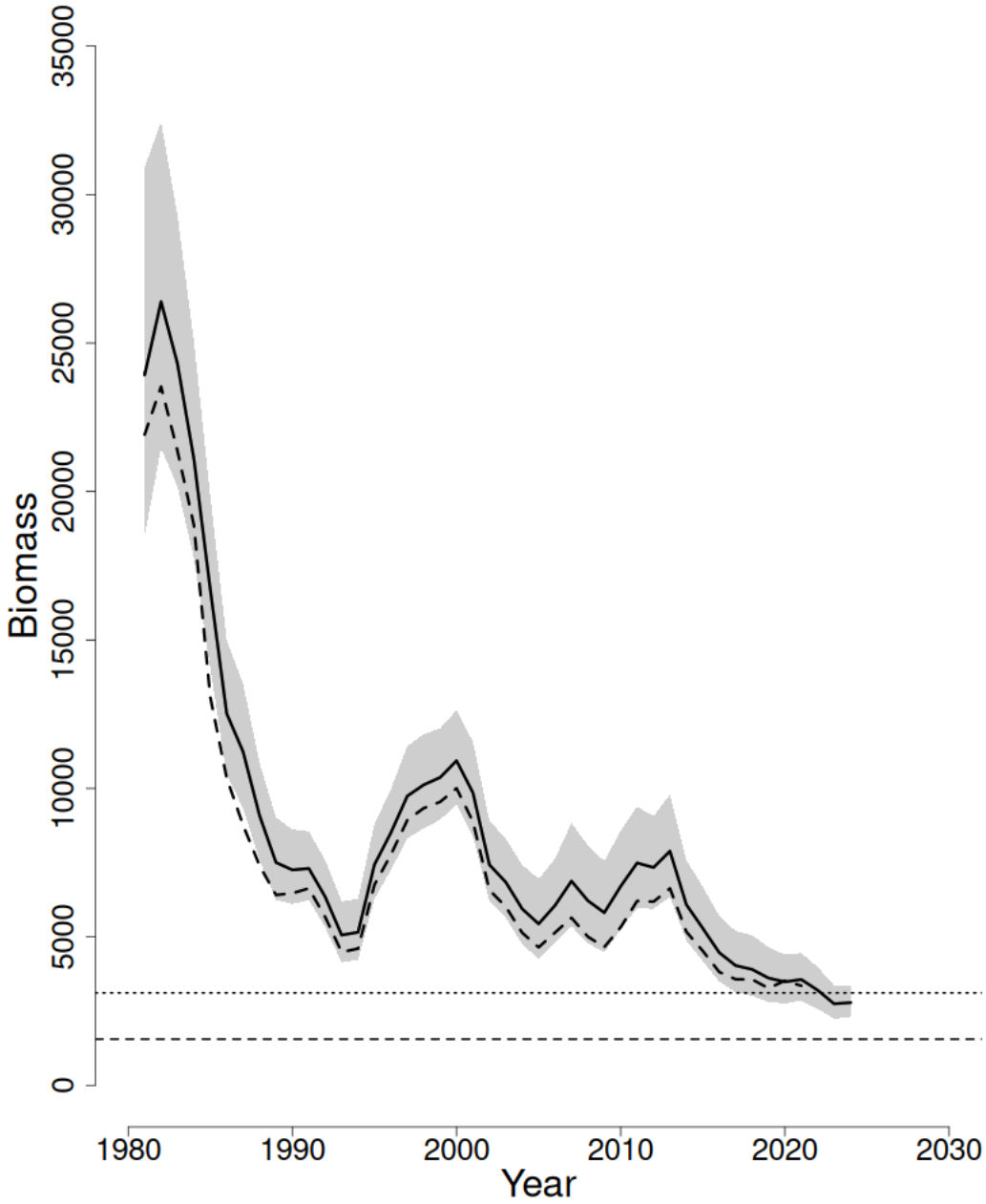


Figure 3. Southern New England/Mid-Atlantic winter flounder spawning stock biomass between 1981 and 2024. The solid line represents results of the current assessment and the dashed line represents results from the previous assessment. The horizontal dotted line is the SSB-target and the horizontal dashed line is the SSB-threshold based on the 2025 assessment. The 90% confidence intervals are shown in grey. (Source: 2025 Assessment Update of Southern New England Mid-Atlantic Winter Flounder)

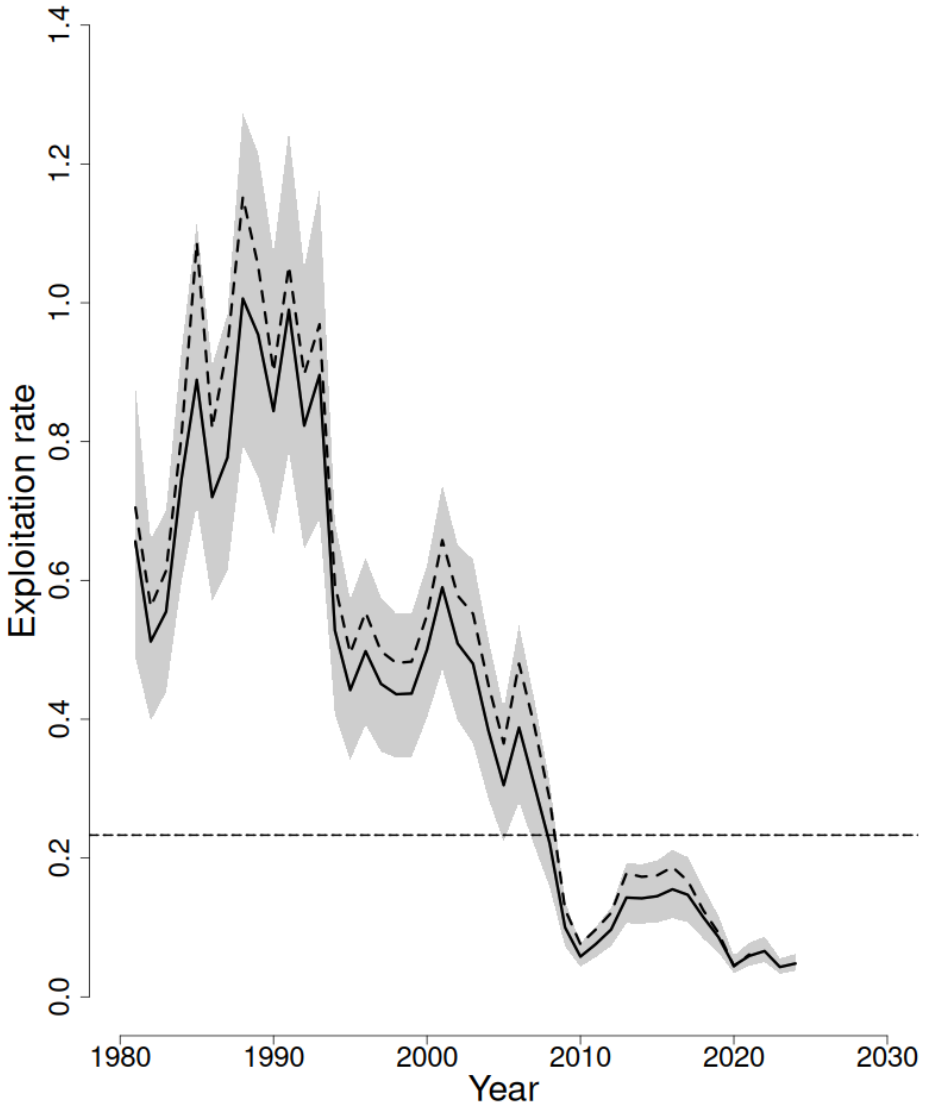


Figure 4. Southern New England/Mid-Atlantic winter flounder fishing mortality between 1981 and 2024. The solid line represents results of the current assessment and the dotted line represents results from the previous assessment. The horizontal dashed line is the F-threshold based on the 2025 assessment. The 90% confidence intervals are shown in grey. (Source: 2025 Assessment Update of Southern New England Mid-Atlantic Winter Flounder)

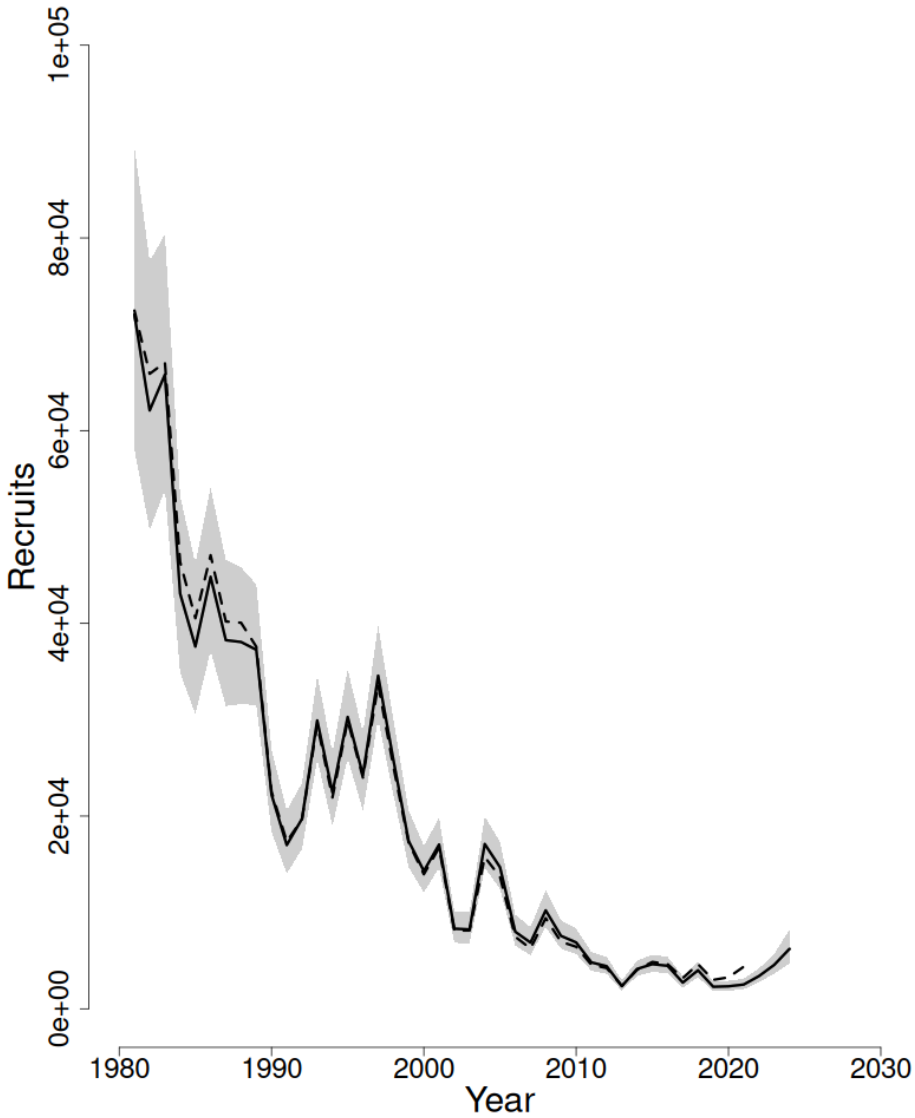


Figure 5. Southern New England/Mid-Atlantic winter flounder trends in recruits (000s) between 1981 and 2024. The solid line represents results of the current assessment and the dotted line represents results from the previous assessment. The 90% confidence intervals are shown in grey. (Source: 2025 Assessment Update of Southern New England Mid-Atlantic Winter Flounder)

Figure 6. Commercial and recreational winter flounder landings.

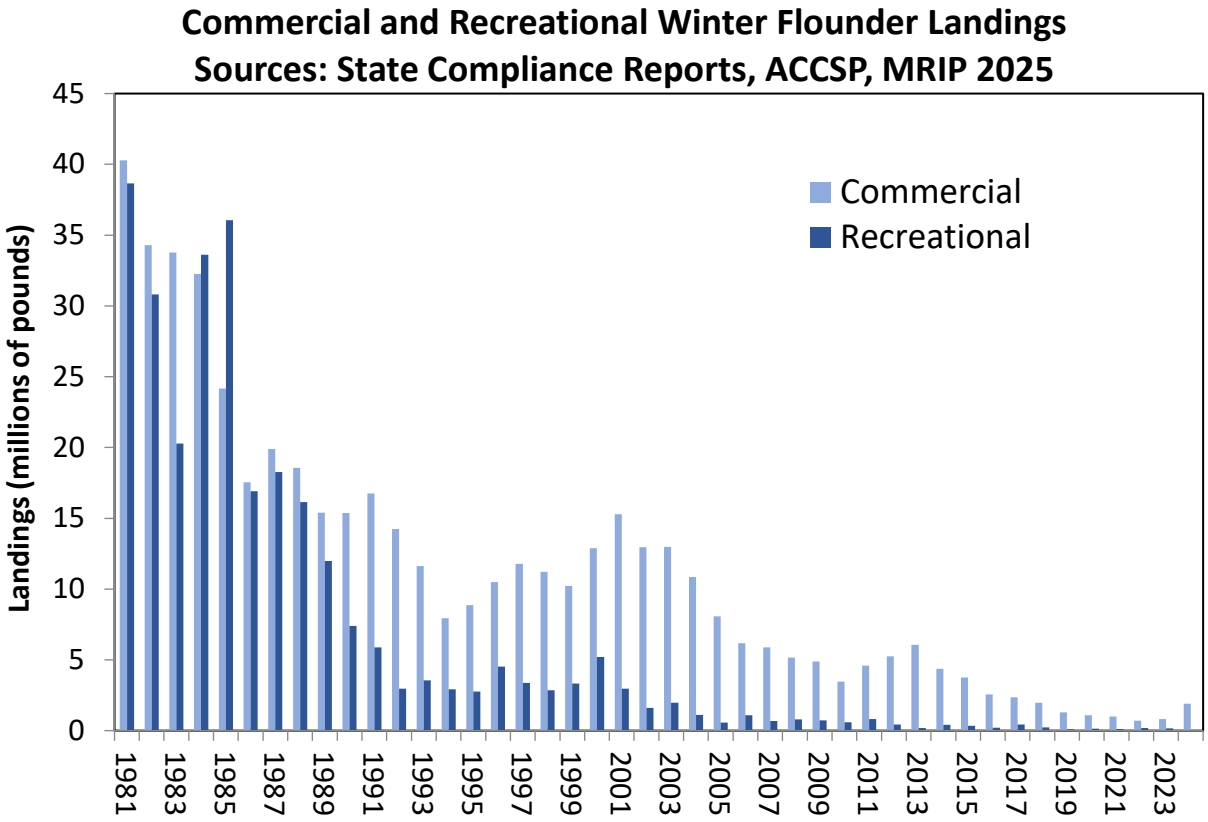


Table 1. Coastwide commercial and recreational landings of winter flounder.
Source: ACCSP, MRIP.

Year	Commercial Landings (lbs)	Recreational Landings (lbs)	Total Harvest (lbs)
1981	40,281,800	38,658,240	78,940,041
1982	34,287,800	30,800,886	65,088,685
1983	33,762,300	20,270,442	54,055,083
1984	32,259,500	33,619,053	65,878,553
1985	24,169,500	36,044,271	60,236,129
1986	17,551,600	16,910,804	34,462,404
1987	19,900,600	18,267,160	38,263,989
1988	18,558,400	16,152,719	34,724,190
1989	15,403,400	11,984,077	27,388,876
1990	15,375,295	7,388,964	22,764,259
1991	16,755,114	5,879,856	22,634,970
1992	14,232,802	2,952,663	17,185,467
1993	11,618,074	3,556,271	15,184,307
1994	7,934,950	2,918,614	10,855,524
1995	8,869,168	2,752,809	11,621,978
1996	10,489,726	4,533,524	15,023,249
1997	11,774,996	3,369,650	15,164,882
1998	11,213,153	2,861,094	14,077,436
1999	10,219,341	3,323,925	13,543,267
2000	12,876,176	5,190,358	18,066,533
2001	15,274,384	2,961,872	18,236,255
2002	12,955,503	1,611,635	14,567,138
2003	12,986,593	1,967,619	14,954,212
2004	10,854,383	1,118,236	11,972,618
2005	8,074,650	575,650	8,650,300
2006	6,149,946	1,087,320	7,237,266
2007	5,882,975	677,000	6,559,975
2008	5,158,100	787,911	5,946,010
2009	4,877,566	715,732	5,593,298
2010	3,452,445	600,397	4,052,841
2011	4,593,883	805,448	5,399,331
2012	5,238,701	427,191	5,665,892
2013	6,054,017	191,785	6,245,801
2014	4,375,270	415,101	4,790,371
2015	3,752,672	336,896	4,089,568
2016	2,561,793	203,185	2,764,978
2017	2,347,429	428,764	2,776,587
2018	1,976,173	223,355	2,199,529
2019	1,286,817	87,074	1,373,891
2020	1,078,525	140,609	1,219,134
2021	991,501	112,676	1,104,177
2022	692,503	178,908	871,411
2023	822,502	165,969	988,471
2024	1,895,633	55,668	1,951,321

Table 2. 2024 Winter flounder commercial landings and recreational harvest (A + B1) by weight (lbs) by state. "C" denotes confidential landings. (Source: State compliance reports, ACCSP, and MRIP)

	Commercial		Recreational		
State	**Pounds**	**Percent**	**Pounds**	**PSE**	**Percent**
Maine	C	C	4,793	75.3	8.6%
New Hampshire	2,377	0.13%	2,420	57.9	4.3%
Massachusetts	1,858,478	98.04%	42,941	68.4	77.1%
Rhode Island	26,988	1.42%	170	62.7	0.3%
Connecticut	2,782	0.15%	797	103.9	1.4%
New York	1,842	0.10%	1,594	82.9	2.9%
New Jersey	C	C	2,953	57.8	5.3%
Maryland	C	C	0	-	0.0%
Total	1,895,633		55,668		

Table 3. Commercial winter flounder regulations.

State	Stock Unit	Size Limit	Trip Limit	Seasonal Closure (dates inclusive)	Recruitment Assessment	SSB Assessment	Min. Mesh Size	*De minimis Request*
Maine	GOM	12"	500 lbs	April 1 – June 30	N/A	N/A	6.5”	No
New Hampshire	GOM	12"	500 lbs	April 1 – June 30	N/A	N/A	6.5”	No
Massachusetts	GOM	12"	500 lbs	Open all year	N/A	Bottom Trawl Survey (May, Sept)	6.5”	No
	SNE/MA	12"	50 lbs	Open all year	YOY Seine Survey (June)	Bottom Trawl Survey (May, Sept)	6.5”	No
Rhode Island	SNE/MA	12"	50 lbs	Open all year	Narragansett Bay Juvenile Finfish Survey	Bottom Trawl Surveys	6.5”	No
Connecticut	SNE/MA	12"	50 lbs or 38 fish	March 1 – April 14	YOY Fall Estuarine Seine Survey	Long Island Sound Trawl Survey	6.5”	No
New York	SNE/MA	12"	50 lbs	June 14 – Nov 30 (for all gear besides fyke nets, pound and trap nets)	Small Mesh Trawl Survey, Seine Survey	N/A	6.5”	No
New Jersey	SNE/MA	12"	38 fish	June 1 – Nov 30 (all gear except for fyke nets) Feb 20 – Oct 31 (Fyke net)	N/A	Ocean Trawl Survey	6.5”	Yes

Table 4. Recreational winter flounder regulations.

State	Stock Unit	Creel Limit	Size Limit	Seasonal Closure (dates inclusive)
Maine	GOM	8	12"	Open all year
New Hampshire	GOM	8	12"	Open all year
Massachusetts	GOM	8	12”	Open all year
	SNE/MA	2	12"	January 1- February 28
Rhode Island	SNE/MA	2	12"	January 1 – February 28
Connecticut	SNE/MA	2	12"	January 1 – March 31
New York	SNE/MA	2	12"	May 31 – March 31
New Jersey	SNE/MA	2	12"	January 1 – February 28

From: ASMFC
To: Comments
Subject: [New] [External] New public comment for 2026 Winter Meeting
Date: Wednesday, January 7, 2026 7:33:35 PM

2026 Winter Meeting

Action Title
2026 Winter Meeting
Action URL
https://asmfc.org/events/2026-winter-meeting/
Name
STEVE Haasz
Email
shaasz@comcast.net
State
New Jersey
Comment
When are we going to be allowed to fish for more winter flounder you will never know how many fish there are in the sandy hook nj raritan bay nj area if you leave it at only 2 fish. not to many people would fish for 2 I think we should bring it back up to at least 5 fish per person.not only that but I think this is why are fisheries for summer flounder has been depleting in this area.we go out in march for winter flounder putting in chum log which atracks multiple species of fish.ever since you dropped it down to 2 fish knowone is putting chum in the water.which is keeping fluke,weakfish bluefish and other fish from coming in to these areas,to prove my point when the peanut bunker had a massive die off about 8yrs ago when they needed 2 40yd dumpsters to cleanup keansburg beach .directly after that the fluke followed the dead peanut to the area and the fluke where all over the place.at this point we are loosing fluke in these bays and and rivers not only that but now spearing and killies are dis appearing. I geuss if you feed the fish they will come .not chum no fish.thus is what I believe is destroying the Raritan Bay sandy hook bay and shrewsbury area fishing.just remember you wouldn't go to a restaurant that has no food so why would fish go where there's no food

From: ASMFC
To: Comments
Subject: [New] [External] New public comment for 2026 Winter Meeting
Date: Thursday, January 15, 2026 11:47:57 AM

2026 Winter Meeting

Action Title
2026 Winter Meeting
Action URL
https://asmfc.org/events/2026-winter-meeting/
Name
STEVE Haasz
Email
shaasz@comcast.net
State
New Jersey
Comment
Bring winter flounder 5 fish per person in nj you have no real evaluation of what's going on if knowone is fishing for them

Atlantic States Marine Fisheries Commission

Spiny Dogfish Management Board

February 3, 2026
1:15 – 2:15 p.m.

Draft Agenda

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

1. Welcome/Call to Order (*J. Cimino*) 1:15 p.m.

2. Board Consent 1:15 p.m.
   - Approval of Agenda
   - Approval of Proceedings from May 2025

3. Public Comment 1:20 p.m.

4. Discuss Spiny Dogfish Accountability Measures **Possible Action** 1:30 p.m.
   - Review Actions by NEFMC and MAFMC on the Spiny Dogfish Accountability Measures Framework *(J. Didden)*
   - Consider Complementary Commission Action (*J. Boyle*)

5. Set Specifications for 2026/2027 and 2027/2028 Fishing Years *(J. Boyle)* **Final Action** 2:00 p.m.

6. Elect Vice-Chair **Action** 2:10 p.m.

7. Other Business/Adjourn 2:15 p.m.

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details.

MEETING OVERVIEW

Spiny Dogfish Management Board
February 3, 2026
1:15 – 2:15 p.m.

Chair: Joe Cimino (NJ) Assumed Chairmanship: 8/25	Technical Committee Chair: Vacant	Law Enforcement Committee Rep: Jack Chapin (MA)
Vice Chair: Vacant	Advisory Panel Chair: Vacant	Previous Board Meeting: May 5, 2025
Voting Members: ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NC, NMFS (12 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from May 2025

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

4. Discuss Spiny Dogfish Accountability Measures (1:30 - 2:00 p.m.) Possible Action

Background

- In December 2025, the MAFMC and NEFMC took final action on a framework adjustment to the federal Spiny Dogfish FMP, which proposes several changes to overage accountability measures. The framework will be submitted to NOAA Fisheries for review and rulemaking **(Briefing Materials)**.

Presentations

- Review Actions by NEFMC and MAFMC on the Spiny Dogfish Accountability Measures Framework by J. Didden
- Consider Complementary Commission Action by J. Boyle

Board Actions for Consideration

- Consider complementary action

5. Set Specifications for the 2026/2027 and 2027/2028 Fishing Years (2:00 - 2:10 p.m.) Final Action
Background • The Accountability Measures Framework also recommended a commercial quota of 9,197,675 pounds for the 2026/2027 and 2027/2028 fishing years **(Briefing Materials)**.
Presentations • Review Council-Recommended Federal Quota for the 2026/2027 and 2027/2028 Fishing Years by J. Boyle
Board Actions for Consideration • Approve specifications for the 2026/2027 and 2027/2028 fishing years

6. Elect Vice-Chair Action

7. Other Business/Adjourn

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

SPINY DOGFISH MANAGEMENT BOARD

The Westin Crystal City
Arlington, Virginia
Hybrid Meeting

May 5, 2025

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

TABLE OF CONTENTS

INDEX OF MOTIONS

ATTENDANCE

Board Members

Megan Ware, ME, proxy for C. Wilson (AA)
Renee Zobel, NH, proxy for C. Patterson (AA)
Doug Grout, NH (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)
Nichola Meserve, MA, proxy for D. McKiernan (AA)
Raymond Kane, MA (GA)
Sarah Ferrara, MA, proxy for Rep. Armini (LA)
Jason McNamee, RI (AA)
David Borden, RI (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Matt Gates, CT, proxy for J. Davis (AA)
William Hyatt, CT (GA)
Jesse Hornstein, NY, proxy for M. Gary (AA)
Joe Cimino, NJ (AA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
John Clark, DE (AA)
Roy Miller, DE (GA)
Michael Luisi, MD, proxy for L. Fegley (AA)
Pat Geer, VA, proxy for J. Green (AA)
Rep. Brian Turner, NC (LA)
Allison Murphy, NMFS

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

Staff

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

The Spiny Dogfish 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; Monday, May 5, 2025, and was called to order at 3:15 p.m. by Chair Pat Geer.

CALL TO ORDER

CHAIR PATRICK GEER: Good afternoon, everybody. My name is Pat Geer; I am the Administrative Proxy for the Commonwealth of Virginia, and I am the Chairman of the Spiny Dogfish Board today. Welcome, everybody, happy Cinco de Mayo to everybody. Everyone is all excited about that, I'm sure.

We have Kurt Blanchard and the ASMFC Law Enforcement Partner is somewhere in the room, if there are any questions to Law Enforcement, and our expert, James Boyle to my right. Before we get started, Bob has an announcement.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Yes, just before the Board gets started, I want to introduce a new commissioner from North Carolina, Representative Brian Turner is in the back corner, waving his hand. He is the new Legislative Commissioner from North Carolina, appointed, I don't know, Wednesday or Thursday of last week, and re-wracked your schedule and came up here for the next couple days.

Please welcome him here, and welcome, Representative Turner. I should have done the same introducing Carl at the last meeting, but Carl seems to have been around so long and I've known him forever, so my apologies, Carl, for not introducing you at the beginning of Lobster meeting. With that, it's all yours.

APPROVAL OF AGENDA

CHAIR GEER: Welcome aboard, Sir. Okay, first item on the agenda today is the approval of the agenda. Are there any changes or modifications to the agenda? Hearing none the agenda is approved by consent.

APPROVAL OF PROCEEDINGS

CHAIR GEER: Approval of the proceedings from the February, 2025 meeting. Are there any modifications, changes or updates to that? Hearing none; consent approval. Is there anybody here for public comment? Anybody in the audience or online? None online, moving right along. We're going to try to, we do have one. Mr. Fletcher, you have the mic.

PUBLIC COMMENT

MR. JAMES FLETCHER: This dogfish management plan does not include the male stock that stays offshore outside of 200 fathoms, and all of the numbers that we're dealing with, because there has been no survey out there, are highly suspect. Before the Commission gets in and puts in poundage quotas, can somebody please explain to an old person.

If you've never done a survey where the fish are, you have information for satellite tags where the fish stay. Can somebody tell me how we set a quota, because the science is not science. We are not harvesting what are out there. By not doing that, those fish, the male fish, have not been harvested since the Russians left in the seventies.

They are putting pressure on all of our other stocks. Can the management board or whoever try to help industry get some male fishery going? I thank you for your time, United National Fishermen's Association, I appreciate you letting me speak. Thank you, Sir.

CHAIR GEER: Thank you very much, Mr. Fletcher. Is there anyone else? Not seeing any, we're going to move on. We're on to Item 4, which is Consider the Technical Addendum. There were a couple of language changes, and it was one mistake in one of the coordinates that needed to be corrected. I'll give the floor to James at this time.

CONSIDER TECHNICAL ADDENDUM I TO SPINY DOGFISH ADDENDUM VII FOR FINAL APPROVAL

MR. JAMES BOYLE IV: Yes, this should be a pretty quick presentation. At the winter meeting in February, the Board approved Addendum VII, with aims to reduce Atlantic sturgeon bycatch by prohibiting overnight soaks, by state spiny dogfish permit holders using certain gillnet mesh sizes in specific times and areas off of Maryland and Virginia.

However, Addendum VII inadvertently had a typo in the coordinates for one of the areas, and did not include text from our Final Rule published by NOAA Fisheries that specifies which end of the mesh size range should be included in the management measure. Therefore, staff has drafted a Technical Addendum to correct those errors.

For the first issue, there was a mistake in the longitude of the northwestern point of the Delaware and Maryland bycatch reduction area. Instead of reading 75 degrees, 60 minutes west, the longitude should be 75 degrees, 6 minutes west. The correct value is displayed in decimal form in Figure 1, which is included in both Addendum VII and in the federal action, 75. 1 degrees.

The second issue is regarding the mesh size range. The Final Rule published by NOAA Fisheries specifies that the range is "equal to or greater than 5.25 inches, and less than 10 inches." Whereas Addendum VII just says between 5 1/4 and 10 inches.

Since the stated objective of Addendum VII is to maintain consistency with the federal action, if approved the technical addendum will correct the error in the coordinates of the Delaware and Maryland Bycatch Reduction Area and replace the text in Section 3 with the language on the slide, which clarifies that the range includes the 5.25 inch and excludes 10-inch mesh. With that, the Board action to consider today is the approval of the Technical Addendum, and I'm happy to take any questions.

CHAIR GEER: Any questions for James? Thank you, James. Hearing none, do we need a motion for this? John.

MR. JOHN CLARK: Sure, I was just waiting for it to go up. **Move to approve Technical Addendum 1 to Addendum VII, effective immediately.**

CHAIR GEER: Second by Eric Reid. Any discussion on the motion? Okay, I'll read the motion in. Move to approve Technical Addendum I to Addendum VII effective immediately. Motion by Mr. Clark; seconded by Mr. Reid. **Is there any opposition to this motion? Hearing none, approved unanimously**. Anything else on the agenda? Okay, James is going to give an update on the Implementation Plan, I'm sorry.

MR. BOYLE: It's not on the agenda, but just a quick update on the Implementation Plans for Addendum VII. We received plans from both Maryland and Virginia before the Technical Addendum putting issues in the Technical Addendum were raised. We're just waiting on one more update from the Virginia implementation Plan, and I'll send out an e-mail for the Board to approve them once we have that.

ADJOURNMENT

CHAIR GEER: Is there any Other Business to come before this Board today? Hearing none; is there any opposition to adjourn? So moved, this meeting is adjourned.

(Whereupon the meeting adjourned at 3:22 p.m. on Monday, May 5, 2025)

New England Fishery Management Council

MID-ATLANTIC FISHERY MANAGEMENT COUNCIL

FOR IMMEDIATE RELEASE
December 19, 2025

MAFMC PRESS CONTACT: Mary Sabo, (302) 526-5261
NEFMC PRESS CONTACT: Alex Dunn, (978) 465-0492, ext. 112

Mid-Atlantic and New England Councils Take Joint Action on Spiny Dogfish Framework

The Mid-Atlantic Fishery Management Council and New England Fishery Management Council took final action at their respective December 2025 meetings on a framework adjustment to the Spiny Dogfish Fishery Management Plan (FMP). The framework sets specifications for the 2026-2027 fishing years and proposes several changes to accountability measures. The framework will be submitted to NOAA Fisheries for review and rulemaking.

ACCOUNTABILITY MEASURES

Currently, the Spiny Dogfish FMP requires pound-for-pound payback of any Annual Catch Limit (ACL) overages as an accountability measure. Under the revised measures adopted through this framework, ACL overages would be calculated using a 3-year average of total catch from all sources compared to a 3-year average of ACLs. In addition, payback amounts would depend on biomass levels as follows:

- **At or above target biomass**: No payback would be required for ACL overages. However, the Councils would still consider management adjustments during the next specifications cycle to prevent future overages.
- **At or below 75% of target biomass**: Full, pound-for-pound paybacks would be required and deducted from the next available single-year ACL. If the stock becomes overfished, full paybacks would be required until the stock is completely rebuilt.
- **Between 75% and 100% of target biomass**: The payback amount would be calculated on a sliding, linear scale based on biomass level (for example, a 50% payback would be required when the stock is at 87.5% of the target biomass).

These changes are intended to better align accountability measures with stock status and reduce unnecessary economic impacts from variable landing limits and discards when the stock is healthy.

2026-2027 SPECIFICATIONS

The 2023 Management Track Assessment indicated that the spiny dogfish stock was neither overfished nor experiencing overfishing in 2022. Although the stock is experiencing lower annual productivity, stock levels were slightly above the biomass target in 2022. Projections suggest the stock could be around 113% of its target biomass in the 2026 calendar year.

The Councils voted to maintain the current Acceptable Biological Catch (ABC) limit of 7,626 metric tons (16.8 million pounds) for the 2026 and 2027 fishing years. This ABC is slightly below the overfishing limits (OFLs) for 2026 and 2027 and is aligned with advice from the Mid-Atlantic Council's Scientific and

Statistical Committee (SSC). After accounting for expected discards, the commercial quota for both years would be 9.2 million pounds, a slight reduction from the 2025 quota of 9.3 million pounds. No changes were recommended to other management measures, including the federal trip limit of 7,500 pounds.

Spiny Dogfish Specifications for FY 2026-2027

Specifications	2026-27 (pounds)	2026-27 (mt)
Overfishing Limit (OFL)	17,822,148	8,084
Acceptable Biological Catch (ABC)	16,812,432	7,626
Canadian Landings	8,818	4
Domestic ABC	16,803,614	7,622
Annual Catch Limit (ACL)	16,803,614	7,622
Management Uncertainty Buffer	0.0%	0.0%
Amount of Buffer	0	0
Annual Catch Target (ACT)	16,803,614	7,622
U.S. Discards	7,359,022	3,338
Total Allowable Landings (TAL)	9,444,592	4,284
U.S. Recreational Landings	246,917	112
Commercial Quota	9,197,675	4,172

Additional information about this action can be found here.

Atlantic States Marine Fisheries Commission

American Eel Management Board

February 3, 2026
2:30 – 3:30 p.m.

Draft Agenda

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

1. Welcome/Call to Order *(J. Hornstein)* 2:30 p.m.

2. Board Consent 2:30 p.m.
   - Approval of Agenda
   - Approval of Proceedings from October 2025

3. Public Comment 2:35 p.m.

4. Update on Convention on the International Trade of Endangered Species *(T. Kerns)* 2:45 p.m.

5. Technical Committee Report on Board Tasks *(K. Bonvechio)* 2:55 p.m.
   - Review of Aquaculture Plan Provisions
   - Review of Florida Young of Year Survey

6. Other Business/Adjourn 3:30 p.m.

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details.

MEETING OVERVIEW

American Eel Management Board
February 3, 2026
2:30 – 3:30 p.m.

Chair: Jesse Hornstein (NY) Assumed Chairmanship: 10/25	Technical Committee Chair: Kim Bonvechio (FL)	Law Enforcement Committee Rep: Rob Beal (ME)
Vice Chair: VACANT	Advisory Panel Chair: Mitch Feigenbaum (PA)	Previous Board Meeting: October 28, 2025
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, PRFC, VA, NC, SC, GA, FL, DC, NMFS, USFWS (19 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2025

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

4. Update on Convention on the International Trade of Endangered Species (2:45-3:00 p.m.)

Background

- The twentieth meeting of the Conference of the Parties (CoP20) of the Convention in International Trade in Endangered Species of Wild Fauna and Flora (CITES) convened November 23 to December 5 in Samarkand, Uzbekistan.
- At the CoP, the Parties adopted a *Resolution On Trade, Conservation And Management Of Anguillid Eel Species* and rejected a proposal to include the genus Anguilla in Appendix II.

Presentations

- Update on CITES by T. Kerns

5. Technical Committee Report on Board Tasks (3:00-3:30 p.m.)

Background

- The Board tasked the Technical Committee (TC) with reviewing the criteria in Addendum V related to site selection for aquaculture harvest under a Board approved plan for glass eel aquaculture to determine if changes to the language or interpretation of these criteria should be considered.
- Florida submitted a proposal to discontinue the young-of-year (YOY) sampling survey. In October, the Board tasked the TC with evaluating the utility of continuing the Florida glass eel survey and its contribution to the Commission's management and assessment.

• The TC met several times to discuss these tasks and develop recommendations to the Board **(Briefing Materials).**
Presentations • Technical Committee Report by K. Bonvechio

6. Other Business/Adjourn (3:30 p.m.)

American Eel

Activity level: Medium

Committee Overlap Score: Medium (SAS overlaps with BERP, Atlantic herring, horseshoe crab)

Committee Task List
• TC – Board Task: Evaluate Floria Young-of-Year survey utility for assessment and management • TC – July 2026 review of Maine's aquaculture proposal • SAS – Summer 2026: Begin work for 2027 Stock Assessment Update • TC – September 1st: Annual compliance reports due

TC Members: Danielle Carty (SC, TC Chair), Alexis Park (MD), Bradford Chase (MA), Caitlin Craig (NY), Casey Clark (ME), Chris Adriance (DC), Chris Wright (NOAA), Ingrid Braun (PRFC), Jennifer Pyle (NJ), Jordan Zimmerman (DE), Troy Tuckey (VIMS), Jim Page (GA), Kevin Molongoski (USGS), Kimberly Bonvechio (FL), Mike Porta (PA), Patrick McGee (RI), Robert Atwood (NH), Sheila Eyler (USFWS), Tim Wildman (CT), Todd Mathes (NC), Caitlin Starks (ASMFC)

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

AMERICAN EEL MANAGEMENT BOARD

Hyatt Place Dewey Beach
Dewey Beach, Delaware
Hybrid Meeting

October 28, 2025

TABLE OF CONTENT

INDEX OF MOTIONS

ATTENDANCE

Board Members

Megan Ware, ME, proxy for Carl Wilson (AA)
Steve Train, ME (GA)
Renee Zobel, NH (AA)
Doug Grout, NH (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)
Dan McKiernan, MA (AA)
Raymon Kane, MA (GA)
Sarah Peake, MA, proxy for Rep. Armini (LA)
Phil Edwards, RI, proxy for J. McNamee (AA)
David Borden, RI (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Matt Gates, CT (AA)
Robert LaFrance, CT, proxy for B. Hyatt (GA)
Jesse Hornstein, NY, proxy for M. Gary (AA)
Emerson Hasbrouck, NY (GA)
Heather Corbett, NJ, proxy for J. Cimino (AA)
Jeff Kaelin, NJ (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
John Clark, DE (AA)
Roy Miller, DE (GA)
Craig Pugh, DE, proxy for Rep. Carson (LA)
Carrie Kennedy, MD, proxy for L. Fegley (AA)
Russel Dize, MD (GA)
Joe Grist, VA, proxy for J. Green (AA)
James Minor, VA (GA)
Chris Batsavage, NC, proxy for K. Rawls (AA)
Brian Turner, NC, proxy for J. Mannen (GA)
Ben Dyar, SC, proxy for B. Keppler (AA)
Malcolm Rhodes, SC (GA)
Mel Bell, SC, proxy for Sen. Cromer (LA)
Doug Haymans, GA (AA)
Spud Woodward, GA (GA)
Rep. Trey Rhodes, GA (LA)
Erika Burgess, FL, proxy for J. McCawley (AA)
Gary Jennings, FL (GA)
Rick Jacobsen, US FWS

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

Ex-Officio Members

Mitch Feigenbaum, Advisory Panel Chair
Rob Beal, Law Enforcement Committee Rep.

Staff

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

The American Eell Management Board of the Atlantic States Marine Fisheries Commission convened in the Ballroom East/West via hybrid meeting, in-person and webinar; Tuesday, October 28, 2025, and was called to order at 10:00 a.m. by Chair Kris Kuhn.

CALL TO ORDER

CHAIR KRISTOPHER M. KUHN: Good morning, everyone. Welcome to the Atlantic States Marine Fisheries Commission American Eel Board. I'm calling this meeting to order. I'm Kris Kuhn the Administrative Proxy for Pennsylvania and current Chair of the American Eel Management Board. This will be my last meeting as Chair, and our Vice-Chair, Jesse Hornstein from New York will be taking over at the next Board meeting.

The Technical Committee Chair remains vacant. Our Advisory Panel Chair is Mitch Feigenbaum from Pennsylvania, and our Law Enforcement Committee representative here to my left is Rob Beal from Maine. I'm joined at the front table by Caitlin Starks of the Commission, and we have a half an hour to consider two agenda items, as well as hear public comments, and consider any new business if there is any. Let's go ahead and get started, but before we do we have a message from Toni.

MS. TONI KERNS: I just want to let the Board know that Rick is online for Fish and Wildlife Service.

APPROVAL OF AGENDA

CHAIR KUHN: All right, thanks for that, Toni. To begin this morning's meeting is first the consent item, approval of the agenda. Are there any proposed modifications to the agenda? All right, seeing none do we have any hands online? The agenda is approved by consent.

APPROVAL OF PROCEEDINGS

CHAIR KUHN: The next consent item is approval of the proceedings from the August 2025 American Eel Management Board. Are there any edits to the proceedings from the August Board meeting? Not seeing any here in the room, any hands online? Not seeing any; the August 2025 proceedings are approved by consent.

PUBLIC COMMENT

CHAIR KUHN: Moving on to public comments. Are there any members of the public either here or online that would like to make comments pertaining to items that are not on today's agenda? All right, not seeing any and there are no hands online, so we'll go ahead and jump right in. Moving to Item Number 4 on the agenda, which is to Consider Approval of the Fishery Management Plan Review and State Compliance for the 2024 Fishing Year. Caitlin Starks is going to lead us off with a presentation. Caitlin, we're ready for your presentation.

CONSIDER APPROVAL OF FISHERY MANAGEMENT PLAN REVIEW AND STATE COMPLIANCE FOR 2024 FISHING YEAR

MS. STARKS: I'll go over the American eel FMP Review for the 2024 fishing year. I'll start with the status of the FMP then the status of the stock, status of the fishery, compliance review and the Plan Review Team's recommendation, as well as de minimis requests. To start, these are the FMP and addenda provisions that apply to all states with eel fisheries.

All states are required to implement a young of year survey and maintain regulations as strict or stricter than what was in place before the FMP was implemented. The FMP and addenda also require trip level CPUE data reporting, allow for developing a sustainable fishery management plan in order to deviate from the fishery management plan requirements, and also provide an aquaculture allowance of 200 pounds of glass eel per state with Board approval.

For any alternative fishery management plan the state must scientifically demonstrate it will not increase the overall fishing mortality. For glass eel fisheries the FMP includes the maximum tolerance of 25 pigmented eel per pound of glass eel harvest. It establishes Maine's glass eel quota, which has been 90,688 pounds since 2015, and it requires daily trip level reporting.

Maine does this through their electronic monitoring program, which allows them to track landings from harvester to dealers and export. Maine is also required to collect data from the life cycle survey for all life stages. Then Addendum VI was approved in May, and this maintains the Maine glass eel quota, but there have been no other changes to the FMP requirements for glass eels.

For yellow eel the FMP requires a minimum size of 9 inches and a 1/2 inch by 1/2-inch minimum mesh size on eel pots. Addendum III required a recreational bag limit of 25 eels per day with an allowance of 50 fish per day for for-hire captains and crew. Addendum IV established the coastwide commercial harvest cap for yellow eel, which was updated by Addendum V and also established the 10% overage per year per management.

I just want to note here that the commercial harvest cap will decrease to 518,821 pounds starting in 2025 under Addendum VII. For silver eels the FMP established a closure from September 1st through December 31st, during which no eel take is allowed except for from baited traps or pots and spears. The Delaware River was granted an exemption from this requirement, but it is restricted to only 9 permits.

There have been no other changes recently to these requirements. Maine is currently the only state with an aquaculture plan and the first year of that was 2019 and in 2024 200 pounds were harvested for aquaculture in Maine, and Maine has submitted proposals for 2025 and 2026, which were approved for 200 pounds of glass eel, and they continue to allocate that to American Unagi.

Stock status for eel is based on the benchmark stock assessment, that was peer reviewed in 2022 and accepted for management in 2023, and the assessment concluded the stock remains depleted or at or near historically low levels due to a range of factors. It also noted that the yellow eel abundance has continued to decline since the last stock assessment, and it does not provide an overfishing or overfished status for eel. The board responded to the assessment results through Addendum VII, which lowered that coastwide cap for yellow eel. This graph shows the abundance index from the benchmark assessment for yellow eel would be upper and lower 95% confidence intervals. These are the annual landings estimates dating back to 1950 for eel. The coastwide cap is shown by the dashed blue lines starting in 2013 when it was established through 2024, and next year we will see that decrease in the cap from Addendum VII.

Commercial landings in the FMP Review are from state compliance reports and so they are still considered preliminary, but for 2024 the coastwide yellow eel landings were about 284,000 pounds, which is a 3.8% decrease from 2023 and that is 31% of the current coastwide harvest cap. Landings from Maryland make up 70% of that harvest and the next highest harvest come from New Jersey, with 11% in New York with 6% together accounting for 87% of the coastwide total.

For glass eel Maine harvested 9,634 pounds of glass eels in 2024 and South Carolina also has a glass eel fishery, but their harvest is confidential. The PRT reviewed the state compliance reports and they found no issues with implementation of the glass eel requirements. Regarding yellow eel provisions, the PRT noted that New York has now implemented regulations for a minimum mesh size that are consistent with the requirements of Addendum III, resolving the issue that was raised last year.

For silver eel the PRT continued to note two minor issues that have been addressed in previous years

reports, which are that Delaware and Florida have not implemented regulations preventing the harvest of eels from pound nets from September 1st through December 31st, but neither state is aware of any active pound net fishery.

Then the PRT noted one issue with regard to reporting, which is that in the compliance report this year Rhode Island did not provide the CPUE for commercial harvest, harvest by life stage or harvest by gear type, which are required under Addendum III. Then as of Addendum VII, to qualify for de minimis status for eel, a states average landing for the preceding three years must be under 1% for a particular life stage.

The de minimis requests this year are from New Hampshire, Massachusetts, Pennsylvania, D.C., and Georgia, and they all qualify for de minimis status for yellow eel. The PRT recommends the Board approve these de minimis requests. Then additional recommendations from the PRT are that the Board should reevaluate the requirements that the states provide estimates on the percent of harvest that goes to food versus bait, as noted in previous years, just given this information is not currently used.

The PRT continues to recommend the Commission and the U.S. Fish and Wildlife Service work together to annually compare the domestic landings data to export data for American eel across all life stages. That wraps up the FMP Review, so the Board action for consideration is to approve the FMP Review for the 2024 fishing year for eel, state compliance reports and de minimis status requests. I can take any questions.

CHAIR KUHN: Are there any questions for Caitlin? Any hands online? Assuming there is no Board discussion, if there is any let's entertain it now. All right; do we have anyone prepared to make a motion? Heather Corbett. Second Steve Train.

MS. HEATHER CORBETT: **Move to approve American Eel FMP Review for the 2024 fishing year, state compliance reports, and de minimis status for Massachusetts, New Hampshire, Pennsylvania, District of Columbia, and Georgia for yellow eel.**

CHAIR KUHN: Okay, apparently, I'm really trying to stick to our 30 minutes and go right past reading the motion into the record, so now I'll take a second. Steve Train. Steve, any comments? No, alright, let's go ahead and try and do this easy way. **Is there any opposition to the motion? All right, seeing none; the motion passes by consent.**

CONSIDER FLORIDA PROPOSAL TO DISCONTINUE YOUNG-OF-YEAR SAMPLING

CHAIR KUHN: Moving on to Item Number 5, which is to Consider Florida's Proposal to Discontinue American eel Young-of-Year Sampling and for that I will turn it over to Erika Burgess, who is going to provide us with an overview of the proposal. Erika, the floor is yours.

MS. ERIKA BURGESS: Thank you, Mr. Chair, and I will be brief, as brief as I can for the sake of the time of the meeting, and I'm happy to elaborate on anything if there are questions. As Caitin just reviewed, the FMP requires states to conduct annual young of year sampling, and there was a change to that requirement in Addendum VII, but that was only to remove length and pigment survey requirements.

Florida is requesting that the Board consider an exemption to our state for the glass eel survey and I'll present why. We have limited eel young of year sampling locations in our state, based on the nature of our coastline and lack of restriction areas or checkpoints for eels. In the last two decades we've identified only one location in our entire state where we could possibly get glass eels, that is up at Guana River Dam, which was put in place for a waterfowl impoundment just north of Saint Augustine, Florida.

All of the locations in our state the eels have grown past the glass eel stage by the time they reach that. We've determined that passive gear does not effectively sample glass eels and we have instead looked into and are funding and doing other eel sampling for other life stages doing various methods.

When FWC chose to stop doing the glass eel surveys directly, we contracted the University of North Florida to do the annual sampling. In that time period catches have declined to less than 20 individuals per year. That brings the cost for each individual sample to over $700.00. We have as an agency decided not to renew that contract with the University of North Florida and reallocated those funds to other American eel research in our state to collect information on age and growth, parasites and yellow eel movement.

We are requesting that the Board consider an exemption, but not straight out today. I'll offer a motion instead to ask the TC to evaluate Florida's request and to provide the Board their determination on the utility of Florida's glass eel survey before the Board makes a final decision on that. We will in the meantime continue to survey other eel life stages in Florida, using those funds to support eel research.

The University of North Florida has let us know that they would like to voluntarily continue some sampling, but it's not guaranteed and it won't happen at the levels it happened previously. They will be seeking funds elsewhere to do that research at the University. That wraps me up, so I'll pause for questions.

CHAIR KUHN: Any questions for Erika? John Clark.

MR. JOHN CLARK: Thank you for the presentation, Erika. Just curious, when you say Florida is a huge state and I'm just wondering how that could be the only spot to sample glass eels, when we've seen in recent years there has been a huge amount of glass eel smuggling coming out of the Dominican Republic, other spots in the Caribbean. Is it something where you can say that Florida has looked for other spots and just not found any place that it's just a matter of access?

MS. BURGESS: Kim Bonvechio has been the lead on our eel research with the Fish and Wildlife Research Institute. She served on the Technical Committee for 20 years. She has thoroughly investigated the entire state looking for points, and because we don't have much barriers to fish passage there is not a good single-point site to collect glass eels.

MR. JOHN CLARK: If I can just follow up for a second. I'm just curious, because as I said, it's a big area. Have you seen, has it got anything to do with the currents there? I'm just wondering how they could get so many of them in the Caribbean and yet they are not going into Florida at that point.

MS. BURGESS: I'm not an expert on the Caribbean, so I can't answer that, John.

CHAIR KUHN: All right, any more questions for Erika? Any discussion on her presentation? I think I heard, Erika, you're ready to make a motion. Could you read that into the record?

MS. BURGESS: Yes, I would like to **move to direct the American Eel Technical Committee to evaluate the utility of continuing the Florida glass eel survey and its contribution to the Commission's management and assessment of the American eel stock, and report back to the Commission at the next American Eel Management Board meeting so that the Board can consider exempting Florida from the glass eel survey compliance requirement.**

CHAIR KUHN: Second by Doug Haymans. Doug, would you like to provide any further rationale?

MR. DOUG HAYMANS: No, I just am supporting Florida's motion, having lived there for a number of years. I understand their issue and am willing to support it.

CHAIR KUHN: All right, is there any discussion on the motion? John Clark.

MR. CLARK: I certainly understand Florida's situation there. I was on the Technical Committee years ago with Kim, and I know the effort she put into find glass eels there. As we know going back to when this requirement went into the FMP back in, what was it 2000, 1999, many states have wanted to get exempted from the glass eel samplings. Before we go down this route, if we are to approve a motion like this, I would like to add to it, or I think we should add to it as a Board some requirement that Florida, you know as Erika said, Florida has said they will continue these other yellow eel sampling programs. But I think it needs to be actually put into writing that that is part of their requirement is to continue the other. I'm just curious as to whether Florida would accept the motion to be amended to require some of the other sampling, they said they would do.

CHAIR KUHN: Caitlin, you have a question?

MS. STARKS: I guess I just want to clarify Mr. Clark's intention here. Would your preference be to amend this motion or to have the Technical Committee report back on this, and then if the Board considers exempting Florida, based on that Technical Committee guidance, make sure in that motion it would include a requirement to continue alternative sampling.

MR. CLARK: Right, I'm sorry, yes, I'm getting ahead of myself here, because this is simply to have the TC look at that. I would say that at that point, just to put it on the record that I would just like to see if the Board would, maybe we don't need a motion to do so, but just that the Board acknowledge that Florida will be required to do some eel sampling if the TC says the glass eel sampling can be discontinued.

CHAIR KUHN: Saw another hand, Matt Gates.

MR. MATTHEW GATES: Erika, thanks for that presentation. I'll support the motion on the board. I think is the right way to proceed with a request to discontinue monitoring is to have the scientific community evaluate it. Thanks, nice job.

CHAIR KUHN: Is there any other further discussion on the motion? All right; at this time, I will go to the public to see if there are any comments on the motion.

MR. MITCH FEIGENBAUM: My hand is up, Mitch Feigenbaum.

CHAIR KUHN: Yes, Mitch, your hand is up.

MR. FEIGENBAUM: Yes, thanks Erika for the presentation and my complements also to Kim Bonvechio, who I know has been working hard for two decades on eel science in Florida. I know the motion wouldn't have been made or this request wouldn't be made unless she really was unable to find suitable locations.

My main comment is that I would appreciate if the Technical Committee could communicate with the Advisory Panel for input before making any final recommendations to the Board. The AP had serious discussion about the issue about the continuance of YOY surveys when at the last addendum I believe there was even a recommendation by the TC to scale back or eliminate the YOY surveys altogether, and the AP had strong feelings about that.

But we do understand that if you can't find the glass eels it's pretty hard to do a survey. I did want to very quickly comment. It's my understanding that some state young of year surveys are not geared towards glass eels, or at least in the past some of the YOY surveys were actually targeting Year 1 pigmented fingerlings. I do wonder if that would be a possibility for Florida to think about. Finally, I just want to remind the Commissioners that years ago Wilson Laney of the Fish and Wildlife Service, when eel stock concerns were really a hot issue at ASMFC. He and others worked together to make proposals suggesting that rather than having statewide YOY surveys going forward that the Board consider the

possibility of creating really just two, three or four, small handful of coastwide surveys, you know representative of different regions.

I think that we would be well served to have three or four young of year surveys that are really robust bringing in big numbers or able to catch good numbers per year, rather than a greater number of surveys that may be of lesser quality. These are topics we would be happy to talk; I know the AP would like to share its thoughts with the AP and we will appreciate that opportunity.

CHAIR KUHN: Okay, thank you, Mitch. Mitch indicated that he would like the AP to be involved in the review of this proposal. If that is to occur, the Board would need to direct the AP to do so. Do we need a motion on that? Is there anybody in opposition? We don't need a motion on it, but is there any opposition to having the AP weigh in on this proposal?

Seeing none; so, we can move to, I believe a decision point on this proposal**. Are there any oppositions to the proposal? All right, the motion passes by consent**. That wraps up our business on the agenda.

OTHER BUSINESS

CHAIR KUHN: Is there any other business to come before the American Eel Board today? John Clark.

MR. CLARK: It's not really other business, I was just wondering if we can get an update on what's going on with the CITES process.

CHAIR KUHN: Yes, Caitlin.

CITES UPDATE

MS. STARKS: Nothing new has happened since our last meeting. The CITES meeting is still scheduled for November/December of this year, at which point they will consider whether to list American eel under CITES Appendix II or really any appendix at this point. We do not have an indication from the U.S. on its vote on that, so I can't really provide any additional updates until later on. There was a comment period, if this is part of your interest, on whether or not.

MR. CLARK: If I could just interrupt for a second, Caitlin. That is the part I was curious about. Who votes? How many nations vote on the CITES proposal? Is this going to be a big operation?

MS. STARKS: All of the parties to CITES, but I do not know how many exactly there are. There are only two countries that are not parties to CITES is what Toni is saying, so a lot. I guess I will add that the proposal that was put forward by the EU did include a delay in when the listing would go into effect, so it wouldn't be immediate, it would be, I believe 18 months I think, was the delay that they had in their proposal. If they did approve the EU proposal as is, it wouldn't be until 2027 that it would go into place.

CHAIR KUHN: I'm going to go online to Mitch Feigenbaum.

MR. FEIGENBAUM: Yes, I see the time, I'll be really quick. I just wanted to share on this topic. Caitlin is being a little bit modest. Since the last ASMFC meeting the Fish and Wildlife Service actually had a public session to take comment on the CITES proposal. As good fortune would have it, Caitlin was the first person in D.C. to put her name on the list to speak that day, and I was second.

Although the input session was geared to multiple species of flora and fauna that are being proposed for CITES listing, in fact the first 10 or 15 minutes of public comment from Caitlin and I were devoted singularly to the question of eel populations, and we definitely had the attention of the new Fish and Wildlife Service Director, as well as his two chiefs that were accompanying him at that meeting.

I definitely feel that Caitlin did a great job conveying the views of the Commission, and I was glad to be there to hear that and to offer some views myself. We really, I feel did a great job educating the Service in a short period of time about the importance of this issue. Well done, Caitlin.

CHAIR KUHN: Thanks for that update, Mitch, and appreciate Caitlin and Mitch's participation in the comment period. Back to John Clark, one more comment.

MR. CLARK: If I could just make another real brief question. I just wondered if Maine could give us an update on the American Unagi bankruptcy and how that will affect the aquaculture plan going forward.

MS. MEGAN WARE: I don't have any information to share, John. I probably know just as much as you do from the news, sorry.

ADJOURNMENT

CHAIR KUHN: All right, so I think that wraps up the business to the American Eel Management Board here this morning. Do we have a motion to adjourn? Doug Grout. Second, Ray Kane. Okay, We're not quite adjourned yet. I was just made aware that we have a hand online that may speak to John Clark's question. Sara Rademaker.

MS. SARA RADEMAKER: Sara Rademaker with American Unagi. Just an update, as far as American Unagi. We're proceeding with a sale of the company and the business is continuing operations. I expect under new ownership that applications under the company will continue for the aquaculture quota.

CHAIR KUHN: All right, thank you, Sara. We had a motion to adjourn and a second, so this meeting is now adjourned.

(Whereupon the meeting adjourned at 10:30 a.m. on Tuesday, October 28, 2025)

Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: **American Eel Management Board**

FROM: **American Eel Technical Committee**

DATE: **January 19, 2026**

SUBJECT: **Technical Committee Guidance on Interpretation of Addendum V Aquaculture Site Selection Criteria**

Background

The American Eel Fishery Management Plan (FMP) allows for states and jurisdictions to develop Plans to allow glass eel collection for aquaculture purposes. Under an approved Aquaculture Plan, states and jurisdictions may harvest a maximum of 200 pounds of glass eels annually from within their waters for use in domestic aquaculture facilities. Addendum V added the following language to the aquaculture plan provisions related to the selection of sites for aquaculture harvest:

> "Site selection for harvest will be an important consideration for applicants and reviewers. Suitable harvest locations will be evaluated with a preference to locations that have:
>
> 1. Established or proposed glass eel monitoring;
> 2. Are favorable to law enforcement; and
> 3. Watershed characteristics that are prone to relatively high mortality rates.
>
> Watersheds known to have features (ex. impassible dams, limited area of upstream habitat, limited water quality of upstream habitat, and hydropower mortality) that would be expected to cause lower eel productivity and/or higher glass eel mortality will be preferred targets for glass eel harvest. This is not an exclusive requirement, because there will be coastal regions with interest in eel aquaculture where preferred watershed features do not occur or are not easily demonstrated. In all cases, the applicant should demonstrate the above three interests were prioritized and considered."

The Board tasked the American Eel Technical Committee (TC) with reviewing the criteria in Addendum V to determine if changes to the language or interpretation of these criteria should be considered.

Recommendations

The TC does not recommend any changes to the FMP provisions for Aquaculture Plans. However, the TC provided the following guidance for interpreting the site selection criteria when evaluating proposed plans and making recommendations for Board approval.

1. With regard to Criterion 1, the TC notes that the consideration of glass eel monitoring efforts in site selection may vary depending on whether a site proposed for aquaculture harvest also has commercial glass eel harvest. In sites where glass eel commercial harvest is already occurring, there could be concerns about that harvest impacting monitoring efforts. Thus, aquaculture site selection should also take the location of monitoring efforts into account, and vice versa. In some cases, it may be preferable for glass eel monitoring to occur at an alternative location.
2. Regarding Criterion 3, Addendum V states, "watersheds known to have features (ex. impassible dams, limited area of upstream habitat, limited water quality of upstream habitat, and hydropower mortality) that would be expected to cause lower eel productivity and/or higher glass eel mortality will be preferred targets for glass eel harvest." The TC added that watershed characteristics that are prone to relatively high mortality or that otherwise make the watershed unlikely to produce large numbers of adult eels could also include steep gradients, multiple dams, or a small drainage area.
3. Overall, aquaculture proposals should include clear descriptions of how each of the Addendum V criteria were considered and prioritized in selecting harvest sites.
4. The intent of the Addendum V language was not that all three criteria must be met for the TC to recommend approval of a proposed Aquaculture Plan, but the information provided in the Plan with regard to these criteria will be considered and used to inform TC recommendations.

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American Eel Technical Committee Meeting

December 15th, 2025
1:00 pm – 3:00 p.m.

Technical Committee Attendance: Kim Bonvechio (FL), Ingrid Braun-Ricks (PRFC), Brad Chase (MA), Casey Clark (ME), Caitlin Craig (NY), Sheila Eyler (USFWS), Corinne Flora (NY), Shakira Goff (VA), Matt Lee (NH), Todd Mathes (NC), Pat McGee (RI), Kevin Molongoski (USGS), Jim Page (GA), Alexis Park (MD), Eddy Perri (USFWS), Mike Porta (PA), Jen Pyle (NJ), Troy Tuckey (VIMS), Ellen Waldrop (SC), Tim Wildman (CT), Chris Wright (NOAA), Jordan Zimmerman (DE)
Commissioners in Attendance: Erika Burgess (FL), Jesse Hornstein (NY, Board chair)
AP Member Attendance: Mitch Feigenbaum (AP Chair)
Staff: Caitlin Starks (FMP Coordinator), Samara Nehemiah (stock assessment scientist)

Discussion of Aquaculture Plan Criteria

The Board tasked the Technical Committee (TC) with reviewing the criteria for selecting aquaculture harvest sites in Addendum V. In reviewing the Maine aquaculture plan in July 2025, the TC felt some of these criteria were not met and that some of the language should be reviewed. C. Clark of ME suggested that some of the language of the criteria as written may not apply to Maine because there is already a commercial glass eel fishery in place. ME noted that as a state they would still want to see recommendations kept coastwide but made some suggestions on the criteria.

C. Starks noted that there are two options for addressing any concerns with the current Addendum V language: 1) modify the language in the addendum, which would require a new addendum, would be a longer process, and may not be necessary at this stage; or 2) develop a TC memo that outlines how the TC recommends these criteria be evaluated in various scenarios. There was large support for a memo instead of an addendum process, and the TC agreed to draft a memo that clarifies the interpretation of the criteria in the addendum for the Board to consider at its February meeting.

Criterion 1

ME recommended that criterion 1 (establish glass eel monitoring) be removed entirely for all proposals for consistency. The TC discussed this suggestion and S. Eyler and B. Chase expressed opposition to removing criterion 1. S. Eyler noted that this was an important criterion for evaluating NC's aquaculture harvest and that it provides an opportunity to collect more information in scenarios where there is not a lot of information already. She suggested allowing for caveats but not to remove this criterion entirely. B. Chase noted that the language of

'preference' in Addendum V was intended to allow for exemptions and highlighted the need for monitoring if states want to establish new harvest.

S. Eyler suggested that the criterion could note that glass eel monitoring should occur in the jurisdiction covered by an aquaculture plan. So, if the state is already doing monitoring, then nothing additional needs to be done.

There was also some discussion on what indices could be used for monitoring. M. Lee asked if harvest in a system could be used in lieu of monitoring program to understand effects of aquaculture. C. Clark thinks it could potentially be done but would require some further thought and discussion. In the case of ME, most harvest for aquaculture is taken after the commercial harvest, so there may not be a direct relation.

Criterion 2

ME recommended criterion 2 remain as is. This was generally supported and the TC did not have much discussion on this criterion.

Criterion 3

ME suggested the following language for criterion 3: "Watershed characteristics that are prone to relatively high mortality or that otherwise make the watershed unlikely to produce large numbers of adult eels. Characteristics could include steep gradient, multiple dams, or small drainage area." This language suggests that high mortality of glass eels would lead to fewer adult eels.

It was also noted that they see a lot of mortality through cannibalism in ME. B. Chase agreed with the suggestions for criterion 3 put forth by C. Clark. He also noted that it could be worthwhile to include language to suggest that one or two of these criteria can be relaxed if a plan can demonstrate that harvest won't have future impacts on stock recruitment.

T. Mathes provided an example for NC's previous proposal, which was initially held to strict criteria. In their proposal, they provided information on water quality and distance of water bodies, among other variables. T. Tuckey suggested that future proposals be clear on why there are high mortality rates in that system.

Other discussion

TC members also discussed the utility of YOY monitoring across states including the management decisions that are made due to the YOY samples. J. Zimmerman asked whether there is any information or support that can be put in the memo that help the Board and the TC understand how monitoring helps drive management decisions. C. Clark suggested that fishery-independent monitoring helps ME understand the bigger picture regarding eel population more than harvest information. He suggested it helps inform seasonal changes (e.g., temperature) and how that may affect glass eels at specific locations, and helps understand harvest impacts through comparisons of locations with and without harvest. Overall, C. Clark noted ME's monitoring program is representative of the entire state dynamics, but that these programs could be site-specific depending on the conditions of the system they operate in.

B. Chase noted that MA's YOY surveys are fit into sampling for other surveys so that there is no additional cost. He thought their survey did have value as a signal of recruitment failure and has become an index of abundance in stock assessment. T. Tuckey also noted that in many of the years throughout most surveys' time series, programs have been monitoring eels under very low abundance regime. Therefore, we do not have information about what recruitment looks like when abundance is high and this should be kept in mind for long-term monitoring. Additionally, the stock assessment shows that recruitment is highly variable along the coast and there is value to having numerous sites along the coast to be able to understand coast wide trends.

Some members expressed interest in developing clarification on the monitoring requirements going forward. Additionally, M. Feigenbaum noted that if the TC should have conversations about the viability of the YOY surveys, the AP would like to participate in those conversations.

Consider Florida Proposal to Discontinue Young-of-year Sampling

K. Bonvechio gave a presentation on FL's proposal to discontinue the YOY sampling. FL has only one sampling site in NE FL (Guana River) that is free flowing at high tide, and she noted they only collect glass eel with active gears (e.g., dip netting every 30 min) rather than passive gears. FL had some concerns with the utility of this sampling program as they typically catch much fewer eels than other states (<20 eels a year). Therefore, it was suggested that their catch rates may not provide an accurate estimate of recruitment. Due to the high costs per eel, FL has prioritized funding sampling efforts for other eel life stages that could potentially be more useful for management. They noted that the University of North Florida (UNF), who conducts the survey, did secure outside funds for the 2026 sampling season but this is not a guaranteed funding source.

FL noted that they conduct other surveys (e.g., electrofishing surveys) that target other life stages, which are provided to the stock assessment subcommittee annually, but their surveys have not previously been considered in the stock assessment. E. Burgess added that there is a strong financial strain right now and FWC's evaluation is that there are better ways to invest their money in eel monitoring.

There were some concerns raised about potentially losing this survey as it is the most southern YOY survey along the coast. B. Chase noted that the index from this survey performed well in the power analysis during the last benchmark but also recognized there is a high cost to FWC to continue. A. Park would like to see the survey continued because of location of the survey and because it could reflect more trends that are affecting this region that should be explored.

The TC also recognized that there are some reasons to discontinue the survey. Some TC members recognized that it is difficult for a state to justify continuing a survey that isn't producing significant results. Additionally, members recognized that the high cost per eel may be unsustainable without understanding the utility of the survey. GA noted that they also had a survey that was ineffective, which they decided to discontinue for a more productive survey. However, S. Eyler noted that surveys that see 0's in their catches are not necessarily unproductive and could highlight a trend in the area. J. Zimmerman was concerned about the implications of coastwide monitoring requirements if the TC were to support ending a survey in

one state. TC members were interested in how FL's electrofishing surveys could be used to replace information lost by the YOY survey.

Overall, TC members felt they needed more time to evaluate FL's data given that it performs well in the power analysis. Members suggested that the TC should look at the stock assessment contributions and management use of Florida's surveys compared to all coastwide YOY surveys. B. Chase suggested the TC evaluate the stock assessment report to evaluate the impacts of the coastwide surveys. Additionally, TC members suggested a data prioritization exercise to help states better prioritize their sampling efforts going forward.

The TC decided to meet again to continue the discussion on this task and develop a recommendation on FL's YOY survey. Thus, the TC noted that it will not have a recommendation at the February meeting.

Discuss Sampling Changes at Gardy's Millpond

T. Tuckey discussed changes to YOY sampling at Gardy's Millpond after a dam breach. The pond now has two entry points for the glass eels. T. Tuckey asked for guidance on how to continue sampling at this site as they have 25 years of data and wanted suggestions on whether they should seek out another site along the Potomac River. However, it was noted that finding an alternative site would be difficult.

The TC discussed the benefits of retaining this site, given the long time series. TC members suggested looking for correlations of new two-entry site dynamics with historical data. It was also suggested to install eel ramps below both "spillways". Overall, there was consensus to maintain the data stream at this location, but to make note of the changes to the system and potential survey impacts.

Elect TC Chair and Vice Chair

The TC elected K. Bonvechio as Chair with no opposition. K. Bonvechio will serve in this role until the end of 2027.

There were no nominations for Vice Chair. C. Starks will follow up with TC members regarding nominations for this position.

Next Steps

C. Starks will schedule a follow-up meeting in January 2026 to look at FL data and YOY surveys. At this meeting the TC will look at the data considered in benchmark assessment, how data sources were used in the assessment, how surveys rank compared to other YOY surveys, and how similar YOY surveys are to other surveys in the region.

The TC will develop a memo regarding the aquaculture criteria. C. Starks will draft the memo and send it to the group with a meeting summary. The TC will aim to have edits back by January 9th.

Atlantic States Marine Fisheries Commission

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American Eel Technical Committee Meeting

January 13th, 2026
9:00 a.m. – 12:00 p.m.

Technical Committee Attendance: Kim Bonvechio (Chair, FL), Alexis Park (MD), Brad Chase (MA), Caitlin Craig (NY), Casey Clark (ME), Chris Adriance (DC), Chris Wright (NOAA), Eddie Perri (FWS), Jen Pyle (NJ), Jim Page (GA), Jordan Zimmerman (DE), Kevin Mongoloski (USGS), Matt Lee (NH), Mike Porta (PA), Pat McGee RI), Shakira Goffe (VA), Sheila Eyler (FWS), Todd Mathes (NC), Wendy Morrison (NOAA)
Commissioners in Attendance: Erika Burgess (FL)
Staff: Caitlin Starks (FMP Coordinator), Samara Nehemiah (stock assessment scientist)
Public: Jason Dotson, Jeff Renchen

The Technical Committee (TC) met via webinar to continue addressing a Board task. The Board directed the TC to evaluate the utility of continuing the Florida glass eel survey and its contribution to the Commission's management and assessment of the American eel stock, and report back to the Commission at the next American Eel Management Board meeting so the Board can consider exempting Florida from the glass eel survey compliance requirement.

Discussion of Florida YOY Survey

After reviewing information on the Florida YOY survey available from the 2023 stock assessment, the TC asked questions about the survey to better understand the site suitability, issues, and limitations, as well as other sampling efforts in the state that capture American eel.

FL noted that they have made extensive efforts to improve the YOY survey by trying other gears, searching for alternative sites, but there are not any other viable options. They also commented that sampling and collecting age data in other areas across the state is showing a healthy age composition for yellow eels, which does not align with the trends in the YOY survey showing very low numbers of recruits for a number of years. While the persistent low catches in the YOY survey are suggestive of recruitment failure, other monitoring efforts do not agree with that, which raises concerns about the ability of the YOY survey to accurately capture trends in recruitment. FL expressed that they believe the long-term statewide electrofishing efforts combined with age data would provide a better understanding of eel recruitment than the YOY survey.

The TC discussed that the FL electrofishing data were reviewed for the stock assessment, but not used for analysis due to sampling issues, but it was not clear what those issues were. To evaluate whether these data could be used as suggested by FL, the TC agreed that it would be helpful to

ask for input from the Stock Assessment Subcommittee (SAS). FL noted that they have a standardized protocol for the sampling, and additional years of data that may improve the usefulness of the dataset, along with age data.

One TC member pointed out the criteria for determining whether fishery independent data can used in the stock assessment, which include that surveys should operate with gear that is capable of catching American eel, and only surveys that operate during a time and place where American eels are available for capture should be considered. The criteria also note that examining the precision or proportion of zero catches of American eels in a survey can be tools for evaluating this. Thus, the TC recommended that the YOY survey be analyzed for the proportion of zero catches to compare it to this criterion.

Ultimately, the TC expressed concern with discontinuing the YOY survey without gaining any other information. The TC agreed the following next steps should be completed before a decision is made as to whether the YOY survey should be discontinued:

- Gather input from the SAS on the Florida surveys, including
    - Utility of the FL YOY survey in terms of variability and power, and in comparison to other surveys
    - Impacts of not having the FL YOY survey data for future assessments
    - FL electrofishing and age data and why they were not used in the recent assessment
    - Whether electrofishing data and age data can be used in the future to assess recruitment; what could be done to improve the survey for eel assessment use
- Analyze the YOY time series to calculate the proportion of zero catches of American eels

It was noted that the YOY sampling will occur this season, conducted by the University of North Florida (UNF). UNF has agreed to follow the state's monitoring protocol for consistency, but the amount of effort may be reduced. It was also noted that a stock assessment update is scheduled for 2027, and as part of that process the SAS could do a deeper investigation of all YOY datasets and develop recommendations for how they could be considered in the next benchmark stock assessment.

While YOY surveys are evaluated in the stock assessment and used to understand local trends in recruitment, they are not currently used for the development of fishery regulations in the Commission's management program.

Elect Vice Chair

The TC elected Jen Pyle as Vice Chair with no opposition.

Next Steps

S. Nehemiah will work with the SAS to complete a data request to Florida for their full YOY and electrofishing datasets for eel. C. Starks will schedule a meeting with the SAS to review the FL data and comment on possible methods for evaluating recruitment or abundance at other life stages.

Atlantic States Marine Fisheries Commission

Executive Committee

February 4, 2026
8:00 – 10:00 a.m.

Draft Agenda

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

A portion of this meeting may be a closed session for Committee members and Commissioners only.

1. Welcome/Call to Order (*D. McKiernan)*

2. Board Consent
   - Approval of Agenda
   - Approval of Meeting Summary from October 2025

3. Public Comment

4. Update from the Declared Interests and Voting Privileges Work Group (*R. Beal*)

5. Staff Recommendation on Notifying "Actions" on Meeting Agendas (*R. Beal*)

6. Legislative Update (*A. Law*)

7. CARES Update (*R. Beal*)

8. Future Annual Meetings Update (*L. Leach*)
   - November 8 – 12, 2026 – Newport, Rhode Island
   - 2027 – South Carolina
   - 2028 – Massachusetts
   - 2029 – Pennsylvania

9. Other Business

10. Adjourn

This meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details

Atlantic States Marine Fisheries Commission

Coastal Pelagics Management Board

February 4, 2026
10:15 – 11:45 a.m.

Draft Agenda

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

1.	Welcome/Call to Order *(R. Beal)*	10:15 a.m.
2.	Board Consent • Approval of Agenda • Approval of Proceedings from October 2024	10:15 a.m.
3.	Public Comment	10:20 a.m.
4.	Review and Consider Approval of 2027 Atlantic Cobia Stock Assessment Terms of Reference *(A. Giuliano)* **Action**	10:30 a.m.
5.	Review Next Steps and Timeline for Atlantic Cobia Management • Presentation of Specification Setting Process, Recreational Management Measures, and Confidence Interval Approach *(E. Franke)* • Provide Guidance to Cobia Technical Committee on Upcoming Tasks If Needed	10:50 a.m.
6.	Consider Approval of Atlantic Cobia FMP Review and State Compliance for the 2024 Fishing Year *(E. Franke)* **Action**	11:20 a.m.
7.	Consider Approval of Spanish Mackerel FMP Review and State Compliance for the 2023 and 2024 Fishing Years *(E. Franke)* **Action**	11:25 a.m.
8.	Update from South Atlantic Fishery Management Council on Spanish Mackerel Council Activity *(C. Wiegand)*	11:30 a.m.
9.	Review and Populate Spanish Mackerel Plan Review Team Membership *(E. Franke)* **Action**	11:35 a.m.
10.	Review and Populate Advisory Panel Membership *(T. Berger)* **Action**	11:40 a.m.
11.	Elect Vice-Chair **Action**	11:45 a.m.
12.	Other Business/Adjourn	11:45 a.m.

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details.

MEETING OVERVIEW

Coastal Pelagics Management Board
February 4, 2026
10:15 – 11:45 a.m.

Chair: Spud Woodward (GA) Assumed Chairmanship: 1/24	Technical Committee Chair: Cobia: Angela Giuliano (MD) Spanish Mackerel: Vacant	Law Enforcement Committee Rep: Capt. Scott Pearce (FL)
Vice Chair: Vacant	Advisory Panel Chair: Craig Freeman (VA)	Previous Board Meeting: October 22, 2024
Voting Members: RI, NY, NJ, DE, MD, PRFC, VA, NC, SC, GA, FL, SAFMC, NMFS (13 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2024

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

4. 2027 Stock Assessment for Atlantic Cobia (10:30-10:50 a.m.) Action

Background

- A stock assessment for Atlantic cobia will begin in early 2026 with anticipated completion and peer review in 2027.
- The Commission will lead the assessment process (Data, Methods, and Assessment Workshops) and the SouthEast Data Assessment, and Review (SEDAR) will coordinate a Peer Review Workshop (SEDAR 107).
- The Cobia Technical Committee (TC) and Stock Assessment Subcommittee (SAS) met in December 2025 to develop draft terms of reference for Board consideration **(Briefing Materials)**.

Presentations

- Draft Terms of Reference by A. Giuliano

Board action for consideration at this meeting

- Approve the Terms of Reference for the 2027 Cobia Stock Assessment.

5. Next Steps and Timeline for Atlantic Cobia Management (10:50-11:20 a.m.)

Background

- With 2024-2026 Atlantic cobia specifications expiring at the end of this year and with the upcoming stock assessment and revised MRIP data, there are potential management actions and timelines for the Board to consider in the coming months **(Briefing Materials)**.
- Per the FMP, new harvest specifications for 2027 must be set by the 2026 Annual Meeting. The Board can set specifications for up to five years.
- Per the FMP, regional recreational landings are evaluated against recreational harvest targets at the same time as the specification process.
- Other considerations include the stock assessment timeline, which is anticipated to inform 2028 management measures, and the revised MRIP time series expected in 2026, which could change the current regional recreational allocations.
- Addendum II also includes a provision allowing the Board to switch from the current rolling average approach to a confidence interval approach for evaluating recreational harvest against targets, if desired by the Board.

Presentations

- Overview of Next Steps and Timeline for Atlantic Cobia Management by E. Franke

Board guidance for consideration at this meeting

- Guidance to the Technical Committee on upcoming tasks if needed.

6. Atlantic Cobia Fishery Management Plan Review (11:20-11:25 a.m.) Action

Background

- State Compliance Reports were due on July 1, 2025.
- The Plan Review Team reviewed each state report and compiled the annual FMP Review **(Briefing Materials).**
- Rhode Island, New Jersey, Delaware, Maryland, Georgia, and Florida have requested and meet the requirements for *de minimis.*

Presentations

- Overview of the Atlantic Cobia FMP Review Report by E. Franke

Board actions for consideration at this meeting

- Accept 2025 FMP Review and State Compliance Reports for the 2024 Fishing Year for Atlantic Cobia.
- Approve *de minimis* requests.

7. Spanish Mackerel Fishery Management Plan Review (11:25-11:30 a.m.) Action

Background

- State Compliance Reports were due on October 1, 2024 and October 1, 2025.
- The Plan Review Team reviewed each state report and compiled the FMP Review for both years **(Briefing Materials).**
- Rhode Island, New Jersey, Delaware, and Georgia have requested and meet the requirements for *de minimis.*

Presentations

- Overview of the Spanish Mackerel FMP Review Report by E. Franke

Board actions for consideration at this meeting

- Accept 2025 FMP Review and State Compliance Reports for the 2023 and 2024 Fishing Years for Spanish Mackerel.
- Approve *de minimis* requests.

8. Update from South Atlantic Fishery Management Council (11:30-11:35 a.m.)

Background

- The South Atlantic Fishery Management Council (SAFMC) has been considering how to respond to recommendations from the 2024 Mackerel Port Meetings as well as the most recent Spanish mackerel stock assessment (SEDAR 78).
- In June 2025, the SAFMC decided to postpone action until the revised MRIP time series is available and to consider whether the next stock assessment could occur sooner on the SEDAR schedule **(Briefing Materials)**.

Presentations

- Update from SAFMC by C. Wiegand

9. Spanish Mackerel Plan Review Team Membership (11:35-11:40 a.m.) Action

Background

- Sara Pace from North Carolina and Chris McDonough from South Carolina have been nominated to the Spanish Mackerel Plan Review Team (PRT).

Presentations

- Nominations by E. Franke

Board actions for consideration at this meeting

- Approve PRT nominations.

10. South Atlantic Species Advisory Panel Membership (11:40-11:45 a.m.) Action

Background

- Robert Hale from Georgia has been nominated to the South Atlantic Species Advisory Panel

Presentations

- Nomination by T. Berger

Board actions for consideration at this meeting

- Approve Advisory Panel nomination.

11. Elect Vice Chair (11:40-11:45 a.m.) Action

Background

- Spud Woodward's chairmanship is ending in February 2026.
- The vice chair seat is currently vacant.

Board actions for consideration at this meeting

- Elect Vice Chair

12. Other Business/Adjourn (11:45 a.m.)

Coastal Pelagics (Cobia and Spanish Mackerel)

Activity level: Moderate

Committee Overlap Score: Moderate

Committee Task List

- Cobia TC – develop recommendation for 2027 specifications; address evaluation of recreational harvest against regional targets to inform 2027 recreational measures
- Cobia SAS – Conduct 2027 stock assessment
- Cobia TC/PRT – July 1: Compliance Reports Due
- Spanish Mackerel TC/PRT – October 1: Compliance Reports Due

Technical Committee Members:

Cobia TC: Angela Giuliano (MD, Chair), Nichole Ares (RI), Zachary Schuller (NY), Jamie Darrow (NJ), Catherine Wilhelm (VA), Melinda Lambert (NC), Justin Yost (SC), Chris Kalinowsky (GA), Christina Wiegand (SAFMC), Michael Larkin (SERO)

Spanish Mackerel TC: Reuben Macfarlan (RI), Zachary Schuller (NY), Jamie Darrow (NJ), Devon Scott (DE), Harry Rickabaugh (MD), Ingrid Braun-Ricks (PRFC), Catherine Wilhelm (VA), Sara Pace (NC), Keyaira Morgan (SC), Jeff Renchen (FL), Christina Wiegand (SAFMC)

Plan Review Team Members:

Cobia PRT: Angela Giuliano (MD), Chris McDonough (SC), Emilie Franke (ASMFC)

Spanish Mackerel PRT: JA MacFarlan (RI), Chris Davis (VA), Sara Pace (NC nominee), Chris McDonough (SC nominee), Britney Hall (GA), Marina Owens (FL), Christina Wiegand (SAFMC), John Hadley (SAFMC), Emilie Franke (ASMFC)

Stock Assessment Subcommittee Members:

Cobia SAS: Amy Schueller (NOAA), Nichole Ares (RI), Angela Giuliano (MD), Kevin Weng (VIMS), Brad Johnson (NC), Justin Yost (SC), Jimmy Kilfoil (SC), CJ Schlick (SC/ASMFC)

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

COASTAL PELAGICS MANAGEMENT BOARD

The Westin
Annapolis, Maryland
Hybrid Meeting

October 22, 2024

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INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).

2. **Approval of Proceedings of August 2024** by consent (Page 1).

3. **Move to approve the Cobia Technical Committee methodology for developing recreational management options to meet the northern region reduction. States in the northern region will select a set of measures for 2025-2026 and submit implementation plans for Board consideration by January 1, 2025. States in the northern region must implement the new measures by April, 1, 2025. If states in the northern region cannot come to a consensus on which measures to implement, a virtual Board meeting will be scheduled to select measures.** (Page 12). Motion by Pat Geer; second by Joe Cimino. Motion passes by consent with 3 abstentions (SC, GA, FL) (Page 13).

4. **Move to adjourn** by consent (Page 18).

ATTENDANCE

Board Members

Jason McNamee, RI (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
David Borden, RI (GA)
Jesse Hornstein, NY, proxy for Marty Gary (AA)
Jim Gilmore, NY, proxy for Assy. Thiele (LA)
S. Curatolo Wagemann, NY, proxy for E. Hasbrouck (GA)
Joe Cimino, NJ (AA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Jeff Kaelin, NJ (GA)
John Clark, DE (AA)
Roy Miller, DE (GA)
Lynn Fegley, MD (AA)
David Sikorski, MD, proxy for Del. Stein (LA)
Russ Dize, MD (GA)
Pat Geer, VA, proxy for Jamie Green (AA)
James Minor, VA (GA)
Chris Batsavage, NC, proxy for K. Rawls (AA)
Chad Thomas, NC, proxy for Rep. Wray (LA)
Jerry Mannen, NC (GA)
Ben Dyar, SC, proxy for Blaik Keppler (AA)
Mel Bell, SC, proxy for Sen. Cromer (LA)
Malcolm Rhodes, SC (GA)
Doug Haymans, GA (AA)
Spud Woodward, GA (GA)
Erika Burgess, FL, proxy for J. McCawley (AA)
Gary Jennings, FL (GA)
Ron Owens, PRFC
John Carmichael, SAFMC
Jack McGovern, NMFS

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

Ex-Officio Members

Angelia Giuliano, Technical Committee Chair

Staff

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

The Coastal Pelagics Management Board of the Atlantic States Marine Fisheries Commission convened in the Capitol Ballroom via hybrid meeting, in-person and webinar; Tuesday, October 22, 2024, and was called to order at 12:30 p.m. by Chair Spud Woodward.

CALL TO ORDER

CHAIR SPUD WOODWARD: I'm going to go ahead and call the meeting of the Coastal Pelagics Management Board to order. For those of you that are online, this is Spud Woodward; Georgia's Governor's Appointee Commissioner and current chair of the Coastal Pelagics Management Board.

APPROVAL OF AGENDA

CHAIR WOODWARD: Our first item of business is Approval of the Agenda. Are there any modifications or suggested additions to the agenda? Seeing none; we'll consider the agenda accepted by unanimous consent.

APPROVAL OF PROCEEDINGS

CHAIR WOODWARD: You also have the proceedings from the August, 2024 meeting of this Board. Are there any corrections, edits, modifications to those minutes? Any opposition to accepting those minutes that are presented? Seeing none; we'll consider those accepted by unanimous consent.

PUBLIC COMMENT

CHAIR WOODWARD: At this time, we open up for public comment on any items for this Board that are not on the agenda. Is there any public comment from any one in the room? I don't see any, anybody online? We don't have anybody online, so we'll move "along."

UPDATE ON SEDAR 95 STOCK ASSESSMENT FOR ATLANTIC COBIA

CHAIR WOODWARD: Our next item is an update on SEDAR 95, which is our Planned Stock Assessment for Atlantic Migratory Group Cobia, and I'm going to turn that over to Pat Campfield.

MR. PATRICK A. CAMPFIELD: This will be quick. Is there a file we can put up, or should we just skip that? In short, the Cobia Stock Assessment through the SEDAR process had started, was scheduled for completion about a year from now, November of 2025. On the pro side, a number of data webinars, a look at life history data indices, removals occurred over the summer.

Showing progress and perhaps new analytical or modeling possibilities for getting creative with the Cobia Stock Assessment. However, the lead analysist from the National Marine Fisheries Service and Southeast Science Center that was assigned to cobia changed jobs and left NMFS, and so obviously that puts a stop to the next steps in the assessment to begin the cobia risk analyses.

In short, the bottom line is, the assessment will be delayed at least a year, to be finished in late 2026 if we wait for a new analyst from NMFS, with advice to you all, to the management board in early 2027. We recognize this is a significant delay, but with the loss of that lead analyst we're in a bit of a fix. I think that's all, Mr. Chairman.

CHAIR WOODWARD: Any questions for Pat? Joe Cimino.

MR. JOE CIMINO: More of a comment. We have several species that are highly recreational dependent, and as we talked about with black drum, you know the importance of aligning these assessments with the new MRIP data. I really don't see any value in pushing this assessment ahead of newly calibrated peer reviewed MRIP estimates. I realize that puts us in a hell of a spot, because I think the terminal year of the last assessment was '17, '18.

We might potentially be looking at a decade out from the terminal year of the last assessment. With that said, I would fully support not fully going through the assessment to peer review, until we get the recalibrated MRIP estimates. But if there is anything that the TC or Stock Assessment

Subcommittee could recommend, as a way to kind of gauge where we are in the effort of this fishery, and provide some management guidance. I would fully support that as well.

MS. EMILIE FRANKE: I guess just to respond to that a little bit. I think the TC could, we'll have to meet in 2026 to talk about the 2027 through up to 2031 specs, and in the past the TC has requested additional projections based on the old assessment from NOAA, but they weren't able to provide any. The TC could talk about maybe any analyses they could do in the interim, but I think it might be pretty limited.

CHAIR WOODWARD: Yes, I think everybody shares your frustration, Joe. I know that the demand seems to always exceed capacity. You know we created a pretty high demand process here, and feeding it with timely, trustworthy information seems to be a challenge across the board. This one, unfortunately, seems to be falling into the same trap. I guess a question I have is, do we have any idea of when it will be staffed back up and the machine will go back to turning again?

MR. CAMPFIELD: In communicating with Eric Williams at the Southeast Center in the last couple of weeks, they are going to put an announcement out, he said in about a month. But we'll see how it goes from there. I think Eric's suggestion was about a year from now, fall of 2025 is when they would be hired.

Trained up familiar with BAM and some of the other models that have been used for cobia before. We might be able to plug into the assessment process. That would be the earliest. He also provided a caveat that it could take another six months after that, depending on who they hire.

CHAIR WOODWARD: What's our latest forecast for the FES bias study results, if possible, I guess changes in catch estimates from the past. Do you have anything on that? I'm trying to get at what Joe is talking about. If we hit the pause button, how long is that pause going to be, and when would it be realistic for this Board to expect updated stock status information and corresponding catch level recommendations? I'm not going to hold you to it, I'm not going to make you sign anything, I'm just curious.

MR. CAMPFIELD: Others around the room may have more authority, certainly from NMFS, and my understanding is that pilot study will be finished late 2026. Is that right? Again, that will be a while before the essentially changed NMRIP numbers are out.

CHAIR WOODWARD: I guess what it comes down to, what is the comfort level in something like this. We don't have control over a lot of it, but what is our comfort level in terms of, and as Emilie was saying, I think your TC is going to struggle, the information that they would be using to make projections is getting pretty doggone stale. It's going to be of questionable value.

We may not have a lot of choice in this matter, but we may just be left at status quo for a while. But I guess we'll just see how this proceeds, and if we can get anything that helps us have a better context for where we are and where we need to be going, we'll certainly try to do it. Any further questions of comments on this? Lynn.

MS. LYNN FEGLEY: It might be in a side, but I know we talked around the Policy Board or the Executive Committee about the issues, sort of globally with a dearth of stock assessment scientists. I'm just kind of wondering if there was any inkling, do we have people coming out, are they going to get good applicants? I mean I'm just curious as it happens, if we're finding people to come up and take these jobs.

MR. CAMPFIELD: I'll answer delicately that at least for the Commission Stock Assessment Scientists, we have a well-known pipeline or recruitment, various universities, and population dynamics modeling labs that we recruit from. It's been successful to date. I think all of the stock assessment enterprises on our coast and around the country pull from similar

locations. But there is a pipeline, it's not overly abundant, but it exists.

CHAIR WOODWARD: All right, John Carmichael.

MR. JOHN CARMICHAEL: Then on the FES, we got a presentation at the September Council meeting and MRIP says they are still on track to anticipate having the calibrated data finalized spring of '26, so completing the study, doing the analysis, and then calibrating things as they need to. They are saying early '26 hopefully.

It sounds like the timing of this assessment might be so close that you decide to wait and get that new information in there. I mean if they're not going to have someone ready to even start on it until '25, I would suspect the TC and others would at least want to advance the terminal year over where it is now, you don't want to go into the assessment three or four years behind.

CHAIR WOODWARD: Jay.

DR. JASON McNAMEE: Yes, so the timing of the recreational information. I'm not kind of factoring that in here, but I wonder, so Lynn's comment I thought was a good one, and I wondered, has there been an attempt, so if somebody left at NOAA there is potentially a little slack in the budget there. I was wondering, could NRP be put out to one of these universities, just to have an assessment done in the interim here. They can usually operate pretty quickly, if you kind of set the parameters up that way. Just trying to get creative here. That's a long time to go without an assessment, and to use projections that are that old is not great.

MR. CAMPFIELD: Yes, thanks for the creative suggestion and idea, Jay. That has worked for other stock assessments. I think we did that in a similar fashion for weakfish a number of years ago. I guess the question is, who pays for it. I don't know if we want to get into that this afternoon.

But we did ask leadership within the Southeast Science Center, and at least for their responsibilities they said they are fast tracking this replacement using their funds for those kinds of stock assessment positions. That avenue has been answered. But we haven't explored it at the Commission level for a variety of reasons.

CHAIR WOODWARD: I do have an offering plate up here we can circulate around with the sign-in sheet if folks want to make a donation. It's a relevant question, and I think back to Lynn's comments is, it's not only the lead scientist, but it's all the supporting, you know cast of characters it takes to pull off a SEDAR or one of those. I mean that's the other limiting factor is that additional supporting capacity. Those folks are working at pretty high-capacity demand too. We've set up a high demand system, and we continue to struggle to feed it.

It means you've got to make difficult priority decisions. I know it's certainly the federal, that's the case, when you're dealing with multiple species. I guess we'll see if the Science Center is actually able to get somebody on staff expeditiously, and this timeline that John described, kind of it may just sync itself up and we may be left not in a desirable position, but in a necessary position, like the aggregate of circumstances. Any, Bob.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Just a question. Based on this conversation, we'll go back and try to find some options. Is it a better outcome for the Board if we do wait until the recalibrated FES numbers are out and the new data is out in the spring, or if there is an option, I don't know a contractor or something in the interim, should we pursue that?

In other words, what is a better outcome? The concern is if we pursue a contractor of some sort, and I don't know where the funding comes from, and that is completed, and that is before the new data comes out through FES, then are we delayed, pick a number, three years, until our next shot at this? I'm just trying to sort of figure out what road you want staff to go down, to try to make something happen.

I know there are pros and cons both ways, obviously. Waiting until '27, you know a decade out from the last read we had on the stock is a long time. I don't want to push really hard on SEDAR to try to find another assessment person, or something, to get this done early, but then the Board is frustrated, because we don't have the new data in there. Just trying to figure out which one we should chase down as staff.

CHAIR WOODWARD: I think we're all struggling with that, because first of all, we don't know for sure when the FES bias study results and those calibrations are actually going to be delivered, so that is an uncertainty. Then okay, say we found the resources to do something now. Well, we're still going to be plagued with uncertainty, because of the time that has lapsed between the last assessment and the terminal years and all that. I guess the real question is, if you find the resources you do something now, you get results, you get catch level recommendations, and then you may be facing changing them a year later, you know based on updated catch information.

Do you hitch your wagon to the Science Center, hope they do the best they can, and we get it as quick as we can. Then if we have to go back and do something based on new data, then it may fall to us to find the resources to do the update to the assessment, in order to make sure that we have the most current information. I'm kind of thinking maybe that, but I will certainly defer to the Board. Lynn, and then I'll go to Jay.

MS. FEGLEY: Somebody more steeped in assessments, correct me if I'm not thinking about this right. But it seems to me that given the length of time, and this is a benchmark assessment. It seems that the right thing to do is do whatever we can to get the benchmark completed, because if the methodology is approved and the methodology is correct, then once the updated estimates move through, it seems as though an update could occur.

We don't know what the recalibration is going to look like. Maybe it will result in some sort of scaling effect, I don't know. But it seems like a benchmark is a big deal. Maybe the better idea would be to get it going, and then when those new data come in, it might be a simpler matter just to run an update.

CHAIR WOODWARD: Jay, then I'll go to Doug.

DR. McNAMEE: I'm on Team Lynn on this one. I was having the same thought; you know there is an attribute here to kind of creating the assessment. We could be kind of prescriptive there, if we think we could confer with the Science Center. If there is like a type of assessment that they are sort of targeting in their assessment enterprise.

We could say that that is the type of assessment that we want, and there is this attribute of it getting built ahead of time, which the tool would then be available moving forward. Then we can also explicitly ask for explorations, with regard to the recreational data. There is this sentiment that there may be some bias one way or the other.

We put a term of reference in the RFP to say, we want you to look into that, confer with the folks at, I'm blanking on the acronym, but the folks that run MRIP, and kind of get a sense of hey, which way is the bias on a species like this would you think? Then have the person test in that direction, so we get kind of a sense of the effect of that, but also then, whatever the data looks like, it can just get plugged in later. I like the idea of kind of pushing forward if there is a way to do it.

CHAIR WOODWARD: All right, Doug, then I'll go to you, Justin.

MR. DOUG HAYMANS: I guess my question goes back several commenters. Just to clarify, we're not married to the Southeast Regional Center being the lead, right? I mean if there is capacity within a state or the Council or anywhere else, we're not married to the feds, waiting for them to hire somebody before we can restart, right? Is there a reason why it has to be feds?

MR. CAMPFIELD: That has been the pattern historically for cobia and Spanish mackerel, menhaden notably for the Southeast Center, but it is up to you all. It's up to the Board and the Commission to decide if you want to deviate from that. Also, in the context of the number of stock assessments that you all in the states, and our assessment staff already support. That is a heavy workload already, so it has to be really thought through if you want to add another assessment and take it out of the NMFS realm.

CHAIR WOODWARD: Yes, and I'm going to play the devil's advocate here. If we release the Science Center from this partnership, then we might not ever get it back. I think it may be important that we try to hold the line as much as we can, and get them to continue to contribute in support of our activities. But I guess at some point you have to make the hard decision; you know is that limiting to the point that it's putting us in an untenable position? Joe.

MR. CIMINO: I don't think we are at it, but one of the added expenses would be to go to that extent that we have done a few times of actually paying for an independent peer review and paying those folks for their time and all that. It adds up quickly. I guess I'm going to ask Pat. I'm going to ask you a question here.

I see this somewhat as a data poor species, right? I think if we did add fisheries independent data, we probably could have used some of that just as guidance, even without an updated assessment. We don't really have that. You mentioned that things were getting started. Do you have a feel of where this can go? To me, I wasn't even sure we would be passing peer review, so I very, very much appreciate Jay and Lynn's comments.

I mean if we know we're almost at a nonstarter, you know we don't have a great comfort level of what we can do. I think we should be exploring what to do, but to go all the way and pull that trigger, and then say, a year later we get the data that we need. I'm not sure how comfortable I am in that. Did you get far enough as a group to say, what comfort level do you have on an assessment that should be able to pass peer review?

MS. ANGELA GIULIANO: Having been a member of the Stock Assessment Subcommittee, I can say that we had reviewed the available fishery dependent data. One of the big hurdles with this assessment is going to be an Index of Abundance. In the past they had used the Headboat Survey, which even in the last assessment they had to remove the last two years because of the federal fishery closures. The Science Center indicated we shouldn't use that survey going forward. We had been exploring a couple alternatives.

The lead sort of index at that time was probably on MRIP fishery dependent index, if we could somehow figure out some modification to account for technology increase and people through time there has definitely been a growing interest and ability to target these fish. That was about where we were when we got the notice from the Center. I think if we can develop an index, probably a similar model to what was run last time could be accomplished. If not, we would be exploring some more data poor options.

CHAIR WOODWARD: Follow up, Joe?

MR. CIMINO: Yes, thank you, follow up. In that case, if what we're talking about is kind of like an MRIP CPUE or some sort of MRIP based index. I would say I would be happy to wait for the recalibrated MRIP to get a full-on peer review, but use that MRIP Index as guidance in the meantime, and have that presented, maybe even a desktop peer review by some folks like we've done with red drum in the past as some guidance. I hate to put forth all the effort and then a year down the line say, well now we've got the recalibrated MRIP estimates.

CHAIR WOODWARD: Bob, are you clear on that? It sounds like we circled back around to, we're sort of

going to wait and see what happens with the Science Center with their staffing. I mean we are basically at a total standstill until that person comes onboard. Basically, we're at a standstill. It sounds like it's going to be important to know what we're dealing with, in terms of the inputs. I did see another hand. Dan, go ahead.

MR. BEN DYAR: My question may not be able to be answered, but just something to think about. I know that we're talking about conflict of assessments and time limitability to be able to conduct multiple assessments from even the Science Center. Are we confident that that is the only hurdle moving forward to getting it started again is someone getting rehired, or a year later from now are we going to find ourselves potentially having to compete with other assessments that have been started by that time?

MR. CAMPFIELD: Thanks, Ben. In short, our understanding from NMFS and the Southeast Center is cobia remains a top priority. The SEDAR Steering Committee, which sets the schedule there up for the southeast meets every six months. They will meet again late winter. That will be the next opportunity to confirm that, but everything we've heard since the staffing change is that cobia remains a priority.

CHAIR WOODWARD: Okay, I think we've got general agreement that we'll let this play out as it is. Just FYI, this Board will probably not need to meet anytime in the near future. But we can certainly figure out a proper venue to provide updates on this, even if it is not a full Pelagics Board meeting.

Maybe one of our other Policy Board meetings or something, just keep everybody updated on this. Everybody comfortable with that? Okay, very good, we'll move along.

CONSIDER 2025 ATLANTIC COBIA REGIONAL RECREATIONAL MEASURES

CHAIR WOODWARD: Our next item is to Consider the 2025 Atlantic Cobia Regional Recreational Measures, and I'm going to call on Angela to give a TC report.

TECHNICAL COMMITTEE REPORT

MS. GIULIANO: The first presentation I have for you today as mentioned is on Potential Recreational Management Measures for the Northern Region, starting in 2025. Going back through time a little bit. At the last Coastal Pelagics Board Meeting Addendum II was approved, and per Addendum II rather than managing the catches at a state-by-state target level, we are now managing the coastwide recreational harvest between two regions.

A northern region that includes Virginia north, which is allocated 68.7 percent of our coastwide recreational quota, and the southern region, which is allocated 31.3 percent. Again, these new allocation harvest targets are under the current coastwide quota of 76,908 fish on the recreational side. An additional change with Addendum II was that we can now evaluate harvest against the harvest targets for up to five years of data. However, given the current regulatory changes that occurred in 2021, for this we evaluated each region's average harvest across 2021 to 2023 against this target to see if reductions were necessary in 2025.

This table shows first the recreational harvest targets with the new allocation scheme for the northern and southern region, starting with the northern region. The new harvest target is 52,825 fish, based on the 2021 through 2023 average recreational harvest we are about 10,000 fish over the target, which means that the northern region would be required to take a 15.9 percent reduction to bring us back to the recreational harvest target level.

The southern region the recreational harvest target is now 24,083 fish, and the average recreational harvest over that 3-year time period was 23,474 fish. Given that is under target, the southern region can maintain status quo management measures, either until a management change is required with a reduction or the completion of the CR95 stock assessment.

In Addendum II, it specifies that in order for us to implement this 15.9 percent reduction, we currently within the region have to get all of the states onto the same size and vessel limit. However, seasons are allowed to vary across the coast, due to the migratory nature of cobia through the summertime.

The FMP also specifies that the minimum size limit cannot be below 40 inches total length, or 36 inches fork length. If we look at our current regulations, Delaware, New Jersey, New York and Rhode Island are currently under the de minimis regulations that were allowed in the previous amendment or addendum, so they all have a 37-inch total length size limit with a 1-fish vessel limit and are opened all year long.

As an alternative de minimis measure, Maryland and PRFC have matched Virginia's regulations, which is a 40-inch total length minimum size limit with a 2-fish vessel limit, and a season that is open from June 15 to September 15. It should be noted here that Virginia's regulations also are currently a little bit more conservative, with only allowing 1 of those 2 fish per vessel to be over 50 inches.

However, that regulation is not one that was carried over to Maryland for the Potomac River. The first step in all of this is basically for the Technical Committee to develop methods to address changing either size limits, the vessel limit, or the season lengths to achieve that reduction, or some combination of those options.

As was used for other species as well as cobia in the past, there is an inclusion we use to combine these different reduction methods, in order to estimate what the cumulative reduction would be, and this is basically done so that we're not double counting fish, we're not saving a fish with a size limit change as well as the vessel limit change, but only counting that fish once.

For all of these analyses, the MRIP data was pooled for 2021, 2022 and 2023, again, because that is the time period when regulations have been consistent since the last changes. As I mentioned earlier, the first thing with Addendum II is that all states are required to have at least a 40-inch total length minimum size limit. That would require that Delaware through Rhode Island increase their minimum size from 37 inches total length to at least 40. The Technical Committee considered ways to try giving credit for this increase in size limit.

But there just really wasn't enough data. There were only a handful of fish lengths collected by MRIP for Delaware through Rhode Island in those three years, and at least on the initial look at it, all of the fish were over 40 inches already. There is no credit given for that as far as we were able to quantify.

The second part of this then was using the MRIP length frequencies for all states in the region, or in this case Virginia through Rhode Island to explore the various size limit options. We're assuming all states start at the minimum 40-inch size limit. We did end up including both imputed and non-imputed lengths in this analysis, due to sample size issues again, and a much higher sample size with using some of those imputed lengths.

These analyses do account for a 5 percent release mortality for any new discards that occur as the result of the right change. If the region decides to implement a 1-fish vessel limit, this ended up calculating what that reduction would be using the Maryland and Virginia data. It should be noted here the Potomac River, for those that aren't familiar with it, the landings estimated from that jurisdiction end up either in Maryland's estimate or Virginia's

estimate, depending on whichever side of the river someone lands on and they are intercepted.

Those are covered with just the Maryland and Virginia MRIP data. But basically, we compiled the MRIP trip intercept data to determine the number of fish harvested per vessel trip, and the number of anglers. When we did this, we assumed that any trip that had previously harvested two fish, that trip would still occur, but they would just now harvest the single fish and release the other one.

If the Board decides that they would rather keep the 2-fish vessel limit for Maryland, Virginia and PRFC, that means that the states from Delaware through Rhode Island would increase their vessel limit from 1 fish to 2 fish. Again, there really wasn't sufficient MRIP data to calculate what that increase could be.

We've initially tried using methods used by North Carolina in the past that had intercepts where a fish was harvested, as well as released, and we could now move one of the released fish over as a harvested fish, but in this case all of the intercepts if they harvested a fish, they didn't release any cobia.

Instead, what we're presenting to the Board is a range of options, assuming either a lower bound where there is no change in the Delaware through Rhode Island harvest estimate with this vessel limit change, as well as a kind of upper bound where we basically just doubled the harvest that we have observed in the past.

Then the average between those two would be an increase of 1.3 percent. All the tables you'll see later do use this 2.5 upper bound scenario, and that is really because it's kind of a, I don't want to say worst case scenario, but it's the higher end of what we would expect. There were really very few differences between using the upper bound or average when calculating options. The few that occurred are noted on the tables when we get there. Lastly, for the season methods, we calculated season reductions only for the Maryland/Virginia/PRFC part of the region. Again, we don't have sufficient MRIP data for states Delaware north. If any seasons are implemented in those states, they are not credited for the reduction. But again, the Addendum does say that seasons may differ between states and regions. Any reduction you see is just per season change would be Maryland and Virginia only.

Similar to past changes in calculations, for the Maryland through Virginia season reductions we calculated that over the three years by individual harvest date through the Wave, this is a little bit different than what we do for other species, just because of the short seasons and pulse nature of these fisheries. There could be differences in catch rates, either early in the season or towards the end of the season.

It often only occurs for part of a Wave when seasons may be open or fish are available. That's what was done for the reductions. As mentioned earlier when we looked at the vessel limit change of potentially Maryland through Virginia going to a 1-fish vessel limit, it overshot that 15.9 percent reduction.

We did look into the possibility of increasing the season length to compensate for that. In this case, we just calculated a daily catch rate based off the number of days the season was open over that timeframe. This does however, mean that there is uncertainty due to those varying daily catch rates.

You know, if you're only adding a few days there are going to be differences between weekend, week days, that sort of thing, and this daily rate kind of average was over all of that uncertainty. Before I present options, the TC does emphasize the sources of uncertainty and management considerations that the Board should be thinking about as you contemplate which management options to implement.

The first of that being analysis assumes that fish availability besides length frequencies, and the

angler effort are the same in future years as what we observed in 2021 through 2023. If any of that changes we could see different results in the future. Additionally, if cobia's range continues to expand, more fish could become available to those northern states and harvest an increase despite management measures to reduce the harvest.

The TC also discussed certain states seeing larger fish in general, particularly at the northern part of the range. If some states do primarily see a larger fish, any sort of maximum slot limit could limit the available fish for harvest. As I just mentioned, the season expansion analysis assumes a constant daily harvest, due to the lack of recent data outside the current season, so that adds a little bit of uncertainty when you're looking to expand the season.

The TC also had a long discussion about how difficult large cobia are to measure on the vessel, so it's possible that if you're having to get a fish on the boat to check the maximum size limit or a much higher minimum size limit, there could be injury to the fish, as well as resulting increasing dead discards. We also used the 5 percent discard mortality rate from the previous assessment, which I do not believe invoked gaffing. The effect of gaffing may not be fully captured in our assumed release mortality rate.

Though it should be noted that at least in the northern region, where Virginia makes up the bulk of the harvest, Virginia has had a ban on gaffing for cobia since 2021. The last thing the TC wanted to note was regarding Virginia's current size limit, which only allows for 1 fish if the 2-per vessel be over 50 inches.

As I mentioned, Virginia is the only state that has this rule, and all of the length frequencies we used for the analysis include this caveat with the Virginia data. Unsurprisingly, most of the data is coming out of Virginia, since that is where most of the harvest is. It is unclear if the Board would want to implement these criteria for all states in the region.

If the provision is implemented for the entire region, there is the potential for anglers to start high grading. If the provision is removed in favor of a slot limit, with the 2 fish vessel limit, you know something like the 2 fish harvested up to 53 inches, you have 2 large fish. There potentially could be more harvest of those larger fish.

However, it should be noted that in the years we looked at for '21 through '23, only about a third of the Maryland and Virginia trips were limiting out at the vessel level. Overall, it's difficult to quantify what the impact of this regulation would be on the rest of the coast. Moving into the tables next after this slide, all of these management options are estimated to achieve at least the 50.9 percent reduction in the northern region. Each option has three components, the size limit, the vessel limit and the season for Maryland, PRFC and Virginia only.

It should be noted this isn't an exhaustive list, it was kind of a summary list of what options we thought were viable, but the Technical Committee can provide other combinations of size limits and seasons, if there is something particular the Board is interested in. Splitting up across two slides, this first slide, the first option basically is the one that reduces the vessel limit to 1 fish, and allows for a slightly expanded fishing season of about one week. It maintains the 40-inch minimum size limit.

The second option keeps that 40-inch minimum size, as well as the 2 fish vessel limit that is currently in place for Maryland through Virginia, but reduces the season length, either on the front end or the back end of the 16.7, because if you reduce the back end to August 25 versus reducing a season in the beginning of the year at June 30, that is the 24.4 percent reduction.

Options 3 through 4 on this slide increase the minimum size, as well as reduce the season length. Then Option 5 raises the minimum size but maintains the current Maryland through Virginia

seasons and the current 2-fish vessel limit at 43 inches. On this last slide it gets into all of the various slot options that the TC considered.

These top four options again, all have the 2-fish vessel limit and maintain that 40-inch minimum size limit. The first one is a slot limit needed to maintain the current season dates, and then the second through fourth options differ by adjusting the upper size limit as well as the seasons. Then these last two options on here also increase the minimum size limit, as well as put that maximum size limit on, but are able to maintain the June 15 through September 15 season for Maryland through Virginia. Those are the asks of the Technical Committee prepared for your consideration today, and at this point I can take any questions on the methods, though I will say, Emilie will be presenting timeline, so anything related to that will come up next.

CHAIR WOODWARD: Thank you, Angela. Questions for Angela on the TCs evaluation. Jay.

DR. McNAMEE: Thanks, Angela, great presentation. As I was reading the memo and as you're going through that, I'm like having flashbacks to the Summer Flounder, Scup, Black Sea Bass, it's that kind of trying to cobble together from scraps of data that you have, and you guys did a nice job with it, so good job.

I think what I was wondering is, if you explored, so I'll go back to scup, black sea bass and during the most recent, I don't know year, year and a half, some modeling approaches to doing this stuff have been investigated, so there is like a super fancy, the RDM model that they run out of the Science Center.

Then there was a simpler approach that was proposed at the same time that just used gam models. I wondered if you guys had explored, there may not be enough data for the like the fancy model, I think there is an updater to run the gams, your modeling approach. Just to offer why and suggesting this, you know when you piece these things together, they actually interact.

You know if you change the bag and change the season there is like an interaction between those two things, which when you're dealing them separately it's not accounted for. Maybe you did account for it. We used to have this little equation that we would kind of use, but I think a better way to do it is through a modeling approach that is integrating everything, so yes, thanks.

MS. GIULIANO: Yes, so currently the way we are accounting for it is the little equation, which essentially is looking at the overlap between these percentages during that overlap. We have not explored a modeling approach, I know I've heard that discussed for other species, but that has not come up on the Cobia TC at this point. It could be something to look into.

CHAIR WOODWARD: Any other questions for Angela before I go to Emilie for the timeline. Seeing none; Emilie, turn it over to you.

CONSIDER OPTIONS FOR NORTHERN REGION RECREATIONAL MEASURES AND TIMELINE FOR SELECTING AND IMPLEMENTING FINAL MEASURES

MS. FRANKE: I will just go over the potential timelines. We had some questions from board members on how this process would work and what the timeline would be, so staff put together a couple of possible timelines for your consideration, but also this is a Board decision, so if the Board has other timelines in mind, you know it is up to the Board.

Again, this is a Board decision for these northern region measures on when to actually select the measures and what date in 2025 to implement those measures. Just also a note, the Board can specify that these northern region measures would be in place for '25 and '26, to align with our current coastwide recreational quota, which is in place through 2026. This first possible timeline would be for the Board to actually select the northern region measures today, and in that case the states in the

northern region would submit implementation plans by a specified date, and the Board could review those implementation plans via e-mail vote. The next possible timeline, Timeline 2 would be that the Board approve the TC methodology today.

Then the states in the northern region could take some time after the meeting today to coordinate and consider the options, and then if all the states in the northern region can come to a consensus on which measures to implement, the states could submit implementation plans by a specified date for the Board to consider via e-mail vote.

This would be if the Full Board was comfortable with this approach of letting the northern states come to that agreement outside of a Board meeting, based on the suite of options from the TC, and then providing their final implementation plans to the Full Board. Then the third possible timeline is similar.

States could take some time after this meeting to consider the options, however, if the states in the northern region cannot come to consensus, then we would need to schedule a full board meeting via webinar to vote on which measures to implement for the northern region. Again, if the Board has other timelines in mind, that would be a Board decision, so happy to take any questions.

CHAIR WOODWARD: Questions for Emilie? With no questions then, Doug.

MR. HAYMANS: I know that we've talked about this at previous meetings, but I want to make sure I understand. Is conservation equivalency for those states still in play after they agree on a common set, or is conservation equivalency off the table?

MS. FRANKE: Conservation equivalency is off the table. Yes, as discussed for Addendum II, you know the objective of this regional management is to have the consistent vessel and size limit, so states cannot deviate from whichever set of options is selected. But the seasons can vary, of course, but they can't deviate from the vessel or size limits.

CHAIR WOODWARD: Follow up, Doug.

MR. HAYMANS: Okay, I thought that was it, but I wanted to make sure. But go back to that last slide you had up. I want to make sure I understand what that slide is saying. It's saying that if the northern portion of this can agree then they make their own decision. But if they can't, then it comes to the Full Board and this end of the table gets involved at that point, right?

MS. FRANKE: Right, at that point it would be a Full Board vote if the states cannot come to consensus.

MR. HAYMANS: All right, I just want to keep that in mind.

CHAIR WOODWARD: Jay.

DR. McNAMEE: Just to make sure I'm understanding the difference between 2 and 3 is just that 3 is explicit about what happens if there is like lack of agreement amongst the northern states. It kind of defines what would happen after that, but Timeline 3 is also inclusive of Timeline 2, like if we do come to a consensus than that is fine.

MS. FRANKE: Right, so maybe the labeling of 2 and 3 as separate options is confusing, but they are essentially the same option, where the states have time after this meeting to consider measures, and if the states can come to consensus, then the states can just submit their implementation plans to the Board via e-mail. But if the states can't come to consensus, then we need to have another Board meeting to vote on those measures.

CHAIR WOODWARD: Lynn, are you sure? Come on. Okay, go ahead, Mr. Clark.

MR. JOHN CLARK: I just wanted to clarify. When you said can have different seasons that includes no season, right? It can just be open continuously, but

we will have to change the size limit, even though it can't be measured what difference we're having as de minimis states.

MS. FRANKE: Correct, so a state can have, I'm sorry, any state besides Maryland and Virginia can have a year-round season or any season, because we can't quantify that, and correct, we can't quantify that jump for Rhode Island through Delaware for that 37 to 40.

CHAIR WOODWARD: Having a little buyer's remorse there, John?

MR. CLARK: Just being a crotchety old bureaucrat, hating to have to change a regulation yet again for a species no one is catching.

CHAIR WOODWARD: I understand. The Board does have to give some guidance here. If you've got an alternative outside of these three, describe it. If one of these seems to be a best choice. Mr. Geer.

MR. PATRICK GEER: Mr. Chairman, I'm ready to make a motion.

CHAIR WOODWARD: Good.

MR. GEER: I think the staff have it at this point.

CHAIR WOODWARD: If it could be displayed and read it into the record, and we'll hopefully get a second.

MR. GEER: Okay, I'm going to have to modify a couple places on there, but **move to approve the Cobia Technical Committee methodology for developing recreational management options to meet the northern region reduction. That is Timeline Option 2. States in the northern region will select a set of measures for 2025-2026 and submit implementation plans for Board consideration by January 1, 2025. States in the northern region must implement the new measures by April, 1, 2025. If the states in the northern region cannot come to a consensus on which measures to implement, a virtual Board meeting will be scheduled to select measures.** If I get a second.

CHAIR WOODWARD: I have a second, Joe Cimino second. Just a question before we get into discussion. It didn't really come up before, but if it required a virtual Board meeting, do we want to put in there a time certain for implementation of the measures, regardless of whether it's a consensus or a Board deliberation, or do we leave that open ended?

MR. GEER: I have confidence in my fellow Commissioners that we are going to reach consensus on this.

CHAIR WOODWARD: I appreciate confidence, it's a good thing. Discussion on the motion. Jay.

DR. McNAMEE: Yes, so this motion, I think we're kind of looking at the suite of options. I'll back up. The timelines seem to imply something. Implied that we were kind of locked into the options that the Technical Committee put together. Does that preclude somebody like coming forward with some other type of analysis to kind of look at that? I'm fine if it does, I just want to be sure and not do some work if it's going to get ignored.

MS. FRANKE: Yes, so this would approve the TC methodology that Angela just presented, so any different methodology would not be considered at this point.

CHAIR WOODWARD: Further discussion or questions for clarification. Joe.

MR. CIMINO: I'm supportive of the timeline, because I think there are some big changes coming for the northern states. I think the sooner that we can put forth what options or what regulations will be coming, I think is very important. I think Spud, to your question. If it even came to a virtual Board meeting, I would still hope for an April 1 implementation date.

CHAIR WOODWARD: I just want to make sure that is understood, because it is not specifically stated in there. Any further discussion? Do we need to caucus on this before a vote? Any need for caucusing? Don't' see any heads nodding yes, so we're going to assume no, so I'm going to call the question. Any opposition to this motion? We'll try it that way first.

All right, seeing none, is there any **abstentions? We have South Carolina, Georgia and Florida abstaining**. Any null votes? Okay, **motion carries**, all right, thank you, Pat, for that. Appreciate that. Anything further on that, Emilie? Okay, I guess a question. Whose house are you all meeting at to sort this out?

MR. GEER: Good point. We'll organize the meeting. We'll set up that meeting with everybody.

ATLANTIC COBIA
TECHNICAL COMMITTEE REPORT

CHAIR WOODWARD: Okay, all right, very good. We'll move along on our agenda here, and go back to Angela. You know one of the things in the recently approved Addendum was consideration of a confidence interval approach to looking at the variability in the MRIP estimates, and so we've got a Technical Committee Report on that.

ADDENDUM II CONFIDENCE INTERVAL APPROACH

MS. GIULIANO: Moving into this agenda item. At the last Board meeting the Technical Committee was tasked to discuss this confidence interval approach, and its potential application to the new regional allocation that were approved at the last Board meeting. As part of this task, we are also tasked with a discussion of other confidence interval levels, in addition to the 95 percent confidence interval that was referenced in Addendum II. Again, a refresher, though we covered part of this with the last presentation.

Currently, we use a rolling average approach. Each region's average recreational landings are evaluated against the regional target. Previously this was a 3-year timeline, but under Addendum II now we're averaging up to 5 years of data that has been under the same management measures. If a region's average landings exceed the target, the region must adjust measures to reduce harvest to the target level.

If a region's annual harvest is below the target for at least two consecutive years, that region may liberalize, as long as they are not estimated to exceed the target. In Addendum II, there is a provision that the Board can vote to switch from the current rolling average approach to this confidence interval approach for harvest target evaluation.

The intention here was basically to more directly account for the uncertainty around the MRIP point estimates using the confidence intervals. Instead of comparing the rolling average harvest against the target, it compares at 95 percent confidence intervals through the harvest target each year. Again, similar to the current rolling average approach.

The evaluation period would include up to five years, assuming the same management measures were in place. In this provision, it says that if the entire confidence interval is above the harvest target for a majority of the years, the harvest is estimated to have been above the target, and the region must take a reduction.

Alternatively, if the entire confidence interval is below the target for a majority of years, the harvest has been estimated to have been below the target and the region could liberalize. However, if the harvest target falls within the confidence interval for the majority of the years, the region maintains status quo measures.

Then ultimately however, if the confidence interval evaluation indicates that action is needed, the average landings are still used to calculate that percent reduction needed, reduction or

liberalization relative to the target. I know on the PDT there was some discussion about what the majority of years means.

In this case if we had five years it could be three out of five years or two out of three years would count as a majority, if it's split evenly, such as two out of four years or one out of two years, then the Technical Committee would recommend management action. This confidence interval provision also tried to align with the MRIP recommendation, so years of PSEs greater than 50, with those estimates having high PSE values would be excluded from the evaluation.

Years with PSEs between 30 to 50, which MRIP recommends using caution, would be reviewed by the TC, to determine whether to include them in the evaluation. The Technical Committee applied the confidence interval approach to the current 2021 through 2023 evaluation period, as well as the previous 2017 through 2019 period, which is the last time we evaluated measures. It should be noted that earlier time period in 2017 through 2019, the evaluation was still state by state, so the Technical Committee assumed the regional framework was in place for the exercise. Just to give you a range of what the options might look like.

In addition to the 95 percent confidence interval, we also examined the 90 percent, 85 percent, 80 percent and a 50 percent confidence interval, just to explore a large range for you guys. While the Technical Committee doesn't have any final recommendations at this point, we do have some observations and initial input for the Board. Just as an example of what we're looking at here when we're discussing confidence intervals.

The example here is for the 2022 Virginia through Maine estimate of cobia harvest, with a PSE of 23.7. You can see here the point estimate is a harvest value of 43,841 fish. Essentially what the confidence interval is telling us is that we are 95 percent sure that the actual harvest value is somewhere within that range.

In other words, if the surveys were conducted repeatedly, over and over again, the resulting confidence intervals would include the true population value 95 percent of the time. In this case for 95 percent confidence interval, we expect that the harvest estimate is lying somewhere between 23,495 fish up to 64,187 fish.

You'll see with the 80 percent confidence interval, you still have that same point estimate of 43,841 fish, but now that confidence range is smaller. The 80 percent confidence interval only goes from 30,533 fish up to 57,149 fish. You see that throughout the presentation when we look at some of the graphs on the next slide, but as we have smaller confidence intervals those error bars are getting smaller on the estimates.

Looking at the northern regions, again these two orangish/red colored lines on here are the three-year evaluation periods for 2017 through '19, and 2021 through 2023. In the past, as what we are currently doing, I shouldn't say in the past. Using the current methods, using a rolling average approach, both of these time periods were shown to be above the harvest target and reductions were taken or will be taken.

In both periods the 95 percent confidence intervals are the broadest, and showed that status quo measures could be anything. You'll see that across those lines those confidence intervals, the majority of the years are crossing the error bars. The smaller confidence intervals used during the 2017 through 2019 period, however, will see a particularly low confidence the 85 percent one, show that reductions were being good.

Then in the more recent time period, given the uncertainty with the data, status quo measures should be maintained across all of the various confidence interval options that we looked at. For the southern model, the current approach would have allowed for liberalization in the 2017 through

2019 period, and status quo for the 2021 through '23 period. As with the northern analysis, the 95 percent confidence interval was the most likely to result in a status quo recommendation, while liberalization was far more likely to be supported when using smaller confidence intervals in the 2017 through 2019 period. Some initial Technical Committee observations, as I just said, the 95 percent confidence intervals are fairly large considering the uncertainties in the cobia data being used. Using those 95 percent confidence intervals would most likely result in less frequent management changes, and more status quo determinations.

While the current rolling average approach doesn't account for the data uncertainties directly, it does allow for quicker response to changes in harvest through time. As I mentioned before, many of these confidence interval approaches that we evaluated outside of those 95 percent confidence intervals, resulted in similar management advice on whether to reduce or liberalize, compared to our current methods.

The one real big difference here would be the northern region for 2021 through 2023, where basically any of the confidence interval approaches would suggest that we should stay status quo rather than taking a reduction, as we currently are doing with the rolling average approach. We didn't see a similar determination until it got down to a 50 percent confidence interval.

As I mentioned before, the Technical Committee doesn't have a final recommendation on this approach at this time, but had some initial observations and input for the Board. The first was to consider how the Board's management goals for the harvest evaluations, well consider what your management goals are, and how the harvest evaluation should factor into that, as well as how responsive you would like to be.

Some of this I think, you know the Technical Committee felt could be dependent on other factors. We were just talking about the frequency of stock assessments and what's going on with the current stock assessment. In a case where the average harvest exceeds the target for a number of years, and the time between assessments is long, the Board may want to be more responsive, given the infrequent updates on stock status.

Also, just to note that this confidence interval approach would still require a number of Technical Committee decisions. Even though we have now reduced our PSEs by aggregating the MRIP data to regions, there are still a number of years that have PSEs between 30 and 50. It would be up to the Technical Committee to decide whether to include that year in the evaluation.

This is just a table showing what the regional PSEs look like for the northern and southern region, and all the yellow ones highlighted there are ones between 30 and 50. The Technical Committee would like some more time to consider this approach. Also, to get some feedback from the Board on how the rolling average and confidence interval approaches would align with their management goals for the stock. With that I can take any questions.

CHAIR WOODWARD: Questions for Angela? I don't see any. Jay.

DR. McNAMEE: Yes, I hesitated raising my hand, because I'm not sure that this is an actual question. But I'll go for it anyways. Thank you for this work, it was really informative. I always find that interesting, so we have this approach, averaging approach that is meant to account, sort of like a hat to account for the uncertainty, but kind of on its face at the hat. Let's get refined, let's look at the confidence intervals and see how that performs, and lo and behold they kind of both work the same, you know depending on which level you take. I always kind of get a kick out of that anyways. But thank you for the work, it's good work. I agree with some of the recommendations. First, that when you do something like this you kind of have some

information, but you don't know what you're shooting for, so it's just kind of information that is hanging out there.

I think one, it's kind of like an implied metric is a notion of stability, like how many times would we have had to change. That is kind of how I viewed the information, and it looks like it's pretty much, you have to really kind of collapse in on the distribution to get it to actually react, because the confidence intervals are so large to begin with. That is useful information, and that recommendation I think is a good one from the Technical Committee as well that it depends on.

You know if you want it to be more responsive than you pick the 50 percent or somewhere between there and 80, or something like that. I guess I'm struggling. I think we should keep pursuing this. I like the approach. I'm struggling a little bit to understand how we hone in on getting the Technical Committee information that they need to be able to provide us with judgments about these different things.

You know I think it could take a bunch of different forms, like a survey of the Board, but I don't know. I think to pursue this further they need a little more guidance from the Board as to what we're looking for. Stability could be one feature, and then they would be able to tell us, okay this one provides the most stability at a 95 percent confidence interval you never change.

But that might conflict with, we also don't want to overfish, and you kind of end up doing sort of like a mini management strategy evaluation, basically is what you're doing. I know that people don't like that word, so I hesitated to use it. But we don't have to do a really complicated one, but I think to pursue this further we need to provide more guidance. I'll kind of let that float out there, and if I have any more definitive thoughts, I'll offer them, Mr. Chair.

CHAIR WOODWARD: Any other questions, comments in response to this? Go ahead, Jesse.

MR. JESSE HORNSTEIN: I have a question. After we change measures for '25, we'll just have one year data to work with the following year, so whether we use the confidence interval approach or the average approach, both kind of assume that there is some length of time to look at an average or the majority of years.

When we come back next year to look at the harvest compared to the target, in the Addendum it says you can always be required to adjust measures if you are above the target. When you only have one year of data, are we still required to do that, or assuming g say it's above the target, or is that just kind of Board discretion at that time?

MS. FRANKE: Yes, thanks for that question. Just to expand on this scenario. The current specifications end in 2026, so the Board will have to consider setting specifications and recreational measures starting in '27. We'll be doing that at the end of '26, so we'll be looking back at data from 2025 prior. Since we were doing a management change in '25, we'll only have that one year of data. I think that is a question for the Board to ponder, because I'm not sure when the original FMP was developed. There was much thought about the scenario of, what if we only have one year of data, whether we're using the average approach or the confidence interval approach. I think that's a helpful thing to point out at this point, that once we get to 2026 and the Board is thinking about 2027, we're going to be in a little bit of a conundrum, because we'll only have one year of data, based on this next management change. I think that will take some future discussion of the Board to think about how we move forward for 2027.

CHAIR WOODWARD: Lynn, see if you can figure that out, go ahead and get ready. It's going to fall squarely in your lap, I'm afraid, as Chair. Yes, I'm glad you brought that up. It is something we need to be thinking about, so Jay.

DR. McNAMEE: Emilie, can I ask you a little more about that. In that case, is the idea that the averaging approach wouldn't work but the confidence interval approach could work, because you have that in the single year, correct?

MS. FRANKE: I think theoretically, yes. But again, I think this is a scenario that maybe the original FMP didn't have the confidence interval approach, so I think just in general the scenario of only having one year of data wasn't really considered. I think it would be up to the Board to think about, you know would using the confidence interval approach for just one year, I think that could functionally work, but would the Board be comfortable with that? I think we're going to have to have some more discussion on it to see.

CHAIR WOODWARD: I think you run the possibility of the half PSEs to qualifying so much data that you don't even have anything to work with. Lynn.

MS. FEGLEY: Thanks, I appreciate the punt over there. We just had a conversation about the stock assessment, and its delay. I think somebody said, and maybe it was Joe said that the delay of the stock assessment might put us into status quo, maybe for longer than we might want to be. Maybe a lot of this comes back around to when that assessment becomes available, because if we reach '26 and we're trying to set the specifications and maybe what these force us into, we don't have any stock assessment.

We don't know what would drive those new specifications. It's just going to run us into extending our status quo measures for a little bit longer, until we can implement either a PSE technique that works, or a rolling average technique, and also work on getting those assessments. I don't know if I'm making sense, but it seems like there is some interplay here that at the end of the day we may find ourselves just in protracted status quo, while we get our ducks in a row with the assessment and the confidence intervals or PSE approach, or rolling average approach, sorry.

CHAIR WOODWARD: I think that is an accurate characterization of the future is that we've got a lot of balls in the air that all need to come to hand before we truly make the kind of informed decision that we need to make. Lynn.

MS. FEGLEY: I guess my follow up to that, sort of the conclusion I never reached was, maybe when we have more information on when the assessment is coming through, maybe that is the time when the Board could make a decision how it wants to go forward, and potentially, so if we understand that the assessment is going to be delayed until 2028, the Board can take action to extend our specifications until that time. That was kind of a conclusion I was aiming for, but never got to.

CHAIR WOODWARD: Right, we're certainly not at a decision point now, you know. We've got things that have to play out before we know enough to make an informed decision. Again, thanks, Angela, for that. I do think we continue to need to be thinking about, you know if we're going to use this confidence interval approach, where do we want those boundaries to be set, you know in terms of our comfort?

Because it all comes back to the old perennial balance of risk versus uncertainty, like it always seems to do. Cobia is certainly a poster child for the challenges of that, you know pulse fishery, catch estimates with high uncertainty. Any further discussion on that topic? If not, we'll move along.

UPDATE FROM SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL ON MACKEREL PORT MEETINGS

CHAIR WOODWARD: I'm going to call on John Carmichael for an update on our Atlantic Coast Mackerel Port Meetings.

MR. CARMICHAEL: We continue with the Port Meetings; we've held them recently in Florida. We

had them in South Carolina as well, which were rescheduled. A pretty good turnout in the more southern ones in Florida. I think North Carolina is probably still leading, in terms of the number of fishermen who showed up.

The last round is coming up in the Mid-Atlantic, which will be November 18th in Virginia Beach. The 19th in White Stone, the 20th in Ocean City, and 21st in Manahawkin. We really appreciate the efforts everybody has put into through this, as we work through these Port Meetings to help spread the word, encouraging fishermen to get there and get this input.

Its' been really great input through the process that's for sure. There is a lot of interest by those fishermen, they are very engaged. The next steps are we're planning to review the report from all the meetings at the March, 2025 Council meeting. Then at that point the intent is to begin an amendment, which would look at the fishery really comprehensively. Looking at the goals and objectives of the amendment, and looking at catch limits for Spanish mackerel, the other management changes that might be needed.

I'm expecting there will be a Mackerel Cobia AP meeting in the spring to review the report, and at some point, we may want to consider if there is value in getting the Council's advisors and the ASMFC advisors together, and somehow to provide input on this and go through the amendment. That is something we can certainly work out at the staff level. Information on all these is on the Council website, for those that are interested in following along, and hopefully ascending, so I know we're working on getting folks there.

CHAIR WOODWARD: Thanks, John, any questions for John on that? Emilie.

MS. FRANKE: Yes, just for states in the Mid-Atlantic. I'll be reaching out next week, the Council staff passed along some outreach materials that I will share with you.

CHAIR WOODWARD: Once the Council initiates action on this Addendum, then we'll have to start contemplating what our response is going to be to synchronize our activities. Just as a reminder, we've got a stock status determination and some catch level advice that is going to require some potentially unpleasant changes, so that is something we're going to be facing in the not-too-distant future.

ADJOURNMENT

Thank you, John, and thanks to everybody at the states, and at the Commission and the Council that have put these meetings together. I attended one in Coastal Georgia, and it was an interesting opportunity to get people to just talk about their perspective on things. There were some common themes that emerged out of it that I think are pretty illuminating, in terms of how people perceive the abundance of fish and changes in the ecosystem. At this point, is there any Other Business to come before the Pelagics Board? Seeing none; we'll adjourn.

(Whereupon the meeting adjourned at 1:50 p.m. on October 22, 2024)

Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: **Coastal Pelagics Management Board**

FROM: **Cobia Technical Committee and Stock Assessment Subcommittee**

DATE: **January 16, 2026**

SUBJECT: **Review the Terms of Reference for the 2027 Stock Assessment for Atlantic Cobia**

The Cobia Technical Committee and Stock Assessment Subcommittee (TC-SAS) recommend the Board consider the enclosed Terms of Reference for the 2027 Stock Assessment for Atlantic Cobia.

This stock assessment for Atlantic cobia is re-starting after initial stock assessment work in 2024 through the SouthEast Data, Assessment, and Review (SEDAR) process was paused due to changing availability of the lead analyst. A new lead analyst from NOAA Fisheries was identified to begin work on the assessment in early 2026, and it was decided the Commission will lead the assessment process (Data, Methods, and Assessment Workshops) and SEDAR will coordinate a Peer Review Workshop (SEDAR 107).

The Board approved the SAS membership via email vote in December 2025, and the TC-SAS met to discuss the enclosed Terms of Reference for Board consideration. The assessment will be conducted throughout 2026 and into 2027 with a peer review workshop to be scheduled by SEDAR.

Enclosed: Draft Terms of Reference for the 2027 Stock Assessment for Atlantic Cobia for Board Approval

TERMS OF REFERENCE

For the 2027 ASMFC Atlantic Cobia Stock Assessment

Draft for Board Approval

Terms of Reference for the Cobia Assessment

1. Identify relevant ecosystem influences on the stock, including impacts to range shifts and/or expansions. Consider findings, as appropriate, in addressing other TORs. Report how the findings were considered under impacted TORs.

2. Investigate all available life history data, including but not limited to age, growth and reproductive characteristics, stock structure, and natural mortality. Describe the spatial and temporal distribution of the data. Characterize the uncertainty and error in the data. Discuss strengths and weaknesses of the data sources and justify inclusion or elimination of datasets.

3. Investigate available fishery-independent and -dependent data sets. Characterize precision, accuracy, and uncertainty in available abundance indices, as well as commercial and recreational landings and discards. Include estimation of length and age distribution of landings and discards and discard mortality, as feasible. Characterize the uncertainty in the data and spatial distribution of the fisheries. Review new MRIP estimates of catch and effort for use in the assessment, if available. Discuss strengths and weaknesses of the data sources and justify inclusion or elimination of datasets.

4. Develop model(s) used to estimate population parameters (e.g., F, abundance) and reference points and analyze model performance. Provide comparisons between the current assessment and the prior benchmark assessment (SEDAR 58), where feasible. Provide model diagnostics, sensitivity analyses, retrospective analysis of the model results, and historical retrospective.

5. Update or redefine biological reference points (BRPs; for example, point estimates or proxies for BMSY, SSBMSY, *FMSY,* MSY). Define stock status based on BRPs where possible. Compare reference points derived in this assessment with what is known about the general life history of the exploited stock. Explain any inconsistencies. Compare and contrast BRPs and time series estimates in this assessment with values from previous benchmark (SEDAR 58) assessment, as feasible, and comment on the impacts of changes in data, assumptions, or assessment methods on estimated population conditions.

6. If a minority report has been filed, explain majority reasoning against adopting approach suggested in that report. The minority report should explain reasoning against adopting approach suggested by the majority.

7. Develop detailed short and long-term prioritized lists of recommendations for future research, data collection, and assessment methodology.

8. Recommend timing of next benchmark assessment and intermediate updates, if necessary, relative to biology and current management of Cobia.

Terms of Reference for the Cobia Peer Review

1. Evaluate the summary and analyses, if available, that were completed to explore the impact of environmental conditions on the stock, including range shifts and/or expansions.

2. Evaluate life history analyses and the age, growth, reproduction, and natural mortality information used in the assessment. Evaluate the stock structure and geographic scale at which the population was assessed. Evaluate the justification for inclusion or elimination of available data sources.

3. Evaluate the thoroughness of data collection and the presentation and treatment of fishery-dependent and fishery-independent data in the assessment, including the following but not limited to:
    a. Presentation of data source variance (e.g., standard errors).
    b. Justification for inclusion or elimination of available data sources.
    c. Consideration of data strengths and weaknesses (e.g., temporal and spatial scale, gear selectivities, aging accuracy, sample size).
    d. Calculation and/or standardization of abundance indices.

4. Evaluate the methods and model(s) used to estimate population parameters (e.g., F, abundance) and reference points, including but not limited to:
    a. Evaluate the choice and justification of the preferred model(s). Was the most appropriate model (or model averaging approach) chosen given available data and life history of Cobia?
    b. Evaluate model parameterization and specification (e.g., choice of CVs, effective sample sizes, likelihood weighting schemes, calculation/specification of M, stock-recruitment relationship, choice of time-varying parameters, plus group treatment).
    c. Evaluate the diagnostic analyses performed, including but not limited to:
        - Sensitivity analyses to determine model stability and potential consequences of major model assumptions.

- Retrospective analysis.

d. Evaluate the methods used to characterize uncertainty in estimated parameters. Ensure the implications of uncertainty in technical conclusions are clearly stated.

5. Recommend best estimates of stock biomass, abundance, and exploitation from the assessment for use in management, if possible, or specify alternative estimation methods. Evaluate the choice of reference points and the methods used to estimate them. Recommend stock status determination from the assessment, or, if appropriate, specify alternative methods/measures.

6. If a minority report has been filed, review minority opinion and any associated analyses. If possible, make recommendation on current or future use of alternative assessment approach presented in minority report.

7. Review the research, data collection, and assessment methodology recommendations provided by the TC and make any additional recommendations warranted. Clearly prioritize the activities needed to inform and maintain the current assessment and provide recommendations to improve the reliability of future assessments.

8. Review the recommended timeframe for future assessments provided by the TC and recommend any necessary changes.

9. Prepare a peer review panel terms of reference and advisory report summarizing the panel's evaluation of the stock assessment and addressing each peer review term of reference. Develop a list of tasks to be completed following the workshop. Complete and submit the report within 4 weeks of workshop conclusion.

Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: **Coastal Pelagics Management Board**

FROM: **Emilie Franke, FMP Coordinator**

DATE: **January 20, 2026**

SUBJECT: **Next Steps and Timeline for Atlantic Cobia Management**

This memorandum outlines next steps for Atlantic cobia management considering the current harvest specifications expire at the end of 2026, the forthcoming revised MRIP time series, and timing of the new stock assessment. This memorandum also notes past Board discussion on the new confidence interval approach that could be considered by the Board at any point.

New Specifications for 2027

The current cobia specifications will expire at the end of 2026. The 2024-2026 total annual harvest quota is 80,112 fish (both sectors combined), which is the same quota level that has been in place since 2020.

Per the FMP, the Board may set new specifications for up to five years after the expiration of previously specified measures or following a completed stock assessment. With the 2024-2026 specifications expiring, new specifications may be set for 2027 through 2031. The FMP notes specifications must be made no later than the Fall Board meeting (2026 Annual Meeting). As in the past, the Cobia Technical Committee (TC) will meet prior to the 2026 Summer Meeting to discuss TC recommendations on the total harvest quota level. However, as outlined during the prior specifications process (Memo 23-69), there are limited data for the TC to consider since projections from the previous stock assessment (SEDAR 58) extend only through 2024.

Regarding the new stock assessment (SEDAR 107) beginning in early 2026, that assessment is anticipated to be complete and undergo peer review in 2027. So, the new assessment may be available to inform 2028 quota levels and beyond.

Recreational Management Measures for 2027

Per the FMP, recreational landings are evaluated against recreational harvest targets at the same time as the specification process. Under the Addendum II regional allocation framework, each region's landings would be evaluated against the region's target as an average of annual landings. The timeframe for this average only includes years with the same recreational management measures (i.e., measures have not changed from year-to-year). If a region's averaged recreational landings exceed its recreational harvest target, that region is required to adjust measures to reduce harvest to the target. Addendum II specifies that a region cannot

liberalize measures before completion of the next assessment (SEDAR 95 now re-numbered to SEDAR 107).

When the Board sets specifications for 2027, an evaluation of recreational landings against the targets would be conducted. Since regional measures changed in 2025 due to the reduction in the Northern Region (RI-VA), only one year of data (2025) would be available for this evaluation to inform 2027 recreational measures. During the last Board meeting in October 2024, the Board noted concern about only having one year of data for the evaluation.

One timing consideration is the revised MRIP time series expected to be released in 2026. The revised MRIP time series could change the regional allocation percentages, which are based on 2014-2023 landings. Addendum II allows the Board to change the allocations via Board action if the underlying MRIP estimates are updated. So, if the revised MRIP time series is available in time for the evaluation in 2026, and if the Board decides to update the allocation percentages based on those revised estimates, then the evaluation could incorporate updated regional allocations and harvest targets to inform 2027 measures.

Another timing consideration is the new stock assessment which could be available to inform 2028 management measures. If the stock assessment leads to a new total harvest quota in 2028, that would also result in updated recreational harvest targets with a new evaluation to determine 2028 recreational measures (one year after considering changes for 2027 recreational measures). Previously, the Board was in a similar scenario during a recreational evaluation to determine 2024 recreational measures while anticipating that 2025 recreational measures may also change since new allocation frameworks were being considered in Addendum II. To address this at the time, the Board requested the TC evaluate the impact of maintaining status quo recreational measures for 2024 in addition to conducting the typical evaluation. Ultimately, the Board decided to maintain status quo recreational measures in 2024 and changed measures in 2025 based on the new regional allocation framework.

Confidence Interval Approach

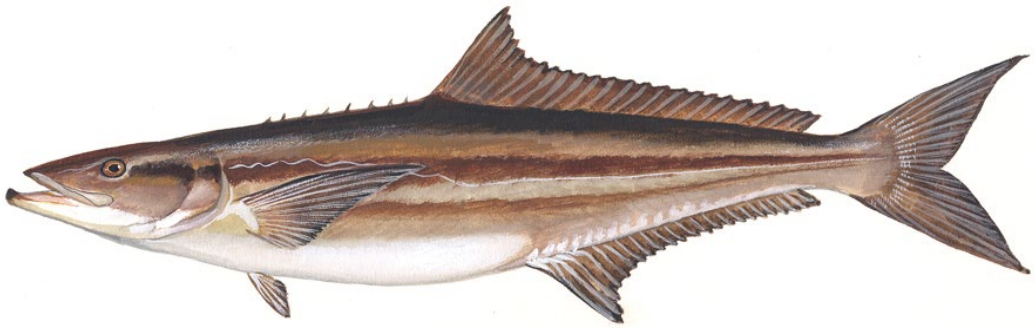
At the last Board meeting in October 2024, the Board reviewed a Cobia TC report on the Addendum II confidence interval provision (Memo 24-79), which allows the Board to switch from the current rolling average approach using point estimates for recreational harvest evaluations to a confidence interval approach using the 95% confidence intervals around the point estimate instead. The TC's 2024 report provided initial input on what the confidence interval approach might look like as applied to current data and explored different confidence interval levels besides 95% (Note: the confidence interval level can only be changed via addendum). Overall, the TC noted that more time to consider this approach would be beneficial, including discussion by the Board of how the rolling average and confidence interval approaches would align with their management goals. The Board agreed that Board input is needed to inform further TC discussion, but the best way to gather that input is not clear. Additionally, the confidence interval approach is one of several issues to consider simultaneously along with the stock assessment timeline and the challenge of setting future specifications and recreational management measures.

ATLANTIC STATES MARINE FISHERIES COMMISSION

REVIEW OF THE INTERSTATE FISHERY MANAGEMENT PLAN

FOR ATLANTIC COBIA
(*Rachycentron canadum*)

2024 FISHING YEAR



For Board Review
January 2026

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

Table of Contents

I. Status of the Fishery Management Plan

Date of FMP Approval:	Original FMP – November 2017
Amendments & Addenda:	Amendment 1 – August 2019 Addendum 1 – October 2020
Management Areas:	The distribution of the Atlantic stock of cobia from Georgia through Rhode Island
Active Boards/Committees:	Coastal Pelagics Management Board; Cobia Technical Committee, Plan Development Team, and Plan Review Team; South Atlantic Species Advisory Panel

The Atlantic States Marine Fisheries Commission (ASMFC) adopted an Interstate Fishery Management Plan (FMP) for the Atlantic Migratory Group of cobia (Atlantic cobia) in 2017 (ASMFC, 2017). Prior to the FMP, federal management was through the South Atlantic Fishery Management Council's (SAFMC) Fishery Management Plan for Coastal Migratory Pelagic Resources (CMP FMP), while New York, New Jersey, Delaware, Virginia, North Carolina and South Carolina had regulations for their respective state waters.

The FMP established a complementary management approach between the ASMFC and SAFMC. Under the ASMFC, Atlantic cobia are managed as part of the Coastal Pelagics Board (Board). Through the FMP, regulations for states with a declared interest were required to reflect several measures established federally through the CMP FMP.

In March, 2019, Regulatory Amendment 31 to the CMP FMP became effective (SAFMC, 2018). This removed Atlantic cobia from the CMP FMP, resulting in management solely through the ASMFC.

In August, 2019, the Board approved Amendment 1 to reflect removal of Atlantic cobia from the CMP FMP, assume management responsibilities previously accomplished through the SAFMC and CMP FMP, and establish recommendations for measures in federal waters. Amendment 1 stated requirements were to be implemented by July, 2020.

Amendment 1 maintains many regulations of the original Commission FMP and previous CMP FMP. These include a 36-inch fork length (or 40-inch total length) recreational minimum size limit, 1 fish per person recreational bag limit, a recreational daily vessel limit not to exceed 6 fish per vessel, a 33-inch fork length (or 37-inch total length) commercial minimum size limit, and a commercial possession limit of 2 cobia per person not to exceed 6 cobia per vessel.

There are four plan objectives:

1) Provide a flexible management system to address future changes in resource abundance, scientific information, and fishing patterns among user groups or areas.

2) Promote cooperative collection of biological, economic, and social data required to effectively monitor and assess the status of the cobia resource and evaluate management efforts.
3) Manage the cobia fishery to protect both young individuals and established breeding stock.
4) Develop research priorities that will further refine the cobia management program to maximize the biological, social, and economic benefits derived from the cobia population.

In February, 2020, the Board approved an annual total harvest quota of 80,112 fish for 2020-2022, based on results from the Southeast Data, Assessment, and Review (SEDAR) 58 stock assessment for Atlantic cobia, allocated to the recreational and commercial sectors based on the Amendment 1 allocation of 92% recreational and 8% commercial. However, states with commercial harvest had an agreement to harvest a smaller portion of that amount in 2020. SEDAR 58 used updated recreational catch estimates from the Marine Recreational Information Program's (MRIP) 2018 transition and calibration to the mail-based Fishing Effort Survey effort estimates, which replaced those of the Coastal Household Telephone Survey.

Given the increased recreational catch estimates used in the SEDAR 58 assessment, the total annual quota approved by the Board also increased, resulting in increases to both the recreational and commercial quotas. As this increase in recreational harvest did not truly reflect a change in previous effort, only the estimate of that effort, Addendum I to Amendment 1 was approved by the Board in October 2020 to reconsider the percent allocations to the commercial and recreational sectors to better reflect the observed harvest. The Addendum changed the allocation of the resource between the recreational and commercial fisheries from 92% and 8%, respectively, to 96% and 4%, respectively. The calculation of the commercial trigger, which determines when an in season coastwide commercial closure occurs, was also revised. The Addendum established a commercial *de minimis* set aside of 4% of the commercial quota with a maximum cap of 5,000 pounds to account for potential landings in *de minimis* states not tracked in-season against the quota. The Addendum also allowed states that are *de minimis* for their recreational fisheries to choose to match the recreational management measures implemented by an adjacent non-de minimis state (or the nearest non-de minimis state if none are adjacent) or limit their recreational fishery to 1 fish per vessel per trip with a minimum size of 33 inches fork length (or an equivalent total length of 37 inches). Based on maturity data from the SEDAR 58 assessment, this latter regulatory option was updated from 29 inches fork length to 33 inches fork length in Addendum I to allow a greater number of females to spawn before being susceptible to harvest. Addendum I measures were effective January 1, 2021.

In May 2022, the Board changed the cobia quota timeframe from 2020-2022 to 2021-2023, thereby, maintaining the total harvest quota of 80,112 fish for the 2023 fishing season. For the 2024-2026 fishing seasons, the total harvest quota for both sectors combined is 80,112 fish, which is the same harvest quota that has been in place since 2020.

In 2023, in response to increased cobia harvest in some Mid-Atlantic states, as well as concerns about high uncertainty associated with cobia recreational harvest estimates, especially at the state level, the Board initiated Addendum II. Approved in 2024, Addendum II modifies the recreational allocation framework, allows the Board to update allocations quickly if the underlying data are

revised, expands the range of data used in harvest evaluations, and allows the Board to set management measures for a longer period of time. Notably, Addendum II changes both the geographic scope of the recreational allocation framework and the timeframe of data used as the basis for allocations. The Addendum changes the recreational allocation framework from a state-by-state to a regional framework, with a northern region of Rhode Island through Virginia and a southern region of North Carolina through Georgia. The new regional allocation framework is intended to reduce uncertainty by using harvest estimates based on a larger sample size combining multiple states in a region, instead of individual state-level harvest estimates. Each region is allocated part of the recreational quota based on each region's percentage of the coastwide harvest in number of fish over the last ten years, combining 50% of 2014-2023 data and 50% of 2018-2023 data. This results in 68.7% of the recreational quota available to the northern region and 31.3% of the quota available to the southern region. Using the more recent data, as compared to previously using 2006-2015 data, accounts for changes in harvest and potential range expansion of the species in recent years. This new recreational allocation framework was applied starting in 2025.

2024 and 2025 Measures

With a total harvest quota for both sectors of 80,112 fish for the 2024-2026 fishing seasons, the 4% allocation to the commercial sector results in an annual commercial quota of 73,116 pounds. The current management measures for the commercial fishery include a 33" FL (or 37" total length) minimum size limit and 2 fish limit per person, with a 6 fish maximum vessel limit. The commercial Atlantic cobia fishery will close once the commercial quota is projected to be reached as determined by the commercial closure trigger.

Per the 96% allocation to the recreational sector, the coastwide recreational harvest target for 2024-2026 fishing seasons is 76,908 fish. For 2024, the previous state allocations were in place resulting in the following state targets for recreational harvest:

Georgia - 7,229 fish
South Carolina - 9,306 fish
North Carolina - 29,302 fish
Virginia - 30,302 fish
De minimis - 769 fish

When the Board set the total harvest quota for 2024-2026, the Board would typically consider changes to state recreational management measures starting that first year (2024) by comparing each state's recent harvest to state harvest targets. However, the Board considered a Technical Committee analysis reviewing the impacts of maintaining status quo recreational management measures, and ultimately, the Board chose to maintain status quo state waters recreational management measures for the 2024 fishing season while a new addendum was considered regarding recreational allocations.

For 2025, the new regional targets for recreational targets were in place under Addendum II:

Southern Region (NC through GA) - 24,083 fish
Northern Region (RI through VA) - 52,825 fish

To determine 2025 recreational measures, each region's average harvest from 2021-2023 was compared to the region's target. The Northern Region average harvest was above its target resulting in a 15.9% reduction. The Southern Region average harvest was below its target so states in that region maintained status quo measures.

II. Status of the Stock

SEDAR 58

In 2020, the Board approved the SouthEast Data, Assessment and Review (SEDAR) 58 Atlantic Cobia benchmark assessment for management use which continued to use the Beaufort Assessment Model (BAM), a forward-projecting statistical catch-at-age model used in the prior assessment, SEDAR 28 (SEDAR 2013). SEDAR 58 provided new reference points and determined that the stock is not overfished and overfishing is not occurring (Figures 1 and 2). This assessment had a terminal year of 2017, and used the recalibrated recreational catch data from MRIP, which yielded much higher biomass and spawning stock biomass estimates as compared to SEDAR 28 (Figure 3). Even with the large changes in biomass estimates, the trends of abundance, recruitment, and relative status were very similar between the two assessments. Stock structure also remained unchanged from the SEDAR 28 assessment which established the stock boundary between Atlantic and Gulf of Mexico cobia at the FL/GA border with the Atlantic stock extending northward to Rhode Island.

The assessment proposed updated reference points of $F_{40\%}$ and 75% of $SSB_{F40\%}$ as the threshold reference points (Figures 4 and 5). The reference points were selected as the fishing rate and SSB that allows the population to reach 40% of the maximum spawning potential the stock would have obtained in the absence of harvest. These reference points serve as proxies for maximum sustainable yield-derived relationships due to insufficient data for cobia.

Spawning stock biomass showed little overall trend throughout the estimated time series, but the terminal year is the lowest in the time series. Age structure estimated by the base run indicated a slight decline in the number of younger fish in the last decade, but the rest of the age structure was above the expected values in 2017. The estimated fishing mortality rates have generally increased through the assessment time frame, peaking in 1996, with the recreational fleet as the largest contributor to total F ($F_{2015\text{-}2017}/F_{40\%} = 0.29$).

SEDAR 107

The next stock assessment for Atlantic cobia is underway with an expected completion date of mid-2027. The stock assessment initially began in March 2024 through the SouthEast Data, Assessment and Review (SEDAR) process under SEDAR 95. However, the assessment was paused starting in September 2024 due to no lead analyst being available. A new lead analyst will begin in 2026 and the assessment has been transitioned to the Commission assessment process with the peer review coordinated by SEDAR in early 2027.

III. Status of the Fishery

Regulations, by state, for the 2024 fishing year are presented in Table 1. Total Atlantic cobia landings (commercial and recreational) are estimated at about 1.7 million pounds in 2024, which is a 40% decrease from 2023 (Figure 6, Tables 2 and 3). This decrease was driven by a decrease in recreational landings, while commercial landings slightly increased. The commercial and recreational fisheries harvested 4% and 96% of the 2024 total, respectively.

Coastwide commercial landings show an increasing trend since low harvests in the 1970s and early 1980s, but comprise a small portion of the total harvest due, in part, to the current 4% allocation of the total annual harvest quota since 2021 (Figure 6); the commercial allocation was 8% prior to 2021. For the past five years, commercial landings have stayed between 64,000 and 75,000 pounds. Coastwide cobia commercial landings in 2024 were estimated at 70,546 pounds, which is a 10% increase from 2023 commercial landings. The commercial quota of 73,116 pounds was not exceeded in 2024. Virginia (56%) and North Carolina (40%) harvested the majority of the commercial landings in 2024 (Table 2).

The total non-*de minimis* commercial landings reached the commercial trigger level for fishery closure on November 18, so the commercial fishery in state waters were closed starting December 18 through the end of the year. NOAA Fisheries implemented a complementary closure for the same timeframe in federal waters.

Recreational harvests have fluctuated widely throughout the time series, often through rapid increases and declines. Average annual recreational harvest for the time series is 40,869 fish (1.1 million pounds) (Figures 6-7, Table 3-4). This fishery has grown noticeably over the time series, with average annual harvests over the last 10 years of 79,789 fish (2.4 million pounds). The 2024 recreational harvest was 54,289 fish (1.6 million pounds), which is below the coastwide recreational harvest target 0f 76,908 fish. 2024 harvest decreased by 45% in number of fish from 2023 and is the lowest harvest since 2017.

From 2018-2024, Virginia harvested the majority of the coastwide recreational cobia, comprising an average of 72% of coastwide recreational harvest by number each year. North Carolina has the second highest recreational harvest with an average of 13% of coastwide recreational harvest by number each year for the same timeframe. South Carolina and Georgia have averaged 6.5% and 5.5% of the coastwide recreational harvest annually for the same timeframe, and states north of Virginia comprised the remainder (3% on average annually). Since 2018, recreational landings have increased in some Mid-Atlantic states, notably Virginia, while remaining relatively stable in southern states, indicating a range expansion is more likely than a stock shift.

It should be noted that North Carolina's estimated recreational harvest in 2023-2024 was very low at 629 fish in 2023 and 3,631 fish in 2024, as compared to the 12,403 average harvest from the previous five years (2018-2022). North Carolina noted in their compliance report that the cobia fishery is a pulse fishery, with the primary wave of fish historically arriving in late May and being available for about 6 weeks. In recent years, anecdotal observations suggest cobia are migrating to

Chesapeake Bay much earlier, in April and May, and are residing in North Carolina for a shorter period of time resulting in fewer recreational catches.

South Carolina's estimated recreational harvest in 2024 of 1,432 fish was also low as compared to the 6,001 average harvest from the previous five years (2019-2023). This 2024 harvest is the lowest for South Carolina since 2017, when federal closures were in place.

For recreational effort, MRIP estimates 567,320 directed cobia angler trips in 2024 (cobia as primary or secondary target), a 21% decrease from 2023. This aligns with the decrease in recreational harvest in 2024.

The PRT notes that changes in harvest and effort can be attributed to multiple factors, including stock distribution, fish availability in nearshore or offshore waters, state regulatory changes, and level of effort. Additionally, the timeframe when cobia are available in some state waters can be very limited, so factors like poor weather conditions during that narrow window can affect effort and harvest.

Recreational releases of live fish have generally increased throughout the time series (Figure 7, Table 5). In 2024, 220,820 recreationally-caught fish were released which represents about 80% of the total recreational catch. From 2018-2023, an average 76% of cobia caught recreationally were released alive each year. This is higher than the average 65% released alive during the period of 2013-2017.

IV. Status of Assessment Advice

Current stock status information comes from SEDAR 58 (SEDAR, 2020), which determined the stock is not overfished and overfishing is not occurring. Results of this assessment were approved for management use by the Board at their February 2020 meeting, and, as such, have been incorporated into ASMFC's FMP.

The stock assessment could be improved by developing a fishery-independent sampling program for abundance of cobia and other coastal migratory pelagic species. The currently used fishery-dependent index causes notable uncertainty in part due to the lack of an effective sampling methodology. In addition, while the terminal year of the assessment was 2017, due to federal water closures for cobia, the index could only be calculated through 2015 in the previous assessment. The assessment could also benefit from improved characterization of age, reproductive, genetic, and migratory characteristics, tag-based information on natural mortality, and more precise recreational catch estimates.

The next stock assessment for the Atlantic cobia stock is underway with an expected completion date of mid-2027. The terminal year will likely be 2025 and the assessment will likely be available to inform 2028 management measures.

V. Status of Research and Monitoring

There are no monitoring or research programs required annually of the states except for the submission of a compliance report. Fishery-dependent data collections (other than catch and effort data) are conducted in Maryland, Virginia, North Carolina, South Carolina, and Georgia. Data collected includes length, age, and sex data. Fishery-independent monitoring programs conducted by states that may encounter cobia are conducted in New Jersey, Delaware, Maryland, South Carolina, and Georgia. Below are brief summaries of relevant data collection programs reported by states in their compliance reports for Atlantic cobia.

Georgia: The Marine Sportfish Carcass Recovery Project is used to collect biological data from recreationally harvested finfish such as Red Drum, Spotted Seatrout, Southern Flounder, Sheepshead, and Southern Kingfish. Anglers donate filleted whole fish carcasses and GACRD personnel collect the carcasses and process them to determine species, fork length (FL), and sex (when possible). Sagittal otoliths are removed and processed to determine the age of the fish. Cobia are occasionally donated to the project; however, none were donated in 2024.

The Marine Sportfish Population and Heath Survey (MSPHS) is a multi-faceted fishery independent survey used to collect information on the biology and population dynamics of recreationally important finfish. Sampling is ongoing in three Georgia estuaries, Altamaha, St. Andrew, and Wassaw, on a seasonal basis, using entanglement gear (gill nets and trammel nets). Although they are not routinely caught during MSPHS sampling, Cobia are occasionally encountered during sampling events; however, none were caught during 2024.

South Carolina: The SCDNR charterboat logbook program has been in place since 1993 as a mandatory trip-level logbook reporting system for all charter vessels to collect basic catch and effort data. Annual cobia recreational harvest by weight has ranged from 4,152 to 15,638 lbs. with a long term mean of 10,068 lbs. for 2005-2024. The mean annual harvest for years prior to the month of May harvest closure in South Carolina's Southern Management Cobia Zone (1993-2016) was 10,882 lbs. which has since averaged 5,900 lbs. in subsequent years (2018-2024). Since 1998, the charterboat data has shown an increase in the number of Cobia released alive while harvest remained relatively consistent throughout the 2000s and has been on an overall declining trend since 2012. Catch per unit effort (CPUE) in the Cobia charterboat fishery peaked in 1997 and declined afterwards to the series low in 2012. It should be noted that 2012-2014 had the lowest continuous CPUE levels of the time series which also coincided with several management changes, as well as fishery closures that occurred during this time period. There has been a slight uptick in charterboat CPUE in the last several years with a CPUE level above the long-term mean (0.002 fish/trip/angler) since 2018.

There are currently no independent fishery monitoring programs in South Carolina that monitor Cobia. There are a few SCDNR surveys that capture incidental Cobia, but the intercept levels are so low as to not be useful as a proxy abundance index. The SCDNR estuarine trammel net survey has captured only 19 Cobia between 1991-2022 over a total of 24,337 net sets. The SEAMAP nearshore trawl survey conducted from Cape Hatteras, NC to Cape Canaveral, FL by the SCDNR has captured

few Cobia over its history (362 fish over 17,517 tows from 1989-2022), but with a low catch rate of only 11.2 fish/year (1.6% positive tows) over this same time period.

North Carolina: Supplemental length-frequency information for the recreational cobia fishery is collected through the NCDMF Carcass Collection Program. In the last 5 years, mean FL of cobia measured by MRIP has ranged from 34 to 43 inches. In 2024, the minimum FL was 35 inches, and the maximum FL was 52 inches. Mean FL of the cobia collected through the NCDMF Carcass Collection Program is generally similar to MRIP samples. In 2024, the minimum length recorded in the Carcass Collection Program was 32 inches FL and the maximum was 53 inches FL. The number of commercial and recreational sampled fish is low due to low possession limits and the seasonal nature of the cobia fishery in North Carolina.

North Carolina currently does not have any fishery-independent monitoring programs that target or catch cobia in large numbers. The NCDMF initiated a fishery-independent gill net survey in Pamlico Sound in 2001 and expanded its coverage in 2008 to include the Cape Fear and New rivers. Coverage was further expanded to Bogue, Back, and Core sounds in 2018. The objective of this project is to provide annual, independent, relative abundance indices for key estuarine species in North Carolina estuaries. The survey employs a stratified random sampling design and utilizes multiple mesh gill nets (3.0 inch to 6.5 inch stretched mesh, in ½-inch increments). A total of 291 cobia have been captured in the North Carolina Independent Gill Net Survey from 2001 to 2024. Cobia from this survey ranged from six to 38 inches FL with a mean size of 21 inches FL. Due to the low number of positive trips, ranging from <1% to 5% of all sets annually, this survey cannot be used as an index of abundance. While this data has not been considered suitable for an index of abundance for this species, this sampling program is one of the few programs on the Atlantic coast that catches smaller cobia, providing important life history information that may not otherwise be obtained.

Virginia: Virginia currently has a voluntary discard reporting system (Voluntary Recreational Cobia Initiative) and is focused on collecting discard length data from recreational cobia anglers. A total of 26 release lengths were submitted through the new voluntary program in 2024. This program will continue in 2025. Age data will continue to be collected from the preexisting carcass collection program that began in 2007.

Maryland: Cobia are rarely encountered in Maryland's fishery dependent monitoring. One survey which has encountered cobia is the Maryland commercial pound net survey. Since 1993, Maryland has sampled commercial pound nets in the lower portion of Chesapeake Bay and the Potomac River. Each site is sampled once every two weeks from May through September, weather and fisherman's schedule permitting. These nets are sampled as part of the fisherman's regular activity; therefore, net soak times and the manner in which they are fished is consistent with the fisherman's day-to-day activities. Between 1993 and 2024, 19 cobia total have been sampled in this survey, though at least one cobia was sampled each year between 2018-2022. Sampled cobia ranged in size from 371-1197 mm. No cobia have been sampled in this survey since 2022.

Cobia have rarely been encountered in Maryland's fishery independent surveys. Almost all of the fishery independent cobia have been sampled in Maryland's coastal bays in two fishery-independent surveys. One survey which has encountered them is the Maryland coastal bays juvenile seine and trawl survey. The Maryland coastal bays have been sampled since 1972, with the sampling protocol standardized in 1982. Shore beach seine sampling is conducted using a 100 foot beach seine at 19 fixed sites once per month, June through September. Trawl sampling occurs at 20 fixed sites on a monthly basis, April through October. Between 1982-2024, just nine cobia have been sampled in the Maryland coastal bays juvenile seine and trawl survey over six years (1989, 1993, 1997, 2002, 2010, and 2021), ranging in size from 151-287 mm. None have been sampled since 2021 in this survey.

The other fishery independent survey in Maryland's coastal bays that has encountered cobia is the Coastal Fisheries Program's submerged aquatic vegetation habitat survey. This survey has been conducted each September since 2015 and uses a 50-foot beach seine to sample varying habitat types. While a single cobia measuring 147 mm was sampled in this survey for the first time in 2020, none were sampled between 2021-2024.

New Jersey: New Jersey does not conduct fishery-independent monitoring of cobia. New Jersey conducts a fishery-independent trawl survey, which historically samples the nearshore ocean waters on five sampling cruises throughout the year. During the entire time series of the survey from 1988 through 2024, a total of 26 cobia were caught and sampled. A total of 2 cobia were caught in the survey in 2024.

VI. Status of Management Measures and Issues

Fishery Management Plan

No management changes were required or implemented in 2024. States maintained the same management measures as 2021-2023.

In January 2024, New York declared an interest in the Atlantic Cobia FMP and its management measures meet the requirements of the FMP.

For the 2024 fishing season, the Board chose to maintain status quo state recreational management measures instead of adjusting measures based on each state's harvest target evaluation while a new draft addendum was developed. For the 2025 fishing season, the Board implemented new recreational allocations which were used to set recreational measures for 2025 with a reduction in the Northern Region and status quo in the Southern Region.

De Minimis

The FMP allows states to request recreational *de minimis* status if their recreational landings in two of the previous three years are less than 1% of annual coastwide recreational landings during that time period. Prior to Addendum II (prior to 2025), if a state qualified for *de minimis*, the state could choose to match all FMP-related recreational management measures (including seasons and vessel limits) implemented by an adjacent non-*de minimis* state (or the nearest non-*de minimis* state if

none are adjacent) or the state could choose to limit its recreational fishery to 1 fish per vessel per trip with a minimum size of 33 inches fork length (or 37 inches total length) with no seasonal restrictions. Those recreational *de minimis* measures were in place for 2024. With the new regional recreational allocation implemented in 2025, there are no longer different recreational measures for recreational *de minimis* states.

Rhode Island, Delaware, Maryland, and Florida requested recreational *de minimis* status through the annual reporting process. All of these states meet the recreational *de minimis* qualifications.

De minimis status for commercial fisheries may be granted to states if their commercial landings for 2 of the previous 3 years were less than 2% of the coastwide commercial landings for the same time period. Commercial regulations in *de minimis* states are the same as non-*de minimis* states and are limited to a minimum size of 33 inches FL (or 37 inches TL) with 2 fish per person for a total of 6 fish per vessel (the same requirements as non-*de minimis* states). Commercial *de minimis* states, however, are not required to monitor their in-season harvests. Rhode Island, New Jersey, Delaware, Maryland, Georgia, and Florida requested *de minimis* status for commercial fisheries through the annual reporting process. All of these states meet the commercial *de minimis* qualifications.

VII. Implementation of FMP Compliance Requirements for 2024

The PRT finds no inconsistencies among states in regard to the Fishery Management Plan.

VIII. Recommendations of the Plan Review Team

Management
The PRT recommends that the Board approve the 2024 FMP Review, state compliance, and all *de minimis* requests from Rhode Island, New Jersey, Delaware, Maryland, Georgia, and Florida.

The PRT emphasizes that multiple states could exceed *de minimis* thresholds over the next few years if cobia landings continue to increase in Mid-Atlantic states due to cobia potentially becoming more available in those areas. The PRT notes the management implications of this, including requiring commercial in-season monitoring in more states. For recreational measures, the *de minimis* designation no longer affects state recreational regulations since new measures must be consistent for the whole region. Though in the long term, the allocation between regions may need to be reevaluated.

The next stock assessment will be critical to better understand trends in the stock and the fishery. The previous assessment had a terminal year of 2017, and this assessment will likely have a terminal year of 2025 which will capture recent trends of higher landings in Mid-Atlantic states and the transition to Commission-only management. The PRT emphasizes the importance of incorporating the revised MRIP time series into the new assessment.

Research

The current stock assessment (SEDAR 95) is facing data limitation challenges for cobia. To support future assessments and management, it is important to consider long-term monitoring and data collection for cobia. The following are important research recommendations the PRT continues to highlight:

- Define, develop, and monitor adult and juvenile abundance estimates through the expansion of current or development of new fishery independent surveys. This recommendation is especially relevant as it is uncertain that the current abundance index used in SEDAR 58 will be able to be updated for the upcoming Atlantic cobia stock assessment scheduled to be completed in 2027.
- Continue to collect and analyze current life history data from fishery independent and dependent programs, including size, age, maturity, histology workups and information on spawning season timing and duration. Increase spatial and temporal coverage of age samples collected regularly from fishery dependent and independent sources.
- Continue collection of genetic material to continue to assess the stock identification and any Distinct Population Segments that may exist within the management unit relative to recommendations made by the SEDAR 58 Stock ID Process.
- Expand existing fishery independent surveys in time and space to better define and cover cobia habitats, including conducting otolith microchemistry studies to identify regional recruitment contributions and new and ongoing satellite tagging programs to help identify spawning and juvenile habitat use and regional recruitment sources.
- Additional work to better understand the impacts of climate change on cobia habitat and range expansion.

Additional research recommendations can be found in Section 2.8 of the SEDAR 58 stock assessment.

IX. References

ASMFC. 2017. Interstate Fishery Management Plan for Atlantic Migratory Group Cobia. ASMFC, Arlington, VA. 85 p.

SAFMC. 2018. Amendment 31 to the Fishery Management Plan for Coastal Migratory Pelagics Resources in the Gulf of Mexico and Atlantic Region. NOAA Award # FNA10NMF441001. Charleston, SC. 209 pp.

SEDAR. 2013. SEDAR 28 – South Atlantic Cobia Stock Assessment Report. SEDAR, North Charleston SC. 420 pp. available online at: http://www.sefsc.noaa.gov/sedar/Sedar_Workshops.jsp?WorkshopNum=28

SEDAR. 2020. SEDAR 58 – Atlantic Cobia Stock Assessment Report. SEDAR, North Charleston SC. 500 pp. available online at: http://sedarweb.org/sedar-58

X. Figures

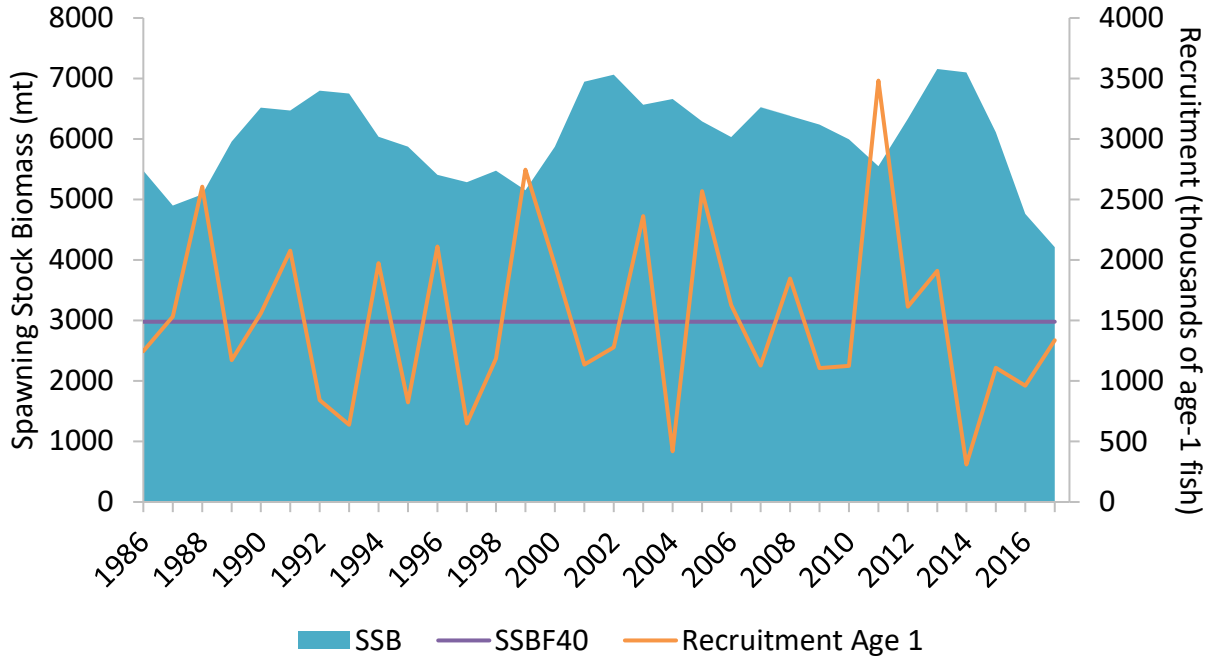


Figure 1. Atlantic Cobia spawning stock biomass (SSB) and recruitment of year 1 fish. (SEDAR, 2020)

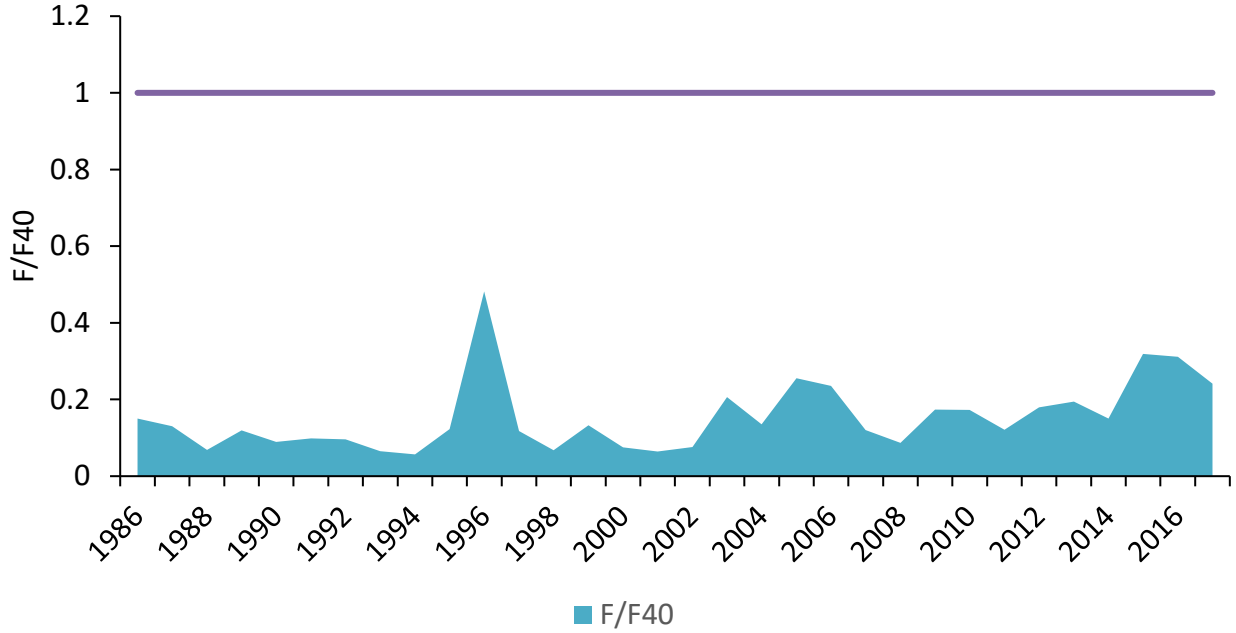


Figure 2. Atlantic Cobia fishing mortality (F) relative to the F40 reference point from 1986-2017. (SEDAR, 2020)

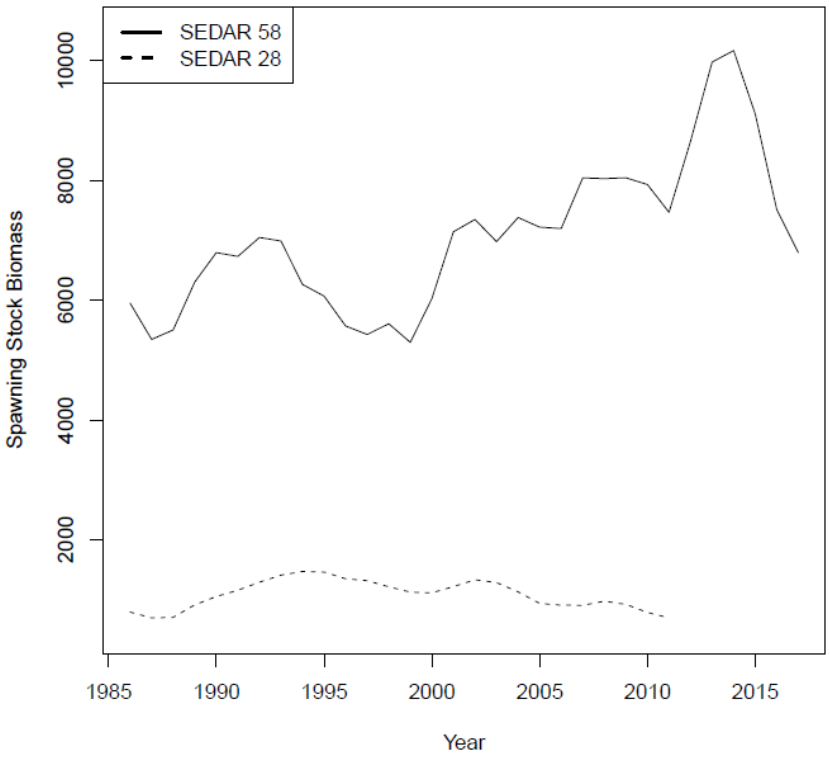


Figure 3. Comparing spawning stock biomass from the current assessment (SEDAR 58) to the previous assessment (SEDAR 28). (SEDAR, 2020)

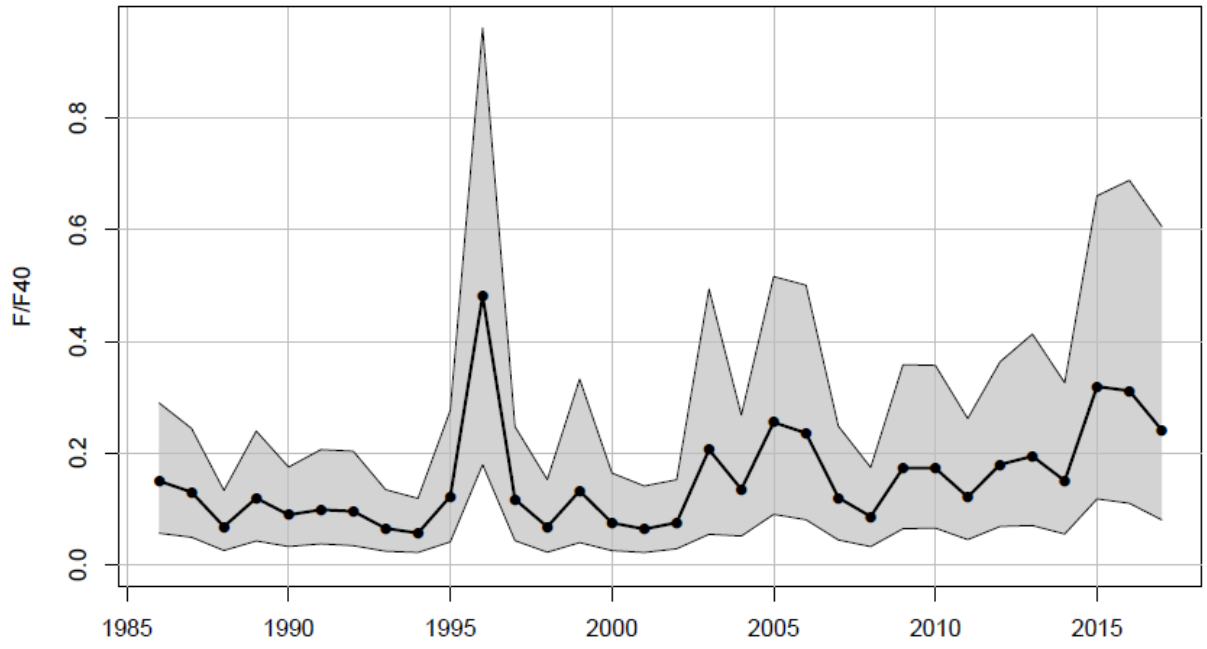


Figure 4. Estimated time series of Fishing Mortality (F) relative to F at Maximum Sustainable Yield ($F_{40\%}$) (SEDAR, 2020).

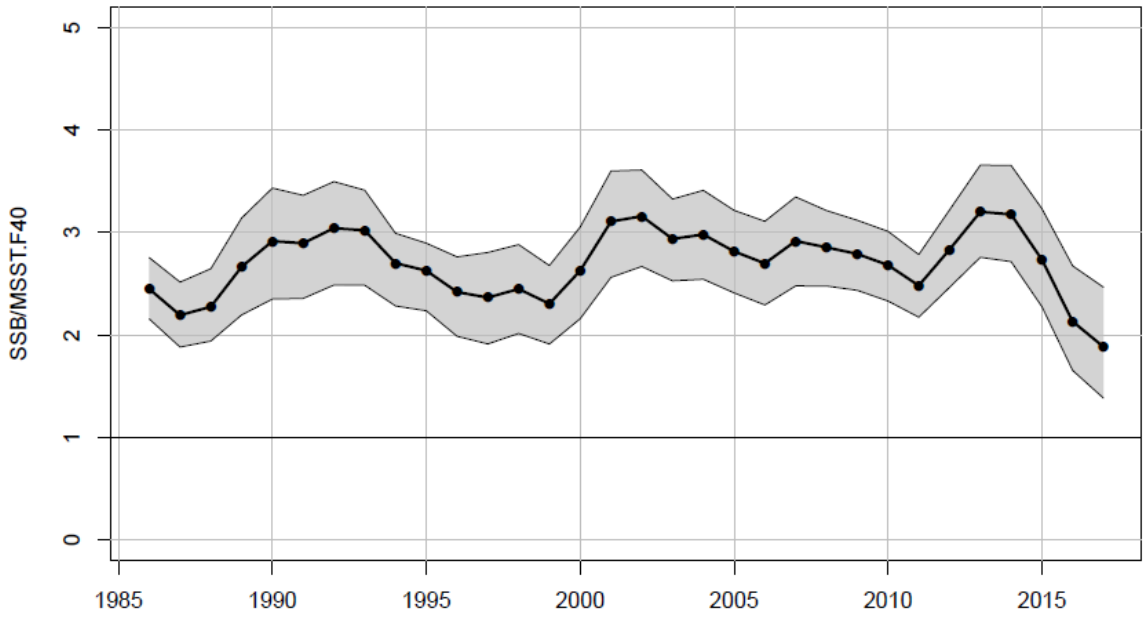


Figure 5. Estimated time series of Spawning Stock Biomass (SSB) relative to the Minimum Stock Size Threshold (MSST) (SEDAR, 2020).

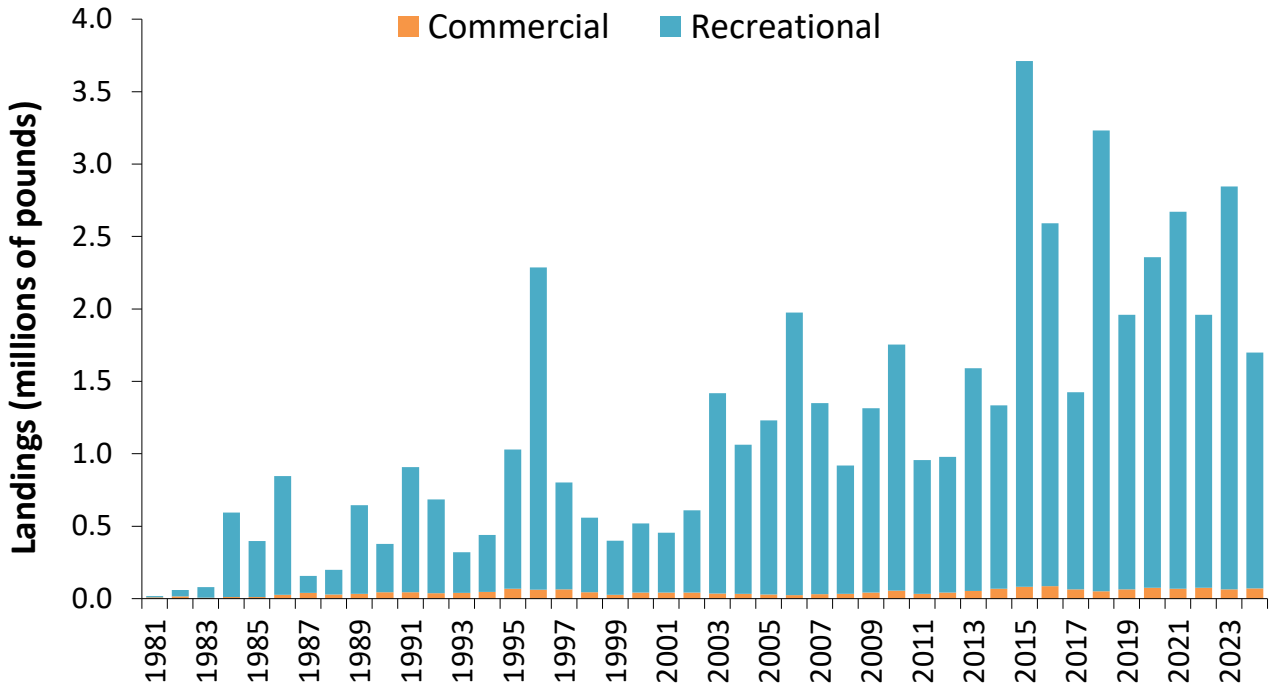


Figure 6. Commercial and recreational landings (pounds) of Atlantic cobia. Recreational data not available prior to 1981. See Tables 2 and 3 for data sources and values from the last ten years.

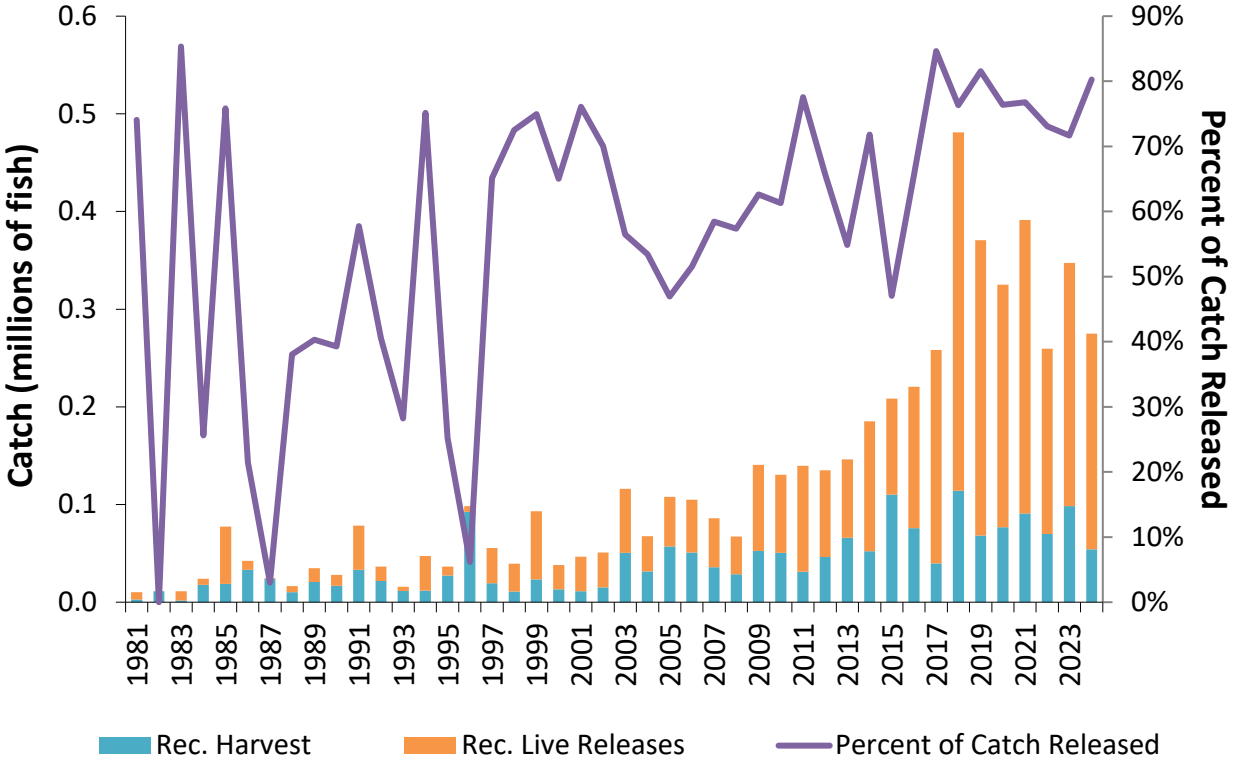


Figure 7. Recreational catch (harvest and live releases) of Atlantic cobia (numbers) and the proportion of catch that is released. See Tables 4 and 5 for data sources and values from the last ten years.

XI. Tables

Table 1. Atlantic cobia regulations for 2024.

State	Recreational Measures	Commercial Measures
RI	*De minimis* Minimum Size: 37 in total length Vessel Limit: 1 fish per vessel Season: year-round	<u>Coastwide</u> Possession Limit: 2 fish per person Minimum Size: 33 in fork length or 37 in total length Vessel Limit: 6 fish If commercial fishing in state waters is closed, commercial fishing in federal waters will be recommended to mirror state closures <u>Deviations</u> -Rhode Island and New York possession limit is 2 fish per vessel -Virginia possession limit is per licensee rather than per person -North Carolina has 36 minimum fork length -No commercial harvest in South Carolina state waters -Georgia possession limit is 1 fish per person (not to exceed 6 per vessel) and minimum size is 36 in fork length -Georgia state waters close to commercial fishing when federal waters close
NY	*De minimis* Minimum Size: 37 in total length Vessel Limit: 1 fish per vessel Season: year-round	
NJ	*De minimis* Minimum Size: 37 in total length Vessel Limit: 1 fish per vessel Season: year-round	
DE	*De minimis* Minimum Size: 37 in total length Bag Limit: 1 fish per vessel Vessel Limit: 1 fish per vessel	
MD	*De minimis* Minimum Size: 40 in total length Bag Limit: 1 fish per person Vessel Limit: 2 fish per vessel Season: June 15-September 15	
PRFC	Minimum Size: 40 in total length (only 1 fish over 50” per vessel) Bag limit: 1 per person Vessel Limit: 2 fish per vessel Season: June 15-September 15	
VA	Minimum Size: 40 in total length (only 1 fish over 50” per vessel) Bag Limit: 1 fish per person Vessel Limit: 2 fish per vessel Season: June 15-September 15	

State	Recreational Measures	Commercial Measures
NC	Minimum Size: 36 in fork length Bag Limit: 1 fish per person Season: May 1-December 31 <u>Private Vessel Limit</u> May 1- June 30: 2 fish July 1-Dec 31: 1 fish <u>For-Hire Vessel Limit</u> May 1-Dec 31: 4 fish	
SC	Bag Limit: 1 fish per person Minimum Size: 36 in fork length Vessel Limit: 6 fish Season: Open year-round <u>Southern Cobia Management Zone:</u> Minimum Size: 36 in FL Season: June 1-April 30 (closed in May) Bag Limit: 1 fish per person Vessel Limit: 3 fish -If recreational fishing in federal waters is closed, recreational fishing in all SC state waters is also closed.	
GA	Bag Limit: 1 fish per person Minimum Size: 36 in fork length Vessel Limit: 6 fish Season: March 1-October 31	
***Florida has a declared interest in the Atlantic Coastal Migratory Group, but their cobia fisheries are managed as part of the Gulf of Mexico Migratory Group due to cobia stock boundaries.**		

Table 2. Commercial landings (pounds) of Atlantic cobia by state, 2015-2024. Sources: 2025 state compliance reports for 2024 fishing year; for years prior to 2024, personal communication with Atlantic Coastal Cooperative Statistics Program [ACCSP].

Year	RI	CT*	NY	NJ	DE	MD	PRFC	VA	NC	SC	GA	Total
2015	C		235	C		C		25,352	52,684	2,487	C	82,117
2016	183		114	312		C	1,642	32,131	48,252	4,533	C	87,168
2017	115		81	C		C	C	34,069	20,842	4,591	C	64,124
2018	290	C	400	707		C		25,194	20,629	3,026	C	50,953
2019	352		1,191	C	C	C	2,375	33,496	21,553	2,619	C	64,741
2020	844	C	5,182	699	C	C	378	27,768	38,344	1,588	C	75,150
2021	797	C	1,754	2,230		C	816	29,386	29,301	2,324	C	67,711
2022	83		1,537	C		C	147	38,572	32,711	1,565		75,456
2023	139	C	436	1,211		C		29,824	31,301	1,500		64,411
2024	C		161	918	C	619	C	39,195	28,560	765	C	70,546

C: confidential landings.

*CT does not have a declared interest in Atlantic migratory cobia.

Table 3. Recreational harvest (pounds) of Atlantic cobia by state, 2015-2024. Source: Personal communication with MRIP queried August 2025.

Year	RI	CT*	NY	NJ	DE	MD	VA	NC	SC	GA	Total
2015							1,166,000	1,925,762	434,899	102,917	3,629,578
2016						307	1,505,528	838,363	159,345		2,503,543
2017							488,287	872,861		390	1,361,538
2018		4,136			15,053	4,647	2,259,661	685,962	205,647	6,081	3,181,187
2019							1,573,485	254,963	64,937	1,632	1,895,017
2020		1,595				38,991	1,541,393	407,883	247,250	44,976	2,282,088
2021				6,060		131,129	1,722,619	356,340	217,129	170,356	2,603,633
2022			144,715	20,970			1,129,258	306,411	139,599	142,606	1,883,559
2023							2,467,557	12,523	87,486	212,679	2,780,245
2024				2,184		42,774	1,376,436	103,272	37,219	65,233	1,627,118

*CT does not have a declared interest in Atlantic migratory cobia.

Table 4. Recreational harvest (numbers of fish) of Atlantic cobia by state, 2015-2024. Coastwide harvest shaded in red if coastwide harvest target of 76,908 fish for 2020-2024 was exceeded. Source: Personal communication with MRIP queried August 2025.

Year	RI	CT*	NY	NJ	DE	MD	VA	NC	SC	GA	Total
2015							38,672	47,110	15,575	8,934	110,291
2016						56	43,780	26,421	5,437		75,694
2017							14,613	25,025		19	39,657
2018		569			581	206	80,679	25,331	6,340	233	113,939
2019							55,770	10,090	2,381	72	68,313
2020		219				1,360	50,287	15,067	7,650	2,203	76,786
2021				250		5,084	57,135	10,970	8,858	8,510	90,807
2022			3,462	711			39,668	12,330	6,988	6,641	69,800
2023	361						81,824	629	4,129	11,368	98,311
2024				75		1,630	44,954	3,631	1,432	2,567	54,289

*CT does not have a declared interest in Atlantic migratory cobia.

Table 5. Recreational live releases (numbers of fish) of Atlantic cobia by state, 2015-2024.
Source: Personal communication with MRIP queried August 2025.

Year	MA*	RI	CT*	NY	NJ	DE	MD	VA	NC	SC	GA	Total
2015					416			40,689	44,254	12,369	283	98,011
2016							1,075	81,482	39,237	20,255	2,917	144,966
2017								77,184	125,251	11,359	4,830	218,624
2018					2,879		12,090	194,865	68,219	71,020	18,056	367,129
2019					10,166	30	251	184,716	38,285	59,724	9,080	302,252
2020				2,979		564	8,233	146,913	51,158	23,384	15,091	245,343
2021						197	12,344	187,872	40,136	39,341	20,578	300,468
2022				722				84,150	46,777	43,131	14,828	189,608
2023	1,554	450			3,582			141,956	32,590	39,864	28,894	248,890
2024							792	145,123	23,992	41,377	9,536	220,820

*MA and CT do not have a declared interest in Atlantic migratory cobia.

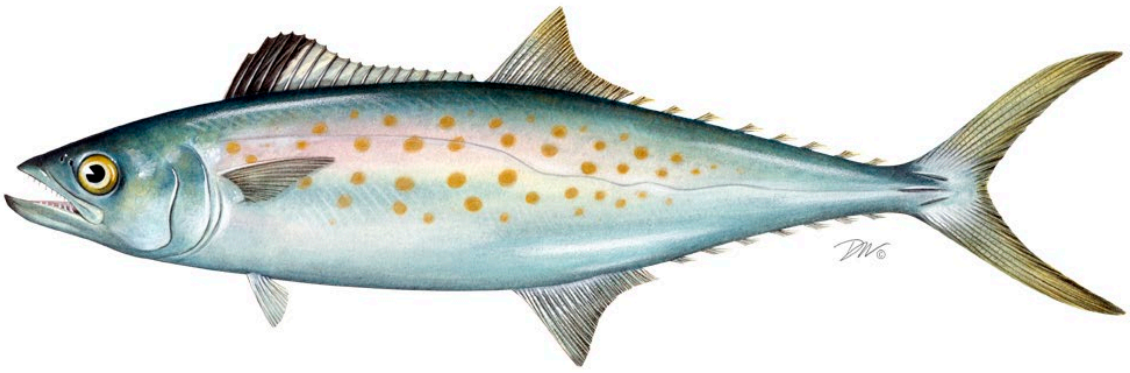
ATLANTIC STATES MARINE FISHERIES COMMISSION

REVIEW OF THE INTERSTATE FISHERY MANAGEMENT PLAN

FOR

SPANISH MACKEREL
(*Scomberomorus maculatus*)

2023 and 2024 FISHING YEARS



For Board Review
January 2026

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

Table of Contents

I. Status of the Plan

Date of FMP Approval: Original FMP – November 1990

Amendments: Omnibus Amendment to Spanish Mackerel, Spot, and Spotted Seatrout (Amendment 2) – August 2011

Addendum: Addendum I – August 2013

Management Area: The Atlantic coast distribution of the resource from Rhode Island through the east coast of Florida

Active Boards/Committees: Coastal Pelagics Management Board; Spanish Mackerel Plan Review Team; South Atlantic Species Advisory Panel

The Fishery Management Plan (FMP) for Coastal Migratory Pelagic Resources (1983 and subsequent amendments) and the Interstate Fishery Management Plan for Spanish Mackerel (1990) manage Atlantic group Spanish mackerel in federal and state Atlantic waters from Rhode Island through the east coast of Florida. All states in that range, excluding Pennsylvania, have a declared interest in the Interstate FMP for Spanish mackerel. The Coastal Pelagics Management Board serves to manage Spanish mackerel for the Commission. The Interstate FMP for Spanish mackerel is a flexible document intended to track the federal FMP; thus, the South Atlantic Fishery Management Council (SAFMC) has the lead on Atlantic group Spanish mackerel management.

Amendment 1/Omnibus Amendment to the Spanish mackerel FMP, as part of an Omnibus Amendment to the ISFMP Management Plans for Spanish Mackerel, Spot, and Spotted Seatrout, was approved in August 2011. The primary objective of this amendment was to bring the FMPs for all three species under the authority of ACFCMA to provide more efficient and effective management and changes to management for the future. In addition, the amendment made the Commission's Spanish mackerel FMP consistent with federal Spanish mackerel requirements determined by the SAFMC.

Addendum I was approved in August 2013 to allow for a two-year pilot program (2013 and 2014) that allowed states to reduce the minimum size limit of Spanish mackerel for the commercial pound net fishery to 11.5 inches from 12 inches for July through September. The measure was intended to reduce waste of these shorter fish, which are discarded dead in the summer months, by converting them to landed fish that will be counted against the quota.

The South Atlantic Board formally extended the provisions of Addendum I for the 2015 through 2018 fishing seasons. After 2018, North Carolina, the only state to implement the reduced minimum size limit, stopped requesting approval of the program due to no further request from pound net fishermen to continue the program, and due to recent closures in federal waters.

The goals of the ISFMP are to complement federal management in state waters, to conserve the Atlantic group Spanish mackerel resource throughout its range and to achieve compatible management among the states that harvest Spanish mackerel. In accordance with the 2011 Omnibus Amendment, the updated FMP's objectives are to:

1. Manage the Spanish mackerel fishery by restricting fishing mortality to rates below the threshold fishing mortality rates to provide adequate spawning potential to sustain long-term abundance of the Spanish mackerel populations.
2. Manage the Spanish mackerel stock to maintain the spawning stock biomass above the target biomass levels.
3. Minimize endangered species bycatch in the Spanish mackerel fishery.
4. Provide a flexible management system that coordinates management activities between state and federal waters to promote complementary regulations throughout Spanish mackerel's range which minimizes regulatory delay while retaining substantial ASMFC, Council, and public input into management decisions; and which can adapt to changes in resource abundance, new scientific information and changes in fishing patterns among user groups or by area.
5. Develop research priorities that will further refine the Spanish mackerel management program to maximize the biological, social, and economic benefits derived from the Spanish mackerel population. See Table 1 for state Spanish mackerel regulations.

The SAFMC manages Atlantic group Spanish mackerel with guidance from its Scientific and Statistical Committee (SSC). The SAFMC determines needed adjustments to regulatory measures, including allowable catch, bag limits, size limits, and trip limits. The SAFMC deliberations are assisted by a Mackerel Cobia Committee, and an Advisory Panel with South Atlantic and Mid-Atlantic industry representation. Since the Coastal Migratory Pelagic Resources FMP is a joint plan with the Gulf of Mexico Fishery Management Council (GMFMC), any plan amendments to this FMP must be approved by both Councils. Actions that can be completed through the Coastal Migratory Pelagics FMP's framework procedure and only address Atlantic group Spanish mackerel, do not require approval from the GMFMC.

Several inconsistencies between the Interstate FMP and the federal FMP have been brought to the Board's attention (Appendix I). The Board intends to address these differences during the next management action.

II. Status of the Stocks

In 2012, Spanish mackerel was assessed and peer reviewed through the SouthEast Data, Assessment and Review (SEDAR). The results of the 2012 assessment (SEDAR 28) indicated that the stock was not overfished and was not experiencing overfishing. In 2022, an operational assessment (i.e., update to the last assessment) was completed through the SEDAR process with data through 2020. This most recent assessment (SEDAR 78) indicates the same stock status: the stock is not overfished and is not experiencing overfishing based on a three-year average of fishing mortality. However, in the terminal year of the assessment (2020), the model found the estimated fishing rate to be above the maximum fishing mortality threshold (Figure

1) indicating that if the 2020 overfishing rate continues, the stock may fall into an overfishing status. For spawning stock biomass, the assessment indicates spawning biomass has remained above SSBMSY throughout the time series (Figure 2).

III. Status of the Fishery

On July 1, 2018, the Marine Recreational Information Program recalibrated recreational harvest estimates from the Coastal Household Telephone Survey (CHTS) to the mail-based Fishing Effort Survey (FES). Estimates used in this report are now those of the FES. The federal FMP quotas are still based on previous CHTS estimates, but FES estimates will be incorporated into management through a future Plan Amendment to the Federal Coastal Migratory Pelagics FMP.

Spanish mackerel are an important recreational and commercial fishery in South Atlantic waters with variable landings in the Mid-Atlantic region (Tables 2-4). While the fishery is managed according to a March – February fishing year, landings summarized in this report are shown by calendar year, unless otherwise stated. Florida landings included in this report are for the Atlantic coast only.

Total landings of Spanish mackerel in were an estimated 8.0 million pounds in calendar year 2023 and 8.2 million pounds in 2024. In 2023, 36% of landings were from the commercial fishery and 64% from the recreational fishery. In 2024, 33% of landings were from the commercial fishery and 67% from the recreational fishery.

Only three states, Florida, North Carolina, and Virginia, have directed commercial fisheries for Spanish mackerel. Coastwide commercial landings have consistently been below 4 million pounds since 1995, coinciding with the net limitation amendment in Florida, except for 2010 (4.5 million pounds), 2011 (4.3 million pounds), and 2021 (4.8 million pounds). Gill nets were the dominant commercial gear in Florida prior to the ban, after which the use of cast nets increased.

Coastwide commercial landings peaked in 2021 at 4.8 million pounds followed by a decrease to 2.4 million pounds in 2022, 2.8 million pounds in 2023, and 2.7 million pounds in 2024 (Figure 3). From 2022-2024, Florida comprised 57% of coastwide landings on average each year, North Carolina 32% on average each year, and Virginia 9% on average each year. In the previous decade from 2012-2021, Florida comprised a higher proportion with 76% of coastwide landings on average each year, North Carolina 22% on average each year, and Virginia a lower 1% on average each year.

Notably, commercial landings in Virginia from 2019-2024 have been consistently higher than landings in the previous decade. Virginia noted one factor contributing to consistent commercial landings in recent years is its extended drift gill net program implemented in 2022. Experimental permits were issued from 2022-2024 allowing harvesters to fish up to 6,000 feet of continuous drift gillnet to determine whether this longer single net is more effective at catching Spanish mackerel than several separate shorter gillnets. A stipulation with this

experimental gear permit was allowing Virginia Marine Resources Commission observer staff on the boat to note bycatch and evaluate the effectiveness of the new gear. Virginia increased the number of permits each year and ultimately instituted a licensed fishery for this gear type in 2025. During the first year of the fully licensed fishery in 2025, fish availability in the Chesapeake Bay was limited due to high water temperatures and harvesters indicated significant effort was required to find and follow the fish in ocean waters (within state waters). Future landings from this fishery will depend on several factors including fish availability and market conditions.

For the recreational fishery, coastwide recreational landings peaked in 2021 at 8.8 million pounds (7.3 million fish) followed by a decrease to 4.0 million pounds (4.0 million fish) in 2022, 5.2 million pounds (4.3 million fish) in 2023, and 5.5 million pounds (4.2 million fish) in 2024 (Figure 3; Tables 3 and 4). Though lower than the 2021 peak, 2023-2024 landings were above the ten-year average landings.

The number of recreationally harvested fish appears to show a cyclical trend, with low harvest years interspersed with higher harvests (Figure 4). Florida and North Carolina have historically accounted for the majority of recreational landings in both number and weight. In 2024, Florida landed 30% of the coastwide recreational landings by weight, North Carolina landed 49%, South Carolina landed 9%, and Virginia landed 8%. On average each year in the past decade 2015-2024, Florida landed 40% of the coastwide total on average each year, North Carolina 36%, South Carolina 11%, and Virginia 8%.

The number of recreational releases of Spanish mackerel generally increased over time to a peak in 2021 of 5.8 million fish released, which aligns with the peak in landings. Similar to harvest, releases in 2022-2023 decreased to 4.3 million fish and 4.1 million fish, respectively. In 2024, releases further decreased to 2.8 million fish. Live releases comprised 49% of the total recreational catch in 2023 and 40% of total recreational catch in 2024, bracketing the 10-year average of 46%.

For recreational effort, MRIP estimates there were 3.0 million directed trips for Spanish mackerel (primary or secondary target) in 2023, consistent with the 5-year average. In 2024, directed trips decreased to 2.6 million trips.

North Carolina flagged the state's MRIP estimates for 2024. North Carolina's 2024 recreational landings estimate of 2.7 million pounds is 77% higher in pounds than the ten-year average (52% higher in number of fish). North Carolina's 2024 recreational releases estimate of 1.5 million fish is 30% higher than the ten-year average. North Carolina noted these estimates appear unusually high and warrant closer scrutiny. The state notes these figures diverge from anecdotal observations and may have been skewed by a limited number of intercepts with only 343 fish measured, which is significantly fewer than the 1,091 recorded the previous year and the 10-year average of 1,203 measurements. The PSEs for North Carolina's 2024 MRIP estimates are in the twenties. While PSEs in the twenties are generally acceptable across many species, Spanish mackerel typically show more precision with North Carolina PSEs typically in

the teens, making this deviation particularly noteworthy. For the previous decade of 2014-2023, PSEs for North Carolina's Spanish mackerel estimates were between 12-18 except for one year above 20.

Regarding the decrease in both commercial and recreational landings from the 2021 peak to lower levels in 2022-2024, driven largely by the Florida fisheries, Florida noted that areas off central east Florida are increasingly closed to vessels by the U.S. Coast Guard to create safety zones associated with space launches. This has prevented fishermen from accessing areas where they would traditionally fish for Spanish mackerel. The establishment of these temporary safety zones has contributed to a decline in Spanish mackerel landings and fishing effort. In addition to this issue, feedback from Florida stakeholders during the SAFMC Port Meetings conducted in 2024 noted concerns about shark depredation, water quality, weather conditions in federal waters, fish shifting northward, and changing effort dynamics (e.g., willingness to travel far distances to find fish) impacting Florida's Spanish mackerel fisheries.

IV. Status of Assessment Advice

In 2012, Spanish mackerel was assessed and peer reviewed through the SouthEast Data, Assessment and Review (SEDAR). The input data (through 2011) were applied to two assessment models, with the primary model being a statistical catch at age model called the Beaufort Assessment Model (BAM); while a secondary surplus-production model (ASPIC) provided a comparison of model results. The Review Panel concluded that the statistical catch at age model was the most appropriate model to characterize the stock status for management purposes. The most recent assessment, SEDAR 78, used the same model configuration with some updates, including an updated growth model, shortened time series to a new start date, and alternative pooling of commercial age compositions due to low sample sizes.

After SEDAR 78 was complete, it was reviewed by the SAFMC's Scientific and Statistical Committee (SSC). The SSC noted some concerns about the assessment, including some missing age compositions, data gaps due to small sample sizes, uncertainty around the spike in 2020 recreational data, and need for updated natural mortality and steepness estimates. The SSC concluded that the SEDAR 78 base model is adequate for determining stock status but did not support the stock projections. The SSC noted the projections are not sufficiently robust and influenced greatly by uncertain data in terminal year (2020), and the indications of a declining stock are not consistent with observations or recent data.

The next Spanish mackerel assessment has been moved to occur sooner in the SEDAR schedule with expected completion in 2027. It is anticipated that the next assessment will use the revised MRIP FES time series.

V. Status of Research and Monitoring

The National Marine Fisheries Service (NMFS) Southeast Fisheries Science Center (SEFSC) continues to monitor length and weight at age and size frequencies, fishing mortality, and migration; collect age data and catch per unit effort by area, season, fishery, and gear; monitor shrimp trawl bycatch; investigate methods to predict year class strength; calculate estimates of

recruitment, and develop conservation gear to reduce bycatch. NMFS is also collecting discard data through a bycatch logbook in the mackerel and snapper-grouper fisheries. The Gulf and South Atlantic Fisheries Development Foundation and several states (North Carolina, South Carolina, Georgia, and Florida) have evaluated finfish bycatch in the southeastern shrimp trawl fishery, including bycatch of Spanish mackerel. The South Atlantic component of the Southeast Area Monitoring and Assessment Program (SEAMAP) collects Spanish mackerel data in its Coastal Trawl Survey from Cape Hatteras to Cape Canaveral. Additionally, the Northeast Area Monitoring and Assessment Program (NEAMAP) began regular spring and fall surveys between Martha's Vineyard and Cape Hatteras in the fall of 2007.[1]

While there are no fishery-dependent or fishery-independent monitoring requirements in the Interstate FMP, some states collect information on Spanish mackerel through various state fishery-dependent programs and fishery-independent surveys (briefly summarized below based on information provided in state compliance reports).

Florida: The Florida Fish and Wildlife Conservation Commission's Fish and Wildlife Research Institute (FWC-FWRI) conducts regular sampling in estuarine, bay, and coastal systems of Florida's Atlantic coast, including monthly sampling of young-of-year and post-young-of-year fish collected by center-bag-haul seines. The proportion of positive sets was used as a simple index of abundance of young-of-the-year (0 – 250 mm standard length) and post-young-of-the-year (>250 mm standard length). Very few Spanish Mackerel young-of-the-year were captured during 1997 – 2023 and therefore standardized catch rates could not be produced. An index on post young-of-the-year Spanish Mackerel, however, could be produced. This index has been variable throughout the timeseries with a recent decreasing trend from 2019 to 2022, although index values increased in 2024.

Florida also highlighted their fishery-dependent monitoring of Spanish mackerel through the Florida Marine Fisheries Information System ('Trip Ticket') program which collects trip-specific records.

Georgia: Some fishery-independent surveys are conducted in areas where Spanish mackerel could be encountered as bycatch, including the Ecological Monitoring Trawl Survey (EMTS) and the Marine Sportfish Population Health Survey (MSPHS). The EMTS monitors fish and invertebrates in Georgia estuaries and offshore states waters using a 40-foot flat otter trawl. Data collected include abundance, size composition, reproductive status, and temporal and spatial distributions of various marine species. In 2023, zero Spanish mackerel were captured. In 2024, the EMTS was not performed in the beginning of the year due to a catastrophic survey vessel mechanical issue. All values presented for 2024 are based on samples collected from April 2024 through December 2024. In 2024, 318 tows were conducted totaling 78.7 hours of tow time. A total of five Spanish Mackerel were
captured with a mean fork length (FL) of 196.0 mm.

[1] Many states and regional surveys experienced an interruption in sampling efforts in both recreational and commercial fishery surveys during the 2020 calendar year.

The MSPHS samples three Georgia estuaries on a seasonal basis using gillnets and trammel nets. In 2023, one Spanish mackerel was captured via gill net. In 2024 for gillnets, 216 net sets were conducted, and six Spanish Mackerel were captured. Fish ranged from 131.0 mm FL to 399.0 mm FL with an average size of 313.7 mm FL. In 2024 for trammel nets, 150 net sets were conducted, and no Spanish Mackerel were captured.

Georgia also highlighted two fishery-dependent projects, the Marine Sportfish Carcass Recovery Project, and the Cooperative Angler Tagging Project, but neither encountered Spanish Mackerel during 2024.

South Carolina: SCDNR operates the Coastal Trawl Survey (CTS) for SEAMAP, sampling nearshore waters between Cape Hatteras, NC and Cape Canaveral, FL during spring, summer, and fall. Spanish Mackerel have been a priority species of the CTS since 1989 with abundance, biomass and length-frequency data recorded. Beginning in 2011, life history samples have been obtained from a subsample of the specimens caught, for aging and the assessment of sex and reproductive stage. The CTS primarily captures individuals that have not yet reached the legal-size limit. Consequently, these data have the potential to serve as a juvenile index for fisheries projections, even though variability tends to be high. Although nominal abundance remained below the Survey's time series mean, both nominal and zero-inflated negative binomial (ZINB) standardized abundance showed a distinct upturn in 2024, following at least two years of decline.

South Carolina also highlighted its state-specific mandatory trip reporting system (logbook program) for licensed charter boat operators. These data indicate that the number of charter trips targeting Spanish mackerel, which has generally been increasing, may have peaked in 2021 and has experienced slight decline the last two years. Also, as trips targeting Spanish Mackerel generally account for less than 10% of total trips, Spanish Mackerel do not appear to be the primary target of the charter fishery. Data for total estimated number of fish caught show substantial variability from year to year. Live releases account for an average of about 19% of all Spanish Mackerel caught over the last 20 years. Discards reported as dead, however, are a very small portion of total catch, accounting for only 1.2% on average over the last 20 years.

North Carolina: Spanish mackerel are caught in the NCDMF statewide Independent Gill Net Survey (Program 915) and Pamlico Sound Trawl Survey (Program 195). These surveys utilize a stratified random sampling scheme designed to characterize the size and age distribution for key estuarine species in Pamlico Sound, Pamlico, Pungo, Neuse, Cape Fear, and New rivers. The overall relative abundance of Spanish mackerel in these programs is extremely low and therefore lacks the desired precision and confidence needed for the data to be used for management and stock assessment purposes.

Virginia: Virginia does not conduct any targeted fishery independent monitoring for Spanish mackerel. However, the Virginia Institute of Marine Science has several surveys (NEAMAP,

CHESMAP, and Juvenile Fish and Crab Trawl Survey) that observe Spanish mackerel, but the occurrence is rare and total numbers relatively small.

The VMRC Biological Sampling Program collects biological data from Virginia's commercial fisheries. In 2023, staff sampled 1,059 Spanish mackerel for length, 1,058 for weight, determined sex of 350 fish, and collected otoliths of 276 fish. Lengths ranged from 13 through 29 inches total length, with an average of 18.1 inches total length. Even though the minimum size limit for Spanish mackerel is 14 inches total length, fish less than 14 inches were observed and accordingly collected by VMRC staff. Ages ranged from 0 to 8 years old, with an average of 1.92.

In 2024, staff sampled 1,391 Spanish mackerel for length, 1,389 for weight, determined sex of 370 fish, and collected otoliths of 296 fish. Lengths ranged from 13 through 31 inches total length, with an average of 18.6 inches total length. Even though the minimum size limit for Spanish mackerel is 14 inches total length, fish less than 14 inches were observed and accordingly collected by VMRC staff. Ages ranged from 0 to 8 years old, with an average of 1.90.

Virginia also highlighted the VMRC Marine Sportfish Collection Project established in 2007. The project allows anglers to donate carcasses by dropping them off in freezers at high-traffic recreational fishing areas. Fish are processed for length, age, and sex. In 2023, VMRC staff collected 7 Spanish mackerel carcasses, collecting length measurements on all 7 and ages on 4 carcasses. Lengths ranged from 12 through 22 inches total length, with an average of 16.9 inches total length. Ages ranged from 0 to 1, with an average of 0.25 years old.

In 2024, VMRC staff collected 7 Spanish mackerel carcasses, collecting length measurements on all 7 and ages on 5 carcasses. Lengths ranged from 15 through 24 inches total length, with an average of 19.1 inches total length. Ages ranged from 0 to 2, with an average of 1.4 years old.

Maryland: MDDNR does not have a specific monitoring program for Spanish mackerel; however, they typically are encountered in the onboard commercial pound net survey, which is conducted from late May through November. In 2023, 94 Spanish mackerel were measured from the onboard pound net survey with fork lengths ranging between 240 – 580 mm and a mean fork length of 399 mm. In 2024, 30 Spanish mackerel were measured from the onboard pound net survey with fork lengths ranging between 345 – 468 mm and a mean fork length of 400 mm.

The MDDNR Choptank River independent gill net survey also encountered Spanish mackerel in 2024. Two Spanish mackerel were encountered, with a fork length of 330 mm and 406 mm. Twenty-one have been caught in the annual survey, which began in 2013.

Delaware: Delaware conducts a 30-ft bottom trawl survey to monitor relative abundance of adult groundfish in the Delaware Bay. This survey has been conducted annually since 1990; prior surveys were conducted from 1966-1971 and 1979-1984. There were few occurrences of Spanish Mackerel over the time series with no fish collected in the 2023-2024 surveys.

Delaware also monitors juvenile fish abundance with its 16-ft bottom trawl survey, which has been conducted annually in the Delaware Bay since 1980. This survey was expanded in 1986 to include the Delaware's Inland Bays (Indian River and Rehoboth Bay) and further expanded in 1989 to include six stations in the Delaware River. There have been few occurrences of Spanish Mackerel in the juvenile survey over the time series. In 2023, 16 fish were collected with 15 of the those 16 fish samples caught in the month of August in the Delaware Inland Bays. No Spanish mackerel were collected in 2024.

Delaware also noted the commercial monthly logbook reports which have recorded confidential Spanish mackerel landings in Delaware in 2001, 2005, 2019, 2020, and 2024.

New Jersey: Fishery independent surveys in New Jersey rarely encounter Spanish Mackerel. The New Jersey Ocean Trawl Survey samples nearshore waters and only encountered more than a few fish in two years: 1989 with 321 fish and 2023 with 55 fish. The Delaware River Seine Survey targets striped bass young-of-year and occasionally encounters Spanish mackerels with a few individuals encountered from 2021-2023. The Delaware Bay Trawl Survey targets juvenile fish and encountered a few Spanish mackerel in 1992 and 2021. The Raritan-Sandy Hook Complex Inventory Survey is a multi-gear survey which started in 2022 sampling from March-October and encountered one Spanish mackerel in the gillnet in 2023.

Rhode Island: One Spanish mackerel were intercepted during trawl survey work in 2024 while none were intercepted by 2023 or 2024 seine surveys conducted by the RIDEM Division of Marine Fisheries and partners in state waters.

VI. Status of Management Measures

Omnibus Amendment (Interstate FMP)

In August 2011, the Management Board approved an amendment to the Spanish Mackerel FMP to address three issues: compliance measures, consistency with federal management in the exclusive economic zone, and alignment with Commission standards. Through the Omnibus Amendment, the following fisheries management measures are required for states within the management unit range:

Recreational Fishery

- 12" Fork Length (FL) or 14" Total Length (TL) minimum size limit
- 15 fish creel limit
- Must be landed with head and fins intact
- Calendar year season
- Prohibited gear: Drift gill nets prohibited south of Cape Lookout, NC
- Decrease in the recreational quota the following year via reduced bag limits if the Total Annual Catch Limit (ACL) is exceeded and stock is overfished.

Commercial Fishery

- Prohibited: purse seines; drift gill nets south of Cape Lookout, NC

- 12” FL or 14” TL minimum size limit
- March 1 – end of February season
- Trip limits (per vessel, per day)
  NY-GA: 3500 lbs.
  FL: 3500 lbs., 3/1-11/30;
  3500 lbs. Mon-Fri & 1500 lbs. Sat-Sun, 12/1 until 75% adjusted quota taken;
  1500 lbs., when 75% adjusted quota taken until 100% adjusted quotas taken;
  500 lbs. after 100% of adjusted quotas taken (the adjusted quota compensates for estimated catches of 500 lbs. per vessel per day to the end of the season)
- Commercial quotas decreased the following year if Total ACL is exceeded and stock is overfished

Differences between the Interstate and Federal FMPs are described in Appendix I. The differences are the commercial management zones, commercial trip limits and closures, allowable gears, recreational season, and recreational accountability measures. The Board intends to address differences between the FMPs in the next management action.

Changes to the federal FMP since 2011 are described in Appendix II.

Update from the South Atlantic Fishery Management Council (SAFMC)

The SAFMC conducted a series of in-person and virtual port meetings for the king and Spanish mackerel fisheries from April 2024 through January 2025. The final report was presented to the SAFMC in March 2025. In June 2025, the SAFMC considered how to respond to recommendations made during port meetings as well as the most recent Atlantic Spanish mackerel stock assessment (SEDAR 78). The SAFMC decided to postpone work on addressing catch level recommendations from SEDAR 78 until the revised MRIP FES time series is available. The Council also requested staff work with the SEFSC to see if the next Atlantic Spanish mackerel stock assessment can occur sooner in the SEDAR schedule. As a result, the SEDAR schedule was modified to accommodate an Atlantic Spanish mackerel stock assessment in early 2027 incorporating the revised MRIP time series.

Additionally, the Council noted that NCDMF and FLFWC will continue to communicate and coordinate on the potential for commercial quota transfers for Atlantic Spanish mackerel between the Northern and Southern Zones.

VII. Implementation of FMP Compliance Requirements for 2023 and 2024

All states must implement the requirements specified in section 5 of the Omnibus Amendment. Based on annual state compliance reports, the PRT determined that all states in 2023 and 2024 implemented a management program consistent with the provisions of the Interstate FMP except for one inconsistency that has since been addressed:

- The Potomac River Fisheries Commission (PRFC) had not implemented the required daily commercial trip limit of 3,500 pounds. After notification in summer 2025, PRFC addressed this at its next quarterly meeting and implemented the trip limit effective September 22, 2025.

De Minimis Requests

A state qualifies for *de minimis* status if its previous three-year average combined commercial and recreational landings is less than 1% of the previous three-year average coastwide combined commercial and recreational landings. Those states that qualify for *de minimis* are not required to implement any monitoring requirements (note: there are no monitoring requirements for Spanish mackerel in the FMP). The states of Rhode Island, New Jersey, Delaware, and Georgia request *de minimis* status. All four states meet the requirements for *de minimis*.

Regulation Changes

Some states voluntarily reduced commercial trip limits in state waters via proclamation or public notice when federal waters closed for the Northern Commercial Zone in 2023 and 2024 (Table 1).

VIII. Recommendations of the Plan Review Team

The PRT has the following recommendations:

- Better understand the dynamics across regions to inform future management. The Board may need to consider extending management measures further into the New England region (as far north as Massachusetts) if consistent catches and anecdotal sightings of Spanish mackerel continue to increase in frequency. Stock structure should also be investigated to determine whether more northerly fish are of the same stock as fish further south, and consider the impact of the potential regions in future stock assessments. The PRT recommends compiling information on current/past tagging and genetic studies for Spanish mackerel to inform this topic.

- Better understand the life history components for Spanish mackerel, particularly from fishery independent surveys. Length, sex, age, and CPUE data are needed for improved stock assessment accuracy as well as evaluation of weight and especially length at age of Spanish mackerel. Virginia and South Carolina noted their Spanish mackerel data (thousands of age and length samples) as available data sources.

- Investigate discard mortality in both the commercial and recreational fisheries. Specific information should include an estimate of total amount caught and distribution of catch by area, season, and type of gear. Virginia has noted its state observers are monitoring the new commercial gill net permits and noted few discards in those nets.

- Better understand how environmental drivers are affecting the distribution of Spanish mackerel (both inshore vs. offshore and north vs. south). The takeaway from recent SAFMC port meetings was that the fishery is reliable in North Carolina and the Mid-Atlantic, but farther south, especially Florida, where and when the Spanish mackerel are showing up has changed substantially in recent years.

- Better understand how social and economic drivers as well as regulatory systems are affecting overall effort and participation in the commercial and recreational Spanish mackerel fisheries.

- Continue coordination between ASMFC and the SAFMC on future management action to address differences between the Interstate and Federal FMPs (see Appendix I). These differences will be particularly important to address when catch levels are updated in the next federal management action.

For reference, the PRT reminds the Board that the Spanish Mackerel Technical Committee compiled a white paper in 2024 summarizing general characteristics and state/regional differences in Spanish mackerel fisheries. Additionally, research recommendations from the most recent stock assessment may be found here (pdf 84-85).

IX. References

SEDAR (SouthEast Data, Assessment, and Review). 2012. SEDAR 28- South Atlantic Spanish Mackerel Stock Assessment Report. SEDAR, North Charleston SC. 438 pp. available online at: https://sedarweb.org/assessments/sedar-28/

SEDAR. 2022. SEDAR 78 South Atlantic Spanish Mackerel Stock Assessment Report. SEDAR, North Charleston SC. 177 pp. available online at: https://sedarweb.org/assessments/sedar-78/

X. Figures

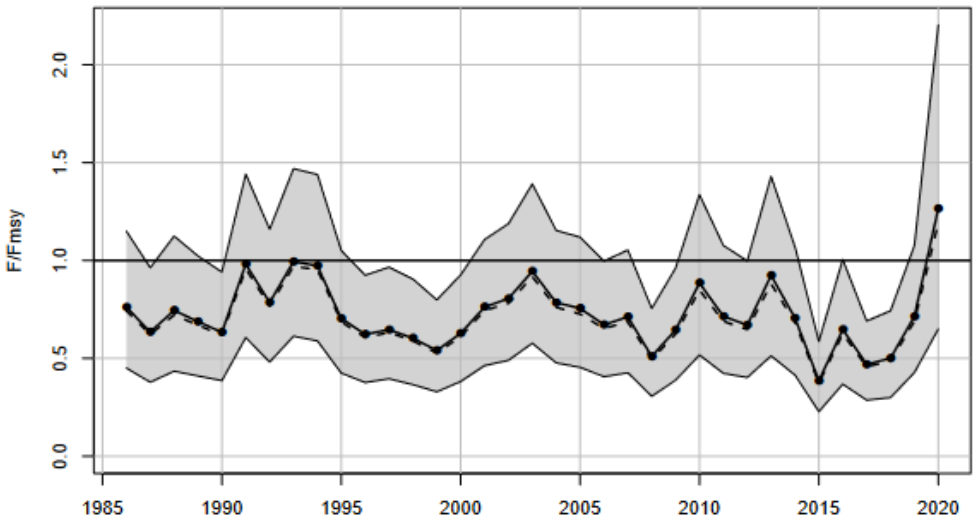


Figure 1. Estimated time series of Atlantic group Spanish mackerel fishing mortality rate (F) relative to F_{MSY} benchmark. Solid line indicates estimates from base run of the Beaufort Assessment Model; dashed lines indicate the median of the Monte Carlo Bootstrap analysis trials; grey error bands indicate 5th and 95th percentiles of the Monte Carlo Bootstrap analysis trials (SEDAR, 2022).

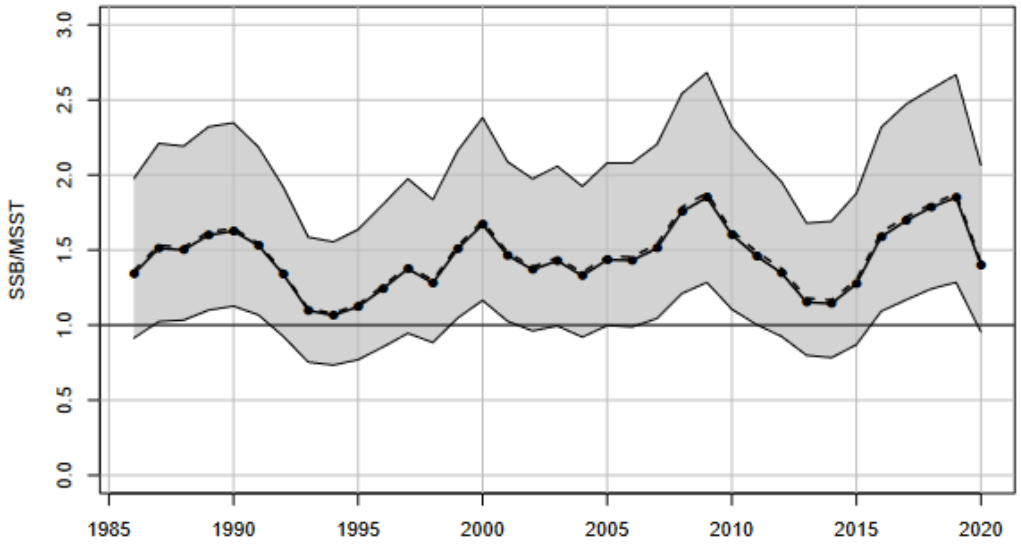


Figure 2. Estimated time series of Atlantic group Spanish mackerel spawning stock biomass (SSB) relative to MSY benchmark. Solid line indicates estimates from base run of the Beaufort Assessment Model; dashed lines indicate the median of the Monte Carlo Bootstrap analysis trials; grey error bands indicate 5th and 95th percentiles of the Monte Carlo Bootstrap analysis trials (SEDAR, 2022).

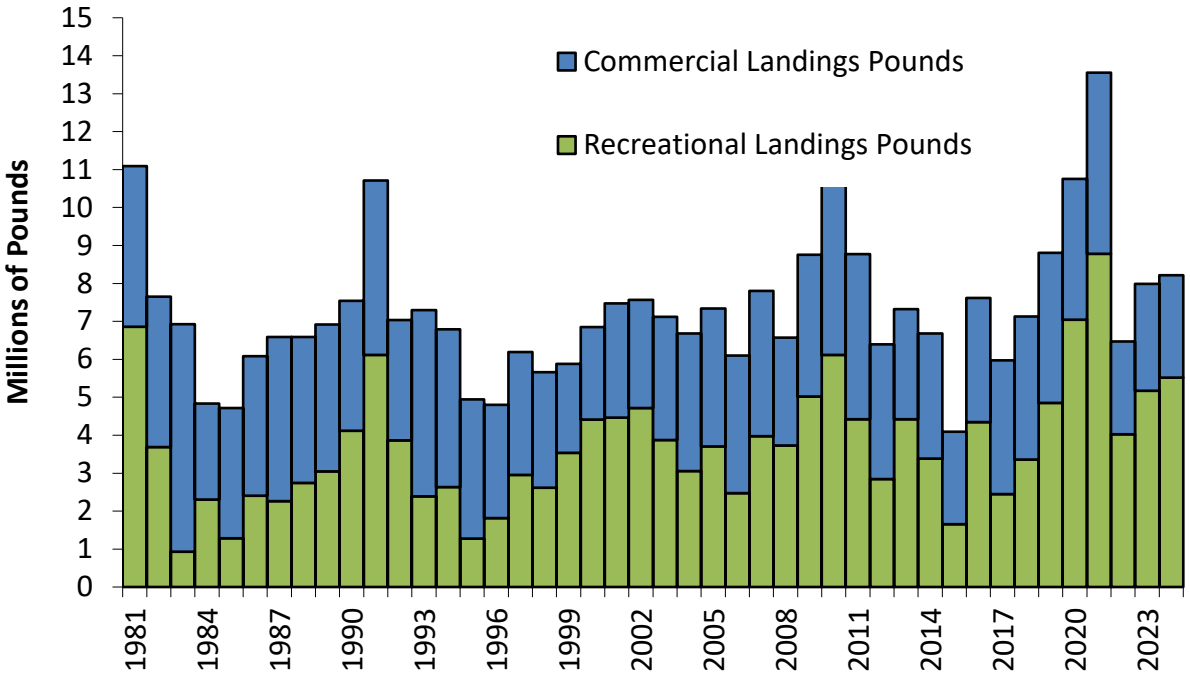


Figure 3. Commercial and recreational harvest (FES) (pounds) of Spanish mackerel, 1981-2024. Source: State compliance reports, ACCSP, MRIP query January 2026.

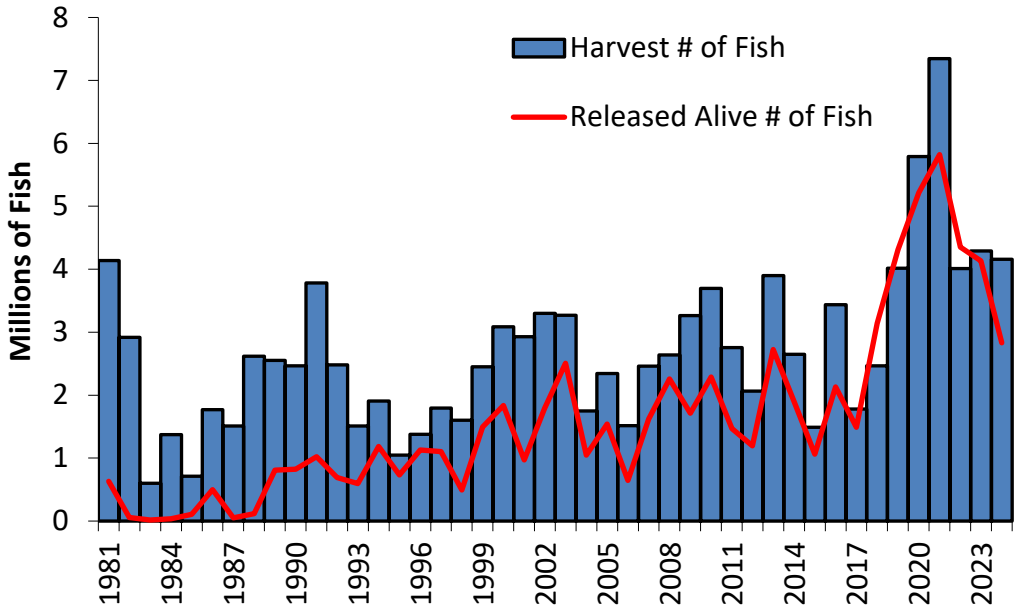


Figure 4. Recreational harvest and releases (numbers of fish) of Spanish mackerel, 1981-2024. Source: MRIP query January 2026.

XI. Tables

Table 1. Summary of state regulations for Spanish mackerel in 2023 and 2024.
Notes: A commercial license is required to sell Spanish mackerel in all states; other general gear restrictions apply to the harvest of Spanish mackerel. Purse seines, and drift gill nets south of Cape Lookout, NC are prohibited.

State	Recreational	Commercial
RI	14" TL, 15 fish	14" TL. 3,500 lb. trip limit.
NY	14" TL, 15 fish	14" TL. 3,500 lb. trip limit.
NJ	14" TL, 10 fish	14" TL. 3,500 lb. trip limit.
DE	14" TL, 15 fish	14" TL. 3,500 lb. trip limit.
MD	14" TL, 15 fish	14" TL. 3,500 lb. trip limit. Public notice 9/25/2023 and 8/2024: 500-lb trip limit when harvest in federal waters closed.
PRFC	14" TL, 15 fish	14" TL. 3,500 lb. trip limit as of 9/22/2025. Closure if/when both MD and VA fisheries close.
VA	14" TL, 15 fish	12” or 14" TL. 3,500 lb. trip limit. 500 lb. trip limit if/when harvest in federal waters closed.
NC	12" FL, 15 fish	12" FL; 3,500 lb. trip limit for combined Spanish and king mackerel landings. Proclamation issued 9/25/2023 and 7/28/2024: 500-lb trip limit when harvest in federal waters closed.
SC	12" FL, 15 fish	12" FL. 3500 lbs. until 75% of adjusted Atlantic Southern Zone quota taken, then 1500 lbs. until 100% of adjusted quota is taken, then 500 lbs. until the end of year or commercial quota is met. If quota is met, then commercial sector is closed to harvest. Requires open access permit for Spanish mackerel.
GA	12" FL, 15 fish	12" FL. 3500 lbs. until 75% of adjusted Atlantic Southern Zone quota taken, then 1500 lbs. until 100% of adjusted quota is taken, then 500 lbs. until the end of year or commercial quota is met. If quota is met, then commercial sector is closed to harvest.
FL	12" FL, 15 fish. Cast nets less than 14’ and beach or haul seines within 2” stretched mesh allowed	12" FL or 14” TL. Trip limits: April 1 until Nov. 30 – 3500 lb.; Dec. 1 until 75% of adjusted quota reached – 3500 lb. Monday – Friday & 1500 lb. Saturday – Sunday; >75% adjusted quota until quota filled – 1500 lb.; > 100% of adjusted quota – 500 lb. Restricted Species Endorsement Required Allowed gear: beach or haul seine, cast net, hook and line, or spearing.

Table 2. Commercial landings (pounds, calendar year) of Spanish mackerel by state, 2015-2024. (Source: Annual state compliance reports for 2024; ACCSP for 2023 and earlier. Confidential values are shown as "C". Coastwide totals and 'Other' totals adhere to the ACCSP rule of 3, i.e., totals are reflective of the true total if 0 or at least 3 states' data are confidential in a given year. Otherwise, they are sums of non-confidential data.)

Year	Other*	RI	NY	NJ	DE	MD	PRFC
2015		C	1,357	2,746		2,222	
2016		C	813	1,997	C	16,205	548
2017	C	652	1,053	462		815	4,704
2018	C	951	1,283	950		3,071	420
2019	C	1,484	5,683	2,010	C	12,545	45,385
2020	C	602	3,023	C	C	6,728	10,092
2021	C	284	6,217	C	C	5,192	20,076
2022	C	C	6,182	1,903		6,368	11,066
2023	C		3,728	807	C	4,540	8,520
2024	C		2,583	C	C	3,213	1,455

Year	VA	NC	SC	GA	FL^	Total
2015	14,493	561,714	C		1,857,556	2,440,094
2016	32,779	601,623	C		2,619,848	3,273,989
2017	21,605	816,089	C		2,674,025	3,519,405
2018	23,212	796,890	C		2,943,419	3,770,196
2019	149,705	722,398	C	C	3,012,007	3,951,390
2020	63,697	1,033,526	C	C	2,588,404	3,707,975
2021	143,377	1,155,289	C		3,431,262	4,767,393
2022	221,269	926,035	C	C	1,275,808	2,448,800
2023	191,489	805,032			1,805,158	2,819,274
2024	342,106	841,478	C		1,502,751	2,697,871

*Other: states that do not have a declared interest in Spanish mackerel and do not sit on the Coastal Pelagics Board

^Atlantic coast landings only for Florida

Table 3. Recreational harvest (**numbers**, calendar year) of Spanish mackerel by state, 2015-2024. State values shown are the current estimates using information from the mail-based Fishing Effort Survey (FES). (Source: personal communication with NOAA Fisheries, Fisheries Statistics Division. January 2026).

Note: Past FMP Reviews showed state-by-state estimates from the CHTS and cannot be directly compared to the state-by-state totals below.

Year	Other*	RI	NY	NJ	DE	MD	VA
2015						15,837	14,950
2016					9	18,559	554,813
2017				8,107	28	9,687	20,000
2018				6,753	797	19,146	132,390
2019	335		21,031	8,787	1,396	109,007	587,683
2020	6,254	3,016	6,096	3,985	92	151,412	374,892
2021	622		3,143	34,323	129	152,829	344,235
2022		414	1,435	11,865	16,213	70,582	380,446
2023			3,573	45,690	18,420	63,833	498,878
2024	616		13,743	23,137	2,215	71,556	328,693

Year	NC	SC	GA	FL^	Total
2015	835,011	389,923	6,201	229,669	**1,491,591**
2016	918,352	306,235	22,637	1,618,529	**3,439,134**
2017	995,706	45,644	48,633	650,916	**1,778,721**
2018	1,012,889	289,250	49,764	956,741	**2,468,046**
2019	1,478,890	1,046,972	138,756	623,415	**4,016,272**
2020	1,286,131	861,349	72,308	3,025,466	**5,791,001**
2021	1,312,929	752,570	24,666	4,718,809	**7,344,255**
2022	1,898,755	1,060,999	12,583	555,443	**4,008,735**
2023	1,204,175	944,745	118,092	1,394,829	**4,292,235**
2024	1,954,067	582,137	16,476	1,167,061	**4,159,701**

*Other: states that do not have a declared interest in Spanish mackerel and do not sit on the Coastal Pelagics Board

^Atlantic coast landings only for Florida

Table 4. Recreational harvest (**pounds**, calendar year) of Spanish mackerel by state, 2015-2024. State values shown are the current estimates using information from the mail-based Fishing Effort Survey (FES). (Source: personal communication with NOAA Fisheries, Fisheries Statistics Division. January 2026).

Note: Past FMP Reviews showed state-by-state estimates from the CHTS and cannot be directly compared to the state-by-state totals below.

Year	Other*	RI	NY	NJ	DE	MD	VA
2015						40,290	13,777
2016					8	30,212	620,147
2017				9,405	43	20,646	30,590
2018				5,702	1,138	41,476	207,551
2019	591		30,177	17,558	1,300	181,994	718,353
2020	10,821	3,991	11,756	4,123	95	223,090	441,654
2021	1,041		3,227	38,116	160	251,273	399,106
2022		782	1,978	17,193	19,301	150,029	489,083
2023			2,985	56,701	23,909	83,661	497,525
2024	1,494		30,939	30,666	3,052	110,105	424,559

Year	NC	SC	GA	FL^	FES Total
2015	981,867	253,620	22,185	342,598	**1,654,337**
2016	907,400	192,865	39,915	2,552,216	**4,342,763**
2017	1,094,778	75,779	72,064	1,146,112	**2,449,417**
2018	1,156,702	513,271	74,910	1,354,426	**3,357,009**
2019	1,694,247	847,163	348,469	1,011,804	**4,851,656**
2020	1,843,314	556,882	232,439	3,714,856	**7,043,021**
2021	1,894,535	503,374	46,879	5,645,741	**8,783,452**
2022	1,841,527	773,139	39,885	689,100	**4,022,017**
2023	1,216,236	857,266	148,235	2,283,714	**5,170,232**
2024	2,710,335	523,163	29,282	1,649,858	**5,513,453**

*Other: states that do not have a declared interest in Spanish mackerel and do not sit on the Coastal Pelagics Board

^Atlantic coast landings only for Florida

Table 5. Recreational releases (**numbers**, calendar year) of Spanish mackerel by state, 2015-2024. State values shown are the current estimates using information from the mail-based Fishing Effort Survey (FES). (Source: personal communication with NOAA Fisheries, Fisheries Statistics Division. January 2026).

Note: Past FMP Reviews showed state-by-state estimates from the CHTS and cannot be directly compared to the state-by-state totals below.

Year	Other*	RI	NY	NJ	DE	MD	VA
2015						355	4,945
2016					1,038		111,284
2017				14,050		3,747	14,829
2018			11,859	14,372	2	2,166	168,549
2019	4,731		49,390	60,003	2,334	62,881	536,244
2020	40,572		5,395	79,458	1,367	63,467	278,173
2021	3,137	450	2,155	13,309	206	87,479	178,237
2022	1,259	503	1,458	18,224		2,894	188,201
2023	3,644	2,000	11,370	52,803	351	30,105	297,903
2024		1,116	4,337	3,992	2,215	241	140,108

Year	NC	SC	GA	FL^	FES Total
2015	514,714	321,930	4,185	219,190	**1,065,319**
2016	546,950	333,635	137	1,136,663	**2,130,960**
2017	688,062	300,244	17,408	453,911	**1,492,251**
2018	1,019,418	322,330	18,149	1,584,579	**3,141,424**
2019	1,340,366	1,588,754	14,943	652,727	**4,312,373**
2020	1,267,210	1,060,185	15,301	2,403,133	**5,214,261**
2021	1,294,525	647,701	13,733	3,579,828	**5,820,760**
2022	2,268,283	1,401,659	38,885	432,592	**4,353,958**
2023	1,293,628	1,487,206	61,330	890,686	**4,131,026**
2024	1,528,319	786,645	18,010	345,641	**2,830,624**

*Other: states that do not have a declared interest in Spanish mackerel and do not sit on the Coastal Pelagics Board

^Atlantic coast landings only for Florida

Appendix I. Differences Between the Interstate FMP and Federal FMP for Spanish Mackerel

In February 2020, the former South Atlantic Management Board, which is now split into the Coastal Pelagics Management Board and Sciaenids Management Board, discussed differences between the Interstate Fishery Management Plan (FMP) for Spanish mackerel and the federal Coastal Migratory Pelagics FMP for Spanish mackerel. The last update to the Interstate FMP was the Omnibus Amendment for Spanish Mackerel, Spot, and Spotted Sea Trout (2011) and its Addendum I for Spanish Mackerel (2013).

Differences between the Interstate and Federal FMPs exist in terms of commercial management zones, commercial trip limits and closures, allowable gears, recreational season, and recreational accountability measures. Board action to consider addressing these differences was postponed until completion of the 2022 stock assessment. The differences between the Interstate and Federal FMPs are outlined below.

Definition of Commercial Management Zones

The Interstate FMP defines the Northern Zone as New York through Georgia, and the Southern Zone as the east coast of Florida. The Federal FMP defines the Northern Zone as New York through North Carolina, and the Southern Zone as South Carolina through Florida (through the Miami-Dade/Monroe County line). For the Interstate FMP, Rhode Island joined the interstate management unit in 2021.

Commercial Trip Limits and Closures

For their respective Northern Zones, both the Interstate and Federal FMPs set a 3,500-pound commercial trip limit. For the interstate Southern Zone, the trip limit starts at 3,500 pounds and is reduced throughout the season depending on the date and how much of the quota is met. For the federal Southern Zone, the trip limit also starts at 3,500 pounds and is reduced depending on how much of the quota is met.

In federal waters, each management zone closes when that federal zone's total quota is met. Under the Interstate FMP, states are not required to close state waters when federal waters close. In recent years, Maryland, Virginia, and North Carolina have implemented a reduced 500-pound trip limit in state waters when the Northern Zone federal waters closed.

The commercial trip limits and management zones are summarized in the following table.

Commercial Management Zones and Trip Limits	
Interstate FMP	**Federal FMP**
Northern Zone New York to Georgia (RI joined in 2021) – 3,500-pound trip limit – Not required to close when federal waters close. *Note: In recent years, Maryland, Virginia, and North Carolina have implemented a 500-lb trip limit in state waters when the Northern Zone federal waters closed.*	*Northern Zone* New York to North Carolina – 3,500-pound trip limit – Closed when Northern Zone total quota is met.
Southern Zone Florida (east coast) – 3,500-pound trip limit: 3/1-11/30; – 3,500 limit Mon-Fri & 1,500 limit Sat-Sun: 12/1 until 75% adjusted quota taken; – 1,500 limit until 100% adjusted quota taken; – 500 limit after 100% adj. quota taken; – Not required to close when federal waters close.	*Southern Zone* South Carolina to Florida (east coast) – 3,500-pound trip limit until 75% of the Southern Zone adjusted quota is met; – 1,500 limit until 100% of the Southern Zone adjusted quota is met; – 500 limit after 100% of the Southern Zone adjusted quota is met; – Closed when the Southern Zone total quota met.

Allowable Gears

The Interstate FMP lists prohibited gears for each sector. For the commercial sector, purse seines, and drift gill nets south of Cape Lookout, NC are prohibited. For the recreational sector, drift gill nets south of Cape Lookout, NC are prohibited. The Federal FMP lists allowable gears: only automatic reel, bandit gear, handline, rod and reel, cast net, run-around gillnet, and stab net allowed.

Recreational Season

The Interstate FMP specifies a calendar year recreational season, while the Federal FMP's recreational fishing year is March 1 through the end of February.

Recreational Accountability Measures

Under the Interstate FMP, if the total annual catch limit (ACL) is exceeded and the stock is overfished, the recreational quotas are decreased via reduced bag limits the following year. Under the Federal FMP, if the total ACL is exceeded, bag limits are reduced the following year to achieve the annual catch target (ACT) but not to exceed the ACL. If the stock is overfished and the ACL is exceeded, there is a payback, reducing the ACT by the overage amount the following year.

Appendix II. Changes to the Spanish Mackerel Federal FMP Since 2011

Amendment 18 (Federal)

In August 2011, the Gulf of Mexico and South Atlantic, Fishery Management Councils approved Amendment 18 to the joint FMP for Coastal Migratory Pelagics. The primary action under consideration established Annual Catch Limits (ACLs) and Accountability Measures (AMs) for cobia, king mackerel, and Spanish mackerel. The amendment designates ACLs and Annual Catch Targets (ACTs) for each of the two migratory groups of Spanish mackerel (Atlantic and Gulf). For the Atlantic migratory group, the commercial sector ACL is set equivalent to the commercial sector quota of 3.13 million pounds. The AM for the commercial sector is that the commercial sector will close when the commercial quota is reached or projected to be reached. In addition, current trip limit adjustments will remain in place. When the commercial sector closes, harvest and possession of Spanish mackerel would be prohibited for persons aboard a vessel for which a commercial permit for Spanish mackerel has been issued.

For the recreational sector, the ACT is set at 2.32 million pounds, while the ACL is set at 2.56 million pounds. Regarding the AM, if the stock ACL is exceeded in any year, the bag limit will be reduced the next fishing year by the amount necessary to ensure recreational landings achieve the recreational ACT, but do not exceed the recreational ACL in the following fishing year. A payback will be assessed if the Atlantic migratory group Spanish mackerel is determined to be overfished and the stock ACL is exceeded. The payback will include a reduction in the sector ACT for the following year by the amount of the overage by that sector in the prior fishing year.

Amendment 20A (Federal)

Effective July 2014, this Amendment addresses the sale of bag limit caught Spanish mackerel. The amendment arose from concerns that sales of fish caught under the recreational bag limit are counted toward commercial quotas, and thus contribute to the early closure of the commercial sector. In addition, potential double counting of these fish could be causing erroneous landings estimates. In response, the Amendment prohibits bag limit sales with the exception of recreationally caught fish from state permitted tournaments in the South Atlantic region. This amendment also included an action to remove income requirements for federal CMP permits.

South Atlantic CMP Framework Action (Federal)

Effective December 2014, this action allows Spanish mackerel, harvested with gillnet gear in the South Atlantic EEZ off Florida (north of the Miami-Dade/Monroe County line) that is in excess of the trip limit, to be transferred to another federally permitted vessel that has not yet harvested the trip limit. The Framework stipulates that the transfer can only occur if: 1) allowable gillnet gear was used to harvest Spanish mackerel; 2) the transfer takes place in federal waters between vessels with valid commercial permits; 3) the receiving vessel does not have more than 3 gillnets aboard after the transfer; 4) all fish remain entangled in the meshes of the net until the transfer; 5) the quantity of the fish transferred does not exceed the daily trip limit; and 6) there is only one transfer per vessel per day.

CMP Framework Amendment 1 (Federal)
This Framework Amendment, effective December 2014, increases the Atlantic Spanish mackerel ACL to 6.063 million pounds. The modification to the ACL followed the 2013 stock assessment which concluded that the stock is not overfished and overfishing is not occurring. The Amendment divides the ACL between the commercial sector (3.33 million pounds) and the recreational sector (2.727 million pounds).

Amendment 20B (Federal)
Effective March 2015, this Amendment separates commercial quotas of Atlantic Spanish mackerel between a Northern zone (north of NC/SC line) and a Southern zone (South of NC/SC line). The Amendment arose from concerns that the commercial quota could be filled by fishermen in one state before fish are available to fishermen in another state. In order to prevent this from happening, a zone is closed when its respective quota is met. Quota for each zone was based on landings from 2002/2003-2011/2012.

CMP Framework Amendment 2 (Federal)
Implemented July 2015, this Amendment modifies the commercial trip limit system in the Southern zone. The rule establishes a trip limit of 3,500 pounds for Spanish mackerel in Federal waters offshore of South Carolina, Georgia, and Florida. When 75% of the adjusted southern zone commercial quota is caught, the commercial trip limit is reduced to 1,500 lbs. When 100% of the adjusted southern zone commercial quota is met, the commercial trip limit is further reduced to 500 lbs. This limit remains until the end of the year or the total Southern zone commercial quota is met.

CMP Framework Amendment 5 (Federal)
Implemented August 2017, this Framework Amendment allows commercially permitted vessels to operate as private recreational vessels when the commercial season is closed for Spanish or king mackerel.

Amendment 34 (Federal)
Implemented in 2023, Amendment 34 allows cut-off (damaged by natural predation) Atlantic Spanish mackerel caught under the recreational bag limit, which comply with the minimum size limits, to be possessed, and offloaded ashore.

Framework Amendment 13 (Federal) – *Development of this action is currently paused*.
Initiated in 2023, Framework Amendment 13 responds to the latest stock assessment (SEDAR 78) and was intended to update catch levels based on the SSC recommendations and address recreational accountability measures. This action would provide recreational catch levels in MRIP FES units. In December 2023, this action was paused until the completion of the 2024 port meetings.

FINAL
SUMMARY REPORT
MACKEREL COBIA COMMITTEE
SOUTH ATLANTIC FISHERY MANAGEMENT COUNCIL
Cape Canaveral, Florida
June 10, 2025

The Committee approved the minutes from the March 2025 meeting and the agenda.

Mackerel Cobia Advisory Panel Report
The Mackerel Cobia Advisory Panel met in Charleston, South Carolina, on March 31 and April 1, 2025. Advisory Panel Chair, Thomas Newman, provided a summary of meeting discussions and recommendations.

Gulf Council CMP Stakeholder Engagement Effort
The Gulf Council held three public virtual seminars in the fall of 2024 which specifically addressed issues related to Spanish mackerel, king mackerel, and cobia. The engagement questions asked during the virtual seminars were also asked during the February 2024 CMP and December 2024 Reef Fish advisory panel meetings. The purpose of these engagement sessions was to gather feedback from industry stakeholders on the health and status of CMP stocks as a complementary effort to the South Atlantic Council's Mackerel Port Meetings. Emily Muehlstein, Gulf Council staff, provided a summary of the stakeholder feedback collected.

Mackerel Port Meetings Next Steps
In 2024, at the urging of their Mackerel Cobia Advisory Panel, the Council hosted a series of 16 in-person and six virtual port meetings along the Atlantic coast. Port meetings attendees discussed their perspectives with other fishery participants and local Council members. In March 2025, Council staff reviewed the draft report and high-level themes from this effort. The Council requested detailed information from port meetings on a suite of management options to be brought to the June 2025 meeting. Council staff presented this information in addition to a refresher on the results of SEDAR 78 (Atlantic Spanish mackerel).

The Committee provided the following directions for staff:

DIRECTION TO STAFF: POSTPONE WORK ON FRAMEWORK AMENDMENT 13 UNTIL THE RESULTS OF THE FES PILOT STUDY ARE RECEIVED AND WORK WITH THE SEFSC TO SEE IF THE NEXT ATLANTIC SPANISH MACKEREL ASSESSMENT CAN OCCUR SOONER IN THE SEDAR SCHEDULE.

DIRECTION TO STAFF: CONSIDER RECOMMENDATIONS FROM PORT MEETINGS IN CONJUNCTION WITH AN UPDATED ATLANTIC SPANISH MACKEREL STOCK ASSESSMENT.

DIRECTION TO STAFF: BEGIN TO LOOK AT THE POTENTIAL PORT MEETING RESPONSE ACTIONS AS REGULATORY VS DEREGULATORY, BRING THIS BACK TO THE COMMITTEE ONCE THE FES PILOT STUDY IS AVAILABLE.

Additionally, it was noted that North Carolina Division of Marine Fisheries and Florida Fish and Wildlife Commission will continue to communicate and better coordinate on the potential for yearly commercial quota transfers for Atlantic Spanish mackerel between the Northern Zone and Southern Zone.

Other Business

The Committee acknowledged that the Mackerel Cobia AP requested to discuss conservation and management needs for Atlantic bonito. However, the Committee felt that the South Atlantic Council may not be the ideal management body for Atlantic bonito. Additionally, the Committee noted that the Council has limited resources and is currently responding to several recent executive orders aimed at reducing burdens on domestic fishing and increasing production.

Note: Council staff drafts the timing and task motion based on Committee action. If points require clarification, they will be added to the draft motion. The Committee should review this wording carefully to be sure it accurately reflects their intent prior to making the motion.

Timing and Task(s)

MOTION 1: ADOPT THE FOLLOWING TIMING AND TASKS:

1. Work with the SEFSC to see if the next Atlantic Spanish mackerel assessment can occur sooner than currently proposed in the SEDAR schedule.
2. Look at the potential port meeting response actions to determine if they are regulatory vs. deregulatory. Bring this information to the Mackerel Committee once the FES pilot study is available.

APPROVED BY COUNCIL

Atlantic States Marine Fisheries Commission

1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • asmfc.org

MEMORANDUM

January 20, 2026

To: **Coastal Pelagics & Sciaenids Management Boards**

From: **Tina Berger, Director of Communications**

RE: **Advisory Panel Nomination**

Please find attached a new nomination to the South Atlantic Species Advisory Panel – Robert Hale, a recreational angler from Georgia. He primarily targets Spanish mackerel, black drum, spotted seatrout, and red drum. Please review this nomination for action at the next Board meeting.

If you have any questions, please feel free to contact me at (703) 842-0749 or tberger@asmfc.org.

Enc.

cc: Coastal Pelagics Board, Tracey Bauer, Emilie Franke

SOUTH ATLANTIC SPECIES ADVISORY PANEL

Bolded names await approval by the Coastal Pelagics or Sciaenids Management Boards
Bolded and italicized name denotes Advisory Panel Chair January 20, 2026

Delaware
Daniel T. Dugan (rec)
20 South Woodward Avenue
Wilmington, DE 19805
Phone: (302)636-9300
dtdugan@verizon.net
Appt. Confirmed 11/1/07
Appt Reconfirmed 10/18/16

New Jersey
Jeffrey Reichle (comm.)
PO Box 830
Cape May, NJ 08204
Phone: (day): (609)884-7600
Phone (eve): (609)884-0661
FAX: (609)884-0664
jreichle@lundsfish.com
Appt. Confirmed 11/1/07

Chris McCurdy (for-hire)
10 Birch Drive
Swainton, NJ 08210
Phone (day): (609)463-6760
Phone (cell): (609)374-4604
capt.curd@verizon.net
Appt. Confirmed 11/1/07
Expertise: Red drum, black drum, Atlantic croaker

Maryland
Vacancy (rec & comm)

Virginia
Thomas J. Powers (rec)
311 Hunts Neck Road
Poquoson, VA 23662
Phone: 757-269-7660
powers@jlab.org
Appt. Confirmed 11/1/07
Expertise: Atlantic croaker

Chair, Craig Freeman (rec/for-hire/comm)
118 Messick Road
Poquoson, VA 23662
Phone: (757)871-9246
Gradingscalessportfishing@gmail.com
Expertise: Cobia
Appt. Confirmed 8/9/18

North Carolina
Glenn Skinner (commercial gillnetter)
296 Cyprus Pollard Road
Newport, NC 28570
Phone: 252.646.7742
glennskinner@ncfish.org
Expertise: spot, spotted seatrout, Spanish mackerel
Appt. Confirmed 10/25/18

Mary Ellon Ballance (commercial pound net)
PO Box 756
Hatteras, NC 27943
Phone: 252.305.2685
maryellon@me.com
Expertise: black drum, red drum, spotted seatrout, Spanish mackerel
Appt. Confirmed 5/2/22

Charles Bernard (Bernie) McCants, Jr (rec)
2325 Windy Woods Dr

Raleigh, NC 27607
Phone (day): 919.602.4516
Phone (evening): 919.602.4516
FAX: 919.668.7064
bernie.mccants@duke.edu
Appt Confirmed 8/9/12
Expertise: Red drum, black drum

SOUTH ATLANTIC SPECIES ADVISORY PANEL

Bolded names await approval by the Coastal Pelagics or Sciaenids Management Boards
Bolded and italicized name denotes Advisory Panel Chair January 20, 2026

Aaron Kelly (for-hire)
112 Jimmy Court
Kill Devil Hills, NC 27948
Phone (day): 252.202.6046
Phone (eve): 252.441.6575
info@rocksolidfishing.com
Expertise: Cobia
Appt Confirmed 10/25/16

South Carolina
Glenn Ulrich (rec)
684 Ritter Drive
Charleston, SC 29412
843.793.8712
ulrichg@bellsouth.net
Expertise: Mixed species
Appt Confirmed 10/25/16

Vacancy (rec)

Georgia
Robert Hale (rec)
125 Peter's Quay
Savannah, GA 31410
912.224.8313
satdesk@yahoo.com
Expertise: Mixed species

Florida
James R. Stockton, Jr. (guideboat)
P.O. Box 1069
Ponte Vedra Beach, FL 32004
Phone: (904)285-4884
Appt. Confirmed 11/1/07
Expertise: Red drum

William R. Bird, Jr. (rec)
P.O. Box 2809
Orlando, FL 32802
Phone (day): 407-418-6237
Phone (eve): (407) 257-7480
Fax: 407-843-4444
bill.bird@lddkr.com and wbird2@cfl.rr.com
Appt. Confirmed 11/1/07
Expertise: Red drum and black drum

Tim Adams (Sp. Mackerel comm.)
426 S.W. Maple St.
Sebastian, FL 32958
Phone (eve): (772) 589-9846
Phone (cell): (772)473-6580
Appt. Confirmed 11/1/07
Expertise: Spanish Mackerel

ATLANTIC STATES MARINE FISHERIES COMMISSION

Advisory Panel Nomination Form

This form is designed to help nominate Advisors to the Commission's Species Advisory Panels. The information on the returned form will be provided to the Commission's relevant species management board or section. Please answer the questions in the categories (All Nominees, Commercial Fisherman, Charter/Headboat Captain, Recreational Fisherman, Dealer/Processor, or Other Interested Parties) that pertain to the nominee's experience. If the nominee fits into more than one category, answer the questions for all categories that fit the situation. **Also, please fill in the sections which pertain to All Nominees (pages 1 and 2). In addition, nominee signatures are required to verify the provided information (page 4), and Commissioner signatures are requested to verify Commissioner consensus (page 4). Please print and use a black pen.**

Form submitted by: Robert Hale (your name) State: Georgia

Name of Nominee: Robert Hale

Address: 125 Peter's Quay

City, State, Zip: Savannah, GA 31410

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

Phone (day): 9122248313 Phone (evening): _____

FAX: _____ Email: satdesk@yahoo.com

. . . . . .

FOR ALL NOMINEES:

1. Please list, in order of preference, the Advisory Panel for which you are nominating the above person.
   1. South Atlantic Species Advisory Panel
   2. _____
   3. _____
   4. _____

2. Has the nominee been found in violation of criminal or civil federal fishery law or regulation or convicted of any felony or crime over the last three years?

   yes_____ no X

3. Is the nominee a member of any fishermen's organizations or clubs?

yes X no_____

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

Savannah Sport Fishing Club

CCA Georgia

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

Sea Trout

Spanish Mackerel

Red Fish

Flounder

Black Drum

Tarpon

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

Inshore species

Green Water species

Blue Water species

FOR COMMERCIAL FISHERMEN:

1. How many years has the nominee been the commercial fishing business? _____ years

2. Is the nominee employed only in commercial fishing? yes_____ no_____

3. What is the predominant gear type used by the nominee?_____

4. What is the predominant geographic area fished by the nominee (i.e., inshore, offshore)?_____

FOR CHARTER/HEADBOAT CAPTAINS:

1. How long has the nominee been employed in the charter/headboat business? _____ years

2. Is the nominee employed only in the charter/headboat industry? yes _____ no_____

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

   _____

3. How many years has the nominee lived in the home port community? _____ years

   If less than five years, please indicate the nominee's previous home port community.

   _____

FOR RECREATIONAL FISHERMEN:

1. How long has the nominee engaged in recreational fishing? 40 _____ years

2. Is the nominee working, or has the nominee ever worked in any area related to the fishing industry? yes _____ no X_____

   If "yes," please explain.

_____

_____

_____

FOR SEAFOOD PROCESSORS & DEALERS:

1. How long has the nominee been employed in the business of seafood processing/dealing? _____years

2. Is the nominee employed only in the business of seafood processing/dealing?

   yes _____ no _____ If "no," please list other type(s) of business(es) and/or occupation(s):

   _____

   _____

   _____

3. How many years has the nominee lived in the home port community? 34 years

If less than five years, please indicate the nominee's previous home port community.

FOR OTHER INTERESTED PARTIES:

1. How long has the nominee been interested in fishing and/or fisheries management? 26 years

2. Is the nominee employed in the fishing business or the field of fisheries management?
yes ____ no X

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

Mercury and Yamaha Marine Dealership

FOR ALL NOMINEES:

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

Attached

Nominee Signature: Robert Hale Date:

Name: Robert Hale 12/10/2025
(please print)

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

State Director

State Legislator

Governor's Appointee

Robert Hale is the **co-owner of Hale Marine** where, alongside his brother Timothy, he manages the day-to-day operations of their established Mercury and Yamaha Service Center. Robert is a dedicated figure in the local marine industry, blending his business expertise with a deep commitment to conservation and sports fishing.

He currently serves as the **Chair of Coastal Conservation Association (CCA) Georgia** and is a former President of the Savannah Sport Fishing Club (SSFC). Robert further applies his knowledge as a sitting member on the **Georgia Finfish Advisory Panel**, leveraging his recent MREP training to contribute to effective species management.

An active tournament angler, Robert and his team compete in 15–20 saltwater events annually, focusing on large trout and tarpon. A former recipient of the SSFC's Offshore Skipper of the Year (Neil Mingledorf Trophy), his passion for the resource is clear. He is particularly focused on the conservation and protection of large trout, holding a personal best of **31.5 inches, weighing over 10 pounds**. Robert is eager to serve on panels to help preserve these vital saltwater species.

Atlantic States Marine Fisheries Commission

Atlantic Menhaden Management Board

February 4, 2026
1:15 – 3:30 p.m.

Draft Agenda

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

1.	Welcome/Call to Order (*J. Clark*)	1:15 p.m.
2.	Board Consent • Approval of Agenda • Approval of Proceedings from October 2025	1:15 p.m.
3.	Public Comment	1:20 p.m.
4.	Progress Update on Development of Draft Addendum II for Public Comment *(J. Boyle)*	1:30 p.m.
5.	Advisory Panel Report on 2025 Single-Species and Ecological Reference Points Stock Assessments *(M. Lapp)*	2:30 p.m.
6.	Progress Update on Technical Committee Tasking on Changing Environmental Conditions *(C. Craig)*	3:00 p.m.
7.	Other Business/Adjourn	3:30 p.m.

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details

MEETING OVERVIEW

Atlantic Menhaden Management Board
February 4, 2026
1:15 – 3:30 p.m.

Chair: John Clark (DE) Assumed Chairmanship: 5/24	Technical Committee Chair: Caitlin Craig (NY)	Law Enforcement Committee Representative: David Bailey (MD)
Vice Chair: Joe Cimino (NJ)	Advisory Panel Chair: Meghan Lapp (RI)	Previous Board Meeting: October 28, 2025
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, PRFC, VA, NC, SC, GA, FL, NMFS, USFWS (18 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2025

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

4. Progress Update on Development of Draft Addendum II for Public Comment (1:30–2:30 p.m.)

Background

- In October 2025, the Board initiated a draft addendum to consider changes to the Chesapeake Bay Reduction Fishery Cap.
- The Plan Development Team (PDT) met four times in December 2025 and January 2026 to develop a memo outlining questions and considerations for the Board to review and provide guidance to the PDT in further developing the draft addendum **(Supplemental Materials)**.

Presentations

- PDT progress update by J. Boyle

5. Advisory Panel Report on 2025 Single-Species and Ecological Reference Points (ERP) Stock Assessments (2:30-3:00 p.m.)

Background

- The Advisory Panel met to review the 2025 ERP Benchmark Assessment and Single-Species Assessment Update and provide additional input for Board consideration (**Briefing Materials**).

Presentations

- Advisory Panel Report by M. Lapp

6. Progress Update on Technical Committee Tasking on Changing Environmental Conditions (3:00–3:30 p.m.)

Background

- In October 2025, the Board provided two tasks to the Technical Committee (TC) to evaluate the effects of changing environmental conditions on the Atlantic menhaden stock. The TC met in January to assign tasks and develop a timeline **(Supplemental Materials).**

Presentations

- TC tasking update by C. Craig

7. Other Business/Adjourn

Atlantic Menhaden

Activity level: High

Committee Overlap Score: High (SAS, ERP WG overlaps with American eel, striped bass, northern shrimp, Atlantic herring, horseshoe crab, weakfish)

Committee Task List

- Evaluate FMP biological sampling requirement
- Board tasks on changing environmental conditions coastwide and in Chesapeake Bay
- Annual compliance reports due August 1st

TC Members: Caitlin Craig (NY, Chair), Mike Mangold (USFWS), Claire Pelletier (NC), Keilin Gamboa-Salazar (SC), Nichole Ares (RI), Eddie Leonard (GA), Jeff Brust (NJ), Matt Cieri (ME), Ingrid Braun-Ricks (PRFC), Micah Dean (MA), Kelli Mosca (CT), Catherine Wilhelm (VA), Chris Swanson (FL), Sydney Alhale (NMFS), Amy Schueller (NMFS), Alexei Sharov (MD), Garry Glanden (DE), Heather Walsh (USGS), Katie Drew (ASMFC), James Boyle (ASMFC)

SAS Members: Amy Schueller (NMFS, SAS Chair), Caitlin Craig (NY, TC Chair), Brooke Lowman (VA), Matt Cieri (ME), Chris Swanson (FL), Sydney Alhale (NMFS), Jason McNamee (RI), Alexei Sharov (MD), Jeff Brust (NJ), Keilin Gamboa-Salazar (SC), Katie Drew (ASMFC), James Boyle (ASMFC)

ERP WG Members: Matt Cieri (ME, ERP Chair), Andre Buchheister (HSU), Jason Boucher (NOAA), Michael Celestino (NJ), David Chagaris (FL), Micah Dean (MA), Jason McNamee (RI), Amy Schueller (NFMS), Alexei Sharov (MD), Genny Nesslage (UMD), Howard Townsend (NFMS), Jainita Patel (ASMFC), Katie Drew (ASMFC), James Boyle (ASMFC)

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

ATLANTIC MENHADEN MANAGEMENT BOARD

Hyatt Place
Dewey Beach, Delaware
Hybrid Meeting

October 28, 2025

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

TABLE OF CONTENT

INDEX OF MOTIONS

Motion to Amend
Move to amend to add after 50% "and set the bay cap as a percentage of the TAC or allow the bay cap to be set by specification" (Page 49). Motion by Nichola Meserve; second by David Borden. Motion fails (5 in favor, 9 opposed, 4 abstentions) (Page 51).

Main Motion
Move to initiate Addendum II to the Atlantic menhaden FMP to address Chesapeake Bay Management concerns. The addendum shall develop periods for the Chesapeake Bay Cap that distributes fishing effort more evenly throughout the season and a range of options to reduce the Bay Cap from status quo up to 50%. Motion passes (13 in favor, 2 opposed, 2 abstentions, 1 null) (Page 52).

6. **Move to adjourn** by consent (Page 53).

ATTENDANCE

Board Members

Megan Ware, ME, proxy for C. Wilson (AA)
Steve Train, ME (GA)
Rep. Allison Hepler, ME (LA)
Renee Zobel, NH (AA)
Doug Grout, NH (GA)
Dennis Abbot, NH, proxy for Sen. Watters (LA)
Nichola Meserve, MA, proxy for D. McKiernan (AA)
Raymond Kane, MA (GA)
Rep. Sarah Peake, MA, proxy for Rep. Armini (LA)
Nicole Lengyel Costa, RI, proxy for J. McNamee (AA)
David Borden, RI (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Matthew Gates, CT (AA)
Robert LaFrance, CT, proxy for B. Hyatt (GA)
Marty Gary, NY (AA)
Emerson Hasbrouck, NY (GA)
Joe Cimino, NJ (AA)
Jeff Kaelin, NJ (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Kris Kuhn, PA, proxy for T. Schaeffer (AA)
Loren Lustig, PA (GA)
John Clark, DE (AA)
Roy Miller, DE (GA)
Craig Pugh, DE, proxy for Rep. Carson (LA)
Lynn Fegley, MD (AA)
Russel Dize, MD (GA)
Allison Colden, MD, proxy for Del. Stein (LA)
Joe Grist, VA, proxy for J. Green (AA)
JJ Minor, VA (GA)
Chris Batsavage, NC, proxy for K. Rawls (AA)
Ben Dyar, SC, proxy for B. Keppler (AA)
Malcolm Rhodes, SC (GA)
Mel Bell, SC, proxy for Sen. Cromer (LA)
Doug Haymans, GA (AA)
Spud Woodward, GA (GA)
Erika Burgess, FL, proxy for J. McCawley (AA)
Gary Jennings, Fl (GA)
Ron Owens, PRFC
Kelly Denit, NMFS
Rick Jacobson, US FWS

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

Ex-Officio Members

Caitlin Craig, Technical Committee Chair
David Bailey, Law Enforcement Committee Rep.

Staff

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

The Atlantic Menhaden Management Board of the Atlantic States Marine Fisheries Commission convened in the Ballroom East/West via hybrid meeting, in-person and webinar; Tuesday, October 28, 2025, and was called to order at 1:15 p.m. by Chair John Clark.

CALL TO ORDER

CHAIR JOHN CLARK: Let's get started everybody. I see we've got quite a crowd here for our Atlantic Menhaden meeting, so welcome to this meeting of the Atlantic Menhaden Management Board. The Board is now in session. Chairing the meeting is John Clark from the state of Delaware, that's me; and I'm joined up here at the head table by, from the Law Enforcement Committee, David Bailey.

From our Stock Assessment Subcommittee, Dr. Katie Drew and Dr. Matt Cieri. From our Technical Committee, Caitlin Craig, and of course our Plan Coordinator, James Boyle. I believe, have I introduced everybody here? Oh, and then we do have, I'm going to turn it over to Toni, because we have some Commissioners who are attending virtually.

MS. TONI KERNS: We also have Sarah Gaichas, who is the Peer Review Presenter online, but we have Kelly Denit from NOAA Fisheries and Rick Jacobson from Fish and Wildlife Service online today. I believe that's it; I apologize if I've missed anybody. I also want to inform the Board and the members of the public that we are being videoed today.

APPROVAL OF AGENDA

CHAIR CLARK: All right, thank you, Toni, we'll go right to the consent items. Does anybody have any revisions to the agenda? Seeing none; the agenda is approved as written.

APPROVAL OF PROCEEDINGS

CHAIR CLARK: Does anybody have any revisions from the August 2025 meeting? Seeing none; then the proceedings are approved as written.

Before we got to public comment, we have a statement from Commissioner Jeff Kaelin, of New Jersey, regarding a possible conflict of interest. Go ahead, Jeff.

MR. JEFF KAELIN: Thank you, Mr. Chairman, and members of the Atlantic Menhaden Management Board and members of the public. As the New Jersey Governor's Appointee and employee of Lunds Fishery in Cape May, New Jersey, a family owned and operated vertically integrated harvesting and processing company, and a marketing and processing entity, with a 10 percent interest in the marketing or processing of the total coastwide harvest of the Atlantic menhaden purse seine fishery, I am declaring my conflict of interest.

I'm making this request today and notifying the Board of the conflict consistent with the Commission's 2014 Policy on financial disclosure and financial interest, and my required financial disclosure for Lunds, and I'm doing so prior to the management board taking final action on setting the specifications for the 2026 to 2028 Atlantic menhaden fishing years during this meeting. The Commission's policy requires me to announce to the Board that I am recusing myself from that vote. Once recused, the policy permits me to participate in the board debate, although I will not be able to make or second motions on that specific issue.

Prior to that vote I am required to remove myself from the Board table, thereby alleviating the perception that a recused Commissioner is participating in a caucus on taking final action on that specific agenda item today. I hope I don't have to stand in the corner, Mr. Chairman, when I leave the Board table, but anyway, that's my statement, and I appreciate the opportunity to make that today. Thank you.

CHAIR CLARK: Thank you, Jeff, and no, we won't make you stand in the corner. Before I go to public comment, I just want to remind everybody, we do have a hard stop today, it is an action-packed agenda, literally, there is a lot of action involved in this.

PUBLIC COMMENT

CHAIR CLARK: With the public comment, we have a lot of people who signed up.

Could I just see the hands of the people who want to comment for items that are on the agenda. This is items that are on the agenda. Okay, if you want to comment on items that are on the agenda, there will be a chance for public comment during the time we are debating each motion of that item. I see most of you put your hands down, so you want to speak to items that are not on the agenda.

We have quite a list here, and in the interest of time, we're going to limit you to one-minute points you can make. We have some people online also, from Omega Protein, who has an item he would like to bring up that is not on the agenda. Pete, would you just state your name and your affiliation before you make your comment?

MR. PETER HIMCHAK: Thank you, Mr. Chairman, my name is Peter Himchak, I'm with Omega Protein. I am the fishery scientist, and I'm here to talk to you about research. I took the liberty of distributing a SCEMFIS pamphlet to Board members. SCEMFIS stands for Science Center for Marine Fisheries.

It's an industry and academia working together under the administration of the National Science Foundation. We have been funding research for eleven years now, and this is highly supported by, you can read about all of the companies that contribute to SCEMFIS. The centers, the academic centers are the Virginia Institute of Marine Sciences and the University of Southern Mississippi.

But scientists are on this to do work all over the United States, and some internationally. What I would like to talk to you today is about a recent project that was funded, and it includes a research team of Dr. Genny Nesslage and Mike Wilberg.

CHAIR CLARK: Pete, I'm sorry, we're very short on time, so can you just wrap it up quickly?

MR. HIMCHAK: Okay. Dr. Nesslage, Mike Wilberg, Rob Latour, James Gartland and Amy Schuler were funded to develop a detailed and actionable roadmap for Atlantic menhaden research, necessary to inform a scientifically defensible and ecologically meaningful Chesapeake Bay Cap. The industry supports this and will provide data and anything else they need.

CHAIR CLARK: Thank you, Pete. Okay, next up I have Phil Zalesak and Phil, this is for something not on the agenda, correct? All right, thank you, go right ahead, state your name and your affiliation if you have one, and then make your comment.

MR. PHIL ZALESAK: My name is Phil Zalesak; I am President of the Southern Maryland Recreational Fishing Organization. I am going to speak about a proposed presidential executive order which is not on the agenda, but has been delivered to the White House. The proposal requires no reduction in Atlantic menhaden allocations for commercial bait fishermen, none.

The proposal does end all industrial reduction harvesting of Atlantic menhaden on the Atlantic coast by Canadian controlled companies. I have five points; we have no time to cover them. But every member on this Board got an e-mail from me at 12:00 today; so, go take a look at it. If you only cut the total allowable catch by 50%, you could all increase your commercial harvest of Atlantic menhaden by 53%, all states, with the exception of Pennsylvania, which would be about 49 percent. With that, Mr. Chairman, I thank you for the time.

CHAIR CLARK: Thank you, Mr. Zalesak. Next up I have Vinnie Calabro, and if you would come up to the microphone, Sir, and state your name and affiliation; and then make your comment.

MR. VINNIE CALABRO: Good afternoon, Vinnie Calabro, Karen Ann Fisheries, Jamaica Bay in New York and Fort Pierce, Florida. I think it goes without saying that the Atlantic States Council has failed

miserably at fisheries management, and I think that everyone in this room would agree. For the past 50 years, every species that you've targeted to salvage has been a disaster.

The one thing that you are very successful at is pitting the recreational sport fishing community against the commercial harvesters. That being said, you are not addressing things that were mandated by the Magnuson Act. Okay, you had to address water quality, pollution, stocking programs, environmental impact and climate amelioration.

None of these mandates were addressed, and I think you can't point the finger at one specific group for what is going on right now. In nature you can seldom say one thing is the cause of a decline. I think rather than our groups being, okay.

CHAIR CLARK: Thank you, Mr. Calabro, and sorry, we're just short on time and we're going to move on to our next commenter, and that is Monty Diehl.

MR. CALABRO: Quick note. I met with President Trump about a month ago on his request. In the brief moment that I had with him; I was grateful that we had that time with him. He assured me he was going to address this issue. Now, I know there is a lot on his plate right now, but if he is able to see or hear this, I hope he gives it some more consideration. Thank you.

CHAIR CLARK: Thank you, Mr. Calabro, and next up we have Monty Diehl from, and please state your name and affiliation.

MR. MONTY DIEHL: Yes, Monty Diehl, I am the CEO of Ocean Harvesters. I just wanted to clear up some things that have been said here over the last few years that are strictly untrue. Ocean Harvesters, which is a reduction company in Reedville, is an American owned company, owned by American born, raised, educated in Georgia, and I run this company. I can assure you my American creds are real. I've been fishing there, started fishing in early 1980s, my family has been doing this for five generations, as 100 % of our employees at Ocean Harvesters and Omega Protein, who we sell our fish to, are U.S. residents, 94% live within 15 miles of that plant, with the exception of some North Carolinians, they all are also Virginians.

There has been a lot of rhetoric here and it starts right here that makes our fishermen targets. They get chased on the water, they get harassed on the water, they get threatened over social media to put a 50-caliber round in them, and all that starts right here with the debate and the falsehood that you hear around this table. You know this fishery is not overfished and it's far from overfishing. Any other fishery and we would be all happy to celebrate.

CHAIR CLARK: Thank you, Mr. Diehl, please wrap it up.

MR. DIEHL: I'm done, Mr. Chair, thank you.

CHAIR CLARK: Thank you, Mr. Diehl. Next up we have John Lawler, Jr. Please, come up to the microphone, state your name and your affiliation and make your comment. Is it Lawler? I believe it says Lawler.

RESPONSE: He's going to comment on something on the agenda, so he'll come up later.

CHAIR CLARK: Oh, okay, that's fine, thank you. The next up after that is Kenny Pinkert, and same thing, so we'll skip. How about, is it Geron Kenner? How about Tom Lilly. Tom, I take it your comment has something not on the agenda, and state your name and your affiliation if you have one, and then your comment.

MR. TOM LILLY: Tom Lilly, White Haven, Maryland. The industry catches thousands of schools in the Bay in the Virginia Coast in July and August. The Beaufort aging graphic showed that 70% of those thousands of schools caught are Age 1 and younger. There are fish that have never spawned and neve will spawn.

Thousands of schools in August being taken out away from the Chesapeake Bay's earning potential. Year after year of catching those breeding schools has destroyed the Mid-Atlantic stock and something has to be done to stop it. Real quick here, there seem to be a lot of people that are going to be talking here in a few minutes about threatening about losing their jobs.

Omega Protein and Ocean Harvesters aren't going anywhere. Virginia is the only state that allows this. So far as in fishing up the Atlantic Ocean, the Mid-Atlantic is a very calm water, compared to the New York Atlantic.

CHAIR CLARK: Thank you, Tom, you need to wrap it up.

MR. LILLY: Give me one more sentence. Cod fishermen routinely go 600 miles out in the ocean. If bad weather comes up in the Mid-Atlantic they can tuck into the Chesapeake Bay or Delaware Bay. There is no reason they can't be fishing out in the Atlantic Ocean.

CHAIR CLARK: Thank you, Tom, next up we have Captain Robert Newberry. Captain, if you'll come up to the microphone and state your name and affiliation and make your comment. Thank you.

CAPTAIN ROBERT NEWBERRY: My name is Captain Robert Newberry; I'm Chairman of Delmarva Fisheries Association, located on the eastern shore of Maryland. This is more of a confusing statement than a comment. You have seen all the things about the young of the year. We've had three-year record young of the year in the state of Maryland.

They say there is no menhaden in the Bay. There is plenty of menhaden in the Bay. As a matter of fact, they were the star of the Annapolis Boat Show. I don't know if you've seen the video, but it took more attention with all the menhaden in the Annapolis harbor than the boats, millions of dollars' worth of boats there.

What I respectively ask is that we have had three years of record hatches, 30 years consecutive, each year a better year. I think we need to weigh on the side of caution and let these fish grow up, so that our bait industry doesn't suffer. Our crab industry will suffer from this, and I'm keeping it under a minute, thank you very much.

CHAIR CLARK: Thank you, Captain Newberry. Next up we have Patrice McCarron., okay, thank you, Patrice. Following that we have Benson Chiles, is Benson chiles here? Okay, got it. Next up we have Roberta Kellam. Just state your name and your affiliation, Roberts, if you have one, and then make your comment. Thank you.

MS. ROBERTA KELLAM: My name is Robert Kellam; I live in North Hampton County, Virginia. I don't have an affiliation; nobody is paying me to be here. I am here for the osprey. I spoke with you last time about the catastrophic disaster we're having with osprey reproduction in the Chesapeake Bay.

I think the osprey have been telling us what your scientists have finally figured out is that based on the last report you just issued that here aren't actually as many menhaden as you thought there were. I would hope that this Board will actually consider the data from the osprey reproduction study; I don't think you considered it last time, and the osprey need your help. Thank you.

CHAIR CLARK: Thank you, Ms. Kellam. Our final commenter, oh I'm sorry, there is somebody on the other side too. Okay, is this Johnny Millard? Johnny Millard can come to the microphone. Please state your name and affiliation, and then make your comment, Ms. Millard.

MS. JONI MILLWARD: My name is Joanie Millward, and I am President of the Virginia Osprey Foundation. I live in Colonial Beach, Virginia. I would like to talk briefly about a beloved seabird, which has experienced population decline, possibly related to overfishing of their primary food source.

A small but highly nutritious filter feeding forage fish that is being industrially harvested, with highly destructive harvest methods. Forage fish are harvested and reduced to oil and fish meal, which is being used to keep farm raised salmon in a foreign country, and in turn that salmon is then sold back into the markets of the country where the forage fish were caught.

Think I'm talking about osprey, menhaden, purse seine industrial harvesting by Omega Protein and its Canadian operations, I am not. I am talking about puffins, sandeels, bottom trawling, Danish industrial fishing and reduction processing to supply feed to Danish family farms. Sound familiar?

What is the big difference? The UK and Scottland have closed their coastal waters to sandeel harvesting to give the puffins, kittiwakes, dolphins, whales and other species the opportunity to recover. The UK just won a lawsuit because they followed the science. The science, and it justified the action.

CHAIR CLARK: Please, wrap it up, Miss Millward.

MS. MILLWARD: Our government establish to manage our fishery. We have done nothing, absolutely nothing. If you get a chance, you can google that. Thank you for your time.

CHAIR CLARK: Thank you, Ms. Milward, and I'm sorry for mispronouncing your name. Now we move on. The next comment we have is from Brian Collins.

MR. BRIAN COLLINS: Hello, my name is Brian Collins; I'm a citizen from Alexandria, Virginia. A quick couple comments. One, I saw the study, the study says there is no data on the quota for the Chesapeake Bay, and I think that is what everybody understands. It seems reckless to have 112-million-pound quota in the Chesapeake Bay, the nursery for striped bass and menhaden and the world's largest breeding ground for osprey.

We should have some data before we allow any fishing of menhaden to save the jobs for Omega. Let's keep that stock full, and then with our jobs 2016 study on striped bass showed there were 100,000 jobs in that industry. That just dropped by about 50%, so we probably lost about 50,000 jobs there. When we talk about jobs, I mean Omega might have 300 or more, but let's keep everything in balance. Thank you.

CHAIR CLARK: Thank you, Mr. Collins. Do we have any commenters online? Okay, we do not have any commenters online.

CONSIDER 2025 SINGLE-SPECIES ASSESSMENT UPDATE AND ECOLOGICAL REFERENCE POINT BENCHMARK STOCK ASSESSMENT AND PEER REVIEW REPORT

CHAIR CLARK: So, we will now be moving on to Agenda Item Number 4, which is Consider 2025 Single-Species Assessment Update and Ecological Reference Point Benchmark Stock Assessment and Peer Review Report. This is an action item, and we're going to start off with an overview of the Sigle-Species Assessment, and Caitlin Craig will be giving that. Go right ahead, Caitlin.

OVERVIEW OF SINGLE-SPECIES ASSESSMENT

MS. CAITLIN CRAIG: Good afternoon, everyone; my name is Caitlin Craig. I am with the New York State Department of Environmental Conservation, and I am the current Atlantic Menhaden Technical Committee Chair. I am going to be presenting on the 2025 Atlantic Menhaden Single Species Assessment.

The Assessment update was conducted by the Atlantic Menhaden Technical Committee and the Stock Assessment Subcommittee, a large group, and just wanted to acknowledge them here. Lots of effort and work went into this. For this presentation I will go through the terms of references 1 through 5 and the TOR Number 7,

which will cover data, model results, stock status and research recommendations.

TOR 6, which is projections is going to be including the additional scenarios. Scenarios requested by the Board will be presented under the next agenda item, which is specifications for the 2026 through 2028 fishing years. The first TOR covers fisheries dependent data. For this update we added two additional years of reduction, bait and recreational removals to the last assessment. That was years 2022 and 2023 that were added.

We also think we need to revise historical bait landings, and this has resulted in some minor changes to the time series. Continuing with TOR 1. This is just this graph shows the time series of landings by sector. The orange is the date and recreational landings, and the blue represents the reduction landings.

Since 1990, reduction landings have generally been declining, while the date and recreational landings have been increasing. TOR 2 covers fishery independent data. There are three different adult indices for Age 1 or Age 1 plus, and that is the northern adult index, the Mid-Atlantic and the southern adult.

Different states surveys are combined with the statistical technique called the Kahn method, to develop these three composite indices. I won't list them out, but you can see which surveys are included in each index on this slide. The indices have generally been variable, without much of a strong trend throughout the time series.

Additionally for TOR 2, further fisheries independent data includes the state YOY surveys, and again, these are combined with the same method as the other indices to the Kahn method, to create a coastwide index of young of the year abundance. The index was highest in the early part of the time series, but that is the time period when we only have indices from the Chesapeake Bay. All the other surveys that are listed there were not necessarily included in that earlier part.

Term of Reference 3, Life History and Model Structure. For this update the estimate of natural mortality used in this assessment was revised. This was brought about, because Alt and All submitted a reanalysis of the tagging data that resulted in a lower estimate of M than the one that Liljestrand et al used in the 2020 benchmark.

Because of this the SAS formed a work group to review the data and analyses and consulted with the authors to understand what was causing the differences and what was the best estimate of M for use in the single-species model. The revised tagging model M is about 20% lower than the M used by Liljestrand et al, and based on the sizes of the tagged fish, most fish in the study were approximately 1.5 years old.

The SAS developed an age varying estimate of M to use in the BAM or the Beaufort Assessment Model by scaling a Lorenzen curve so that M at age 1.5 was equal to the tagging model M. A sensitivity run was done with that lower M, which was used by the Alt et al method, and also included the use of confidential effort data.

This figure just shows the pink line shows the 2022 update for natural mortality. The black line shows the 2025 base run, and the green shows the 2025 lower M sensitivity. For population estimates, the change in M had an impact on the scale of the population, but did not necessarily change the trends.

A lower natural mortality resulted in a higher F. This plot shows this geometric mean fishing mortality was on Ages 2 through 4. Changing M also changes the selectivity pattern, so the full F is less comparable across the different runs. The differences were data at the beginning of the time series, but are smaller and they are harder to see on this plot towards the end of the time series, where they are closer together.

Across all runs F is the highest in the early years, where it peaked in 1973 and then declined in the 1990s and the early 2000s, and since then have been generally stable. In addition to the lower natural mortality resulting in a higher F, it also resulted in a lower recruitment. Across all runs again there were several years of very high recruitment at the beginning of the time series, with the 1958-year class being the highest by far in the time series.

Then this was followed by a period of lower recruitment, and then an increase to more moderate levels. Recruitment has varied without a strong trend since the late 1970s, and the 2022 update did predict a strong year class in 2019 and 2020 that did not show up in this 2025 update. Further, with the lower natural mortality resulting in higher F and lower recruitment, it also resulted in lower fecundity.

Again, across all run's fecundity was highest at the start of the time series and then declined through the late 1960s to a period of lower fecundity from the early '70s to the early 1990s. As fishing mortality declined in the 1990s fecundity increased. Fecundity has declined somewhat in recent years, but not to the levels that were seen in the 1970s and 1980s.

As mentioned, the revised M in the 2025 update results in the lower fecundity compared to the 2022 update, and to note the sensitivity run with the even lower natural mortality results in the lowest fecundity at the beginning of the time series. But over time as fishing mortality goes down, more fish survive to the oldest ages in the lowest natural mortality scenario, and overall, the population fecundity is higher than the base run. Continuing with Term of Reference 4, the Retrospective Analysis.

The TC and the SAS applied the ASMFC Retrospective Pattern Guidance Document to determine whether the retrospective pattern in the assessment was significant enough to warrant an adjustment, and this ASMFC Guidance Document looks at three things. Is the Mohn's rho outside the recommended bounds?

Is the adjusted estimate outside the 90% confidence intervals of the unadjusted estimate, and is the terminal year of each tier outside the confidence interval of the base run? The Mohn's rho for fecundity is 0.12, and then negative 0.09 for fishing mortality, which are both within the accessible limits for short-lived species like menhaden.

But the retrospectively adjusted value of F is outside that 90% confidence interval of the unadjusted value. But the adjusted value of fecundity is within the confidence intervals. From Mohn's rho and the retrospective plot you can see that the model is overestimating fecundity in the terminal year, compared to when we add more years of data.

Again, the Mohn's rho for fecundity was 0.12 and then the terminal year of all fields is within that confidence interval of the base run. For fishing mortality, the Mohn's rho is negative 0.09, and from the Mohn's rho and the retrospective plot we can see that the model is underestimating F in the terminal year compared to when we add more years of data.

However, to note the confidence intervals on fishing mortality are much narrower in the 2025 update with the lower natural mortality, compared to both the 2020 benchmark and the 2022 update. The TC/SAS noted that the ASMFC Guidance Document is not clear about what to do with one metric, such as fishing mortality would qualify for adjustment, and then another metric such as fecundity would not.

The TC/SAS in this case chose not to apply a retrospective adjustment and for these reasons. Fecundity does not require one. Fishing mortality does, but based on being outside the confidence intervals, but that is likely just caused by that more narrow confidence intervals that were appearing in the update.

Then the Mohn's rho for F is within the bounds, and the adjustment would not change the stock status and F is not used in the projections, so again that is why the TC/SAS chose not to apply the retrospective adjustment in this case. Term of Reference 5, Stock Status was determined using the updated ecological reference points model from the 2025 benchmark assessment, and the definitions adopted by the Board in 2020.

Just for review, the ERP F target is defined as the maximum fishing mortality rate on Atlantic menhaden that sustains Atlantic striped bass at their biomass target when striped bass are fished at their F target. The ERP F threshold is defined as the maximum F on Atlantic menhaden that keeps Atlantic striped bass at their biomass threshold, when striped bass are fished at their F target. The fecundity target and threshold are from the 2025 update of the BAM and are defined as the long-term equilibrium fecundity that is expected when Atlantic menhaden are fished at the ERP F target and threshold respectively. Continuing with TOR 5 Stock Status. Stock status is that menhaden are currently not overfished and not experiencing overfishing.

F in 2023 was above the target but below the threshold, and fecundity in 2023 was below the target but above the threshold. Again, stock status is based on the current definitions of the ERPs and the 2025 ERP model. If the Board decides to redefine the ERPs, the stock status could potentially change, but Matt will talk about that more, about the updated ERP model in the next presentation.

The final Term of Reference for this presentation is Research Recommendations. The TC and the SAS continue to endorse the research recommendations from the 2020 benchmark, and the 2022 update. This slide just highlights some of the recommendations where some progress has been made.

For the first one there is to develop and implement a multiyear, coastwide or regional fishery independent surveys for Atlantic menhaden. Some pilot studies have been conducted, but there is no long-term survey established. Evaluate the adequacy of the current sampling levels for the bait fishery that is currently in progress.

Lastly, conduct an aging workshop to assess precision and error among readers, with the intention of switching bait fishery age reading to the state aging labs away from the Beaufort Lab. So far, the progress on that, there has been a workshop that has been conducted and then additional work on standardizing protocols are currently ongoing. That is the end of the presentation.

CHAIR CLARK: Thank you, Caitlin, for that comprehensive overview of the single-species assessment. I forgot to mention, please hold all questions until we're finished with the two follow up presentations.

OVERVIEW OF ECOLOGICAL REFERENCE POINT ASSESSMENT

CHAIR CLARK: Now I'm going to turn it over to Dr. Matt Cieri for an overview of the Ecological Reference Point Assessment. Go ahead, Matt.

DR. MATT CIERI: Great, hi guys, my name is Matt Cieri; I'm from Maine DMR. Today I'm going to be talking about the ERP Assessment that was just recently benchmarked for peer review. There has been a number of people that have been involved in this project over the last couple of years.

Just to give them all sort of a shout out, they put in a lot of work and a lot of time into this particular assessment. Just to give you sort of an idea of what we're going to be talking about today. At first, I'm going to be talking about sort of the recommendations for using ERPs. We're going to talk a little bit about a model that we've considered, some data updates, some model updates, some results, some uncertainties and then some next steps.

As you guys know, with the bottom-line sort of up front, the ERP Working Group recommends using a model of intermediate complexity for evaluating a tradeoff between predator abundance and menhaden removal. That sort of sets the ERP targets and thresholds for menhaden. We still sort of support the use of the single-species BAM Assessment for evaluating stock status and setting TAC using those reference points. As you guys may remember from last time, we supported a whole suite of modeling approaches from really complex to pretty simplistic during the last benchmark.

This time around we want to focus in particularly on models of intermediate complexity, based on the peer reviewer's comments, as well as what met your needs the last time. Just to go over some of our ecosystem models. Our EwE models, they basically came in two flavors. One is the NWACS-Full model, which pretty much covers the entire Atlantic coast, and all different types of species that you can possibly imagine. Everything from phytoplankton all the way up through whale.

We also have a model intermediate complexity, the MICE Model, which is sort of a stripped-down version of the larger model that is focused in on the species that you guys care the most about. We also have a Virtual Assessment for the Description of Ecosystem Responses, VADER which we call for short, which Jay McNameee developed, and that is a multispecies statistical catch-at-age.

Getting into a little bit of our data. As you guys may remember from the last time, we have a number of predators and prey within our EwE MICE model, and those include for predators, bluefish, spiny dogfish, striped bass and weakfish. We also have for prey; we have Atlantic herring and Atlantic menhaden.

All of this is sort of based on the consumption ranking, what predators ate menhaden the most, and also about the availability of data sources, as well as the relevancy to ASMFC management. During this benchmark we took a look at some other species as candidates, one blue catfish. When we went and took a look at some of the data regarding blue catfish, what we found is that it didn't eat quite so much menhaden, and that its diet and its forage range was pretty restricted, right to the Chesapeake Bay and close environs like that.

We haven't really considered it for inclusion in any of our models this time, but as we move more towards spatial analysis, we may want to consider those in the future. The other one we considered was bluefin tuna, they can consume a lot of menhaden, particularly in the Gulf of Maine and off of North Carolina in the winter.

What we ended up doing is after taking a look at their migration patterns, and realizing that they spend considerable amount of time outside of the models, sort of domain, we decided to take bluefin tuna and to use those as sort of the highly migratory place holder than the NWACS-Full model. The other one we looked at was marine mammals, and for marine mammals, both the diet and abundance are pretty sparse, different when it comes to menhaden as forage.

We used a bunch of updated sources for the NWACS-Full model, but they were not included in the MICE model. We also took a look at osprey; it's a high-profile species but a lot of stakeholder interest. While there is some better data that has come along in recent years, it is still limited compared to what we have for fish consumption. While it was not included in the MICE Model, we did include it in the Full model as its own separate biomass pool. We also updated a lot of our single-species data that goes into our ERP models, and one of the chief changes has been with dogfish. Dogfish, as you might know, the last time around in gold during the 2020 benchmark. That model has since changed, and the picture for dogfish has also changed. Dogfish have actually been found to have increased versus the 2020 benchmark.

Without a lot of surprise, Atlantic herring hasn't had much of a change. There is not much change between the 2020 benchmark in gold and the 2025 benchmark this time in black. However, one thing to really notice is the fact that, you guys can see that, the stock overall has declined even further since our last benchmark. It has not rebounded at all, and so it is actually in a worse place.

As Caitlin was talking about earlier, there has been a change in menhaden biomass. As you can see during the last benchmark again in gold, and this benchmark now in black. The other things that go into our ERP models include diet data. We've got long-term monitoring programs for both the ChesMMAP, NEAMAP, as well as the Northeast Fishery Science Center food habits.

We also have some new modeling programs that have come online, including New Jersey and Rhode Island. Then we had a plethora of individual studies that we had coalesced and brought together into one complete database. These are all new studies that have happened since the last time that we spoke about ERPs.

I'm not going to go into all of this modeling updates, but suffice it to say, we've made a lot of changes to our models over time. When we went through and we examined the VADER Model, we started realizing that it was having some issues, in sort of capturing that bottom-up processes, which is so important for ERP development, and so we decided not to recommend that model in moving forward at this time.

The NWACS-Full Model does do those bottom-up processes. We put in some primary productivity forcing functions and a lot of other bells and whistles. But it is a big hairy model that requires a lot of time and effort to update on a regular basis. We're only recommending that as a supporting model.

As we talked about earlier, the NWACS-MICE model has gone through some changes as well, including seasonal timesteps, changes to Atlantic herring recruitment and lots of other things. This is the model that we're recommending for developing management advice. I put in this slide here, which is probably too busy, but that's okay.

It's just as good as a placeholder for me to talk about stuff. But what you can see when you look at, if you change menhaden's F on the X axis and you look at the Y axis and that is a percentage change in whatever population you're talking about, what you find is that the most sensitive species that we found for both the NWACS-Full and the NWACS-MICE is striped bass, nearshore vociferous birds and ospreys at about the same amount.

The idea is if you manage to striped bass in a precautionary manner, you know you ensure that those other species are taken care of as well. If you guys want to go back to the last time we were talking about all this stuff, and the idea of this rainbow plot. In this rainbow plot we have striped bass F here on the Y. Atlantic menhaden here on the X, with higher striped bass concentration at the lower left, and higher, I'm sorry, higher striped bass concentration here at the lower left, and the lowest concentrations up at the upper right, with the top line being the boundary for the threshold, and the lower line being the target.

What you can see is that there are many different combinations of striped bass F and menhaden F when done in the long term that can get you to your goal of striped bass, you know at its target or above. Higher menhaden Fs require therefore lower striped bass Fs and vice versa. Instead of doing this as sort of one thing, there is a whole horizon over which you can make the choice.

In 2023, the last time we had data for striped bass, because this is such a long process. Striped bass was pretty much here, as you can see, and if you fished striped bass at its 2023 F in the long term and menhaden at its 2023 F in the long term, all of the

things being equal, striped bass would settle in around its threshold now.

In 2024 it looks a little bit different. Striped bass has actually had its F actually reduced in 2024 versus 2023, and if you look at it here you can see if you fish striped bass continuously, at equilibrium is the catch phrase that we use, at its equilibrium and keep it that way, and menhaden F and you keep it that way at equilibrium.

Striped bass would settle in above its target. What you can do is you can define ERP target, basically for menhaden that allows striped bass to stay at their biomass target when striped bass are fished at their F target. The caveat being, all other species being equal or being at their 2023 value. That doesn't account for changes in spiny dogfish, it doesn't account for changes in Atlantic herring.

You can also define an ERP threshold, or that threshold for menhaden that keeps striped bass at its threshold when fished at its target. Based on what you guys did the last time; we have developed ERP reference points based on what you guys decided the last time around when we did this.

As you can see from 2025 versus 2020 there have been some changes. The F target for the ERP reference points has changes decline from 0.19 to 0.15, and the same with the threshold. When you look at this you can also calculate fecundity targets and thresholds, and those have also declined. Let's talk about some uncertainties associated with this.

The first is that the NWACS MICE Model is highly sensitive to the relationship between striped bass and spiny dogfish, particularly it's really vulnerabilities. As we've increased or recalibrated our expectation around spiny dogfish biomass you can see how that would have quite the effect. Other sources of uncertainty are probably stuff that you all have heard before, we need more diet data, particularly if we start talking about doing things in a more spatially explicit manner.

One thing to keep in mind is that these ecosystems models tend to be biomass based, and therefore, don't quite capture the recruitment variability that you would see with menhaden in general, and in particular any type of environmental forcing. There is also no spatial dynamics associated with this model, and in getting into that point is that this is an ERP tool that has been developed for coastwide species, not for individual regions within that coastwide unit stock. It is a coarse coastwide tool at this point.

What are our next steps? We're pretty well aware that ERPs are the high priority for the Board and for stakeholders, particularly spatially explicit ERPs. We're going to recommend a workshop with the Board to understand spatial management objectives that you all have, as well as to create a data plan and a modeling plan to get you those things that you want.

But to do so, we really need a workshop for us to sit down and talk about this stuff. Meanwhile, we'll continue playing with our Eco space models to support whatever future assessment spatial stuff that you guys want to have. One of the things that we also were recommending is that the next single-species benchmark be done before we start doing this spatial stuff.

We have heard from at least two peer review panels now; they also contain the same people. That trying to do an ERP Assessment along with a single-species assessment, to do those both together in a peer review is something that we should never do ever again. They were not real fans. The idea would be to sort of split this up into a single-species benchmark, and an ERP species benchmark. With that we can take questions or we can move on to the next thing.

CHAIR CLARK: Thanks, Matt, thank you very much for the very informative overview there.

PRESENTATION OF PEER REVIEW REPORT

CHAIR CLARK: We're going to go right on to the presentation of the Peer Review Report and we have Dr. Sarah Gaichas is going to do that remotely, correct? Okay, we are ready to go.

DR. SARAH GAICHAS: All right, thank you for taking this report. My name is Sarah Gaichas, and we'll just jump right in. I am here to tell you about the Peer Review that Matt was just talking about. As you've just heard, there was a working group that developed a new ERP assessment, and we held a peer review workshop back in August in Charleston, South Carolina.

At this review we looked at the data inputs, the analytical methods, the results and the overall quality of the ERP assessment. You have just seen a very short version of what we looked at. There is a SEDAR Stock Assessment and Review Report, and it is available at that link. I would just like to take this moment to really acknowledge everyone who worked on this.

It was a real excellent review, well supported by SEDAR, really appreciate the organization of the workshop, and also, I just have to say you have an excellent team that is developing the ERPs. They are a pleasure to work with, they are extremely responsive to all our requests, and I really appreciated working with them.

The Review Panel was myself, I am formerly of the National Marine Fisheries Service, Northeast Fisheries Science Center, but retired earlier this year, and am now Hydra Scientific LLC and my colleagues Daniel Howell of the Institute of Marine Research in Norway, and Yong Chen from Stonybrook University.

We are the CIE reviewers on this panel. The expertise across all three of us included stock assessment and integrated ecosystem assessment, marine fish ecology and population dynamics models, and multispecies and ecosystem models. As Matt mentioned, both Daniel and I were on the previous review panel back in 2019 for the 2020 review. Just a few words on scope, before I dive into the terms of reference for the review. As you've already heard, the ERP assessment was developed, reviewed and approved previously. The panel met in 2019 and was approved in 2020 for use. For this review we focused on whether the existing methods, the ERP methods and updated hybrid models were still appropriate, and any changes to the underlying models.

But we didn't go all the way back to square one, and fundamentally review every element of the ERP, since it has already been accepted and used. We evaluated the updates to the ERP models and the changes in the single-species assessment model for menhaden, mostly discussing the revision to the natural mortality value.

But we were not explicitly reviewing the menhaden assessment during this. As Matt just said, that is going to be done through a separate process. I want to emphasize we agreed with the decisions made to update the single-species model, but this review wasn't designed to "approve the menhaden single-species assessment model," since that has happened in another process.

Now I'll just go through in order our terms of reference for the review. Our first term of reference was to evaluate justification for inclusion or exclusion of assessment data in the ERP models. Overall, we felt that the use of the assessment data was well justified. It makes a lot of sense to use the best available information for each stock that has already been vetted in individual species assessments, and that is what was done here.

It is not only efficient, it also aligns the ERP models with the information that is currently used in management on the single-species level, so this is we thought exactly what you would want for this process. We also found the modifications from previous assessments to be well justified, so the menhaden natural mortality estimate M was thoroughly reevaluated and updated as was described a couple presentations ago.

Also, there was a change to the weakfish assessment information that was adjusted to reflect tagging mortality estimates that actually made the ERP model function more smoothly, and so all of these were well justified and made a lot of sense. One recommendation that the reviewers had on this term of reference was that there might be a way to further inform menhaden natural mortality in the future, if age data from surveys could be obtained.

Our second term of reference was to evaluate the thoroughness of data collection and the treatment of data. Because a lot of the single-species assessment inputs were already vetted in other processes, we were really focusing on the new datasets introduced for the ERPs. Again, we assumed that the vetted datasets that were selected in consultation with species assessment teams had already been through review in another place, and did represent the best available science.

We found that the diet data sources that were expanded and combined in a more systematic way was a real improvement to the way diet data was handled in these assessments, and gave probably a broader outlook on what diets were for the models. The new data analyses really improved the inputs for multiple unassessed model groups, that is in both NWACS-MICE and the NWACS-Full Models.

In particular there is some data poor groups that are really important in ecosystem models such as anchovies, benthic invertebrates, zooplankton, phytoplankton that were all improved in this model, so we felt that was really good, and also there were some examinations of temporal changes in spatial distribution for some of the stocks.

I think a recommendation coming out of this might be in the future a more comprehensive multispecies distribution analysis, where we could look at potential changes in predator and prey overlap, which might be important to the ERP models. Term of Reference 3 was to evaluate the choice of ERP methods and models and the model specifications.

We agreed with the proposal by the Working Group that the NWACS-MICE Model is the most appropriate ERP Model, given the available information and the objectives. It does include all the key managed fish predators of menhaden, and it does balance the appropriate predator/prey dynamics and model complexity to meet the objectives.

VADER, while it is a statistical multispecies catch-at-age model, does not yet include bottom-up prey effects on predators, which is very important to meeting your objectives, and the NWACS-Full Model does include the two-way coupling but is very complex, as Matt described already. For operational model updates it just would take probably too long and be too cumbersome, and in addition would require a lot more data that is probably lower spatial and temporal quality than what is going into the NWACS-MICE.

The NWACS-MICE also can include reasonable optimization methods and projections, to ensure the stocks are responding appropriately to fishing pressure. That would be extremely difficult in the larger model, but is something that is manageable in the MICE Model. We looked at the modeling process all the way through, it was extremely transparent and very well presented, and we endorsed the choice of the base case and sensitivity configurations for the NWACS-MICE Model.

We did have a number of recommendations on Term of Reference 3. One was to continue the investigation of uncertainty surrounding the spiny dogfish predation. As you saw from what Matt just presented, the change in spiny dogfish assessment really changed the perception of the stock, and that feeds into the ERP model, and so that makes them a much more influential predator than they were the last time around, so there is some more work that can be done on that.

For future ERP assessments, it would be highly recommended to have a suite of plausible model

configurations that would be variants from the base case run. That way one could look at the uncertainty around the base case. I think in the current assessment it takes a very long time to get to the base case, given how long it takes to develop these models.

That type of sensitivity analysis wasn't possible to do. But one could look at the impacts of uncertainty in that way in the future, given a bit more time. The other recommendation was to align the methods for NWACS-MICE and NWACS-Full in future assessments to the extent possible. If both models were fit to the same indices and used similar optimization methods, especially saying MICE was the starting point for the Full model. Then you could have more direct comparisons across the two models. As it was, they already provided these Full comparisons. Both identified striped bass as the most responsive predator to menhaden, for instance. But there could be other more direct comparisons done, given alignment of methods. Term of Reference 4 was to evaluate the methods used to estimate the reference points and total catch, and our conclusions here similar to the conclusions the last time these methods were reviewed is that the methods are sound.

These are basically the same approved methods that were used in 2020. The hybrid approach estimates the reference points with NWACS-MICE model, so that includes all of the key predators and also alternative prey to menhaden, and then uses the single-species menhaden assessment for the projections.

That way you can include in the menhaden assessment projections uncertainty in both natural mortality and fecundity to generate the probabilities of being within the F and fecundity targets or limits for a given total allowable catch. The Review Panel felt this was an appropriate way to evaluate tradeoffs, given the objectives and the risk tolerance of you, the Management Board.

For Term of Reference 5, we were to evaluate the diagnostic analyses performed for each model, and I have to say they were very thorough and they were appropriate for each model type, even though each model type does have different diagnostics. We saw quite a bit of model sensitivities to the change in natural mortality, both from the 2022 to the 2025 M and then also with the lower M sensitivity.

There was a lot of exploration of that, it was very enlightening and useful to the reviewers, and the sensitivity in NWACS-MICE was explored, mainly to the predator/prey interaction parameters during calibration. There was an initial sensitivity for the base-case run, which is the tiny little plots over there that you can't read.

But these were both really valuable things to do, and it helped us understand how the models were working, and helped us be more sure about our recommendations, so we really appreciated the work that was done on this. I think our recommendations were to expand the future assessment timeline, so that the NWACS-MICE base case can have more sensitivity analysis done, in particular the input assessment values.

Not just natural mortality, and not just for menhaden, but for all of the key species, as well as the input biomass and input Fs. Also, sensitivity to data weighting during calibration to prey switching parameters and to other predator/prey interaction parameters would be really important, and that would be enlightening, but will also take some time.

Term of Reference 6 was to evaluate methods to characterize and communicate uncertainty. Again, we found the methods were appropriate, given the time and software constraints. The menhaden assessment model incorporates uncertainty in both natural mortality and fecundity, and these two were found in the last round to be the most, basically sensitive parameters.

They basically swamped out the uncertainty from all the other parameters, so that was the focus this time. This allows us to carry those uncertainties into the projections, and those uncertainties are

then communicated as probabilities relative to the ERPs, so that makes a lot of sense. The NWACS-MICE model focused on these key predator/prey interaction parameters, and looked at the implications for the striped bass productivity in the ERPs, which again brought the uncertainty all the way through into what the implications would be for management.

These were very appropriate. The recommendations here were that the menhaden assessment could consider a broader range of M uncertainties in the future, and as well a suite of plausible NWACS-MICE models as was said in several other TORs, would be really helpful for uncertainty analysis for that model.

Term of Reference 7 was just a minority report, so there wasn't one, so that was quick. Now we're on Term of Reference 8, which is to recommend the best menhaden biomass and status estimation methods. One again we do endorse the use of the menhaden single-species model to estimate the menhaden biomass abundance and exploitation rates, and we endorse the use of the ERPs arising from the NWACS-MICE model to evaluate the menhaden stock status.

That would then, of course, be done with the menhaden single-species model. This is the same methodology that was approved before, and we really thought it provides an appropriate tool for managers to select from a range of fishing levels, given goals for striped bass and menhaden fisheries and risk tolerance. It's again, not just striped bass and menhaden, that's in the ERPs, but the model is also still including the other interactions.

Term of Reference 9 was to look at the research recommendations and prioritize them. We supported the research recommendations that were brought forward by the ERP Team, and the priorities from the reviewer's standpoint were to continue and expand the collection of population, life history and diet data across all the ecosystem components, that includes menhaden, as was mention before, but also many other species.

We also really want to echo the recommendation to determine and agree on clear objectives for any spatially explicit ERPs with managers and stakeholders together, prior to any spatial model development. Spatial models can go in a lot of directions, and I think having those clear objectives will make everything much more efficient in moving on to that next step.

Finally, to allocate adequate time, after the single-species assessments are finished for the ERP model updates, calibration and base-case selection, and then to be able to proceed to that full uncertainty analysis. Again, same recommendation is that NWACS-MICE plausible model suite that could come from the base case to assess uncertainties.

We're almost there, Term of Reference 10 is to recommend the timing of the future ERP assessment. As Matt already said, the reviewers are fully onboard with continuing asynchronous benchmarks for the menhaden single-species assessment and the ERP assessment. I think this gave us enough time to really focus on the ERP model this time, and dig into it a bit more, which was very helpful.

The recreational fishery data recalibration timeline is going to affect many stock assessments that are involved in the ERP models, and so that is going to be a consideration for the timing of the next ERP assessment. Then once those individual assessments are complete, updating the ERP models is going to take some more time to include the sensitivity analysis. Our estimate would be that the ERP benchmark should be at least a year after the key single species assessments are finalized and that information is available for the ERP team.

To conclude here, the Review found that the ERP assessment provides you all with a scientifically sound framework for evaluating ecosystem tradeoffs in menhaden management. This continues to advance ecosystem-based fishery management, considering the dual role of Atlantic

menhaden, as both harvested species and part of the forage base for managed predators.

This ERP assessment remains one of very few cases and examples globally, where there is operational EBFM, given that it has actionable advice for menhaden management, so it is still a real sign of leadership in this area, and it does enable informed decision making about acceptable risk levels.

It's not prescribing a particular number, but it gives you a tool to figure out where you want to be in that space. Finally, it will require some updates after the MRIP recalibration, and probably to 2028 or later for the next full ERP benchmark. I believe that is everything I've got; next slide should be a question slide. Thank you, very much.

CHAIR CLARK: Thank you, Dr. Gaichas. Thanks to our presenters for these excellent presentations and many thanks to all who worked on this, truly impressive work here to bring us these assessments of the menhaden population. I'm sure there are a lot of questions, so let me see some hands here, and keep them up. Let's get started then. We'll go first to Doug Grout and then to Nicole Costa, thank you.

MR. DOUGLAS E. GROUT: Thank you very much for a very informative assessment and Peer Review. My question is, we have clearly had a lowering of the abundance levels, comparing the 2022 assessment compared to this. I am looking for from any of the experts up there a layman's explanation of what the driving factors for that was, so that I can explain to my constituents why there is such a huge difference.

I mean some of the potential quotas that are being thrown are lower than we've ever had. Are there two or three? Is it the natural mortality change? Is it some new abundance indices in current years? Can you give me just the layman's term, what are the two or three big things that are driving this?

CHAIR CLARK: Who wants to take that one on? Looks like Katie.

DR. KATIE DREW: Yes, the big driver of the change is the natural mortality estimate. This can be unintuitive, but basically in these types of models, these statistical catch at age models, when you use a lower natural mortality, it results in a lower population size coming out of the model. What the model is doing is it is looking at things like our trends in abundance.

It's looking at the age structure of the catch, it's looking at the length structure of the indices, and it's trying to figure out, given the catch that we see and the trends that we see, how many menhaden had to be out there in the population to get the amount of catch that we saw and the trends that we saw? Then you give it information on natural mortality, that is we know how many are dying because of the fishery, and we think this percent are dying because of natural mortality. When you combine all of that you get an estimate of the population size.

If the only thing you change is that natural mortality, what you're saying is, actually from year to year fewer of them die from natural causes than we thought. If we're saying, let's do a real simple example here of, we go out and we do our survey and we get 50 fish per tow in this survey. The fishery goes out and catches 1,000 metric tons of the population.

Next year we go out and we do the survey and we only get 25 fish per metric ton, so we know basically the population just went down by half when you took out 1,000 metric ton. We can say, okay, there has to be at least 2,000 metric tons of the population in there, because we took out 1,000 pounds and the population went down by half.

Now we can say, okay, but we think the natural mortality rate means that 100 metric tons got lost due to natural mortality, so 10 percent of the

population died because of natural mortality. We went from we're going to scale that 2,000 up to 220,000 fish were out there. But if we come back and we're like, whoops, actually we were wrong. Only 5% of them died because of natural mortality.

That means we took the same number out of the population and the population went down the same amount, but the number that we thought died due to natural mortality was smaller. That means there has to be less of them out there to see the same trends in the population. I don't know if this is helpful or not.

Maybe it's helpful to think about it the other way, which is basically, if we're saying we're killing a lot more than due to natural mortality, but we're still able to take out thousands of metric tons of catch and the population is changing a little bit, but not dramatically. If a lot of them are dying due to natural mortality, that means there has to be a lot of them there to support the fishery.

If less of them are dying due to natural mortality, and we're still seeing that same fishery, those same trends. That means the population has to be smaller. What is happening with this assessment is we've changed that estimate of natural mortality. We overestimated natural mortality. We thought way more of them were dying due to natural causes than the data actually say they should be.

More of them are surviving, that means the population is smaller, in order to see the same trend that we see in the catch, that we see in the indices. That is basically what happens. We scaled that population down, and so sort of the overall change is that with this new lower natural mortality rate we're estimating that the time-series average of biomass is about 30% lower, compared to where it was in the last assessment.

There is also a little bit of an artifact of, I think Caitlin pointed this out, is during the last assessment update we thought the 2019- and 2020-year classes were going to be really strong. Those were like the last two-year classes we saw at the end of the time series. We thought they were going to be really strong. When we did the update, they did not show up as very strong. They showed up as maybe sort of average compared to recent years. As a result, the quota that we vet in 2022 was based on a higher total abundance in the population at the end of the time series than we realized was actually there in the population at the time.

CHAIR CLARK: Thanks, Katie. Doug, did you have any follow up after that very thorough explanation?

MR. GROUT: A 20% decline in M resulted in a 50% or a 30% decline in total biomass.

DR. DREW: In total biomass. The tagging estimate that was sort of that Age 1.5 was 20% lower. It basically shifts the natural mortality, that whole curve down so its lower on all of the ages, and yes, results in an average of about a 30% decline.

MR. GROUT: The additional lower quotas are due to the fact that those year classes that we thought were strong, if you remember the last assessment, with additional data over the years are not as strong as they were. Okay.

CHAIR CLARK: Thanks, next up we have Nicole Costa.

DR. CIERI: I was just going to add that we told you about the uncertainty associated when you guys were setting the quotas the last time. We told you that we were most uncertain about those two most recent year classes. We let you know about that uncertainty at the time.

CHAIR CLARK: Thanks, Matt. Next up, Nicole Costa.

MS. NICOLE COSTA: Thank you to everyone for the very thorough, informative presentations and all the work that went into this. My question actually is pretty in line with Doug's question, and so as a

follow up. I know the focus has been on natural mortality and the changes to the single-species assessment.

But it also seems like an ERP model, the changes with spiny dogfish, particularly the increase in biomass from the changes in the area swept method to the new stock synthesis model, as well as a higher predation of spiny dogfish on Atlantic menhaden. Could you also hypothesize that that was partially responsible for the reduction in the TACs?

I was also curious about the higher predation of spiny dogfish on Atlantic menhaden. Is that strictly an artifact of the increase in biomass of spiny dogfish, or is it potentially related to the reduction that we've seen in the herring fishery and the herring biomass, or is it a combination of factors, perhaps including the new diet data sources?

DR. CIERI: The short answer is yes. All of the above; we've made some significant changes to the model. You know including changes in the vulnerability. The vulnerability sort of captured that relationship between spiny dogfish, striped bass, menhaden and herring. With that coupled within the seasonal forcing function has significantly changed how the model's function. That is the reason we went to Peer Review. If we were just recycling the stuff we did last time, we wouldn't need a Peer Review. We significantly changed a lot of those relationships, as well as like I said, putting in seasonal forcing functions, putting in things like primary productivity forcing functions. The answer is, it's a completely new model in that regard.

DR. DREW: To add on. It's hard to separate out what's causing what from that. But I would also say that the lower menhaden biomass in the ocean is then carrying through to the ecosystem models that there is also taking the fishing mortality pressure on menhaden if there is less of them out there, than has like a bigger impact on the predator populations. Because there is less menhaden to go around for everybody. That also contributed to some of the lower reference points that we're seeing. But it was in combination with all of the other changes to the data and the model structure.

CHAIR CLARK: Are you good with that, Nicole. Matt still has a follow up and then you go.

DR. CIERI: In addition to the fact that Atlantic herring has remained low, it has actually gotten further lower, actually, and so all those things combined it's hard to tease out what the differences really are.

MS. COSTA: Thank you, Mr. Chair, for a quick follow up. I think it's safe to say from your initial response to Doug, that yes, natural mortality is the biggest driver here. But it sounds like spiny dogfish and those changes in the predator/pretty dynamics and the scaling up of the biomass is also potentially a significant factor here as well.

DR. DREW: Those changes affected the reference points, so it's going from, for example. 0.19 for the target to 0.15 for the target. Yes, the reference points are lower as well. I think that probably the scale change from the M is the biggest drivers, but for sure if we were using the exact same reference points a higher F target and a higher F threshold would also give you somewhat higher quotas. We didn't redo the calculations with those, but there is an impact of that change in the reference points themselves on the quotas.

CHAIR CLARK: We have another question from Rob LaFrance.

MR. ROB LaFRANCE: Again, thank you all for great presentations. During the presentations you mentioned the concept of doing a workshop with the Board on various issues. How do we go about doing that and what is the timescale of that?

DR. CIERI: Yes, the idea would be to sort of reproduce what happened during the e-mail workshop back, like I want to say, was that a decade ago, really? Basically, just to get everybody in the

room, lock the door, throw away the key until we can come to some sort of resolution from what you guys want to see, as far as spatial management. What we can provide with the data we have in hand, what we need to go out and get, and then how amongst ourselves, how we're going to go about doing this.

MR. LaFRANCE: That is sort of exactly what I've been asking for, so thank you for raising it. Hopefully I am very happy to help in any way I can on it.

CHAIR CLARK: Thanks, Rob, questions? Okay, I see Lynn and then Allison. Lynn Fegley, Allison Colden.

MS. LYNN FEGLEY: Thank you to all the team parts of what is again an impressive body of work. I wanted to ask a little bit about the recruitment, the '22 and '23 juvenile recruitment that, I think the comment was you were sort of expecting to see that strong year class and it didn't show up. I know we have been seeing a lot of juvenile recruit menhaden in Maryland. Our '22 seine survey was a fairly high number, and I'm wondering if you can talk a little bit about what you think washed that out. Why didn't you see what you expected?

DR. DREW: I think that was an artifact of the retrospective pattern that we had during the '22 assessment update, and so that may have been related to overestimating natural mortality in that assessment. But we saw something similar with the benchmark, where we thought there would be a year class, two strong year classes at the end of the time series, like very strong, much stronger than anything around it.

That didn't materialize in the 2022 update. We saw something, you know the two strong year classes, and they didn't materialize in the update. I think recruitment has been picking up a little bit in recent years, but not to the extent that it caused that extreme jump, where we were basically above our target at the end of that update, and we were clearly at that point overestimating what that recruitment was.

CHAIR CLARK: You okay, Lynn? Okay, go right ahead, Allison.

DR. ALLISON COLDEN: This is actually just a quick follow up question to Rob's question related to the spatially explicit modeling, and appreciate the group for continuing to keep this at the forefront of your conversations and discussions. Obviously, for Maryland and the Bay we have some later discussions today, and obviously that is something that we hope we can eventually get to a place where it can move forward.

In that vein, there was a request of the Technical Committee a few years ago to basically define given existing information, as well as future information. What would be the potential approaches for spatially explicit management in Chesapeake Bay. I know at the time, you know feedback from the Board, which I believe our delegation supported as well, is that we wanted to focus on continuing to improve and develop the coastwide ERP model.

Do you all feel with this iteration of the ERP assessment that you have achieved some of those goals that you had for improving the model, and that you are comfortable at this point continuing down that conversation of further direction on spatially explicit modeling in the next iteration of the ERP assessment.

DR. DREW: Yes. I think we accomplished a lot of what we wanted to sort of in the short term with the ERPs that we have this time around, which includes sort of including a seasonal component to it, which can capture some of the spatial dynamics, but also improvements to the diet data, improvements to the other assessment models, et cetera. I think we had said, you could basically either choose, push back the benchmark in order to get the spatial stuff done, or do the benchmark now and then move on to the spatial stuff at a further point, among some other choices.

Yes, I think continuing down the spatial path is sort of the next logical step for what we have accomplished. I think we've already started talking internally about what are some things we could do on that front. But we would need input from the Board and from stakeholders about what are our objectives, what should we be focusing on, so that when we come back with a spatial approach it will address what management really wants from that context.

CHAIR CLARK: Do we have any more questions? Look around, Jeff Kaelin.

MR. KAELIN: I guess this question is for Sarah, because I was taking notes on some of the slides she showed, and there was a statement about the EwE models not capturing highly variable recruitment, which is exactly the situation with Atlantic menhaden. It seems to me that the output from the EwE model is extremely conservative, and doesn't really consider recruitment effectively. That's one question and then I have a follow up after an answer on that.

DR. GAICHAS: Sure, I can try to take that, and I'm sure Matt could cover it as well. The EwE model is not doing age-structured dynamics the same way that a single-species assessment model does. That is exactly why you can get the general trends out of this model, but you won't get the interannual variation for any of the species, really, because it's just not modeling incoming recruitment on an annual basis.

I think that's why the Review Panel thought it was appropriate to use the EwE to generate the reference points, but then if you're doing any projections, you still want to capture that interannual variability using the single-species menhaden assessment model. Does that help?

MR. KAELIN: Yes, it does, and that's why I think the BAM model is the most robust model that we have here. The other question I have is, you know the projections from the ERP model assumes striped bass at its target, but in fact it is overfished. What does that mean relative to the ERP outputs? Is that fact factored in, in terms of the actual demand for menhaden that the model thinks would be the case if they were fished at their target rather than being overfished.

DR. GAICHAS: I think I can try that, but Matt can also jump in. What you're seeing here on the screen is actually the F levels for both menhaden and striped bass are projected across a whole range here. What each one is fished at is in this mix somewhere, but the simulation is looking across the entire range of them, and that's how you get the big two-dimensional colored plot.

That's why even if what is currently happening is an F of a different level, you can still use this plot to say, if we were fishing at the F target for whatever predator species, you can draw that line over and find out what level of fishing mortality on menhaden would support that. Maybe Matt can explain it better, but I think all of the F levels are covered in this.

DR. CIERI: I'll take a whack at this too. Sarah is exactly right. It's baked into the cake. You know and the facts that in looking backwards, and as we project forward. If you look from this graph. If you look directly on that Y axis, it's like you choose your own adventure. You choose where you want striped bass to be, and then you can follow along from there to get you whatever menhaden F is appropriate for that level of striped bass target.

One of the things to sort of keep in mind is the idea of keeping those things as congruent, to not choose a menhaden level that is inappropriate for whatever striped bass level you've chosen and vice versa. On some level this will tie into whatever conversations that you all will have tomorrow, about where you want striped bass to be, keeping in mind the decisions that you make today with menhaden. Does that make sense?

MR. KAELIN: It does. It seems to me it's kind of the cart before the horse though, and choosing your own adventure makes me extremely uncomfortable. It always has, from five years ago

with this rainbow plot, which is so nonspecific to the actual situation that we have now, relative to menhaden abundance versus the F rate for striped bass. I can't tell from this chart.

DR. CIERI: One of the things to keep in mind, Jeff is that this is at equilibrium, which means that you've got to keep your striped bass F or your menhaden F at those levels over the long term. This isn't short term sort of decision making. That is why ERPs are designed to be your reference points, not your stock status determination criteria. Does that make sense? Although Katie has probably got a better explanation than I do.

DR. DREW: I think it is sort of, I would say a weakness of this approach, which is that the ERP models are really good about your long-term ecosystem interactions, and so understanding what are the long-term consequences of how you fish menhaden versus how you fish predators, et cetera.

The single-species assessment like the striped bass assessment and the BAM are really good about sort of your short term, what's going to happen in the next few years and your longer, historical what happened in the past. But they can't tell you anything about what's the right menhaden level. You know what does this menhaden F mean for striped bass this year?

I think there is a little bit of a disconnect between your long-term reference points and your short-term immediate conditions, which is what we see even in the single-species model, right. To try to get striped bass back to their SSB target, we actually have to fish them at below their F target, we have to fish them at the F rebuild, in order to take into account recent below year classes, and the fact that we have a deadline of 2029.

Your F rebuild can be different than your F target. In this multispecies context we can sort of look at, where are we now? For striped bass we are a little bit below the threshold. We're projected to be above the threshold in the next, maybe this year maybe next year, so we're around the striped bass threshold.

The ERP fecundity threshold is designed to keep striped bass at their biomass threshold, to provide enough forage for striped bass when they are at their biomass threshold if they are fished at their F target. Right now, for menhaden we are a little bit above that fecundity threshold. That suggests that there is currently enough menhaden to sustain striped bass where they are right now.

However, we are trying to rebuild striped bass. The fishing mortality on striped bass is lower in 2024 and probably 2025, below that F target, so that is going to help striped bass. Basically, we're still trying to rebuild that striped bass to their target, which would need a lower menhaden F rate. We would need to keep menhaden at that F target in the long term, once striped bass are rebuilt.

I think what the Board has to decide, when we get to the projection is, right now in sort of 2023, 2024 where we think we are for menhaden is sufficient for where we think striped bass are now. However, we know in the future we want those to be in different places. How fast are you going to respond to this assessment, and how risky do you want to be about making those changes in response tot the assessment that we see today?

The ERPs, as we're saying are not good. The ERP can't tell you if we want to rebuild striped bass by 2029, what quota should we have every year from here to 2029? The models just are not well designed for that. We have to kind of think about what is the menhaden population going to look like under these different F rates, what levels of TAC are going to give you different fishing mortality rates for menhaden, and then what are we trying to do for striped bass?

MR. KAELIN: Thank you for that, and I think that is one of the reasons why I have been skeptical of the ERP output. The Board is considering setting specs for the next three years. The ERP model is telling us where we ought to be if striped bass are rebuilt in

2029 and so forth. I just think the BAM model is so much easier to understand, in terms of where we are.

CHAIR CLARK: Hey Jeff, you're starting to get into comments now, we still have some other questions here.

MR. KAELIN: I'm sorry.

CHAIR CLARK: No, that's fine, that was an excellent question. I just wanted to be clear. We have a question online from Kelly Denit from NOAA Fisheries. Go right ahead, Kelly.

MS. KELLY DENIT: Thanks for all the presenters. For obvious reasons I don't have access to my experts, so apologies for what I think is perhaps a pretty basic question, and I think it builds a little bit on what Katie was just describing. The way I have understood the ERP model outputs is that that is incorporating those different predator/prey dynamics.

I am trying to understand best the forage availability component of this. In my layman's brain of this on the last couple exchanges in the discussion of this rainbow plot. What I think I've understood is some of it depends on ultimately where we decide the respective Fs need to be. But if we are in between these two solid black lines that are up there right now, that is at least in theory, providing adequate storage for striped bass and other predators, and that can move on a continuum, right? Depending on where we want those other predators to be. Is that a really simple way to try to talk through this in my head, or is that completely off base?

DR. CIERI: No, it's about right, but one of the things to keep in mind is if you expect to have striped bass near its target, you are going to have to have the menhaden to back it up. That is one of the things to keep in mind is that this is also a bottom-up process, and that you'll find it easy to rebuild striped bass if you have enough menhaden in the system.

MS. DENIT: Okay, thank you, and then maybe just one quick follow up. I think Matt, it was on your first uncertainty slide from your presentation. It went by really quickly, but I thought I saw something on that slide that specified that even with no menhaden catch those spiny dogfish predations would overwhelm that system of trying to take it over.

I'm not sure I completely captured that. I was trying to read and listen to you at the same time. Again, I think that was your first slide on uncertainty. If you could speak to that a little bit or clarify that for me that would be helpful.

DR. CIERI: Yeah. Basically, it's the small changes in the vulnerability parameters that the model is sensitive to. The vulnerability parameters are what we sort of use to estimate the relationship between striped bass, menhaden and Atlantic herring and a lot of other things. Striped bass are more vulnerable to spiny dogfish predation.

If you tweak it one way you never get striped bass to rebuild, and if you tweak it the other way you can rebuild it and take all the menhaden you want. What we're sort of stressing is, is the sensitivity of that model to those vulnerability parameters. That is the uncertainty. Does that make sense? I'm hoping.

CHAIR CLARK: Kelly, did that answer your question?

MS. DENIT: It did, thank you so much, sorry the mouse slipped away from the button and it took me a second to re-corral it. Thank you.

CHAIR CLARK: No problem, Kelly, thank you. Any further questions? If anybody is in the back with their hand raised, please wave it, because man, that's far away. Okay. Not seeing any more questions. Oh, wait, do we have another one online? Not seeing any more questions from the Board, why don't we finish up this item and then take a break.

CONSIDER ACCEPTANCE OF 2025 STOCK ASSESSMENTS AND PEER REVIEW REPORT FOR MANAGEMENT USE

CHAIR CLARK: What we need to do next after that great discussion there is consider acceptance of the 2025 stock assessments and peer review report for management use. Okay, we have a drafted motion here. Who would like to make that motion? Doug Grout.

MR. GROUT: Move to accept the Ecological Reference Points Benchmark Assessment and Peer Review Reports for management use.

CHAIR CLARK: Who would like to second that? I have Ray Kane. Okay, Doug, looks like you've got to read it again because we added the year.

MR. GROUT: Take 2. **Move to accept the 2025 Ecological Reference Points Benchmark Stock Assessment and Peer Review Reports for management use.**

CHAIR CLARK: Any discussion of the motion? Ray Kane was the seconder. I'm not seeing any hands for discussion. Let's see if we can do this the easy way**. Is there any objection to the motion? Not seeing any then, the motion is approved and the assessments are accepted for management use.**

CONSIDER MANAGEMENT RESPONSE

CHAIR CLARK: Next, we're considering management response if necessary.

I'm seeing this is kind of tied into Number 5 here, which is to set the specs for the '26 to '28 fishing year. Before we get to that, unless there is something somebody wants to say right now about the management response. Otherwise, I think I would like to tie this one in with Number 5, and we just take a break before we do that. What says the Board? Okay, I like the way you think, Dennis. Let's take a ten-minute break and we'll be back here at 3:10.

SET SPECIFICATIONS FOR THE 2026-2028 FISHING YEARS

CHAIR CLARK: Okay, we are getting started again and we are moving on to Agenda Item Number 5, which would be the really quick topic of setting the specifications for the 2026 to 2028 fishing years. First, we have a presentation from Caitlin Craig about it.

MS. CRAIG: This next presentation will be the Stock Projections to Inform 2026 through 2028, Total Allowable Catch levels. The coastwide TAC has typically been set at an annual or multiyear level, based on the Board action. The Board has used the best available science, such as historically or more recently been a projection analysis that uses the data from the most recent accepted stock assessment model.

In setting a TAC the Board should consider what level of risk they are willing to accept, and to note if the Board is unable to approve a TAC for the subsequent fishing year by December 31st of the current year, the TAC for the subsequent year will be set at the current year's TAC. Here is just a list of the TAC since 2013, with the most recent one being 232,550 metric tons.

At the spring meeting the Board requested that the projections include the TACs associated with a 40 to 60% probability of exceeding the ERP target for 2026 through 2028 combined in their separate years, and then the percent risk of exceeding the ERP target and threshold for 9 different TACS ranging from negative 20% to positive 20% of the current TAC and going in 5% increments.

Monte Carlo Bootstrap runs were used to feed the projections and the natural mortality and fecundity at age were resampled from the uncertainty around those parameters, and the BAM is refit using those new values. This creates a distribution of results, including estimates of recruitment for the time series and population size at the start of 2024.

This graph just shows the uncertainty around the Age 1+ biomass that came out of the Monte Carlo

Bootstrap Analysis. Recruitment for 2024 through 2028 was predicted from a nonlinear time series analysis for each MCB run, and this has better predictive power than just using the time series median. Again, this figure just compares to nonlinear time series predictions of recruitment, which are shown with the green line to their recruitment predicted by the base model run, which are the black line with the points and it shows that it's able to track increases and decreases in recruitment fairly well.

There are a few different scenarios that we run, so assumed the catch in 2024 and 2025 would be equal to the current TAC, which is 233,550 metric tons, and then some sensitivities were run, the first one being the 2024 catch is equal to the realized catch. Then the 2025, it equaled to what the 2025 TAC was set at, and the additional run was the 2024 catch is equal to the realized catch.

But then the 2025 was equal to 80% of the TAC, and that 80% came based on the recent TAC utilization. These runs were to identify the TAC that would have a 40% to 60% probability of exceeding the ERP F target, and runs to calculate the probability of exceeding the ERP F target and threshold from the TAC ranging from a 20% decrease to a 20% increase from the current TAC.

There are a few figures that we're going to show of the results to help rigorize the trends, one of them being the status quo, with a TAC that has a 50% probability of exceeding the ERP F target and then the 20% increase in the TAC. This covers a range of scenarios; scenario runs that were requested by the Board, and after they go through some of these graphs, we'll present the table results of all the scenarios.

These figures are the type of figure that has been shown to the Board before. The blue line represents the target, and the orange line represents the threshold for fecundity which is in the top left, and then fishing mortality F at the bottom left. The dashed black line in the center represents the median or the 50th percentile of the results, and the dotted black lines are the 25th and the 75th percentiles, with the solid black line representing the 5th and 95th percentile.

For the first scenario with the status quo cap, there is 100% probability of being above the F target and a 4% chance of exceeding the F threshold by 2028. There is a 50% probability of being below the fecundity target and an 8% chance of being below the fecundity threshold. The next scenario is the 50% probability of exceeding the F target. The TAC for this for 2024 through 2028 would be 108,450 metric tons to 124,800 metric tons, and this is a 50% probability of exceeding the ERP F target and a 0% probability of exceeding the F threshold.

The third scenario would be a 20% increase in the current TAC. If landings increased for 2026 through 2028, the probability of being above the F threshold increases, and fecundity declines by 2028. More specifically, there would be 100% probability of being above the ERP F target and a 32% probability of being above the ERP F threshold in 2028, and then there would be a 66% probability of being below the fecundity target and a 13% probability of being below the fecundity threshold.

Here is the table with some of the TACs, so the TACS are 2026 through 2028. If all three years are the same, you would pick the TAC that would result in no more than X percent probability of exceeding the F target in any year. For this it is the lowest TAC that would be out of the three years. The 50% probability that I went over with one of the scenarios for the previous figures is bolded to reference, and it can just be seen in the middle of the table. Here are more results from the table format to the status for the TAC and the 20% increase, again from the scenarios that we reviewed are shown, they are bolded to reference with the current one being in the middle and the 20% increase at the bottom, at 280,260 metric tons.

Using a lower landing estimate for 2024 and 2025 did not have a significant impact on the TAC. You can see that there is some change but it's pretty

minimal. This is because the fishery primarily captured ages 2 through 4, so the fish that were vulnerable to the fishery in 2024 and 2025 will contribute minimally to the exploitable population by 2028.

This tier results show the 50% probability of exceeding F target scenario just as an example, but the results were similar across other probabilities and percent changes to the TAC. The usual sources of uncertainty for the single species assessment models were here as well, so these included some uncertainty around key parameters like M, fecundity, and recruitment.

They are included, but this approach doesn't capture the full range of potential uncertainty. The projections assume no change in fishing effort, no changes to the timing or makeup of the fishery, and no structural model uncertainty as in the projections. While a retrospective pattern is present, it was not significant enough to warrant an adjustment.

Matt has kind of gone over ERP source of uncertainty, but here is a bit more on that. The projections do not incorporate any uncertainty around the ERP target and threshold values, because there is not currently a comprehensive quantitative way to estimate that uncertainty within the current model framework.

As noted earlier, better quantification of uncertainty around the reference points themselves was a recommendation from the 2025 Peer Review Panel. The ERP model is sensitive to the relationship between spiny dogfish and striped bass, and small changes in parameters of that relationship affected striped bass ability to rebuild to their biomass target under different combinations of striped bass and menhaden F rates.

But in some scenarios, striped bass can rebuild above the SSB target, even under higher levels of menhaden F, but then another sensitivity run resulted in a lower ERP F target when some assumptions about spiny dogfish biomass in this ecosystem were changed. Then additionally, there is some uncertainty about future ecosystem conditions, so ERPs are currently defined based on the current, which is the 2023 population level for other species in the ERP models, but if those conditions change in the future, it would affect the ERP values.

For example, a sensitivity run where herring returned to their long-term average productivity levels resulted in a higher ERP F target for menhaden, and that is because there was more herring in the ecosystem that would be able to provide forage for striped bass. The results of this reflect the current definition of the ERPs.

But if the Board redefine the ERP target and threshold, for example, using different assumptions about the biomass levels of other species in the ecosystem, either in the future or about striped bass fishing mortality in the future, the values of the reference points and the associated TACs could change. I believe that is it.

CHAIR CLARK: Thank you, Caitlin, for that very informative presentation about the decisions we have facing us right now. Before we go to that, are there questions for Caitlin about the TACs she just presented? Megan Ware.

MS. MEGAN WARE: Obviously there has been a lot of discussion on the target information coming out of this for fishing mortality. I was actually hoping for a little bit of explanation on some of the fecundity results in the projection memo. For example, whether we do a 20% increase or decrease, it will probably be at the same probability of being at the fecundity target.

I was hoping someone could talk about that a little bit. Then it looked like we were a little bit closer to our target in the projection memo than in the assessment we were a little bit closer to the threshold, so just curious for the change there.

DR. DREW: I'll take that second question first, which is why we're closer to the threshold in 2023, and then for the projected year we're closer to the

target for the fecundity. That is a function of the fact that number one, the end of the assessment is 2023, and then we are predicting a little bit of an uptick in the biomass in 2024, and we are also sort of the uncertainty envelope around that we're using to start the projections for 2024 forward.

The median of those projections is a little higher than the natural likelihood estimates from the assessment itself. It's basically where we end in 2023, according to the single-species model, is a little lower than where we're starting for 2024, and that is enough to get you back to the fecundity target, especially as a couple more, because we're seeing a little bit of an uptick in recruitment, and those stronger year classes are moving into the fecundity at that point.

By the time we get to '25, '26, sorry by the time we're getting to these projected years. We are starting out a little closer, a little better shape than we were at the end of the 2023 assessment in the projection. Then I think your second question was about the fecundity and why the probabilities are different for the, sorry, can you repeat that question?

MS. WARE: Absolutely. I was looking at Table 5, and it was a 52% probability of going below the fecundity target, just over a 40% TAC range.

DR. DREW: That is mainly because by the time we get out to these numbers of uncertainty around sort of fecundity is encompassing a large range of numbers. The numbers of runs above that versus the number of runs below that, which is what we're trying to complete about that probability is centering around is the uncertainty and recruitment and natural mortality of fecundity is sort of rolling into large uncertainty that is less affected by the central tendency of the constant F that we're using.

It's really more of a reflection of our uncertainty about what fecundity is going to be like in those future years. I think you probably noticed we have tighter confidence intervals on the F rate, and so although the uncertainty extends around that as you get further out, it doesn't have the same range of starting uncertainty that the fecundity does. I think essentially, we're more uncertain, at least in these projections about future fecundity than we are about future F rates.

CHAIR CLARK: Are you good, Megan? Okay, any other questions? Nichola Meserve.

MS. NICHOLA MESERVE: Regarding the sensitivity analyses with the different assumptions about past utilization in 2024 and 2025. I was just wondering if we have any further information, this might be a question for James or to TAC utilization in 2025 on a coastwide basis. I know in Massachusetts and other New England states have utilized their quota in full. I just want to check if you could make any projections, James, at this point about quota utilization in 2025.

MR. JAMES BOYLE IV: Unfortunately, no, I don't have any information on what the utilization is looking like this year. I mean as it mentioned, I think in Matt's presentation of ERP and Utilization, that will come up in my FMP ERP presentation as well in 2024, and I believe it was 71% in 2023 in that F material.

CHAIR CLARK: There is a question from Joe Grist.

MR. JOSEPH GRIST: To everyone who worked on this, great job. Looking between Table 3, 4, and 5, the percent risk of falling below the ERP fecundity target and fecundity threshold, there is a gap. We have some of the tables reflecting possible reductions from 0 to negative 20, then we have one that is focused more around its central tendency around 40 to 50.

There seemed to be a gap between some of that information. I know I brought this up to Dr. Drew. Is there any further clarification such as Table 5 on what is in between, if we were to know what a negative 30 or a negative 40 would look like in comparison with the percentage on probability?

DR. DREW: I think there should be an extra slide at the end of this, hopefully presentation, if you go forward one. I think it's a hidden slide, which is a mistake on my part. But I think Madeline can go from the current slide, you should be able to. All right, so trying to be too clever there. Yes, so we did look at some probabilities of exceeding, basically the same type of information that we provided for the 20% reduction, or a 30% and a 40% reduction.

We still have essentially for the 30% reduction by 2028 you have a 97% probability of exceeding the F target, and a 0% probability of exceeding the F threshold across all three years for a 40% reduction we have a 79% probability of achieving the F target by 2028, and again a 0% probability of exceeding the F threshold over all those years. Then if we compare that to the fecundity information, the probability of being below the ERP fecundity target in 2028 is 40% or 35%, depending on the reduction.

Then the probability of falling below the ERP fecundity threshold is still about 1 or 2%, and again that is related to how wide that uncertainty around the fecundity values is at the end of the projections, if we're taking a larger cut we're still not getting down to a 0% probability, just because the range is so big. But those are the numbers for, as you're saying, sort of filling out the gaps between Table 3 and Table 5.

CHAIR CLARK: Are you okay, Joe? Okay, further questions? I'm not seeing any at the table. Any on line? Okay, no questions. Now we move into the interesting portion of this agenda item. I've been told we have several motions, so maybe the best way to facilitate discussion would to be get a motion up. We can discuss that. I'm guessing there will be amendments, substitutions, and a fun time will be had by all. Who would like to lead things off here? Okay, I see Matt Gates.

MR. MATTHEW GATES: Thanks, Caitlin and Katie for your presentations and discussion on this. I appreciate that. I would like to make the motion for the TAC recommended in the TC Working Group's memo to achieve a 50% probability of achieving ecological reference point F target. It's up on the board now. **Move to set the TAC for 2026 through 2028 at 108,450 metric tons to maintain a 50% probability of not exceeding the ERP F Target**.

CHAIR CLARK: Do we have a second? I see Ray Kane.

MR. RAYMOND W. KANE: Mr. Chairman, that is for the purpose of discussion.

CHAIR CLARK: For the purpose of discussion, got that. Matt, I'll send it back to you to give us some explanation.

MR. GATES: This is a TAC that is informed by the best available science, and setting a TAC higher may not provide enough menhaden to fill their role in the ecosystem. This includes providing striped bass forage, the conservation of which we have set aside an entire day at this meeting to discuss.

The reason that the Board has chosen to use ecological reference points is to help us make these hard decisions, so that we know how many fish we need to leave in the ocean. A single-species assessment can provide useful information to manage menhaden on their own does not provide information on their role in the ecosystem.

As stated in Table 3 of the TC and ERP Working Group memo to the Board, this TAC maintains a 50% probability of achieving the ERP F target. No doubt this is a significant reduction of coastwide removals, but it is necessary to support the productive ecosystem. Again, this is the TAC that is supported by the best available science. Thank you.

CHAIR CLARK: Okay, we have a motion on the floor right now, and can I see hands of those who want to speak in support of the motion. I see Allison Colden. Go ahead, Allison.

DR. COLDEN: Thank you to the maker of the motion and the seconder. I think this is an incredibly important discussion for this Board, because as our history of the Board has shown, and the history of this Commission in managing other species. We do tend toward this 50% probability of achieving our target. At the end of the day recognize that that is a coin flip, but it's something that ensures that we are properly managing the risk to the species that we are directly managing, and of course in this case also all of the other species that are part of the ecosystem component of the menhaden framework, under which we are managing this species. In taking a look back at the last time that we have had the pleasure of setting specifications for the menhaden fishery.

You know we have just, since 2012, had a coastwide quota for this fishery, which is pretty impressive how far we've come. The other thing is that when the science shows that the Board is justified in increasing the Total Allowable Catch for this fishery we have done so. In the last four out of five times we set specs for this fishery, the science has said that we had a reasonable risk to take in increasing the coastwide quota, and we have done that.

In this situation the changes to the ERP assessment and the single-species assessment have shown, and the Peer Review Panel has indicated that this is our best available science, and for best indication approvement over the 2022 assessment of our understanding of menhaden as a species and of the ecosystem.

It is suggesting that we need to take a reduction, not just a small reduction, a significant reduction. I would encourage this Board to think just as we were confident in increasing the Total Allowable Catch when the science says we should, that we need to be as willing to take reductions when the science indicates that that is warranted as well.

Lastly, I just wanted to touch on the discussion of striped bass, because obviously it's a tremendously important species to the Commission, one where there is going to be some very difficult conversations I anticipate tomorrow. I do not envy those who will be around the table for that marathon meeting.

But as Matt pointed out during our technical discussions and review, we have the ability as a Board, the Menhaden Board, to help set up the striped bass discussions for success. We are working extremely hard and fishermen all up and down the coast have already made and are likely to make additional sacrifices on striped bass, to help rebuild that population.

But unless we also help with the bottom up here on the menhaden side of the equation, it is very unlikely that we are going to get to a place where we can rebuild striped bass in a timely manner, in a way that makes those sacrifices worthwhile. The last thing I just wanted to mention is, just remember that striped bass is a proxy.

If we are managing strictly with the thoughts of striped bass in mind, with everything else in the ecosystem that is going on with striped bass, that has less to do with menhaden. We may not be accounting for those needs, for example, of the increased predatory demand of spiny dogfish, or dealing with the fact that we have fewer Atlantic herring that are not coming back.

I just wanted to get that to the forefront of everybody's mind as we continue these discussions. But yes, striped bass is incredibly important, and obviously the focal point of our ERP definitions. But they are just a proxy for the entire ecosystem and the 30 plus other species that we have by proxy taken on to manage in this context.

CHAIR CLARK: Do we have anybody who would like to speak in opposition to the motion? I see Joe Grist.

MR. GRIST: I have a motion prepared, a motion to substitute if staff will bring that up.

CHAIR CLARK: Okay, we're going right to a substitute motion. All righty.

MR. GRIST: I'm going to highlight the day I understand.

CHAIR CLARK: Yes, indeed, Joe, that's fine. As I said, I think we've been told there are other motions out there. As soon as it's up, go right ahead and read it.

MR. GRIST: **Move to substitute to set the annual Atlantic Menhaden coastwide TAC for 2026-2028 at 186,840 metric tons per year (representing a 20% reduction relative to the 2023-2025 TAC).**

CHAIR CLARK: Thanks, Joe, do we have a second? Looking around the table for a second, Eric Reid. Go ahead, Joe, if you would like to speak to explain your motion.

MR. GRIST: I think menhaden, as we all know is a data rich species, and one of the most regular stock assessment processes, It appears to be one of the most regular stock assessment processes in the U.S. The stock status is based on reference points that take in account regular populations. Overfishing is not occurring.

The stock is not overfished. Both the single-species assessment and the ecosystem assessment have passed the peer review for those. The proposed TAC is associated with a 0% probability of overfishing in each of the next three years, despite this it managed to get 75% of the target level. As a dear colleague of mine, who I won't mention, reminded me last week, we manage to fecundity.

Based on the projections produced by the Stock Assessment Committee, the proposed TAC is associated with a 0% probability of exceeding the ERP fishing mortality threshold in 2026 through 2028, and a low 2 to 4% probability of falling below the ERP fecundity threshold during the same period. For reference you can see Tables 4 and 5 in the projection's memo or the PDF pages 68, 69 of the Board materials.

By comparison, under the Mid-Atlantic Fishery Management Council's Control Rules for our 2018 Omnibus ABC Framework adjustment, the Acceptable Biological Catch for stocks that are not subject to a rebuilding plan is required to achieve a 0 percent probability of overfishing, only when the ratio biomass to the biomass target is less than or equal to 0.10.

Furthermore, when you review Table 5, there is only a 2% probability of falling below the ERP fecundity threshold in 2026, 4% in 2027, and 4% in 2028. When you set the TAC at 186,840 metric tons. With the additional information provided by Dr. Drew, to even take a 54% reduction, associated with a 50% probability of exceeding F target, the probability remains, 2% in 2026, no change, and 1% in 2027 and 2028, which is only a 3% change from the 20% TAC reduction proposed here. To reduce any further than 20% would put at risk, directly or indirectly, hundreds, if not thousands of American jobs across several states. It will also result in the decrease of supply and increase in demand and prices of menhaden that are utilized by both the commercial and recreational fishing industries across numerous jurisdictions represented around this Board. This motion is made to balance the ecological concerns as well as the socioeconomic issues that have been provided.

CHAIR CLARK: Eric, did you have any follow up on that?

MR. ERIC REID: I'll be quick, Mr. Chair. I was concerned about the devastating socioeconomic impacts that 50% would do. Mr. Grist touched on that already. But I am concerned about the socioeconomics. The interesting thing is we've been talking about striped bass and menhaden so far, this entire meeting. The difference there is, when we talk about striped bass we talk a lot about socioeconomics, and we're not talking about it here.

CHAIR CLARK: Let's do this now. Why don't we see some hands. Does anybody want to speak in favor? I see Megan Ware and Doug Grout. Let me write that down. Megan, before you start, are there people who would like to speak, oh and Joe. Hands of those who would like to speak against this motion. Nichola Meserve, Rob LaFrance. Okay, we'll do the old back and forth. Go right ahead, Megan.

MS. WARE: In comparing these two motions, I am opposed to the underlying motion of a 54% reduction. I understand our scientific information has changed and a reduction is certainly needed, but again you have that socioeconomic impact. I'm not sure how we can survive three years of a 45% reduction.

Menhaden has really become essential in Maine. We don't have herring. Bait is already the highest input cost in the lobster fishery. I think we're really struggling with profitability in that fishery, and this is a link to exacerbate that. I do want to specifically respond, I guess, to some of the comments I've seen in the written comments that if we do a 20% reduction that is not going to result in a decrease in catch, because we've been landing about 80% of the TAC.

I would say from Maine's perspective we will see reductions under this, because our allocation is going to decrease. The episodic quota is going to decrease, and the transfer market is more competitive, and that is where we get our quota from. Just to put some numbers behind that, we landed 29 million pounds this year and 3 million of that was via transfers.

Under a 20% reduction we're going to lose 5 million pounds in our state allocation, about a million pounds in episodic. There is no way we will make up 6 million pounds in transfers on top of the 3 million we are already getting. That would be the most transfers we've ever received. This does cut Maine, but I am supportive between these two motions of the motion to amend.

CHAIR CLARK: Now we'll go to an opposition argument coming from Nichola Meserve.

MS. MESERVE: Regarding the substitute motion, I have to disagree with the statement that we manage to fecundity. The past two times that the Board has set the TAC for menhaden it has been based on the ERP fishing mortality target level, and not just the threshold level but the target level. It would be my preference to uphold that higher Board decision and choose TACs that will provide for striped bass and other species we've seen came to their target level, not just their threshold level.

However, the underlying motion also causes me concern, to take the full reduction in a single year. I prefer a phased in approach that would balance the needs of the menhaden fisheries and the industries that rely on it, and would also provide for some time for managers to ask to be able to assess the impacts and take some adaptive management if need be.

The underlying motion also foregoes some increases that would be allowed in 2027 and 2028 if we did go that low for 2026, so at the current time I can't support either of these motions and if maybe after we've dispensed with the substitute motion, whether it's up or down, I would have another substitute to consider as well, Mr. Chair.

CHAIR CLARK: Okay, next up we have Doug Grout.

MR. GROUT: I would like to echo some of the comments that were made by Megan about this. My concern is, you know over the years we've been increasing the TAC in very deliberate stepwise increments. I am completely opposed to the underlying motion that would require us to take a 54% cut in one year.

I think a phased in approach would be easier on the fishing industry, particularly in my state. The lobster fishermen that rely so heavily now on menhaden, since we have no herring left to catch. I

am also going to foreshadow some comments I'm going to be making in striped bass, that I am getting concerned with our management, that we may not be able to get to the target biomass anymore, because of the low production and low productivity that we've had.

To me, the important thing is to have this particular quota, which is directly linked to what we're trying to provide food for striped bass, above the fecundity threshold and somewhere in the middle, because I do not think that striped bass in the coming years are going to be able to get to that target, and in fact over the entire time series if you look at striped bass, we've only had four years where we've exceeded our biomass threshold.

CHAIR CLARK: Rob, before I go to you, just wanted to remind the public that we will be taking comments once we get to the point where we're actually going to vote on a motion. Go right ahead, Rob.

MR. LaFRANCE: I think we have to recognize that when we set the TAC at 233,000 metric tons, the information we had, which was we thought at the time best available science, was horrid. We did not know what we know now about the natural mortality of the species. The fact that we're looking at a 20% reduction from that number seems to me to be, it's almost like a false compromise. The reality of it is, we were at 194 when we moved to 233, and we should be looking at reductions from 194,000 down, not the other way around. I base that on a couple things as well. I hear what we're, from our friends to the north. When we looked at the idea of trying to allocate this species, we talked about different methodologies for doing that. We have not really gotten ourselves in a position to do those allocations now that we're tightening up that. One of the things we did when we allowed the reallocation to take place. We had the benefit of an increase in TAC. Now we're going the other way.

I do think we need to revisit how we allocate, because the folks in the northern areas who use this species for bait, need to have the availability of that species in the water. I am supportive of the underlying motion, because I think it moves us in the right direction. I also think we need to rethink about how we allocate, particularly for the northern states.

CHIAR CLARK: I have Joe Cimino speaking in support of the motion. Before you go, Joe, are there any further hands that want to speak, either in support or opposition to this motion? Steve Train in support. Go right ahead, Joe.

MR. JOE CIMINO: I am in support of the motion to substitute, although I will say, I do have concerns as Rob just pointed out. You know we have a new understanding of the productivity. I think that we do need to regroup. I think that the 20% kind of starts that off. This is not a set it and forget it species, especially when you are doing multispecies management.

One of my concerns is seeing those strong year classes that are supposed to be coming out of the Chesapeake Bay that we are not seeing. It's heartening to see some of the research that is going in for this species. I think we need to continue that. Whether or not we're setting a three-year TAC, which I'm supportive of, I hope that we're kind of always staying ever cognizant of what's happening here.

I very much appreciate and I hope, you know we've already approved this for management. I hope that no one is questioning the science. But we also need to keep in mind something that Matt said, which is, we're at the "choose your own adventure "part, not the best available science part. To say it's best available science to go to the 50%, which I don't support is actually just what we told that group to do.

Our understanding of that also needs, I think, to evolve. Although maybe spiny dogfish is at a higher place than it was when we last ran this, we know that spiny dogfish is fluctuating, we know that

striped bass are fluctuating. We have two species that we try and manage at multispecies levels.

But it's often a tool that doesn't say, and this has always concerned me, if the needs of predators are lower than there is more available for human use, and that is our whole job, is to make sure that we're doing it. If we're saying we're going to do multispecies management, then I think we need to be willing to fluctuate if those needs aren't there in the environment.

I don't know what we can do for striped bass. I don't know when that species will get rebuilt. I think we have to realize that there are fish on the table, so to speak. That's why I'm supportive of this, but again, even with a three-year TAC I think we need to stay on top of this at all times.

CHAIR CLARK: Before I go to Steve, who I know is going to speak in support, is there anybody who wants to speak in opposition to this motion? Anybody else? David Borden. I'll go to David and then to you, Steve.

MR. DAVID V. BORDEN: Complicate your life, Mr. Chairman. At this stage I'm not speaking in opposition to it. I have a question. Can I ask staff a question?

CHAIR CLARK: Certainly, yes, go ahead.

MR. BORDEN: If the substitute motion passes the question is, in subsequent years, say in the following year from now, if we want to change it does it require a two-thirds vote? It's a three-year specification.

CHAIR CLARK: Do you want to answer that correctly, James?

MR. BOYLE: Yes, for final action, which would require two-thirds majority vote.

MR. BORDEN: Okay, I'm opposed to it the way it's currently constructed. Because of that I could accept 20% reduction for one year, or with a phase down strategy.

CHAIR CLARK: Steve Train.

MR. STEPHEN R. TRAIN: While I can agree with David Borden, it might be a reservation about the time to be the concept. I support the substitute. Somebody had already mentioned that as we kept increasing the harvest tonnage, we are also decreasing the fishing mortality each time we did that.

I kept saying this is a dream species to manage. We're leaving more fish in the water and yet keeping more fish on the boat. Nothing has changed with the fish. Fishermen up there sacrifice tonnage they could have caught to lower fishing mortality because of the data we gave them. The input data has changed, we see something differently.

I just think if we have a problem and it has to come back down; we need to ride it down with them. We don't just go down and chop down the tree. We need to ride it down with them. We got here. We gave them the information and told them what they could catch, and we can't just shut it off like that. I support the substitute motion.

CHAIR CLARK: We have a question from Dennis Abbott.

MR. DENNIS ABBOTT: If we were to approve this motion, would the Chesapeake Bay cap of 51.000 metric tons stay the same or would that suffer a 20% decrease also?

CHAIR CLARK: I'll let James answer that, but the cap is unrelated to this issue, so go ahead, James.

MR. BOYLE: Yes, Chesapeake Bay cap is set through Amendment 3, and so it would stay the same from this.

CHAIR CLARK: I see Doug Haymans.

MR. DOUG HAYMANS: Just a procedural question. Must we dispense with the substitute before we have an inkling of what the stepdown motion may be, because I would really like to hear that to help me decide on this?

CHAIR CLARK: Well, we can do a second substitute. Okay, there we have it. We could have a second substitute, which makes me think that there is a stepdown motion out there. Is that you, Nichola?

MR. REID: Point of order, Mr. Chair. I don' t believe that that is correct in Robert's Rules of Order. Robert's Rules of Order is if you have a main motion and a motion to substitute, you have to dispense with both of those motions before you can move on.

CHAIR CLARK: Oh boy, okay. I'll put Bob on the spot now too Bob, is that the definitive opinion of ASMFC that we can go two deep?

EXECUTIVE DIRECTOR ROBERT E. BEAL: That has been our practice, you can go two deep. The other way to do it if folks think that's too much of a procedural quagmire is, Nichola can describe what her motion might be, and not make that motion now, but just fill the Board in. Somewhere along the way I may make this motion, kind of a message and we don't have to have it up on the screen. If folks are worried about the procedural problem with having too many layers here, just to get a gist of what is coming I think would be helpful.

CHAIR CLARK: Bob, you've always come up with great compromises. Would that satisfy you, Eric, to hear what Nichola is proposing, and then we'll dispense with the substitute and the main motion, and then possibly move on to another motion. Thank you, I'll take the I suppose so. Nichola Meserve, would you like to describe what your motion would be?

MS. MESERVE: Yes, thanks, Mr. Chair, I'll just give a brief preview to it without making a motion at this time. It would still be setting three-year specifications. It would apply the 20% reduction in 2026 as in Mr. Grist's motion, but it would follow it up with two 18.27 percent reductions, the amount that it takes in equal amounts to get down to a value of 124,800 metric tons in 2028, which is the value associated with a 50% probability of achieving the ERP F target in 2028, and you can see that number in Table 3 as well. It changes the number that you get to ultimately and it phases it in over three years and roughly 20% reductions for a year.

CHAIR CLARK: Thank you, Nichola, so we know what we will see, supposing both of these motions do not pass. As I said before, okay, Dennis.

MR. ABBOTT: Yes, before we get into a quagmire, I agree with Mr. Reid over there that what we should be doing is eventually getting to a vote on this substitute motion, which would replace the main motion, and then Nichola could then provide her a new substitute motion. We shouldn't be going and talking about a third motion before we've handled one of these two. That is whether we go up or down on that. It's not a final action on the substitute motion.

CHAIR CLARK: I get it, Dennis. I'm sorry, I misworded it. That's what I meant was that we would work on the substitute right now, and then depending on what happens with that. As you said, either it's going to pass or fail and we can go from there. But before we vote on it, as I said, we will accept some public comment on the motion.

Do we have anybody in the audience here that would like to speak to the substitute motion or the main motion, I guess. We'll give you one minute, and please come up to the public microphone over here, sir. State your name, if you have an affiliation, please give that, and then please start your comment.

MR. ROSS CALLUM: I'm Ross Callum, I own and operate a vessel engaged in a purse seine bait fishery, Tel-marathon from Virginia. I just would like to shed some light on a situation that will occur if major adjustments are made to the TAC. We're

all well aware, or should be anyway, of the price of bait and bait products are historically high this year.

Do not be misled into believing that the quantity of landed fish is the only factor affecting price. The interstate marketplace of bait products is not different than any other commodity. It's highly subject to the confidence of consumers, current events and stakeholder changes, such as business startups and shutdowns.

The main idea here is that with any change in the TAC the businessmen of the bait marketplace will absolutely take advantage by raising the price, because the prerogative of a salesman is to get as much as possible, and to turn any degree change into an opportunity, inducing volatility into an already unstable marketplace is a terrible recipe that will only result in extremely high prices.

The lobstermen in New England will no longer be able to afford to work, the crabbers in Maryland and Virginia won't be able to afford to work, shrimp prices will skyrocket. It will depress recreational activity all along the Atlantic coast. Thank you.

CHAIR CLARK: Thank you, Mr. Callum. Was there anybody else who would like to speak to the motion from the public? I see a raised hand there. Please come to the microphone, Sir. Why don't you guys just line up there if you would like to speak, and you'll each have a minute before you make your comment. As I mentioned, please state your name and your affiliation if you have one.

MR. THOMAS MOORE: My name is Thomas Moore, I'm a fifth-generation menhaden boat captain for Ocean Harvesters. I have a crew of 15 men; most are here today. They are also generational workers. They are some of the hardest working, most dedicated men that you would meet. Their ages range from 22 to 66. Three of them with me for the last 20 years, the first day I went Captain. We love our jobs and are very passionate about them. Our owner and our name have changed over time, but the men's names that are on these boats has not for five generations. Any cuts we face today will hurt us, our families and our community. Thank you.

CHAIR CLARK: Thank you, Mr. Moore. Can I just ask for a show of hands. Anybody who is standing up right now, are you all speaking in favor of this motion, are you all opposed to this motion? All in favor. We'll take two more in favor. If there is no one in opposition then we will stop public comment there in the interest of time. I appreciate that, sorry I can't accommodate everybody here, but we do have time restriction.

MR. LILLY: I would like to speak in opposition.

CHAIR CLARK: Okay, and I'll allow three in opposition then, in addition to three in favor. Go right ahead, Sir.

MR. KENNETH PINKARD: Thank you, Mr. Chair, good afternoon. My name is Kenneth Pinkard and as the fellow before me, I'm a third-generation fisherman with two nephews who are fourth generation fishermen sitting behind me. I've basically come to say that I'm also the Vice-President of United Food and Commercial Workers Union Local 400, representing bait fishing for over 30 years.

I retired off the boats in 2022, but I've been serving in this capacity, coming before boards like this and commissions and what have you. I speak for all working people in Virginia. We're in a time now, Virginia, that Virginia middleclass jobs are suffering. From Northern Virginia with the Dodes you all have nothing to do with. From the furloughs, which you all have nothing to do with.

But you do have something to do with the livelihood of these gentlemen behind me. I would just like for the fishermen, the captains and the crews that I've been working with for 30 years just to stand, so you can see who will send this message

back to Virginia. These gentlemen work hard and they care about their jobs.

The message that you give today is the message that they are going to have to go back home and tell their wives or tell their children. We do not like cuts, of course we don't. The first amendment really would send all of you guys' home with bad news to tell their wives. But with this here, we want to try to comply and try to move forward.

CHAIR CLARK: Thank you, Mr. Pinkard. I think we have one more in favor and then we have three opposed, so who's up next? Go right ahead, Ma'am.

MS. PATRICE McCARRON: I'm opposed to the first motion; I hope that counts. Good afternoon, my name is Patrice McCarron; I'm the Executive Director of the Maine Lobstermen's association. Excessive quota cuts in a fishery that is not overfished and where overfishing is not occurring, represents an overcorrection that would cause significant harm to Maine's lobster industry. Maine's lobster fishers are small boat fleet of 4,300 lobstermen and 800 students, all of whom are owner operators that sustain local families and Maine's coastal economy.

About 400 of them are also menhaden harvesters. They've long depended on fresh local bait, but the bait supply has diversified due to herring cuts, and prices have sky rocketed. Imported baits now face tariffs of up to 30%, and Maine's infrastructure for storing frozen bait is very limited. Any reduction in the menhaden quota will only increase our reliance on non-local imported bait, which is not only uncertain and more expensive, but relying on nonnative species is also riskier for the ecosystem.

The MLA urges you to address the importance of menhaden bait fishery to Maine's lobstermen, our coastal communities and marine ecosystem, by limiting quota reductions to 10%. Thank you for the opportunity to speak on behalf of our members.

CHAIR CLARK: Thank you very much, and our next up in opposition will be Mr. Lilly, and I think, was it you, Phil that also. You go right after Tom, Phil.

MR. TOM LILLY: The people that say there was plenty of menhaden in the Bay this year are certainly not talking about May and June. That is what we're really talking about from our point of view. Is there enough menhaden in the Bay to sustain the striped bass, because the truth is, folks, our striped bass fishing in the Bay is in a catastrophic failure.

Nineteen of the 20 striped bass charter fishermen in the Somers Cove Marina are going out of business in the last four years. Even the people that know how to catch the fish in the river where I am are not catching anything. When people say there was plenty of menhaden in the Bay this year that is not true.

Practically no menhaden came into the Bay in May and June. The factory boats, as you all know, sat at the dock for one solid month. It did not fish the first month of the season, because there were no fish. Up on Tillman Island, where the wholesalers buy the menhaden from our Maryland of menhaden watermen, nothing was brought in for the first six weeks of the season. That's the situation in Chesapeake Bay. We don't have menhaden.

CHAIR CLARK: Please wrap it up, Tom.

MR. LILLY: As I pointed out to you earlier, the reason and outcome again is because you are allowing the fishery to catch thousands of the pre-spawned schools in the Bay, and they never get out into the spawning grounds. That is one thing that has to be addressed here.

CHAIR CLARK: Thanks, Tom, thank you for your comment and up next we have Phil Zalesak.

MR. PHIL ZALESAK: I'm deadest against this modified motion; it is grossly inadequate. You could cut the Total Allowable Catch by 50% and increase the commercial bait catching industry by roughly 53% for all the states, with the exception of Pennsylvania, which would be at 49%. Think about that. You could increase the commercial bait harvest by over 50%. All you have to do is end reduction fishing in the Atlantic coastal waters, period.

CHAIR CLARK: Thank you, Mr. Zalesak. That concludes our public comment period on this motion. Now we will take a three-minute caucus, and then we will vote on this motion. Doug, is Georgia ready to vote? All right, it looks like all states have made a decision, so let's see the hands of all those in favor**. Raise them high so they can be counted.**

MS. KEARNS: New York, New Jersey, Florida, Georgia, I need faces to lean forward, is that South Carolina. I think I have Virginia, PRFC, Delaware, Maine, New Hampshire, NOAA Fisheries, and Fish and Wildlife Service.

CHAIR CLARK: Okay, hands down, and now those opposed to this motion, please raise your hands.

MS. KEARNS: Rhode Island, Massachusetts, Connecticut, Pennsylvania, Maryland, North Carolina.

CHAIR CLARK: All right, the motion is approved. What was the vote, 12 to 6. Now the substitute motion. I'm sorry, were there any abstentions or nulls? I don't see any, so 12 to 6. This becomes the main motion, do we need time to caucus on it again, or do we just go right to vote on this? Oh, I'm worry, long day already and we're not even halfway done. Nichola, you had a substitute motion, correct?

MS. MESERVE: Yes, thanks, Mr. Chair. Again, I need to change the wording a little bit to move to substitute to set the annual Atlantic menhaden coastwide TAC for 2026 to 2028. This is not my motion. Oh, that's okay, sorry. **Move to substitute to set three-year specifications for Atlantic menhaden with the following TAC; 2026 = 186,840 MT; 2027 = 152,700 MT, and 2028 = to 124,800 MT.**

CHAIR CLARK: Do we have a second? Nicole Costa. Okay, Nichola, would you like to speak to the motion?

MS. MESERVE: Yes, thank you, Mr. Chair. Again, the values in this motion represent a 20% reduction in 2026 followed by two equal reductions of 18.27% in order to reach 124,800 MT in 2028, which is the value associated with the 50% probability of exceeding the ERP F target in 2028. They uphold the prior Board decision with regard to how we use the ecological reference points and aim for TAC being set that achieve the ERP F target with a 50% probability.

However, I also recognize that the end TAC of 124,800 metric tons is a significant reduction of 46 percent overall. There are implications for the menhaden fisheries and those associated and rely on their product. Yesterday we heard how the lobster industry's number one concern with their operations is the cost of input, and we take that seriously. By phasing it in over three years it does provide for a little bit more stability.

Time for the industries to adapt, or for us as managers consider other tools in the tool box to better balance the needs of the fisheries before we get to year three. I also have comfort with phasing in the end TAC over the three years based on our current definitions of the ERP F target. As we heard Katie Drew discuss, the ERP F threshold is defined as supporting striped bass at their biomass threshold, which is where we currently are. However, we are working on the rebuilding plan for striped bass to get to their biomass target, and that has not yet been abandoned as our goal for striped bass. If we continue to aim for the target with ERPs, then we'll be supporting striped bass both now at their threshold level, and the target we try to get to within several years. Overall, this approach is to get to the TAC that is associated with the ERP F target in

a phase in approach that lessens the impact on the menhaden fishery and the fisheries it supports, gives management an opportunity to further pursue adaptive management, and which according to ERP F definitions will support striped bass at their current and future projected levels.

CHAIR CLARK: Nicole Costa, do you have any follow up on that as seconder?

MS. COSTA: I think Nichola did a great job. I'll just add that as a Board we approved these for the ecological reference points in 2020 to account for menhaden's role as a forage fish. Since then, we have been setting the TACs based on projections that provide these risk scenarios of exceeding the ERP F target.

I'm very concerned about the socioeconomic impacts of these reductions. I don't think anyone here today is taking these decisions lightly. We all have concerns, and this is a difficult decision for everyone. But I like this motion, because I think it spreads out the reductions over time, and it's also supporting the work that we've spent over a decade of putting work into. I continue to support the ERP reference points and the ERP stock assessment, but again, I think spreading out this reduction helps lessen the socioeconomic impacts, so that's nice work.

CHAIR CLARK: Could I see the hands of Board members who are in support of this motion would like to speak in support of it. I see Chris Batsavage. Before you go, Chris, could I just see hands of Board members who would like to speak opposed to this. I see Dennis Abbott, Joe Grist. Okay, go ahead, Chris.

MR. CHRIS BATSAVAGE: Yes, I support the substitute motion for the reasons that Nichola and Nicole gave. Kind of coming into this reviewing the meeting materials, I was thinking a phase in approach would probably be the way to go. But I was thinking about doing it over a shorter period of time, and ending up with a TAC closer to the 108,000 MT to get to 50% probability of the F target.

But when you talk about big reductions for any fishery, that's pretty hard to do in one year. When you talk about the magnitude of the menhaden TAC where we're reducing by hundreds of millions of pounds, potentially. That's a whole other level. As Nicole and Nichola said, I think we do need to recognizes the big impacts to the industry from a socioeconomic standpoint.

But on that note, standing here considering that the main motion of a 20% reduction will lessen the impacts, socioeconomically at least over the next three years, but of course worried about ecological impacts to menhaden and what eats them, but also worry about down the road as we get regular assessment updates and benchmarks.

If we find ourselves in a situation where the best available science says that natural mortalities are lower than we thing currently, and find ourselves in an overfished situation, and have to take even bigger cuts. I think phasing down to what is described here in the substitute motion not only protects menhaden, and you've got ecological impacts, but I think also kind of buffers against any future shocks that could hit the menhaden industry if the science changes.

CHAIR CLARK: In opposition we have Dennis Abbott.

MR. ABBOTT: Whatever we do is a bitter pill for the industry that is prosecuting this fishery, and I would never think that I would probably be speaking on the side of Omega Protein. You know I just can't picture myself doing it, and I again appreciate the science that was put into this. The science though did not deal with the socioeconomics, because we would be crippling the lobster industry and a lot of things.

My concern is, as I mentioned in a question that I knew the answer to, is that the amount of menhaden being taken out of the Bay is really a big problem. I think we really need to adjust that part

of it. In the underlying motion, it was supported by a vote of 12 to 6, which is two-thirds of the members sitting here, so I think that I would like to see this motion defeated at the present time and take a vote on the underlying motion and put this to bed for this year.

CHAIR CLARK: Before I go to Joe, is there anybody else who would like to speak in support of this motion from the Board? I do not see that, so go right ahead, Joe. Wait a second, you want to speak in favor, Rob?

MR. LaFRANCE: Thank you for the time. I think this represents a really significant and meaningful compromise. I think this is something that everyone around this table should be able to support, and the reason I say that is we go with the 20% reduction in the first year, and then we start to phase it down.

In the event, to what Dennis was saying, that we really have trouble, the years out, you have two-thirds to try and move that differently. In the meantime, I think we need to continue to put pressure on making certain that the science moves forward, and making certain that we have the availability for the species where they need to be, again Maine, Massachusetts, New Hampshire, Rhode Island.

I mean that is where the lobster fishery is and we need to think about that as we think about allocation. I come back to that same question, and to me this is an allocation issue. The science is pretty clear; we need to reduce the overall TAC.

CHAIR CLARK: Joe, we'll go to you. Could you also speak, Joe, just because it has come up in the comments about Virginia's flexibility, in terms of reduction and bait, because if I recall you do have restrictions on what you can do as a state, in terms of what goes to reduction and what goes to bait?

MR. GRIST: Well, I don't have the regulation pulled up in front of me, but yes, we do. I'm in opposition. I see this as a motion, though I understand trying to compromise and everything, I respect that. It is still going to cost the industry jobs and other things. It could cost an entire community. Twenty percent reduction is not something that is not going to cost something. It's going to probably have an increase in bait prices. It's probably going to cause some other things that we haven't thought about with an economy that is right now kind of in a weird state, and we don't know what it's going to be like next year, and this year has already been a roller coaster as it is. Prices are still high. I just see this as a maneuver that would end up, socioeconomically it's going to cost jobs. It's going to cause an issue.

I think Mr. Reid hit it right. With striped bass we talked about socioeconomic all the time, and this one we don't. That is kind of strange considering it has the best stock assessment of any species we deal with. Why is this not also an equal important element to this? I cannot support this motion.

CHAIR CLARK: Thank you, Joe, I didn't mean to put you on the spot there, I was just thinking in terms of the fact that if people think that all this is going to come out of the reduction fishery that is not the way Virginia operates. As we've already mentioned, to change this once it's in effect again is a two-thirds vote. Before we go to caucus on this, we are going to take some comments. Oh, Eric, you have a comment before we go to the public. Then we'll go to the public and go right ahead, Eric.

MR. REID: Sorry, Mr. Chairman. I would like to speak in opposition, is that all right, to the substitute?

CHAIR CLARK: Go right ahead, and I'll just see if there is anybody else. If anybody else wants to speak in support, could you raise your hand right now on the Board? Oh, Doug, go right ahead.

MR. DOUG HAYMANS: I just want to get that question before we go to you, Eric. It's a question, either way. The question being, if the main motion were to read 20% reduction for one year, what new

data might we have other than catch levels for next year to change any decision for '27 or '28? What would we be gaining if it were for one year?

CHAIR CLARK: I'll ask, I think we just have catch, right? The only data we would have, Doug, would we would have to catch level for this year.

MR. HAYMANS: We would be right back at this table this time next year deciding the same thing over again.

CHAIR CLARK: Are you referring to the motion as written has the lock, you know it will step down, unless the Board comes back, and you're right. The Board would be here saying like, based on what was caught last year or just kind of continuing the argument that has been going on here already, and deciding whether to continue with the reductions or hold the line.

MR. HAYMANS: I guess what I'm saying, Mr. Chairman, is I'm having a real difficult time with 20% in perpetuity or at least for the next three years. I also have a difficulty taking a 50% cut over three years, and I'm trying to decide, we all discussed a two-thirds vote can change this, but what new information would we have to change either one of those, seeing as how they both are at three years. I need to process that to find my decision.

CHAIR CLARK: We'll go to Eric Reid.

MR. REID: You know we're talking about reduction versus bait. That is about as far from what we're really talking about as we can get. Honestly, we're talking about jobs, we're talking about socioeconomics. The price of driving a boat around the ocean is not going down, not going down. Paper towels cost more money; everything costs more money.

We're at a point now where the economic viability, return on investment, return to owner, is so marginal that going in a stepdown approach. We're not going to get any more information, so the reality is we're not going to revisit. Probably not at least for maybe two years. But we're going to take the fishery right out of it, because they can't function at these numbers, and we're not just talking about lobster bait in Connecticut, Rhode Island and Maine.

We're talking about bait all up and down the east coast in many, many forms. We're also talking about fish oil, which is used in I don't know how many products, everything from ice cream to paint, and we're talking about supplements, vitamins, vitamin this, vitamin that, fish oil, which are sent not only throughout this country, but probably around the world.

That is what we're talking about. We are talking about a giant economic engine for not just people in this room, or on this coast, it's a worldwide market for a variety of products that the fishery itself produces. We can't lose sight of that, and I don't want to lose sight of that either, and I don't want to lose one drop of market share on any one of those things, because once you lose it you never get it back.

CHAIR CLARK: Thank you, Eric, seeing no more comments from the Board, are there any members of the public that would like to speak? Hold on one second, I can only take three in favor, three opposed. Let me see three hands of those in favor of this motion. Okay, we have one in favor on line, so can I have two from the audience?

We have two in favor. Then I see we've got the online. I saw Mr. Lilly and the other gentleman there. I'm going to be going one, one, one. Let me see three hands opposed to the motion. Okay, so you, sir, one online. You in the front row there, and you on this side in the second row it looks like. Let's start with in favor, so Tom, I see you are already standing up, why don't you come to the microphone.

MR. LILLY: Speaking in favor of the substitute motion, it itself is a substantial reduction in what we saw originally with the error in the assessment.

You know the first function of the Commission, I think it's fair to say, is conservation. When we say conservation, we mean conservation versus exploitation.

The substitute motion, the gradual change or the gradual decrease over the years, that is a good compromise. It supports conservation. Remember, what we're talking about here is saving the Commission's flagship species, the striped bass. When we talk about jobs, the striped bass business, recreational and commercial, it's over a billion-dollar industry. There are 100,000 jobs involved, there are 24,000 small businesses involved.

CHAIR CLARK: Thanks, Tom, wrap it up.

MR. LILLY: That's the thing that we need to work toward say that's an objective for conservation and that's what you can do.

CHAIR CLARK: Thanks, Tom, and now I am going to take one opposed to the motion. You, Sir, you can come to the microphone. State your name and affiliation and then begin your comment.

MR. BRIAN COLLINS: Yes, Brian Collins, I'm a citizen of Virginia in the public. I'm concerned about this group, because it doesn't seem like you are taking into account the Chesapeake Bay ecosystem. Chesapeake Bay is the nursery. On your website it says 70 to 90% nursery of all the east coast striped bass. How can that not be in the equation? That's nutty, as far as I can see.

I mean if you're trying to rebuild stripe bass, which is a statutory responsibility, why isn't all the attention on the Chesapeake Bay? They are taking out every school in the Bay. When you talk about socioeconomic, and I understand that, there are 100K jobs. In 2016 striped bass, 8-billion-dollar industry in 2016, it is half that now. The Bay is dying, Chesapeake Bay. You go out and talk to the fishermen, there are no schools in the Bay.

CHAIR CLARK: Excuse me, Sir, this was for somebody opposed to the motion. Are you in favor of the motion?

MR. COLLINS: This was opposed to the motion, right, my comment?

CHAIR CLARK: It's opposed. You sound like you're speaking in favor.

MR. COLLINS: I apologize for not clarifying. I think to phase in so slowly is risky, because the Bay is already gasping for breath. Blue crabs are an all-time low, striped bass are pretty much gone. Osprey nests are failing. It's terrible. I don't hear anybody talking about this factor of 70 to 90% of striped bass come out of Chesapeake Bay, and industry can take every menhaden schools out of the Bay. There is no requirement for them to leave one fish in the Bay.

CHAIR CLARK: Thank you, Sir. Okay let me go next to somebody opposed to the motion. Okay, we can go to the one online who is A.J. Erskine.

MR. A. J. ERSKINE: Thank you, Mr. Chairman, I appreciate the opportunity. My name is A.J. Erskine, I'm with two baitfish packing companies in Virginia. One company packs bait for the crabbing industry up and down the east coast. The other company will grind menhaden for chum for the recreational sport fishing industry.

I'm strongly opposed to this substitute motion. This essentially yields a 50% reduction. I agree with the gentleman that said, we won't have any more information in 2027 or 2028. I would be in favor of the main motion, and seeing a 20% reduction. I think there are environmental factors that need to be discussed further, I appreciate the work that's been done by the scientific community, but I stand in opposition to the substitute motion. Thank you.

CHAIR CLARK: Thank you, Mr. Erskine, we'll take one from the room in favor, and I see Mike Waine. Why don't you come to the microphone, Mike.

MR. MIKE WAINE: Thank you, Mr. Chairman, Mike Waine with the American Sportfishing Association. I'll try to keep this pretty simple. I'm speaking in support of this substitute motion, which achieves the ERP fishing mortality target in the third year. If this motion fails and the main motion passes, this Board will have essentially abandoned ecosystem-based fisheries management for menhaden. I do not see a path in which passing the main motion also means this Board is managing menhaden for the ecosystem. Thank you.

CHAIR CLARK: Thanks, Mike. In opposition I have the gentleman in the second row there. Yes, you're coming to the microphone. Step right up, Sir.

MR. SAUN GEHAN: Shaun Gehan for Ocean Harvesters and Omega Protein. Really, I wasn't going to speak, but the gentleman from Connecticut has raised the issue. I just want to point out. I certainly can't speak for Virginia, but in terms of, if you think that whatever cut can be minimized by reallocating away from Virginia, which has already given up 10% or maybe 75% of its original allocation.

I would just point to the ISFMP charter which states, "conservation programs and management measures shall be designed to achieve appropriate management results throughout the range of a stock. As I said, I don't speak for Virginia, but we'll be certainly keeping an eye on this, because if Virginia is going to be stuck with the tab for whatever you do, then most certainly has standing to raise the fishery science.

CHAIR CLARK: Thank you, Mr. Gehan. We have one more public comment from Virginia Olsen.

MS. VIRGINIA OLSEN: The Maine Lobstering Union does not support the substitute motion. We would like to see the new main motion pass.

CHAIR CLARK: Thank you, Virginia. Why don't we take another three-minute caucus and we'll vote on this. Is everybody read for the question to be called here? Okay, quiet please. Is everybody ready for that? It looks that way. **All those in favor, please indicate by raising your hand.**

MS. KERNS: Rhode Island, Massachusetts, Connecticut, New York, Pennsylvania, North Carolina, Maryland.

CHAIR CLARK: All righty, hands down. All those opposed, please raise your hand.

MS. KERNS: New Jersey, Florida, Georgia, South Carolina, Virginia, Potomac River Fisheries Commission, Delaware, Maine, New Hampshire, NOAA Fisheries, and Fish and Wildlife Service.

CHAIR CLARK: Are there any abstentions or null votes? I see none. The tally is, the motion fails 7-11, so the main motion is still on the floor. But I've been told Ms. Costa has another motion she would like to make.

MS. COSTA**: I would move to substitute to set the TAC for 2026 at 186,840 mt, this represents a 20% reduction from status quo, and revisit the 2027 TAC and 2028 TAC at the 2026 Annual Meeting.** If I can get a second, I'll provide some rationale.

CHAIR CLARK: We have a second by Senator Peake. Go right ahead, Nicole.

MS. COSTA: I think we've heard a lot of discussion already here today. We've had several motions. This represents, in my opinion, a good compromise and a way forward to simply set the TAC for 2026, allow the Board to take a pause to thoroughly consider all of the information presented in the single-species assessment and the ERP assessments, and also to go home and engage our stakeholders.

There was a question earlier about what new information we might have next year to consider when setting specifications for 2027 and '28. I think a lot of this information is still new to the Board members and the public, and it will give us the

opportunity to go back, do some public engagement, explain the assessment and the results to our stakeholders, and then seek some public comment, so we can come back here, hopefully with a clear mine at annual meeting next year, and tackled 2027 and '28 at that time.

CHAIR CLARK: Thank you, Nicole. Senator Peake, would you like to add anything to that?

SENATOR SARAH PEAKE: Sure, just in simple terms I've heard, expression-able out of confusion and uncertainty around the table. I think this sets the TAC at a reasonable level, and gives us the opportunity to revisit it. It's a do no harm and do some good kind of compromise, and I would encourage people to support it.

CHAIR CLARK: Can I just get a clarification from James or Toni? If the Board does not revisit this next year, would the TAC stay where it is for the following year? It's been confirmed. What this is doing is kind of addressing a point that Doug Haymans brought up before. If we set this for one year it's set. If we don't do anything next year it stays where it is.

Although as just mentioned by Ms. Costa, the Board had a chance to revisit this, possibly do further reduction, possibly leave it alone, whatever the Board wants to do. I just wanted to clarify that. Do we have any, okay, go right ahead, Bob.

EXECUTIVE DIRECTOR BEAL: Just to be crystal clear. You know if this substitute motion were to pass, when the Board considers the 2027 TAC it is just a simple majority. You are not changing something, so you don't need the two-thirds vote for anything, a simple majority will make that change, since the Board hasn't set anything for 2027. It would just be a simple majority if this were to pass at the annual meeting next year.

CHAIR CLARK: Got it, Bob, thank you. Who would like to speak to this motion? Those in favor, raise your hands. Okay, we've got Doug and Megan. Are there any who would like to speak in opposition to this motion? I have Allison Colden. Go right ahead, Doug.

MR. HAYMANS: To the point of what new information. We may only have catch, but we really haven't heard from SAS on this. We've heard through our e-mails a lot of impacts that each reduction may get, but it's varying sides of the industries or the recreational. But I would like to hear from SAS the number of jobs involved in both the reduction fishery and in the bait fishery, as well as the recreational side, and what the true impact of a reduction may be to the number of jobs in those. I would like to see that for next year's meeting.

CHAIR CLARK: Okay, we'll go to Allison Colden; who wants to speak in opposition.

DR. COLDEN: I'm good with it, Chair, thank you.

CHAIR CLARK: Then I'll go to Megan Ware to speak in favor.

MS. WARE: I'm in favor of this. I think looking back at our past two motions, the Board is clearly divided. But the one thing in common was a 20% reduction in 2026. I think we should move forward with that today, come back, and keep discussing this later.

CHAIR CLARK: In the interest of time here, Eric Reid, you would like to make comment?

MR. REID: Yes, I like a challenge, I suppose. If the only new information that will become available really is what Mr. Haymans is speaking of, but can also come from the industry as well, is that correct?

CHAIR CLARK: I believe so, are you talking about information regarding, socioeconomic information. I believe that is the case, yes. We're getting assent from Bob and Toni there. Yes.

MR. REID: I guess it's more than me that has been challenged. Okay, thank you.

CHAIR CLARK: Very good, and Ray Kane.

MR. KANE: Question. When we come back to discuss this next year at this time, we will have the overall TAC established for '24 and '25, what was landed of the available TAC for both '24 and '25?

CHAIR CLARK: You're talking about the catch, the landings? We will definitely have the landings. You are talking about the actual landings, not the TAC. We'll definitely have the actual landings for '25 by then. Okay, in the interest of time if there is no further discussion, let's caucus again. We'll take another three minutes. This time it will be three minutes, my bladder does not need to caucus. Okay, let's get ready to vote, everybody. Are we ready? Let's have quiet in the room, please. **Will all those in favor of this motion, please raise their hands, the substitute motion.**

MS. KERNS: Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Florida, Georgia, South Carolina, North Carolina, Potomac River Fisheries Commission, Maryland, Delaware, Maine, New Hampshire, NOAA Fisheries and Fish and Wildlife Service.

CHAIR CLARK: That sounds like a lot, who is opposed?

MS. KERNS: Pennsylvania and Virginia.

CHAIR CLARK: Virginia, okay, are there any nulls or abstentions? Not seeing any, what is our tally, James, 16 to 2, the substitute becomes the main motion. Now that it is the main motion, before we take a final vote on that we will take two more public comments, one in favor, one opposed. Sir, you can come to the public microphone. State your name and your affiliation, and make your comment, please. The gentleman who is close to the microphone right now, are you both in favor or opposed? Opposed, okay, just one of you please, make a comment.

MR. DUSTIN DELANO: Good afternoon, my name is Dustin Delano of Friendship, Maine, Chairman and chief strategist for the New England Fishermen's Stewardship Association, a former menhaden seiner and a fourth-generation lobsterman. If we are revisiting this in one year, we shouldn't be considering anything more than a 10% cut, which would be a 0% chance of overfishing in the first year.

I urge the Commission to avoid these drastic cuts, even a lesser cut of 20% will have devastating effects. The science clearly shows menhaden are not overfished and overfishing is not occurring. The fishery is marine stewardship council certified, providing it being managed responsibly and sustainably. We also have to recognize the scientific uncertainty in the models can be used.

These big swings in results, driven by sudden modeling corrections, come out of left field in a road confidence in this process. That uncertainty should be a priority concern, not a reason for overreaction. The current measures already keep the stock healthy, and the risk of overfishing extremely low. Further sweeping cuts won't help the resource, but they will hurt working fishermen, bait suppliers, and the lobster and crab fisheries that depend on menhaden. Thank you.

CHAIR CLARK: Thank you, Mr. Delano. Is there anybody who wants to speak in favor of this motion in the audience? Not seeing any. Okay, this is now the main motion. Does anybody need time to caucus? Not seeing any. **Is there anybody opposed to the motion? Let's see if we can do this easy. Yes, okay we have Virginia, we will take a vote. Once again, those in favor, please raise their hands.**

MS. KERNS: Rhode Island, Massachusetts, Connecticut, New York, New Jersey, Florida, Georgia, South Carolina, North Carolina, Potomac River Fisheries Commission, Maryland, Delaware, Maine, New Hampshire, NOAA Fisheries, Fish and Wildlife Service.

CHAIR CLARK: Those opposed.

MS. KERNS: Pennsylvania and Virginia.

CHAIR CLARK: Okay, and I take it there are no abstentions or nulls. The motion carries by the same measure, 16 to 2. We have now settled that agenda item, thank goodness. Okay, we're not done yet. Now we move on to Item Number 6, which is consider approval of the fishery. Oh, Bob has something to say here.

EXECUTIVE DIRECTOR BEAL: I don't know, clock's running and the next agenda item is the FMP Review, and part of that FMP Review is going to be a history of landings and sort of feed into the allocation conversation. The Board could approve the FMP Review via e-mail and speed that up. But if there is interest in reallocation, which I haven't heard anyone say there is, necessarily right now.

We'll go the other way. If there is no interest in reallocation, I think we can probably change the FMP Review to approval via e-mail, and then we can move forward. But I think in order to make that change you would need to verify that no one wants to have a conversation about reallocation at this point, to initiate.

CHAIR CLARK: That is exactly what we were, I know when James and I spoke about this, if there was no interest in reallocation at this point, as you said, we could do the FMP Review by e-mail, because I know Maryland is very not much concerned about getting to the following agenda. Let me just ask for a show of hands. Is any state of jurisdiction looking to revisit allocation at this time? Nichola Meserve.

MS. MESERVE: I don't want to have the discussion today, but if we don't have it today, I would ask that it be on the annual meeting agenda for 2026, if we bypass it today, if that is possible. When we are also talking about setting the TAC for 2027.

CHAIR CLARK: Sounds good to me, I won't be the Chair. Yes, Toni.

MS. KERNS: Nichola, if you were interested in reallocation, what is the year that you would like to see that reallocation go into effect? If we put it out in the annual meeting, we couldn't do that for 2027, it would be 2028 at the earliest. Okay, just wanted to confirm.

CONSIDER APPROVAL OF FISHERY MANAGEMENT PLAN REVIEW AND STATE COMPLIANCE FOR THE 2024 FISHING YEAR

CHAIR CLARK: Okay, so this is where we are now. We are going to do the FMP Review by e-mail.

CONSIDER COMMERCIAL QUOTA REALLOCATION

CHAIR CLARK: We are putting off any action on commercial quota reallocation until 2026.

CONSIDER PLAN DEVELOPMENT TEAM DIRECTION ON CHESAPEAKE BAY

CHAIR CLARK: That brings us to Item Number 8, which is, Consider Plan Development Team Direction on Chesapeake Bay. I believe we can go right to the Board on this one, James. James has a couple slides to put up here, and then we'll go to the Board on this.

MR. BOYLE: I have a very, very quick update, just to provide a little bit of background. At the summer meeting the Board tasked the PDT with developing a white paper of options for distributing the Chesapeake Bay Cap more evenly throughout the fishing season, with the intent of providing drafts of those options at the winter meeting in 2026. So far, the PDT membership has been approved by the Board, that will be on the slide. We have not met yet, and are still working on finalizing confidential access for each member for all the Bay jurisdictions, including NOAA Fisheries Southeast Region, so they can get our work with the landing's information. That is what has happened so far. That is a brief update, and I can take any questions, or if we can accept further direction from the Board.

CHAIR CLARK: Are there questions for James or is there further direction? I see question from Emerson Hasbrouck.

MR. EMERSON C. HASBROUCK: Based on the motion that we just passed, we were going to have a 20% reduction for next year, and we're not sure what we're going to have in subsequent years. We'll decide that a year from now. If we're going to be talking about the Bay catch, I would suggest that we have a discussion about reducing the Bay Cap comparable to whatever we reduce the TAC.

CHAIR CLARK: Yes, that is where we're heading is, once again reiterate, the TAC did not include the Bay Cap, so that whole discussion we had about the TAC did not actually touch the Bay Cap, and that is something that I think is a big concern to Maryland, and Lynn, you would like to speak to that.

MS. FEGLEY: I would, Mr. Chairman, and I really appreciate the time and the opportunity to address this again with the Board. This is a very important issue to Maryland, and I thank you, James, for the update of where we are. Last summer we did ask for a white paper about the Bay Cap. I do want to back up a little bit for everybody, and just describe again the fishery that we have in Maryland.

We have a very small menhaden fishery that is primarily pound net. These are stationary gears that dig in shoal water. They are for the most part manually fished. The fish come to the net, we do not pursue the fish. For that reason, the netes are in a way an index of what is within the Bay, and the pound net indices have been used in the past part of our stock assessment.

What is harvested, the menhaden that are harvested in our pound nets support our iconic and culturally important trap fishery. We have talked a lot about socioeconomic impact, and I want to be really clear about the social and economic impact we are seeing in our community that rely on menhaden harvest to support our trap fishery.

We are not seeing menhaden. We have a failing menhaden fishery. In 2024 we barely cleared a million pounds. This is a fishery that used to harvest somewhere around 10 million pretty easily. In the last three years we have not seen harvestable fish. We have seen the little fish. We have seen them, but we haven't seen the big fish. Against this backdrop, last spring we were presented with the Precautionary Chesapeake Bay Management Work Group Report, which was an excellent piece of work.

We saw data that we hadn't seen before, and one of the things that we saw was intensive fishing pressure in the northern part of Virginia in the mid-summer, which would be the time when our nets should be catching. Again, I want to be really clear that we are not trying to single out a single cause. The Bay is under an incredible amount of stress right now. Things are changing. There are multiple causes to what we're seeing, but in our mind, we have been waving our arms, and we would like to very much explore how we can release some pressure, and mitigate some stress on our Chesapeake and potentially get some access to these fish. Without belaboring the point, we do want to make a motion, and that is:

Move to initiate Addendum II to the Atlantic menhaden fishery management plan, to address Chesapeake Bay management concerns. The addendum shall develop periods for the Chesapeake Bay Cap that distribute fishing effort more evenly throughout the season and also develop a range of options to reduce the Bay Cap from status quo to 50%. If I get a second, I'll talk about that last part, I'll justify that a little bit, Mr. Chair.

CHAIR CLARK: Second we have Rob LaFrance. Okay, Lynn, go ahead and speak to the motion.

MS. FEGLEY: We heard it around the table that some thought that it would be wise, put in the position that we're in that we reduce the cap commensurate with the TAC. Because now we're putting in a situation where we've only got the TAC set for a year, we really don't know what that TAC is going to be going forward. As everybody knows,

the TAC, which was set by Board action, this is going to be an addendum.

I'm assuming we'll get something back for comment for the Board to review in the winter, and then we will, something will happen in the spring, in terms of finalizing the addendum, but we won't know how to reduce that cap, because we don't know what the TAC is going to be going forward. The idea there would be for the PDT to come up with options to reduce the cap that they feel would be commensurate with the TAC reductions, if that made any sense at all.

CHAIR CLARK: Just so I'm clear. I know we've been hearing talk about linking the cap more directly to the TAC, like as a percentage. But this would just be taking the current cap and reducing it up to 50%. Still the cap would be separate from the overall TAC. Okay, thank you. Rob LaFrance, as seconder.

MR. LaFRANCE: Yes, I just want to support this motion, primarily because we had a working group report and we started looking at this issue, and last meeting talked about pulling together a PDT. I think what Lynn is putting forward here is putting a finer point on that, after the vote we had today on the TAC. My sense is again, we would be able to kind of pull out all this information, and understand the Bay cap better. I think the PDT is the expertise that we have been looking for to do this to help inform the Board. Again, I support the motion, I think it's a place we need to go.

CHAIR CLARK: Now let's open it up for discussion. Can I see hands of those in favor of the motion. I'm not seeing any. Can I see hands of those opposed to the motion. Joe Grist. Go right ahead, Joe.

MR. GRIST: At the beginning of this meeting during public comment we heard about the Science Center for Marine Fisheries study, and also many of us received an e-mail last week, a surprise to a lot of people. We've got five renowned fishery scientists of impeccable integrity, who are going to be looking at this very thing, and looking at what it would take to do a science-based cap. The cap is not science based; it's based on whatever the whims of this Board is.

It hasn't changed for a number of years, even though the TAC has gone up and down the Bay TAC hasn't changed, it's been steady. There is no causation for that. We have a group of scientists who we all know, we've all received work for, we've all respected that are going to work on this issue. Our PDT wouldn't even have to do the work.

Somebody else is going to do it for us and pay for it. Why not wait and let the scientists come up with the answer, instead of us sitting here and trying to do it piecemeal, and then their results come out and we go oh, we either got it right or we got it wrong. That is not a risk I'm willing to take.

CHAIR CLARK: Next, I have Dennis Abbott and then Allison Colden.

MR. ABBOTT: To Joe Grist's comments. We received on our desk this paper about Science Center for Marine Fisheries, whatever it is, and a number of prominent scientists signed on to this. But what it doesn't talk about is it specifically never mentions menhaden, and it also, being a private organization.

I don't see they are under any time constraints to provide any results to us in one year, two years, three years, four years or ten years. Though I appreciate what they want to do, I don't think that should be at this moment in time part of our management process. Thanks.

CHAIR CLARK: Next up is Allison Colden and then Joe Cimino, and then Jeff Kaelin.

DR. COLDEN: You know with all due consideration to this study that was just announced last week. Obviously, this Board is well aware that this is something that we have been asking for and pursuing for over a year. We took the time to very deliberately bring together a Board Work Group,

which I was happy to serve on, and serve with my fellow Board members to explore a range of different options.

We presented that, we got to a point where we wanted to move something forward. We got to the August meeting, couldn't necessarily move something forward, and here we are again asking this Board to please help us address the significant issues that we are seeing in the Chesapeake Bay. Not only that, initiating this addendum today.

One, as we all know how this process works, it does not obligate us to take any action. We are initiating an addendum to explore different options for the Chesapeake Bay, and nothing about initiating an addendum or even taking final action on this addendum would preclude the science and the information that this SCEMFIS study would pursue. To that end, I'm just urging the Board, and asking to allow this addendum to be initiated. We can continue these conversations as the addendum process proceeds, with appropriate public process and input as we're designed to do.

CHAIR CLARK: James Minor, I'm assuming you're also going to be opposed to this motion, so let's go to you to speak.

MR. JAMES MINOR: Yes, I have a question. I just want to note. Lynn, can you confirm that you have the same amount of pound netters, and/or effort to be catching less menhaden?

MS. FEGLEY: I believe the answer to that is yes. Yes.

CHAIR CLARK: Follow up, Mr. Minor?

MR. MINOR: I'm good.

CHAIR CLARK: We'll go to Joe Cimino, then I have Jeff Kaelin and then Marty Gary.

MR. CIMINO: I was kind of coming in with a question more than anything. I'm not speaking for New Jersey, just for myself. I'm definitely not opposed to the motion. I agree with a lot of what Allison said. I just wondered, since there is no time specific here, my assumption is that if we start an addendum, it's not necessarily going to put us ahead of any new research that comes out. In the process we can adjust as we go, if we do believe there is new research coming forward. In general, I think this is a discussion that needs to happen.

CHAIR CLARK: I'm sorry, Joe, was there a question there?

MR. CIMINO: Yes, I guess it's just to the time certain. If there isn't, and it's just that we're going to begin working on something with no time certain, this isn't for the annual meeting in 2027 or 2026, then I think I personally could support the motion. Again, I'm not speaking for the state.

CHAIR CLARK: There is no time certain in the motion. I don't know if after we vote on it, if somebody would want to set one, but as of right now, Lynn, correct, there is no time certain on this. Okay, great, next up we have Jeff Kaelin and then Marty Gary, then Nichola.

MR. KAELIN: I just wanted to respond to Dennis' questions. If you take a look at the handout, you'll see a list of companies that have been involved with the Science Center for Marine Fisheries for the last 11 years. It's an Industry/University partnership that is supported by the National Science Foundation, and we went down that road because we had a lot of trouble with the voracity of industry funded research being minimized because it came from the industry.

We work with the National Science Foundation. This project was just funded; the meeting just occurred in Annapolis a couple of weeks ago. We've been at the table for 11 years by then. That is after doing applied research. This project will be available within the next calendar year. They are going to go to work.

The money has been funded, it's a $60,0000.00 project, which was funded by this collaboration of

industry people that have been at the table with NSF for 11 years. That's who SCEMFIS is, and I'm sure you've heard of it before. I think we have a lot of integrity with that process. We have two host institutions, VIMS being one and the other being University of Southern Mississippi. The track record is very, very good. We're very proud of the work that has come out of SCEMFIS, and we were happy to do this because this issue has been sitting around for so long, we felt that it needed a scientific review. Personally, I'm opposed to the addendum myself. We haven't figured out where we are as a caucus yet.

But I think we should wait and get that information. We don't have the white paper yet, which we talked about earlier on the direction of the Chesapeake Bay. Two things, I wanted to talk about SCEMFIS and what we've accomplished there, and the second thing I'm saying, I think this addendum motion is premature, and I'm personally opposed to it.

CHAIR CLARK: Is there anybody else who has a question right now? I think I have Marty, Nichola and Adam in the queue. Did you guys have comments, or either of you just have a question. Okay, so Adam, you have a question? I'll go to Eric first, and then to Adam on questions.

MR. REID: I agree with Mr. Kaelin, we've all seen work by SCEMFIS already, through the Mid-Atlantic Council, and they do fabulous work. But my question is, the last two lines of the motion says, a range of options to reduce the Bay Cap from status quo to 50%. I would like to know if that means from status quo directly to 50%, or is it status quo up to 50%? Okay, thank you.

CHAIR CLARK: Then a question, yes up to. Can that be added, or does that have to be added with a motion. Is the Board good with just putting the word up in there so it's clear? Okay, sounds that way, so Adam, go ahead with your question.

MR. ADAM NOWALSKY: I'm just trying to get clarity on the interplay of the motion that was shown earlier from the summer meeting, where the PDT is developing options for distributing the reduction cap more evenly, and this says the Addendum shall develop periods that distributes fishing effort more evenly.

The only difference I see between the tasking from them from the summer meeting was that we're going to go ahead, distribute harvest differently. This is saying we're looking at fishing. What is the difference here that we're going to get from the work that we tasked the PDT work to be done in the summer and the initiation of this addendum? It seems like that work has already been tasked and underway.

CHAIR CLARK: Let me turn that over to Lynn Fegley and see if she can respond to that.

MS. FEGLEY: The idea here was to take the work that we had asked for in the summer and roll that into an addendum document. I understand now that the language looks different, but the idea here is to now create an addendum that develops options to distribute the Bay Cap to removal of those fish more evenly through the season to mitigate potential bottlenecks. That part of the tasking really hasn't changed, except that now it gets rolled into an addendum that also addresses keeping the Bay Cap in the same, reducing it proportionately to the TAC.

CHAIR CLARK: Follow up, Adam?

MR. NOWALSKY: Yes, so I'll just offer if you want to continue moving through your queue, the answer to that question kind of cements a position in my mind. I'll either defer to letting you continue to the queue, or wherever you want me to go with that.

CHAIR CLARK: Let's go back to the comments then, and we can move on after that. We have Marty Gary and then Nichola Meserve.

MR. MARTIN GARY: Mr. Chairman it was another question if it's okay.

CHAIR CLARK: Another question, okay, go ahead, Marty.

MR. GARY: It's to Maryland. I understood what Lynn said clearly, but my question was to Russel if you could. I know you mentioned it at the previous meetings, Russel, but you're based out of Tilman, I've worked with you a lot over the years, and I know you know every single pound netter in the Chesapeake Bay and the Maryland section. Jut wondered if you could offer a free characterization from your viewpoint.

MR. RUSSEL DIZE: Marty, I would be glad to, but my voice is shot. Our pound netters in Maryland have caught 0 fish this year, none. We have Robby Wilson at Tilman, I spoke to him Thursday, and his recall one bushel of menhaden, the average fish was 4 inches. That is all he's caught this summer. Also, Bill down at Obers Island, they haven't caught enough fish to sell, so we're in a bad position in Maryland. I'm sorry for my voice.

CHAIR CLARK: No problem, Russel, thank you for that information. Now we move on to Nichola Meserve.

MS. MESERVE: I support a lot of what is in this motion. My concern with it, however, is that it doesn't address any reduction to the Bay Cap for 2026, is my understanding, based on the timeline that is presented, this is a normal addendum process, and so we have taken action to reduce the coastwide quota, affecting all the states by 20%, but we're not taking a commensurate reduction in the Bay Cap for next year. That is a concern with it.

I think I can get past that. However, I did like what you brought up, Mr. Chair, the idea of linking the same cap more directly to the TAC, such as setting it as a percentage, so that we don't always need an addendum to react quicky to a change in the TAC. Addendums also take up a lot of Commission resources.

Another way that the Bay Cap could also be adjusted commensurate with changes in the TAC for specifications. You know we do that for the TAC affecting all the states, but for some reason we can't do that for the Bay Cap. I'm not sure I understand why that is. I think I would like to amend the motion, and I'm sorry, I'm going to have to do this a little bit on the fly, because my prior motion that I submitted is not quite going to work now. Move to amend to add setting it as a percentage of the TAC or allowing the Bay Cap to set your specification.

CHAIR CLARK: Once that is up on the screen we'll see about getting a second. Yes, and maybe when it's up there, Nichola, you can check it out and see that it's what you are wanting.

MS. MESERVE: Move to amend to add "setting it as a percentage of the TAC."

CHAIR CLARK: Where would that be added?

MS. MESERVE: The very end of the sentence. It would be a range of options to reduce the Bay Cap from status quo up to 50%, setting it as a percentage of the TAC or allowing the Bay Cap to be set by specifications. That is how it would read altogether.

CHAIR CLARK: Okay, is what is up there on the board what you want? While we're waiting, I think we've all got the idea here. Is there somebody that would like to second this amendment? David Borden, okay. If that is acceptable, Nichola, would you please read that into the record?

MS. MESERVE: **Move to amend to add after 50% and set the Bay Cap as a percentage of the TAC or allow the Bay Cap to be set by specification.**

CHAIR CLARK: Thanks, so we have a motion to amend and a second. Do we have comments on this new motion? Nicole Costa.

MS. COSTA: Yes, I just had a clarifying question to the maker of the motion. The way the Amendment reads is that it would be a percentage of the TAC or

be set by specifications. Is that the intent, or did you want to allow for both?

MS. MESERVE: I was envisioning it as an "or". An addendum could set the Bay Cap as a percentage of the TAC, and so each time the TAC changes the Bay Cap would also change, you wouldn't need further addendums, or as an alternative the Bay Cap could be set via specifications, therefore also alleviating the need to have an addendum each time we change the Bay Cap.

CHAIR CLARK: Did that answer your question, Nicole? Okay. Lynn.

MS. FEGLEY: I really appreciate the intent behind this, but I think we need to be extremely careful here. I don't think that I could support it, because of comments. You know the point made earlier by Mr. Kaelin across the table. You know we are, I think in the best-case scenario, in several years we are going to have a science-based way to estimate this cap. We have been waiting for that. We have been waiting for that and waiting for that, and so I would rather than get in the business of tying the Bay Cap to specifications.

I would rather get through a public process such as an addendum, and I would in my mind, the cap there it should be until we have a new stock assessment, or until we have the science, to tell us how to appropriately set that cap. I get a little worried. You know this is a lot that we've thrown out there, and speaking of instability, this just concerns me a little bit. I think I'm more comfortable with the addendum process.

CHAIR CLARK: Lynn, are you saying that you're just opposed to the allowing the cap to be set by specification or the entire amended amendment?

MS. FEGLEY: I just misspoke. I'm just opposed to the amended motion.

CHAIR CLARK: Okay, so the entire amended motion.

MS. FEGLEY: Correct.

CHAIR CLARK: Anybody else who would like to speak to the amendment to the motion? I'm not seeing any hands. Just to be very clear, what this amendment would do is, in addition to what Lynn, I just want it clear, because I'm trying to think out loud here. What you said is just to reduce the static Bay Cap by either a 0 status quo or up to 50%.

What this would do would be allow the Bay Cap to be set as a percentage of the TAC, which would then kind of get it away from that static Bay Cap that we have now or just set it as part of our specifications, which I assume means that it could be changed at any time, any time the Board takes specification action.

Okay, Bob is nodding. Is everybody on the Board clear about that? Okay, great. In that case why don't we caucus then, take another three minutes' worth. Okay, can the Board return to the table? Is it just me or were some of these decisions easier to make years ago? I don't know, shows how old I am. The good old days.

The good old days where we got together. Okay, we have an amendment on the floor to a motion. We've had a caucus here, and so I believe it is time for us to take a vote. **Those in favor of the amendment, please raise your hands.**

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

CHAIR CLARK: All right, those opposed please raise your hand.

MS. KERNS: New York, New Jersey, Pennsylvania, Georgia, South Carolina, Virginia, Potomac River Fisheries Commission, Maryland, Delaware.

CHAIR CLARK: Abstentions? Yes, we have Maine that is just abstaining. Okay, and who else?

MS. KERNS: NOAA Fisheries, Fish and Wildlife Service, Maine, Florida.

CHAIR CLARK: Holy Chamoli that's a lot of abstentions. Nulls, do we have null votes too? Okay, we don't have any nulls, so what is our final tally, James? Okay, motion fails 5 to 9 to 4 to 0. I think from discussions, I don't think people were opposed to what Nichola's idea was, more that just the original motion fits in better with where Maryland wanted to go with this.

CHAIR CLARK: If there is no further discussion on the main motion is the Board ready to vote? Do we need to caucus? Are there any further comments that need to be made? Okay not seeing any, oh, Adam Nowalsky.

MR. NOWALSKY: I just wanted to make a comment here, Mr. Chairman, and that comment is that, first off, I want to say I am very concerned about what I'm hearing about Maryland issues here. I am 100% confident that there is a very real issue here. I am very concerned though at the same time about the optics of what transpired between the summer meeting and now, doing this at the very end of a meeting, rushing through it.

Having comments from yourself about a non-motion and a non-management action, having certain individuals saying, well we're going to go develop options for some future management action. The expectation, reading through the minutes from the previous meeting was we were going to get that PDT work before we initiated a management action.

Now, here we are today, we initiated options previous meeting, we haven't seen them yet. Now we're going to initiate the management action. I'm just really concerned about the optics here. I'm going to put that on the record. I'm not going to take any other action with it, but I just wanted to put that out there.

CHAIR CLARK: Thanks, Adam, I'm sorry if I've confused things worse, but I think the Board understands that what Maryland is proposing here. Once again, Lynn, this is different than what was agreed to at the summer meeting, correct?

MS. FEGLEY: The tasking to distribute the fishery, so whether we're talking about target or effort, the tasking really, in my mind, isn't changing from the summer. What we want to do is take that conversation we had at the summer meeting, and take what we were looking to have in a white paper and roll it into a single addendum with options for the Bay Cap, it's a single addendum.

CHAIR CLARK: Okay, is the Board clear about that? Are there any further questions or comments on this? Not seeing any; does anybody does anybody need to caucus? Not seeing any. Why don't we see if we can do this the easy way. Does anybody oppose this motion? Oh, Virginia does oppose?

Gee whiz, how could I forget? Sorry, I'm getting ahead of myself here. Let's go to the public, are there comments either in favor or opposed to this? I see in the front row here, and Sir, you're opposed to this motion? Okay, come to the mic, you have one minute. Then Sir, are you in favor of the motion? Okay, then you come up after him, and once again state your name and your affiliation.

MR. BEN LANDRY: Hi, my name is Ben Landry, and I'm with Ocean Harvesters. I think it is clear to everyone that this is not, you can change the name of it, it's an Ocean Harvesters Cap and it only applies to the reduction fishery. You can mask it in any way. You know when you have dozens of fishermen in the back and it's just such a callous conversation about, let's hurry up and figure out how we can cut their harvest in the Bay.

It just sets a really wrong tone, particularly when you hear from the Maryland delegation talk about how they need more fish for their pound netters, and they listen if that's a concern then we should have a discussion on that. But it's a little hypocritical to say, my pound netters need more fish, but let's hurry up and cut it from the reduction

industry. Bait fish are fish caught in the pound netters. They are not less ecologically important than those caught by the reduction fishery. I think it's kind of an indictment, I guess, on the entire Bay Cap, but thank you for your time.

CHAIR CLARK: Thank you, Mr. Landry. Next up, speaking in favor of the motion.

MR. WILL POSTON: Yes, thank you, Mr. Chairman. Will Poston with the Chesapeake Bay Foundation. I'll focus on two main pieces. There was a lot of discussion about the SCEMFIS study, and I want to clarify based on my understanding. This is not giving us anything new, it's designing a plan to move forward.

We are years away from a scientifically defensible ecosystem-based Bay Cap. I think that needs to be recognized by this Board. Secondly, you know just think about the decision we just made. We made a lot of sacrifice in favor or the socioeconomic impacts and are not addressing the grave concerns that we have in Chesapeake Bay around a struggling ecosystem.

This is an opportunity to explore that and address the stress that we're seeing in Chesapeake Bay and provide management alternatives to alleviate stress. Again, this is a Cap. This is not reducing prosecutable quota by the fishery. Thank you.

CHAIR CLARK: Thank you, Mr. Poston. Okay, back to the Board. Any final comments before we call the question? I am not seeing any, so we're calling the question now. **All those in favor, please raise their hand.**

MS. KERNS: Rhode Island, Massachusetts, Connecticut, New York, Pennsylvania, Georgia, South Carolina, North Carolina, Potomac River Fisheries Commission, Maryland, Delaware, Maine, New Hampshire.

CHAIR CLARK: All those opposed.

MS. KERNS: New Jersey, Virginia.

CHAIR CLARK: Any abstentions.

MS. KERNS: NOAA Fisheries and Fish and Wildlife Service are abstentions, null is Florida.

CHAIR CLARK: Florida is null, okay, so our final tally, the motion passes 13, 2, to 1. Is there anything else on that item, Lynn, or does that settle that? In the interest of time, and because we've all been sitting here for a good long while, James, do you want to address Item Number 8 and maybe we put that one off? You're going to bring up a slide. Okay, Jeff, you want to bring this up?

MR. KAELIN: I do, Mr. Kaelin, and I'm sorry that I withdrew the motions in August, because the point I was trying to make about the cold water on the shelf and the impact on menhaden fishing coastwide, including in New Jersey, was lost in the discussion, because I never made the motion. These are two motions that I was going to make relative to environmental issues back in August, and again, I'm sorry I didn't make them. It is a little late, but we can always eat later.

CHAIR CLARK: That's what you think.

MR. KAELIN: I know that's not a popular thing to say, but I want these motions to be considered by the Board today.

CHAIR CLARK: Understood, Jeff.

MR. KAELIN: The purpose, going back to where we were in August was to make recommendations to the Technical Committee about issues like this. Those are the two motions that I have.

CONSIDER TECHNICAL COMMITTEE DIRECTION ON COASTAL ENVIRONMENTAL CONDITIONS

CHAIR CLARK: I tell you what, Jeff. I was just talking to James here briefly. You did bring these up in August. If the Board would like to task the Technical Committee with investigating, as you've

written these here. We don't need motions; we just need Board consent to have the TC tasked with pursuing these environmental investigations.

MR. KAELIN: I think that is a great way to move forward.

CHAIR CLARK: Let me ask the Board, can everybody read these? Has everybody seen this? Is the Board comfortable with these as tasks to the TC? Okay, James is going to make a clarification.

MR. BOYLE: Just a quick clarification, I see everybody reading them. These are the same that I sent out after the August meeting. They are Number 1 and Number 3 of the three bullet points I sent out after the August meeting, if that helps remind anybody.

CHAIR CLARK: Question from Lynn Fegley.

MS. FEGLEY: Just really quick. I think this is a great idea, but I'm curious with the bullet point about the local abundance of menhaden and other forage in Chesapeake Bay. Would the TC interface at all with the SCEMFIS project? I mean would we be sharing information about that, so we're all working for the same goals?

MR. KAELIN: Yes, Ms. Fegley, yes. I think so. It should be that way, yes.

CHAIR CLARK: Anything else on this? I'm not seeing any opposition from the Board. I think we've had the clarification that was asked for. We're good with moving ahead with tasking the TC these two items, James? Okay. If there are no further comments on that, we're settled with that, which brings us to Item 10, Other Business. Is there any other business to come before the Board? Mr. Grout.

MR. GROUT: Just very quickly. Part of the record here is a very clear, brief discussion by Katie Drew as to why the population abundance and the quotas have been reduced. If that can be included in a press release, you know a very simple clarification so that the general public can understand why there was such a drastic thing. Thank you.

CHAIR CLARK: That's a great idea, Doug.

DR. DREW: We can definitely work on that to the press release. I'll also say, we have been putting together a frequently asked questions document that 100% includes that information, so that would be part of the materials that we distribute after the meeting.

CHAIR CLARK: That will be great, Katie, thank you very much.

ADJOURNMENT

CHAIR CLARK: Okay, well I guess in that case, who wants to make the motion to adjourn? We've got Dennis Abbot and a second. We are adjourned.

(Whereupon the meeting adjourned at 5:15p.m. on Tuesday, October 28, 2025)

Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: **Atlantic Menhaden Management Board**

FROM: **Atlantic Menhaden Advisory Panel**

DATE: **January 21, 2026**

SUBJECT: **Advisory Panel Review of 2025 ERP Benchmark Assessment and Single-Species Assessment Update**

The Atlantic Menhaden Advisory Panel (AP) met via conference call and webinar on Thursday, January 8th, 2026 to review the results of the 2025 Ecological Reference Points (ERP) Benchmark Stock Assessment and the Atlantic Menhaden Single-Species Assessment Update.

AP Members in attendance*:* Meghan Lapp (Chair), Peter Himchak (VA), Patrick Paquette (MA), Scott Williams (NC)

ASMFC Staff: James Boyle, Katie Drew

Other: Aaron Williams, Alison Hawkes, Chris Andrews, Corrin Flora, David Stormer, Doug McLennan, Dustin Colson, Dustin Delano, James West, Jason Joyce, Jason York, Nick Heal, Shaun McLennan, Tess Browne

AP Discussion

Peter Himchak recommended that for the next ERP Benchmark Assessment a multispecies statistical catch-at-age model is considered as an alternative to the current NWACS-MICE model. Additionally, he commented that the Total Allowable Catch (TAC) set for 2026 should be maintained for 2027 and 2028 when the Board next considers specifications at the 2026 Annual Meeting.

After noting that none of the surveys included in the assessments occur north of Rhode Island, Patrick Paquette commented on the varying consistency between the results of the assessments and his observations of the increasing availability in Massachusetts. Overall, he noted that the transition to an ecosystem model and its ability to adapt to new data is working appropriately, and the changes made in the new benchmark were correct. He also expressed a desire for the Board to consider reallocating more quota to New England states to match the availability and demand for local bait. He commented that the current allocations are not maximizing the yield and benefit to local economies.

Meghan Lapp requested that the AP review coastwide and state quota utilization over time at their next meeting to provide further comments on reallocation before the Board considers the topic at the 2026 Annual Meeting.

After the meeting, Jeff Deem submitted a comment in support of maintaining commercial harvest levels and rejecting further cuts to the TAC until more information on the impacts to the environment suggests changes are necessary.

Public Comments

In addition to the AP members, several members of the public were on the webinar and six provided comments. Commenters were generally in favor of preventing further cuts to the TAC and support considering reallocation to New England states, particularly Maine, to increase the supply and economic benefits of locally harvested bait. Commenters also noted concern with the absence of surveys north of Rhode Island in the assessments to accurately capture the overall size of the stock considering observations in Maine.

James Boyle

From: James Boyle
Sent: Monday, December 15, 2025 12:40 PM
To: James Boyle
Subject: FW: [New] Re: [External] Tyalure tackle

From: Nuno Decosta <nunodecosta@aol.com>
Sent: Monday, December 15, 2025 9:43 AM
To: Emilie Franke <EFranke@ASMFC.org>
Subject: Re: [New] Re: [External] Tyalure tackle

When you talk to people up and down the coast, as we do it at our shop, many speak of not seeing any Bunker in the last couple of years.

Sent from the all new AOL app for iOS

On Monday, December 15, 2025, 9:20 AM, Emilie Franke <EFranke@ASMFC.org> wrote:

> Hello Mr. Decosta,
>
> Thanks for the question on menhaden. I talked with our menhaden coordinator, James Boyle, to get these details.
>
> First, to clarify, menhaden are not overfished or experiencing overfishing from the latest stock assessments. A stock is experiencing overfishing when the fishing mortality rate is estimated to be higher than the fishing mortality threshold, and in that case, the FMP directs the Board to take action to end overfishing. The Menhaden Board, with input from the Technical Committee and Ecological Reference Point (ERP) Work Group, also defines a fishing mortality target as an additional buffer. The assessments found the fishing mortality rate to be between the ERP threshold and the target.
>
> Additionally, at their last meeting, the Menhaden Board set the quota for 2026 with a 20% reduction from 2025.
>
> Coming up, the Board will discuss setting the 2027 quota at the October 2026 Board meeting. The Board is also currently working on a draft addendum to consider options to reduce the Chesapeake Bay menhaden reduction fishery cap by up to 50% and distribute the cap more evenly throughout

the Bay fishing season. The Board will discuss progress on the draft addendum at its upcoming February 2026 meeting.

Our Menhaden FAQ page and the press release after their last meeting will provide more information:

Menhaden FAQ: https://asmfc.org/news/fact-check/atlantic-menhaden-faqs/

Press Release: https://asmfc.org/news/press-releases/asmfc-atlantic-menhaden-board-reduces-2026-tac-by-20-and-initiates-addendum-for-chesapeake-bay-cap/

Thanks,

Emilie

Emilie Franke | Fishery Management Plan Coordinator

Atlantic States Marine Fisheries Commission

1050 N. Highland Street, Suite 200 A-N

Arlington, VA 22201

Phone: 703.842.0716

efranke@asmfc.org | www.asmfc.org

From: Nuno Decosta <nunodecosta@aol.com>
Sent: Friday, December 12, 2025 11:17 AM
To: Emilie Franke <EFranke@ASMFC.org>
Subject: Re: [New] Re: [External] Tyalure tackle

Thanks for the follow up

Will their be any developments on the bunker front as most anglers feel the overfishing is causing many environmental changes in many fisheries

Nuno

Sent from the all new AOL app for iOS

r and know the content is safe.

Atlantic States Marine Fisheries Commission

Summer Flounder, Scup, and Black Sea Bass Management Board

February 4, 2026
3:45 – 5:30 p.m.

Draft Agenda

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

1.	Welcome/Call to Order (*J. Maniscalco*)	3:45 p.m.
2.	Board Consent • Approval of Agenda • Approval of Proceedings from February 2024	3:45 p.m.
3.	Public Comment	3:50 p.m.
4.	Consider Regional Distribution of Black Sea Bass Liberalization for 2026-2027 Recreational Management Measures **Action** • Consider Technical Committee Report (*R. Sysak*)	4:00 p.m.
5.	Elect Vice-Chair **Action**	5:25 p.m.
6.	Other Business/Adjourn	5:30 p.m.

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details.

MEETING OVERVIEW

Summer Flounder, Scup, and Black Sea Bass Management Board
February 4, 2026
3:45 p.m. – 5:30 p.m.

Chair: John Maniscalco (NY) Assumed Chairmanship: 12/25	Technical Committee Chair: Rachel Sysak (NY)	Law Enforcement Committee Representative: Snellbaker (MD)
Vice Chair: Vacant	Advisory Panel Chair: Vacant	Previous Board Meeting: February 14, 2024
Voting Members: NH, MA, RI, CT, NY, NJ, DE, MD, PRFC, VA, NC, NMFS, USFWS (13 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from February 2024

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

4. Consider Regional Distribution of Black Sea Bass Liberalization for 2026-2027 Recreational Management Measures (4:00-5:25 p.m.) Action

Background

- In December 2025, the Summer Flounder, Scup, and Black Sea Bass Management Board (Board) and the Mid-Atlantic Fishery Management Council (Council) jointly approved status quo recreational measures for summer flounder and scup for 2026-2027, as well as a 20% liberalization from status quo recreational measures for black sea bass. In the event black sea bass recreational measures are to be liberalized, Addendum XXXII to the Summer Flounder, Scup, and Black Sea Bass Fishery Management Plan directs the Board to determine how the coastwide harvest liberalization will be distributed among the three regions for black sea bass (Massachusetts through New York, New Jersey, and Delaware through North Carolina) , based on factors including (but not limited to) resource distribution and expected availability, angler effort, prior year fishery performance, and TC recommendations.
- The Technical Committee met twice in January to discuss recommendations, which are summarized in a memo to the Board (**Supplemental Materials**).

Presentations

- Technical Committee Report by R. Sysak

Board Actions for Consideration

- Approve the regional distribution of the 20% liberalization of black sea bass recreational measures

5. Elect Vice-Chair (5:25-5:30 p.m.) Action

6. Other Business/Adjourn

Summer Flounder, Scup, & Black Sea Bass 2026 Technical Committee Tasks

Activity Level: High

Committee Overlap Score: High (Multi-species committees for this Board)

Committee Task List

- July 2026: Review previously adopted 2026-2027 specifications (coastwide quota and RHLs) for summer flounder, scup, and black sea bass.
- November 2026: Review previously adopted 2026-2027 recreational measures.

TC Members: Rachel Sysak (Chair), Julia Beaty (MAFMC), Peter Clarke (NJ), Tracey Bauer (ASMFC), Chelsea Tuohy (ASMFC), Hannah Hart (MAFMC), Hayden Dubniczki (MAFMC), Alexa Galvan (VA), Lorena de la Garza (NC), Steve Doctor (MD), Savannah Lewis (NOAA), Laura Deighan (NOAA), Jeff Kipp (ASMFC), Elise Koob (MA), Corinne Truesdale (RI), Sam Truesdell (NOAA), Greg Wojcik (CT), Ben Wasserman (DE), Tony Wood (NOAA).

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

SUMMER FLOUNDER, SCUP, AND BLACK SEA BASS MANAGEMENT BOARD

Webinar

February 14, 2024

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ATTENDANCE

Board Members

Renee Zobel, NH, proxy for C. Patterson (AA)
Nichola Meserve, MA, proxy for D. McKiernan (AA)
Raymond Kane, MA (GA)
Sarah Ferrara, MA, proxy for Rep. Peake (LA)
Jason McNamee, RI (AA)
David Borden, RI (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Justin Davis, CT (AA)
Bill Hyatt, CT (GA)
Marty Gary, NY (AA)
Emerson Hasbrouck, NY (AA)
Amy Karlnowski, NY (LA)
Joe Cimino, NJ (AA)
Jeff Kaelin, NJ (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
John Clark, DE (AA)
Roy Miller, DE (GA)
Mike Luisi, MD, proxy for L. Fegley (AA, Acting)
Pat Geer, VA, proxy for J. Green (AA)
Joe Grist, VA, proxy for Sen. Mason (LA)
Chris Batsavage, NC, proxy for K. Rawls (AA)
Ron Owens, PRFC
Emily Keiley, NMFS

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

Ex-Officio Members

Alexa Galvan, Technical Committee Chair
Jason Snellbaker, Law Enforcement Representative

Staff

Bob Beal
Toni Kerns
Tina Berger
Madeline Musante
Tracey Bauer
Emilie Franke
Chelsea Tuohy
Kurt Blanchard

Guests

Galvan Alexa, VMRC
Mabaka Arthur, Stony Brook Uni.
Muffley Brandon, MAFMC
Ingrid Braun, PRFC
McDonough Chris, SC DNR
Bouffard Colleen, CT DEEP
Truesdale Corinne, RI DEM
Weedon Craig, MD DNR
Radel Dan, Gannett NJ
Koob Elise, MA DMF
DiDomenico Greg
Hart Hannah, MAFMC
Braun-Ricks Ingrid, PRFC
Conway Jack
Creighton Jack
Hermsen Jay, NOAA
Brust Jeffrey, NJ DEP
Maniscalco John, NYS DEC
Lim Jonathan, Stony Brook Uni.
Beneventine Joseph
Beaty Julia, MAFMC
Neill Ken, MSN
Dancy Kiley, MAFMC
Gillingham Lewis, VMRC
De La Garza Lorena, NC DEQ
John Maniscalco, NYS DEC
Appleman Max, NOAA
Bowen Michael, Cornell
Armstrong Mike, MA DMF
Augustine Pat
Haertel Paul
Clarke Peter, NJ DEP
Bogan Raymond
St. Amand Renee, CT DEEP
Lazo Sarah, NOAA
Curatolo-Wagemann Scott, Cornell Uni.
Madsen Shanna, VMRC
Feller Skip
Smott Somers, VMRC
Witthuhn Steven
Poston Will, Saltwater Guide Assn.

The Summer Flounder, Scup, and Black Sea Bass Management Board of the Atlantic States Marine Fisheries Commission convened via webinar; Wednesday, February 14, 2024, and was called to order at 1:00 p.m. by Chair Nichola Meserve.

CALL TO ORDER

CHAIR NICHOLA MESERVE: Good afternoon to everyone, welcome to the Atlantic States Marine Fisheries Commission's Summer Flounder, Scup, and Black Sea Bass Management Board meeting of February 14, 2024. My name is Nichola Meserve, I'm an Administrative Proxy for Massachusetts, and serving as your Board Chair today.

First, I would just like to thank Justin Davis for doing a remarkable job as our Board Chair for the past two years. Today I am joined by Commission FMP Coordinators Tracey Bauer and Chelsea Tuohy; to help steer us through our task today, as well as Toni Kerns. I think I would like to give all three of you, kind of carte blanche to jump in whenever you need, you know if I'm missing any hands that are raised, just juggling multiple screens here.

APPROVAL OF AGENDA

CHAIR MESERVE: We have a draft agenda before us. My one addition to it is for staff under Other Business, to give us a quick outlook on this Board's meeting schedule for 2024, as it is best known right now, of course. Given the joint nature of these species management with the Mid-Atlantic Council, we often meet outside of the normal ASMFC meeting schedule, and jointly with the Mid-Atlantic Council at some of their meetings.

To help with planning purposes, staff will just give us a quick preview of the year ahead. Other than that, are there any other additions or modifications that Board members would like to make to today's draft agenda? Look for any hands on the webinar for that. Seeing none; we will consider the agenda as modified approved by the Board by consent.

APPROVAL OF PROCEEDINGS

CHAIR MESERVE: We can move on to the draft record of this Board's proceedings from March of 2023 that needs to be approved today.

Are there any modifications to those draft proceedings? Again, I'm not seeing any hands online, so we will consider those approved by Board consent as well.

PUBLIC COMMENT

CHAIR MESERVE: Up next is public comment. This is an opportunity for members of the public to comment on items that are not on the agenda. I'll note that I do plan to provide for limited public comment on the action items that are on the agenda today.

But first, at this time, if there is any public that would like to comment on items not on the agenda, this is your opportunity, and you can show your interest by raising your hand on the webinar. All right, not seeing any hands.

CONSIDER FINAL APPROVAL OF PROPOSED SUMMER FLOUNDER AND SCUP RECREATIONAL MEASURES FOR THE 2024-2025 FISHING YEARS AND BLACK SEA BASS RECREATIONAL MEASURES FOR THE 2024 FISHING YEAR (FINAL ACTION)

CHAIR MESERVE: We can move on to our first major agenda item, which is to Consider Final Approval of the Proposed Summer Flounder and Scup Recreational Measures for 2024 and 2025, and the Black Sea Bass Recreational Measures for 2024. This Board, as well as the Mid-Atlantic Council, previously approved a 28 percent coastwide recreational harvest reduction for summer flounder, a 10 percent coastwide recreational harvest reduction for scup, and status quo recreational management measures for black sea bass, with an allowance for states to request minor seasonal modifications that are not projected to increase harvest.

The Board further provided guidance for setting state and/or regional measures for summer flounder and scup, through the Commission's processes, and each state or region has used the

recreation demand model to provide a range of options for the Board's consideration today. I want to stress that the Board is approving a range of options today, and that it is the states using their own public input and rulemaking processes, that will then go through the action of selecting and implementing measures from this approved range.

Then they will need to notify the ASMFC of the selected measures.

REVIEW PROPOSED REGIONAL MEASURES

CHAIR MESERVE: We'll begin first with a presentation from Chelsea and Tracey on the range of proposals. They are going to take us through the range for all three species before we take questions. Take it away, Chelsea and Tracey.

MS. CHELSEA TUOHY: Thank you for that overview. Today I'm going to start off by talking about the summer flounder and scup recreational management measures proposals, and Tracey will then wrap up the presentation with the black sea bass recreational management measure proposals.

In the presentation, we're first going to provide some background on the decisions made at the most recent joint meeting between the Board and Council in December of 2023, and some background information on the proposed recreational management measures, such as regions and things along those lines.

We will then walk through the proposed 2024 and 2025 measures for summer flounder and scup, and 2024 season adjustment proposal for black sea bass. Lastly, the Board will consider the proposed measures for final approval, and again that is the range of options, states will not be selecting specific options today.

Just a note for the Board, we will be looking for three separate motions to approve the range of options for each of the three species. Moving into some background on summer flounder and scup. At the joint Board and Council meeting in December, based on the results of the Recreation Demand Model, and using the percent change approach, the Board and Council agreed that each summer flounder region take a 28 percent reduction in expected harvest in 2024, and those measures would remain unchanged in 2025.

The Board and Council agreed to adopt conservation equivalency for summer flounder 2024 and 2025 recreational management. As a reminder to everyone, the Board exempted North Carolina from taking a 28 percent reduction in harvest, given the rest of the coast is able to achieve the full 28 percent required reduction. That exemption is due to the fact that North Carolina manages multiple flounder species under a single set of regulations, which are currently very restrictive, in an effort to rebuild the southern flounder stock. As a result, the state's recreational summer flounder harvest estimates have remained low in recent years, compared to historic harvest. As another quick reminder, there are six summer flounder regions consisting of Massachusetts, Rhode Island, Connecticut and New York together are a region, New Jersey, the states from Delaware through Virginia are a region, and finally, North Carolina.

Each summer flounder region is required to propose recreational measures with the same minimum size limit, possession limit and season length. Moving on to some background on scup. For scup, the Board and Council agreed to a 10 percent reduction in expected harvest for 2024, with those measures remaining unchanged in 2025.

In December, the Board and Council also removed the early season federal waters closure from January 1 to April 30, in favor of the state's taking the full required 10 percent reduction through the Commission process. While scup regions are not outlined specifically in the FMP, states may work collaboratively as regions, as was done in 2023, to submit regional proposals that achieve the required reduction.

In 2023, scup regions were defined by the states as Massachusetts through New York, New Jersey, and Delaware through North Carolina. For 2024 and 2025, states submitted proposals that reflected the same scup regions that were used in 2023, so those regions that you see up on the screen there.

As was done in 2023, the Technical Committee used the Recreation Demand Model for summer flounder and scup to determine the recreational management measures that would meet the 28 percent and 10 percent reductions respectively for their state or region. Those are the proposed measures that will be put forward today.

Because of how the model is set up, summer flounder measures that are input into the model affect the scup reduction and vice versa, so summer flounder and scup measures have to be paired together, to calculate the reduction for both species. You saw those paired options in the meeting materials in the fourth memo that went around a few weeks ago.

The reductions for the options provided in the memo are only for individual states or regions, and in that memo, there is one coastwide reduction example provided. Given the number of options that we received, it wasn't possible to calculate the coastwide reductions for every combination of options between the states, and the final coastwide reduction for summer flounder and scup will be calculated once all states select their final measures later in March.

As mentioned, I'll be covering the proposed measures for summer flounder and scup for each state or region. I will not be going through all the combinations of summer flounder and scup options. I will have all of the options up on the screen, and if you know folks are interested in looking in how all those options are paired together, again, they are outlined in that Board memo that went out a few weeks ago.

The option numbers referred to for the remainder of the presentation are the numbers listed in that Board memo. I'll start off with Massachusetts, and will make my way down the coast, and I will be discussing each of the scup regions separately, and then I'll provide a few example reductions for the coast as a whole for summer flounder and scup. Although proposed summer flounder measures vary between some states in the scup region, the northern region has proposed scup options that are nearly identical, with one small difference. I'll go through, starting with scup.

For Massachusetts, Massachusetts has proposed three scup options in total, those are these three at the bottom of the screen there, and status quo is that first row. Two of the scup options have a May 1 open season start date, and one option has an April 1st start date, with all options having seasons closing on December 31st.

The first option has a 30 fish bag limit for the private and shore modes, and a bag limit that switches from 40 fish to 30 fish for the for-hire mode. Second option includes a 9-fish bag limit for the private and shore modes, and a bag limit that switches from 20 fish to 9 fish for the for-hire mode, and then that third option includes a 20-fish bag limit for the private and shore modes, and a bag limit that switches from 20 fish to 40 fish and then back to 20 fish for the for-hire mode.

Moving on to the remainder of the northern region, which is Rhode Island through New York. Their scup options are very similar, they are the same as Massachusetts, except the first two options include three for-hire bag limit changes throughout the seasons rather than two. The dates for those changing bag limits are not the same as Massachusetts, but that is the only difference.

Then in their third option, which is shown at the bottom of the screen there, the bag limits are the same for the for-hire mode, but again, those seasons are slightly different, they have the same start and end dates as Massachusetts, but the bag limits don't switch on the same dates as

Massachusetts. Nearly identical scup options for the northern region there.

Now I'm going to be moving on into these state-specific options, and specifically discussing summer flounder here. Massachusetts in total provided 42 potential options that had different combinations of 14 summer flounder options and 3 scup options that were just discussed. Massachusetts' summer flounder reductions range from 28.04 percent to 29.08 percent, and their scup options ranged from 6.74 percent to 13.69 percent.

Taking a look at the 14 summer flounder options that were proposed by Massachusetts. For a majority of those options the state kept their 16.5-inch size limit, or increased the size limit for a specific mode. Most options lowered the bag limit for the whole fishery, or for a specific mode, and options included a variety of seasons, all which are shown in that right most column.

For the state of Rhode Island, Rhode Island proposed 9 potential options that included combinations of 3 summer flounder options and those 3 scup options that were discussed earlier. Summer flounder option reductions ranged from 28.54 percent to 34.43 percent, and scup option reductions ranged from 4.69 percent to 15.66 percent.

The three proposed summer flounder options are shown in the table to the right, and included size limits from 18.5 to 19 inches, representing an increase from the current minimum size. There was a bag limit of 6 fish for that 19-inch size limit option, and a bag limit of 3 fish for both the 18.5-inch size limit options, and again a variety of seasons shown up there on the screen. It is important to note that for all options Rhode Island is proposing to maintain their 7 special shore sites, which allow for 2 fish to be kept at a minimum size of 17 inches.

There was no way to model these 7 shore sites in the recreation demand model, but Rhode Island provided MRIP estimates for all shore sites, not just those 7, compared to total harvest to demonstrate that the 7 special shore sites are likely to have a negligible impact on total harvest.

In 2022, Rhode Island estimated harvest from shore cumulative through Wave 5 was 35 pounds, compared to a total harvest of 330,908 pounds, and in 2023, the states estimated harvest from shore accumulative through Wave 5, was 11,219 pounds, compared to a total harvest of just under 300,000 pounds.

Moving down the coast from Rhode Island, we got to Connecticut and New York, which again, Connecticut and New York are represented as one summer flounder region, both of those states together. Connecticut and New York provided 18 total regional options that were a combination of 6 summer flounder options and 3 scup options.

Summer flounder reductions for the two states combined, represented reductions ranging from 28.2 percent to 36.52 percent. Then scup options for the two states combined ranged from 10.39 percent to 12.79 percent. Moving on to the Connecticut through New York regional summer flounder options.

Option size limits range from the current minimum size of 18.5 inches to 19.5 inches. Bag limits ranged from 3 to 4 fish and seasons were variable. Now we're moving out of the northern scup region into New Jersey. Overall, New Jersey provided six total options that were different combinations of summer flounder measures and scup measures.

Summer flounder reductions range from 28.02 percent to 28.98 percent, and scup reductions ranged from 10.08 percent to 12.11 percent. For summer flounder, size limits included a range of options with some options including different bag limits for different sizes or different sizes and bag limits for different modes.

Then finally, there was also some options that had different seasons for different bag limits. For scup, options maintain the 30-fish bag limit and 10-inch

minimum size, but propose two different seasonal closures over the summer. Like Rhode Island, New Jersey has also proposed to maintain special regulations.

Specifically, they would like to maintain special regulations for all options in Delaware Bay, which has a minimum size limit of 17 inches, and a bag limit of 3 fish. At the special shore site on Island Beach State Park, which has a 16-inch minimum size limit and a 2-fish bag limit. Now moving into the southern scup region.

As a reminder, that southern scup region contains the states of Delaware through North Carolina. These states proposed two potential scup options for the 2024 and 2025 fishing years. Before I get into those scup options, it's important to know that the Recreation Demand Model is currently unable to pick up scup harvest south of New Jersey, due to the low levels of harvest from that southern region. However, because the Board did not exempt the southern region from a scup reduction, the states were required to propose measures that provided some amount of potential reduction, even though it could not be modeled by the RDM. The southern scup region from Delaware through North Carolina has proposed one option that includes status quo measures.

Those status quo measures are a 40-fish bag limit, except in Virginia, which has a 30-fish bag limit, a year-round open season, and a 9-inch minimum size limit. Then the second scup option that was proposed by those southern states is a bag limit reduction of 5 fish, so a bag limit of 35 fish, again 30 fish in Virginia, a year-round open season and a 9-inch minimum size limit.

Both of these southern region scup options were discussed and supported by the Technical Committee. Again, just as a reminder, for both of those options the bag limit in Virginia would stay at 30 fish, as they are lower than the rest of that southern region there. Now moving on to the southern flounder region in the south, which is made of the states Delaware through Virginia.

The states of Delaware through Virginia again had those two scup options, and they've also proposed six summer flounder options. Summer flounder reductions range from 28.01 percent to 33.53 percent, and as just mentioned, the scup reductions were 0 percent, due to the recreation demand model's inability to pick up scup harvest in that southern region.

Taking a look at the summer flounder options here for the states of Delaware through Virginia, options included size limits ranging from 17 to 17.5 inches, and bag limits ranging from 2-4 fish, with some options considering different bag limits for different seasons. Now one thing I will note for this southern region here, Delaware through Virginia, is we did receive a new option from the region recently that was not able to be included in that Board memo, so we are presenting it here for the first time today.

This new option for summer flounder includes a 4-fish bag limit, and year-round open season, with the size limit increasing starting in June. It's a size limit increase of 16 inches to 17.5 inches starting in June. Finally, wrapping up the coast with North Carolina. As mentioned earlier, North Carolina was exempt from taking further summer flounder reductions, and proposed status quo recreational management measures for the 2024 and '25 fishing year is for summer flounder.

Those status quo measures include a size limit of 15 inches, a bag limit of 1 fish, and an open season from August 16th through September 30th. Due to the number of options submitted by the states, again it wasn't possible to calculate the coastwide summer flounder and scup reductions for every possible combination of these options. In the memo sent out to the Board as part of the meeting materials, an example set of options was selected to demonstrate what a coastwide reduction may look like.

In the following slides I will present the coastwide reductions that result from the most liberal summer

flounder reductions and the corresponding scup measures, and vice versa for scup, and the most conservative summer flounder reduction measures and corresponding scup measures. Then same thing for scup. There are four tables as the options that results in the most liberal and most conservative summer flounder harvest estimates, are not the options that result in the most liberal or most conservative scup harvest estimates.

As a reminder, because that northern region for scup has proposed the same options, when we're calculating these coastwide reductions, it was assumed that the northern region would all select the same scup options. The coastwide percent reduction is likely to change from what is shown on the following slides, depending on what options are ultimately selected by the states and regions, as each option varies in the reduction achieved.

Using the northern region's third scup option that they presented, that was at the bottom of the screen that I showed earlier for the states of Massachusetts through New York. If each state down the entire coast chose the option associated with the most liberal summer flounder harvest measures and associated scup measures, the coastwide summer flounder reduction is estimated to be 28.09 percent, and the scup reduction is estimated to be 11.46 percent.

Again, if we assume that the northern region chooses their third proposed scup option, the states of Massachusetts through New York. If each state down the coast chose their option that was associated with the most conservative summer flounder reduction and associated scup measures, the summer flounder reduction is estimated to be 32.7 percent, and the scup reduction is estimated to be 11.54 percent.

Now we're going to switch gears and look at scup here. If we use Scup Option 1 for the states of Massachusetts through New York, if each state chose their option associated with the most liberal scup harvest measures and the associated summer flounder measures, the coastwide summer flounder reduction is estimated to be 28.18 percent, and the scup reduction is estimated to be 9.96 percent.

Then finally, using northern region Scup Option 3. If each state chose the option associated with the most conservative scup harvest measures and associated summer flounder measures, the coastwide summer flounder reduction is estimated to be 32.62 percent, and the scup reduction is estimated to be 11.57 percent. Those are just some examples of what a coastwide reduction might look like, given the options put forth by the states and regions.

Looking at the next steps here. The Board's next steps following any questions will be to consider the range of proposed measures for final approval today. The states and regions will then need to notify ASMFC staff once a final set of measures has been selected by March 20th at the latest.

ASMFC staff will then submit the letter with the final summer flounder and scup recreational measures to GARFO, and once implemented, the states will keep the same summer flounder and scup recreational regulations in place for the 2024 and the 2025 fishing years. Now I'm going to pass it over to Tracey, who is going to take it away and go over some black sea bass season adjustments.

MS. TRACEY BAUER: Thanks, Chelsea. Before I present the black sea bass season adjustments that are being proposed by the states, I wanted to very briefly provide a reminder of what was previously decided at the December Board and Council meeting. The Board and Council had agreed to leave recreational black sea bass measures unchanged from 2023 in 2024.

This is due to several reasons, including the last of an updated management track assessment and its associated results, which won't be available until later this year. Some states however, did request the ability to make slight adjustments to their black

sea bass season, so that they would open on a specific day of the week, which was allowed.

After some discussion with the states, they did make the request. It was established that the recreation demand model must be used to determine how many days of the season needed to be taken off of the end of the season, to account for any additional days at the beginning of the season to maintain status quo black sea bass harvest, and to make sure we're not increasing harvest by making changes to the season.

In addition, another requirement was that the aforementioned summer flounder and scup reductions for 2024 through 2025 could not be used to account for adjustment to the 2024 black sea bass season, because in the model any changes from summer flounder and scup will have smaller changes to black sea back harvest.

Two states requested to make minor adjustments to their black sea bass season to maintain a Saturday opening. Both Massachusetts and Connecticut are requesting a May 18th opening day for their 2024 black sea bass season. Based on recreation demand model runs, have removed several days from the end of their season in 2024 to account for this extra harvest.

In addition to each state's status quo measures, the proposed minor adjustments made to each state's black sea bass season are showing red on this slide. You can see how the seasons were adjusted, by moving up the start of the season to May 18, and adjusting the end of the season to account for that extra harvest.

Then we can see the reduction, the desired reductions achieved by these changes on the far right. Lastly, just as a minor side note to update. The Summer Flounder, Scup and Black Sea Bass Board related to Black Sea Bass 2024 measures. I wanted to provide an update on Virginia's February recreational black sea bass fishery.

As a reminder, when the Board met the last day in December, as part of maintaining black sea bass measures status quo from 2023 to 2024, Virginia had the option of opening their February fishery like last year. At that time Virginia did not know if they would be opening their February fishery, as their Marine Resources Commission needed to discuss it first.

Very recently, Virginia reached out to us to let us know that their Marine Resources Commission did vote to open February fishery for February 1st through 29th this year, and as in the past they will be monitoring harvest and will reach back out to us in late March, early April, when they have the harvest data with their proposed plan to adjust their black sea bass season to account for February harvest, so stay tuned for that. With that, both Chelsea and I can take any questions on any of the species, not just black sea bass.

CHAIR MESERVE: Thank you, Chelsea and Tracey. There is a lot in that presentation to absorb, so we're going to look to the Board for questions. I have one that I'll start with before going to Justin, who I see your hand is up. That pertains to the slide that was about New Jersey's portion of the Delaware Bay staying status quo. I didn't realize from the memo that that was part of the proposal, if I've gotten that correct.

I guess I'm curious if that is part of the RDM modeling, if that Delaware Bay staying status quo is considered in achieving the 28 percent reduction. I have in my mind, it's a little foggy, a history that New Jersey was its own region, in part so that the rules in Delaware Bay could align. By staying status quo, is that the objective of that, that this area is kind of getting an exemption from the 28 percent reduction?

MS. TUOHY: Thank you for that question. Like with Rhode Island, their special shore sites, one area such as the Delaware Bay cannot be, the RDM can model different modes, you know different options for different modes, but cannot model area-specific outside of individual state harvest, so that is

something that cannot be evaluated through the RDM.

CHAIR MESERVE: Will the status quo measures, will they align with other options for the rest of Delaware Bay?

MS. TUOHY: Flip back to the slides here.

CHAIR MESERVE: We might benefit from having a better understanding of the same way that Rhode Island presented their shore harvest and how minimal it is. We might benefit from a better understanding of how significant or insignificant is the New Jersey's harvest and Delaware Bay and what this exemption really means to their overall ability to achieve 28 percent reduction. I see Joe Cimino's hand up, so if you would like to contribute, Joe, I welcome you now.

MR. JOE CIMINO: Yes. I'm not sure if they have any numbers here, but the estimated harvest has always been small, I think we were looking at like 8,000 fish a year.

CHAIR MESERVE: Okay, great, thanks for that clarification, Joe. I'll turn to other Board members now, Justin Davis and then Chris Batsavage. Go ahead, Justin.

DR. JUSTIN DAVIS: I noticed there was specific mention in the presentation of Rhode Island's shore site program, where they have a lower minimum length for summer flounder. Connecticut has a similar program, where at a limited number of sites we have a 17-inch minimum length went in place for summer flounder. Our intent was to continue that program, so I just wanted to doublecheck to make sure that was the intent or that was captured in the proposals, and that was just an oversight in the presentation.

MS. TUOHY: Let me doublecheck that, I can pull that up very quickly here. But I want to say off the top of my head, I don't know if that was captured in the proposal.

MS. TONI KERNS: Chelsea, this is Toni. I've looked at the memo that is in the meeting materials and I see shore modes for the New York and Connecticut table. I just wasn't sure what was in, I couldn't remember what was in your Power Point.

MS. TUOHY: Yes, Justin, you're talking about sites that are different from what Toni is mentioning, correct, not that scup? This is for summer flounder.

DR. DAVIS: Yes, correct, for summer flounder.

MS. TUOHY: Yes, so in the proposal there is no mention of those special sites in Connecticut for summer flounder, if they have different regulations than what was presented in the Board memo.

DR. DAVIS: Could I follow up?

CHAIR MESERVE: Please, go ahead.

DR. DAVIS: Given that I've had some offline exchanges with our TC member, and we were not under the impression that they needed to be included in the proposal, because they were site-specific measures. Would there be some way when we take action today to include that in the memo, so that we don't have to discontinue the program, I'm sorry included in the motion.

CHAIR MESERVE: I believe so, that we could work on that in the development of the motion, or have it to be part of the record here that that was the intention of Connecticut for those special summer flounder access sites, similar to Rhode Island. Does staff have any guidance on whether you would want to see that as part of the motion?

MS. KERNS: Nichola, I agree it should be part of the motion, since it wasn't something that was presented today, nor was it presented in the memo to the Board. Justin, perhaps you could, while I know that offhand that those sites have very low harvest levels, it's maybe while folks are talking but before we get the motion on the table, if you could come back to the record and you happen to have any numbers associated with those sites, so that we can have that as part of the record, similar to what

Rhode Island had done in their state proposal that would be great.

DR. DAVIS: Got it, thank you.

CHAIR MESERVE: Okay, so we'll come back to that topic. Chris Batsavage, your hand was up next.

MR. CHRIS BATSAVAGE: Chelsea, can you go back to the next steps slide on, I guess it's Number 33.

MS. TUOHY: Yes.

MR. BATSAVAGE: A question specific to North Carolina being exempt from taking a reduction. As I mentioned at the Board meeting back in December, that we have a set season statewide for our recreational flounder fishery here is from August 16 through September 30, which we included in our proposal. But we've adjusted that season almost every year to account for overages of southern flounder catches the previous year. In a lot of cases the season is shorter than that six-week period. But it can change from year to year. I know the intent of this process is to set the same regulations for two years in a row.

But if we get our proposal approved for the full six weeks, could that allow us some leeway to have different seasons that are no greater than that six-week period? For instance, it was like two weeks last year, it might be two weeks again this year, or some other amount and in '25 it might be a different amount, but it will never extend beyond the six-week period that is in the proposal. I was just wondering if that's allowable under this process.

CHAIR MESERVE: That sounds to me that it would be, Chris. We would be approving the most liberal regulations and it's always within the states ability to implement something more restrictive. If staff wants to correct anything I just said, but otherwise that would be my interpretation.

MS. KERNS: I agree, Nichola, and we can work with you, Chris, if you don't have those regulations in place before we send our letter to NOAA. We'll put some caveat in there so that it is clear to the public that North Carolina does adjust the season typically, so there is not misinformation out there when NOAA publishes their federal rule, and then North Carolina ends up having a different season. We'll make sure that is clear that you guys adjust at a certain timeframe.

MR. BATSAVAGE: Yes, we'll see if we can get things finalized by March of this year, but if not, that will be a very corrective issue.

CHAIR MESERVE: Very good, we'll go to Joe Grist next.

MR. JOSEPH GRIST: Thank you, Madam Chair, and this slide is the slide I need you to be on. Just looking at this timeline, we are already internally with our State Commission to announce this issue in April, at the time we take up black sea bass, make the adjustments to our season. Obviously, that timeline is going to put us behind.

Even if we queue this up for our March Commission, we're still not going to meet the March 20th date. You know what flexibility do we have here for notifying you as to which measures that we are going to take, especially with summer flounder? I'm just trying it so I can best guide our Commission on how we're going to act on this.

CHAIR MESERVE: Toni, could you comment on that if there is leeway to April 1st or such?

MS. KERNS: Joe, we can work with you. The reason why we have this date is so that we can get the conservation equivalency letter to NOAA Fisheries and then they can do their rulemaking. We try to work with Emilie and staff at GARFO to be as flexible with those states as possible, without being too tardy and getting the rulemaking out. We will work with you or any other state that can't make that March 20th, if we could on the side go ahead and tell us what date you think you'll have that by, and we can see how we can move forward.

MR. GRIST: Okay, thank you so much, we're going to have some internal discussion and see what we can do, if there is any way we can expedite. Thank you.

CHAIR MESERVE: Okay, we'll move on to Joe Cimino for a question. Oh, leftover hand, okay, Roy Miller, you're up.

MR. ROY W. MILLER: As we consider these proposals, could I ask a ground rule type question. Namely, are we allowed to consider any state-specific proposals that don't meet the required reduction? In other words, if a state's proposal, a specific option, doesn't meet 10 percent for scup, are we allowed to consider that in a regional perspective, or must all of our decisions be whether the state proposal meets the minimum? Can you help me out here? We probably already decided on this, if so a quick review for me would be helpful.

CHAIR MESERVE: Good question, Roy. It's on a reginal basis, where states are part of a region. When I look at the scup options that Massachusetts presented there were some that as an individual state it was 5 or 6 percent, for example. But as a region in the north, when we all implement those measures, it meets the 10 percent requirement. That's the number that we're looking for.

MR. MILLER: Okay.

CHAIR MESERVE: Then also on a coastwide basis.

MR. MILLER: The same rationale would apply to Rhode Island proposals, for instance, that were less than 10 percent for scup.

CHAIR MESERVE: Correct. For scup. But then when I come to the summer flounder using those same examples, Massachusetts is its own region, Rhode Island is its own region. In those cases, we're looking for a 20 percent reduction for that state. Mike Luisi.

MR. MICHAEL LUISI: I want to build just very quickly on what Joe Grist mentioned. For summer flounder, down in the southern region we are in a multi-jurisdictional region. We had a discussion this week about trying to find an implementation date so that we can all implement the regulation that is selected for summer flounder as a start date on the same date.

I don't know that April 1st is going to give the jurisdictions enough time to get that done. Is there an actual implementation date that you are aware of or that staff would prefer, so that we can coordinate? What we didn't want to do is have different rules in a different jurisdiction for a short period of time until it all comes together once the last state implements the measures. We wanted to find a common date that we could all implement at the same time.

CHAIR MESERVE: Thanks for the question, Mike. Thus far we haven't discussed an actual implementation deadline. You know March 20th is the deadline to tell ASMFC the measures with some flexibility as we've discussed, and April 1st is the date that ASMFC would notify GARFO of the measures. But if staff has any input, if we need to specify a deadline or if it is assumed that it will be as quick as possible in each state following April 1st. That is our way forward as well.

MS. KERNS: Nichola, I would say it would be the latter, it is as soon as possible, as these are the measures for 2024, and in order to get the reductions from the measures. They need to be in place as quickly as possible.

CHAIR MESERVE: Thank you, Toni, and so would you be looking for states to also indicate what that date will be to their best guess, and when we notify you of the measures?

MS. KERNS: Yes.

CHAIR MESERVE: Okay.

MS. KERNS: Then that way we can tell GARFO that. I think everybody knows this, but we send the

conservation equivalency letter for summer flounder and black sea bass, because NOAA is considering whether or not they are going to wave federal measures in lieu of the state plans, and those state plans have to meet the overall conservation goal, as what was agreed upon with the Board and Council back in December for that 28 percent coastwide reduction.

GARFO puts that information out for the public, and so we want to be able to provide that information to the public as soon as possible, so that the fishing public know what the regulations are. That is sort of the rationale behind all of these timelines for those that are new to this process, or just a reminder for all of us. I need them sometimes.

MR. LUISI: That is helpful, thank you for answering that for me.

CHAIR MESERVE: Okay, turning to the Board for any additional questions. Mike, your hand is still up is that a leftover hand, Mike Luisi. He's muted, so I assume it was left over. I had one question about how the RDM essentially doesn't pick up any scup harvest for the states of Delaware through North Carolina, and it can't model any associated reduction.

Did the Technical Committee make any back of the envelope guesses as to how much of a harvest reduction a 5-fish bag limit decrease would achieve, or how much reopening January through April might increase harvest? I know when we looked at the northern region's ability to achieve a 10 percent reduction through a bag limit change it required a much more significant drop in the bag than 5 fish to get to a 10 percent reduction. Did the Technical Committee discuss any alternative ways to estimate reduction than the RDM for the southern region's scup measures?

MS. TUOHY: The Technical Committee did not discuss different ways to calculate what a reduction might look like. They did look at previous MRIP estimates for the southern region. Off the top of my head, for example, in 2022 the harvest from the states of Delaware through North Carolina was about 6,000, 7,000 pounds total for all of those states. They just kind of looked at how minimal the harvest was for scup, compared to the rest of the coast. It was, I believe less than a couple of percent, 1 to 2 percent in every year that they briefly reviewed it.

CHAIR MESERVE: These states would, for the most part be de minimis if there was such a thing as a de minimis recreational fishery standard for scup.

MS. TUOHY: Exactly.

CHAIR MESERVE: Are there any additional questions from the Board? All right.

CONSIDER FINAL APPROVAL OF PROPOSED REGIONAL MEASURES

CHAIR MESERVE: As staff, we'll look to move into motions and discussion then at this point. As Chelsea said earlier, we would like to move through the species one at a time and start with summer flounder for a motion.

That would approve the range of proposals. Staff does have some draft language that a Board member could look to use if desired, to approve the range of options presented. We did discuss how Connecticut might be interested to insert into that some additional allowance for their special access shoreside rules to remain the same.

That is something that we would work into this motion to continue that. Are there any Board members that would like to start us off with a motion for summer flounder? Perhaps it would help to bring up kind of the generic motion that could be available to approve the range of proposals, and see how this could be tweaked. Jason McNamee.

DR. JASON McNAMEE: Yes, I would be happy to make that motion, Madam Chair. I'll read it just to help out here. **Move to approve the range of state and regional options for 2024 and 2025 summer flounder recreational management measures**

developed using the Recreational Demand Model as presented today.

CHAIR MESERVE: Is there a second to that motion? Joe Grist, thank you. Jay, were you interested to provide any rationale for the motion?

DR. McNAMEE: No, I think it's pretty straightforward, Madam Chair. Maybe I'll just also, I think you made a note of all the nice work, and the nice way of presenting the information that Chelsea and Tracey did, so I'll echo that sentiment. It's a lot, the different combinations become multiplicative.

I think you guys did a nice job of presenting this. I feel like all of the different combinations were rung out pretty good. It seems like no matter what ends up happening in the end, we're in a safe spot to meet our reduction goals. I'm comfortable moving forward with the motion as presented.

CHAIR MESERVE: All right, thank you, Jay. Joe, did you want to say anything as a seconder of the motion?

MR. GRIST: No, I think Jay covered it to let us move forward with what we've got and work it out, I'm sure.

CHAIR MESERVE: Very good, thank you. Justin Davis, would you like to make an amendment to this motion?

DR. DAVIS: I would, thank you, Madam Chair. I guess this could either be a formal move to amend, or I don't know if the maker and seconder of the motion would accept it as a **friendly amendment**, if that is possible. But I would like to add some language at the end of this to say something to the effect of, **with the addition of maintenance of Connecticut's enhanced shore site program for summer flounder, which includes a 17-inch minimum length limit**.

MS. TUOHY: Justin, just for my typing. Maintenance of Connecticut's shore sites for summer flounder, which includes a 17-inch minimum size limit.

DR. DAVIS: Correct, and then the rest of the measures are the same as the prevailing measures for the other modes, so the only difference is the 17-inch minimum length limit.

CHAIR MESERVE: Jason and Joe, would you be willing to accept that as a friendly amendment to the motion? I see your hand, Jason, go ahead.

DR. McNAMEE: Yes, I'm perfectly willing to have that added as a friendly if that can work.

CHAIR MESERVE: Joe, you as well?

MR. GRIST: Agreed.

CHAIR MESERVE: Thank you. I'm going to give staff a moment to get this up here, make sure, Justin that this captures your motion, your friendly amendment. Was it Connecticut's enhanced shoreside program?

DR. DAVIS: Enhanced shore sites would do it.

CHAIR MESERVE: Including maintenance of Connecticut's enhanced shore sites for summer flounder, which includes a 17-inch minimum size limit. Okay, Justin, could you just speak to that if you have any additional information about the level of harvest associated with these shore sites, if that was available to you on short notice.

DR. DAVIS: Yes, sure, thanks, happy to provide what I can. Unfortunately, we don't have something like an expanded harvest estimate for summer flounder from just these specific sites in Connecticut, where we have this allowance for a lower minimum size limit. What I can say is, you know this is a program we've had in place for over ten years.

Really quickly, our TC member was able to do some quick diving into MRIP, and in Connecticut, we

generally have statewide very few MRIP intercepts for summer flounder. You know the PSEs on our summer flounder shore mode harvest estimates on an annual basis tend to range from 55 to 91 percent. In 2023 we had an estimate of 0 pounds of summer flounder harvested from shore. In general, summer flounder not a species that are caught very commonly from shore in Connecticut. Allowing a 1 to 2-inch difference in minimum size limit at a limited number of these shore sites, I feel very comfortable saying produces a negligible increase in harvest of summer flounder overall in our state every year.

CHAIR MESERVE: Thank you, Justin, that is helpful information. Is there any discussion by the Board as to the motion as perfected?

MS. KERNS: Nichola, could you just read it before you guys vote on it, please?

CHAIR MESERVE: Certainly, certainly. Give everyone a chance to please, caucus as I'm reading the motion, if there are no other hands raised. We'll look to approve this after I've read it into the record. **Move to approve the range of state/regional options for 2024 and 2025 summer flounder recreational management measures developed using the Recreation Demand Model as presented today, including maintenance of Connecticut's enhanced shore sites for summer flounder, which includes a 17-inch minimum size limit**.

The motion was made by Dr. McNamee and seconded by Joe Grist. Again, I'll look to the Board for any comments. I don't see any. I did mention earlier that I would provide opportunity for the public to comment on the motions as they were made, so I'll look to see if there is any comment from the public to this motion. You can signify your interest to comment by raising your hand on the webinar. I'm not seeing any hands raised from the public, so we'll see if this can be done the easy way. **I'll ask if there is any objection from the Board to this motion.**

MS. KERNS: Nichola, I know that there is one abstention, so maybe you can ask for abstentions as well.

CHAIR MESERVE: Certainly. Please, identify any abstentions for the record. One from NOAA Fisheries, so the motion passes without objection and one abstention by NOAA Fisheries. Just giving Staff a moment to add that. Very good it's written down. We will now look to move on to scup. Again, we'll look to the Board to make any motion that would be approving all or part of the range of options that were presented today, and I do see a hand from Dr. McNamee. Please, go ahead, Jay.

DR. McNAMEE: I have a motion here, I think folks there have the text for this, so I'll just go ahead and start reading it. **Move to approve the range of state/regional options for 2024 and 2025 scup recreational management measures developed using the Recreational Demand Model as presented today for the states from Massachusetts through New Jersey**. **Recreational management measures for the states from Delaware through North Carolina will consist of a 30-fish bag limit, a year-round open season, and a 9-inch minimum size limit for 2024 and 2025**. If I get a second, I will give you some a little bit of reasoning for that.

CHAIR MESERVE: Is there a second to that motion? Emerson, are you seconding that? I saw that your hand went up before the motion was fully read.

MR. EMERSON HASBROUCK: Yes, I'll second that.

CHAIR MESERVE: Great, thank you, Emerson. Please, go ahead, Jay.

DR. McNAMEE: Okay, I'll keep this fairly simple. I think there was a lot of discussion about the inability to kind of make calculations for scup for this region. To go along with that, it seemed to make sense to me to have some alignment in that region, as far as the bag limit went. In addition, because there was a reduction being made, and what we saw was a reduction of 5 fish in the bag limit.

I thought as we know with bag limit as a tool, you tend to need larger steps to actually get an affect from the bag limit as a management measure. Aligning the Delaware through North Carolina at 30 fish, which aligns with New Jersey, aligns with Virginia, and under the impression that there was a desire to take some reduction in the scup management measures in this area.

I thought a 30 fish bag limit made the most sense. Coupled with that, having the year-round open season, the 10-fish bag rather than the 5-fish bag seemed like a more appropriate tradeoff to kind of keep either status quo or have a little bit of reduction, potential reduction in that region. Hopefully that made some sense to folks.

CHAIR MESERVE: Emerson, would you like to speak to the motion as the seconder?

MR. HASBROUCK: Yes, I don't have anything to add to what Jason said. I think he justified it quite well. Chelsea gave a pretty good explanation of all the different options during her presentation, so thank you.

CHAIR MESERVE: Is there further Board discussion on this motion? John Clark. John, I saw your hand go up and down, so maybe not. Any hands to discuss this motion? John Clark, your hand is back up again, please go ahead.

MR. JOHN CLARK: I just brought it up on other things. I just don't understand why we need to take an unnecessary move like this in the southern region. As was pointed out, we're barely catching any scup in this region. Any time there is a regulatory change it imposes cost and problems on the state, plus in the case like this, like I said, it just makes us look like it's just kind of ridiculous. We're not catching them.

Does it matter whether it's 30, 20, 40? It's just an additional burden on the states to put something into effect that is not going to do anything to improve the scup population. I wish we could just remove the last part of this motion, and change it to one that just accepts the whole range of state and regional options.

CHAIR MESERVE: Okay, thank you, John. That sounds in part like an argument for *de minimis* measures that the states wouldn't have to change on an annual basis. But the Board would have to determine what type of minimum standards would apply for *de minimis* states in that case. But I thank you for the comment, and do have another hand up from Joe Cimino.

MR. CIMINO: I understand where John is coming from, but I'm going to speak in favor of the motion. I think these are three species that we're regularly changing regulations. I understand that it's a more complicated process to some states than others. But we've been striving for consistency here. I think Jay's motion gets us to that. I just wanted to speak in favor.

CHAIR MESERVE: Thank you, Joe. Are there any other comments on this motion? John Clark, your hand is up, did you have something to add?

MR. CLARK: Sorry, Madam Chair, I didn't see that. I'll take it down.

CHAIR MESERVE: Okay, no worries, thank you. Last call for any other comments from the Board. If not, we'll turn to the public to see if there is any public comment on this motion. You can signify your interest to provide comment by raising your hand. Not seeing any public comment, we'll return to the motion. It's already been read into the record, do states need a moment to caucus? Let's take two minutes to caucus.

Okay, that was two minutes by my watch, maybe it's fast. But if you need any more time, throw up a hand really quick. If not, we'll go back to the motion, and I will ask if there is any objection to the motion.

MR. CLARK: We're going to be null in Delaware, Madam Chair, null.

CHAIR MESERVE: Null vote, very good. Toni, should I proceed with a full vote?

MS. KERNS: Yes, because these are roll-call, so when there are objections then we should note them.

CHAIR MESERVE: Very good. We'll return to the beginning on the motion. **All those in favor of the motion, please raise their hand, and I'll ask Toni to get the count for me.**

MS. KERNS: Thanks, Nichola, I'm just going to let the hands settle for a minute here. I have Connecticut, New York, Rhode Island, New Jersey, North Carolina, Massachusetts and Virginia. If anybody else thinks they have their hand up just call out. I will put everybody's hand down.

CHAIR MESERVE: All those opposed to the motion like sign.

MS. KERNS: Maryland. I'll put their hand down.

CHAIR MESERVE: I'll look for any null votes, N-U-L-L, null.

MS. KERNS: We have Delaware.

CHAIR MESERVE: Any abstentions, please.

MS. KERNS: We have New Hampshire, Potomac River Fisheries Commission, NOAA Fisheries, and Mike Luisi, you have your hand up again.

MR. LUISI: I made a mistake, I hit the button too late, I wanted to vote in favor.

MS. KERNS: In favor, okay, so we have Maryland is in favor. We do not have any states opposed then, the one null vote of Delaware. The abstentions, I believe are Potomac River Fisheries Commission and NOAA Fisheries. Those are the hands that I have up.

CHAIR MESERVE: And New Hampshire.

MS. KERNS: New Hampshire, sorry. Your hand went down, I had already forgotten.

CHAIR MESERVE: Okay, so the motion carries 8 in favor, 0 opposed, 1 null and 3 abstentions. We can move on to black sea bass, slightly different situation for black sea bass. We have two states that provided minor seasonal modifications, and we would be looking for the Board to approve those if that is their will. I'm not sure if staff has some guidance language for this motion. Is there anyone on the Board that would be willing to make this motion? Jason McNamee. Motion by Jason McNamee, do you mind reading it into the record, Jay?

DR. McNAMEE: Not at all, figured I would make it a hat trick here. **Move to approve the black sea bass season adjustments for Massachusetts and Connecticut for the 2024 fishing year as presented today.**

CHAIR MESERVE: Is there a second to the motion? Emerson Hasbrouck, thank you, Emerson. Anything further to add, Jay?

MR. HASBROUCK: I'm seconding Jay's motion again; I have nothing to add.

CHAIR MESERVE: Okay, thank you, I think this is pretty straightforward. I'll look to the Board for any discussion on the motion. Seeing none; **is there any objection to this motion? Any abstentions? One abstention from NOAA Fisheries, the motion carries without objection and one abstention.** I will look to Chelsea or Tracey. Is there anything further on this agenda item that you need before we move on to the commercial issue?

MS. BAUER: I don't think there is anything from us. I do see Adam's hand up.

CHAIR MESERVE: Adam Nowalsky.

MR. ADAM NOWALSKY: Yes, thanks very much. Could you remind me at what point we had

approved Virginia's black sea bass winter time fishery? I recall that we had a motion back at the December, 2022 joint meeting to approve them for 2023. I do not recall, nor did I see in the materials from the joint December meeting where we had approved that.

Just wondering, again, just a reminder. I'm sure we must have at some point. I know we had a very thorough discussion about having to wait on reopening scup at the state level until we went through this process. Just so we've got a reminder on the books here when we had approved that motion for Virginia.

CHAIR MESERVE: My recollection is that when we approved status quo for sea bass for this year, it was with the understanding that status quo for Virginia meant the option to continue that February fishery, but I will look to staff for any correction there.

MS. BAUER: That is correct, Madam Chair.

CHAIR MESERVE: Thank you, Tracey, does that answer the question for you, Adam?

MR. NOWALSKY: I think that is perfect, and just so we've got it clearly on the record here again, because there is no explicit motion for this year like we've had in past years, so thanks very much.

CHAIR MESERVE: Great, thank you for helping us get that on the record, Adam. We are doing pretty well on our schedule, and we can move on to the next agenda item at this point, which is on for the Board to Consider Initiating an Addendum to Address the Flynet Definition and Boundaries of the Small-Mesh Exemption Program; as related to the summer flounder trawl mesh requirements.

Consideration of these changes is intended to modernizes these requirements, with consideration of current fishing industry gear use and practices, and to provide additional flexibility to fishery participants, while continuing to meet the conservation objectives of the FMP. The Mid-Atlantic Council is a step ahead of the Board on this item, having already initiated a compatible framework, and forming a fishery management action team to meet an intended implementation date of November 1, 2024.

The Commission's Policy Board did add this action to the 2024 Action Plan at the winter meeting at this Board's request though. At this point, I will turn to Chelsea to provide us with some additional background on this, and then we will go from there. Okay, go ahead, Chelsea.

MS. KERNS: Chelsea, sorry to interrupt, Nichola. Before you go, Roy Miller had his hand up, and I just want to make sure it is not on the past business, before you move forward.

CHAIR MESERVE: Okay, thank you for flagging that. Roy, do you want to go ahead?

MR. MILLER: It is on the past business. If you would indulge me for just half a second, Madam Chair.

CHAIR MESERVE: Go ahead.

MR. MILLER: During the striped bass regulatory process associated with Amendment 7 there were a lot of public comment requesting simplicity when it came to state proposals for management measures. I just want to note that somehow, we've lost track of simplicity in our proposals, when we have 42, for instance, proposals from a particular region to consider.

I don't see how 42 can be considered at all, approaching simplicity. I just wondered if in the future we might take more formal action regarding limiting the number of potential proposals for consideration. Thank you, Madam Chair, just throwing that out there, not really intending any action. I just wanted it on the record that I thought it was an unspoken or unspecified goal to try to achieve some simplicity, in terms of management proposals, thank you.

CHAIR MESERVE: Thank you, Roy, I agree and can point the finger at my own state for a large number of proposals. I think part of the complication or challenge here is that states are asked to develop a range of proposals for approval, prior to any public comment process. In order to not rule out options that might come through scoping with the public, the range of options that gets approved at this Board meeting tends to be on the wider side.

I know that having spoken with staff that they did have some challenges or compiling all the options, so that there is interest to make kind of a standard template that would at least ease the burden on staff, in terms of compiling the options and getting them ready for the Board's review and approval. That is one place the we'll look to simplify things in the future, to make it less of a burden on staff, in terms of compiling the options. It's a challenge, I think, when we have this approval prior to public comment processes and states. Did you want to add more, Roy?

MR. MILLER: No, thank you, Madam Chair, for hearing me out on that.

CHAIR MESERVE: It's well taken.

CONSIDER INITIATION OF ADDENDUM TO ADDRESS FLYNET DEFINITION AND BOUNDARIES OF THE SMALL-MESH EXEMPTION PROGRAM

CHAIR MESERVE: We'll come back to Chelsea for the Summer Flounder Commercial Mesh Exemption presentation.

MS. TUOHY: The Summer Flounder Mesh Exemption Programs and the exploration into their current utilization was discussed at length at the joint Board and Council meeting in December. Today I'm going to do my best to keep this presentation short, but to give an overview here. I will first discuss the background for this potential action, followed by the background on the two exemption programs that are being considered through this potential action.

Next, I will go over a possible timeline. I'll take a pause for questions, and then the Board will consider initiating an addendum to address summer flounder commercial mesh exemption. Throughout 2023, Council staff and a Council contractor evaluated the historic and current use of a number of summer flounder commercial mesh regulations.

They collected public comment on the use of these regulations. The regulations explored included the current 5.5-inch diamond, and 6-inch square minimum mesh sizes. The Summer Flounder Small Mesh Exemption Program and the Summer Flounder Fly Net Exemption. The Board and Council received a presentation on the results of the Council staff and contractors work in December of 2023.

At that joint meeting in December, the Council and Board recommended no change to the current summer flounder minimum mesh sizes, due to the lack of sufficient evidence to suggest that a change is warranted. Those two bodies also agreed that selectivity studies should be considered as a research priority in the future.

While the Board and Council did not choose to make changes to the commercial minimum mesh size for summer flounder, the two groups did put forward a motion that read, move to consider as a potential 2024 priority a framework adjustment addendum to clarify the definition of a flynet, and to consider moving the western boundary of the small mesh exemption area. The intent of this framework addendum is for possible implementation by November 1, 2024. Following that joint Board and Council meeting in December, the Council added this framework action to their implementation plan, which replaced the potential scup gear restricted area framework from the main list of deliverables for 2024.

As mentioned before, the Council has already initiated this framework, and now we're looking for follow up Board action. In January of 2024, at the

Business Session of the Commission, the Commission's 2024 Action Plan was edited to add in an item that read; develop an addendum in collaboration with the Mid-Atlantic Fishery Management Council to address define a definition and boundaries of the Small Mesh Exemption Area.

Now I'm going to move into some background, just as a reminder for the Board, on what the Summer Flounder Small Mesh Exemption Program is, and what is included in that flynet exemption. Starting off with the Small Mesh Exemption Program. This exemption was initially developed under Amendment 2, and then modified under Amendment 3 to the fishery management plan.

The purpose of the Small Mesh Exemption Program is to allow vessels to retain some bycatch of summer flounder, while operating in other small mesh fisheries. The exemption states that vessels fishing east of the line from November 1st through April 30th, and using mesh smaller than 5.5-inch diamond or 6-inch square, may land more than 200 pounds of summer flounder.

However, it should be noted that vessels cannot fish west of the line while participating in the program. Vessel participation in the Small Mesh Exemption Program has remained stable over time, with approximately 75 letters of authorization issued annually. When soliciting stakeholder input, many participants in the fishery noted the importance of the exemption program, and proposed moving the Small Mesh Exemption Program line, approximately 5 miles westward, to align with the northeast corner of the southern scup gear restricted area.
The participants in the fishery noted that this change would allow more flexibility for those participating in multiple fisheries. Then the Summer Flounder, Scup and Black Sea Bass Technical Committee and Monitoring Committee reviewed staff work and industry feedback. Those groups recommended that additional analysis be conducted on this industry proposed change to the program area, and the potential biological impacts to summer flounder.

The TC and MC also noted that a future FMAT PDT or subgroup should explore the potential to update evaluation methods to avoid relying solely on observer data to estimate summer flounder catches using this exemption. Again, as a reminder, this map up on the screen demonstrates the industry proposed change to that exemption area, which represents an additional area of 1,901 square miles, excluding the deep-sea coral zones.

The current exemption area is displayed in green, I'm not sure that it's showing up green on your computers, it's a very light green, and the proposed changes shown in red. The scup GRAs are shown in that blue-turquoise color, and then the deep-sea coral protection area is that purple area in the bottom right-hand side of that first figure. Now moving on to the Summer Flounder Flynet Exemption Program. This program was implemented under Amendment 2 to the fishery management plan in 1993. Usual purpose of the exemption was to allow vessels fishing with a two-seam otter trawl to be exempt from the summer flounder minimum mesh size requirements.

This exemption was developed specifically to accommodate fisheries targeting other species, and catching limited amounts of summer flounder in the states of Delaware through North Carolina. However, Council staff and the contractor evaluation of the program indicated that the exemption is no longer being utilized in the way that it used to in that area or fishery.

The exemption specifically states that vessels fishing in the flynet fishery again are exempt from the minimum mesh size requirement, and defined the flynet as a two-seam otter trawl with the following configurations. A, the net has a large mesh webbing in the wings, with a stretch mesh measure of 8 inches to 64 inches.

B. the first body or belly section of the net consists of 35 meshes or more of 8-inch stretch mesh

webbing or larger. C. In the body section of the net, the stretch mesh decreases in size relative to the wings, and continues to decrease throughout the extensions to the cod end, which generally has a webbing of 2 inches stretch mesh. Industry members proposed a number of changes to the flynet definition, to better reflect current gear use and fishing practices. These proposed changes are shown up on the screen there.

They include removing the two-seam otter trawl requirement to replace the language with, at least two seams, removing the upper limit of the large mesh webbing in the wing's requirement, which is 64 inches, so that it just reads greater than 8 inches. Adding high rise to the flynet definition to incorporate regional differences in language, and removing the number of meshes requirement in the belly of the net, which currently reads 35 or more.

Like with the Small Mesh Exemption Program, the Summer Flounder, Scup and Black Sea Bass Technical Committee and Monitoring Committee reviewed staff work and the industry feedback, and commented that the exemption is not currently being used for the fishery or area that it was designed for, and that the definition may need to be updated to reflect changes in the fishery, and then also changes in gear over time.

However, the Technical Committee and Monitoring Committee noted that this definition should be examined to determine if the language would codify existing practices or expand the use of the exemption. Then finally, the TC and MC also recommended that methods for evaluation of the exemption should be explored, given that the flynet fishery off North Carolina has not been very active in recent years.

As noted, the Council has already initiated a framework for this action, to explore the issues just discussed, and has formed a Fishery Management Action Team or FMAT, and that FMAT is shown on the screen. If/when the Board decides to initiate an addendum to address summer flounder mesh exemptions, the Board can choose to form a PDT. You know if there are aspects of state regulations that the Board members think may need to get incorporated into an addendum. But a PDT is not required for this action. If the Board chooses to not form a PDT, we will rely heavily on the Council's FMAT to come up with, you know this addendum, so that it is consistent with what is being proposed in the framework. I'll reach out to Board members after this meeting, to touch base on if a PDT is needed. But if there are any thoughts at this point, you know we're happy to discuss them following the presentation.

Then finally, to wrap up the presentation, I'm just going to briefly cover the timeline for this proposed action. Starting off with today, where the Board will potentially initiate an addendum to address the summer flounder flynet definition, and the boundaries of the Summer Flounder Small Mesh Exemption Program area.

Then from February to March, the FMAT will work on developing the range of alternatives and a draft document for Meeting 1. Meeting 1 for this action will occur at the Council's April, 2024 meeting, where the Board and Council will approve the range of alternatives, and the Board will approve a draft document for public hearing.

Next, there will be a public comment period for the Commission's document from April through May, which public hearings will also take place if desired. Final action for this framework addendum will occur at the Council meeting in June, for an effective date of implemented changes on November 1, 2024.

As a note, you know you will see up on the screen here that there are some upcoming joint meetings between the Board and Council that fall outside of the typical meeting schedule, and we will cover all of those meetings shortly during the other business portion of this meeting today. That is all I have for you all, and I'm happy to take any questions.

CHAIR MESERVE: Great, thank you, Chelsea, very informative presentation. Are there questions for Chelsea about the information presented, about the need for this addendum, anything else? Hey, I'm not seeing any questions. It speaks to the quality of your presentation, Chelsea, thank you, but we'll look to the Board then for a motion that would initiate an addendum. Staff does have some language that could be used for that if it's needed. Erick Reid, I see your hand up, please go ahead.

MR. ERIC REID: I appreciate it. I **move to initiate an Addendum to address summer flounder commercial mesh exemptions, including clarifying the definition of a flynet and moving the western boundary of the small-mesh exemption area**.

CHAIR MESERVE: Thank you, Eric, is there a second to the motion? Mike Luisi. Eric, would you like to speak to the motion?

MR. REID: No, honestly, the rationale that was presented in December has not changed. This is a 31-year-old regulation that no longer applies in reality. I would prefer to turn discards into landings and reduce the regulatory burden on the commercial fishery. Taking into account the fact that gear has changed, and the majority of the squid fleet, which fishes' east of that sub-GRA in the winter, is towing rope nets now. You know the face of those nets are 8 or 10 feet long, and in the bottom belly they don't go below 8 inches until about the fifth belly panel. That is a standard net. Thank you, Madam Chair.

CHAIR MESERVE: The second was by Mike Luisi, and I'll ask him or any other members of the Board if they would like to raise their hand to provide any additional rationale for this motion. Mike Luisi.

MR. LUISI: I think it was made clear in the presentation that both the Council and the Commission have prioritized this as something that they would like to get done this year. I seconded this in that interest. Eric already made the points I was going to make, so that's it.

CHAIR MESERVE: Okay, very good. Could we get the second up on the screen, just for the record? Any further comment from the Board, any discussion from the Board on this motion? Also, look to any public input at this time, noting of course that this is just the initiation of this action. There will be a lot more time for comment. But we'll look for any comment, and I see Greg DiDomenico with your hand, please go ahead.

MR. GREG DiDOMENICO: There you go, Greg DiDomenico, Lunds Fisheries. Just wanted to say thank you for moving this along and making this a priority, thank you.

CHAIR MESERVE: Short and sweet, Greg, very good, thank you. Any other comment from the public? Seeing none; we'll move to a vote on this, and I'll ask if there is any objection to the motion from the Board. Seeing no hands**, are there any abstentions? Also seeing none; so, this motion carries unanimously.**

OTHER BUSINESS

CHAIR MESERVE: That is going to bring us back to Other Business at this time.

QUICK PREVIEW OF UPCOMING MEETING SCHEDULES THIS YEAR

CHAIR MESERVE: As Chelsea was just saying, she'll give us just a quick outlook on what the calendar looks like for the Board, given both our normally scheduled ASMFC meetings, and also a joint meeting schedule. If you're ready, Chelsea. All right, great, go ahead.

MS. TUOHY: We'll provide all of this information in an e-mail to the Board following the meeting today. But as staff, we just wanted to highlight the remainder of the joint meetings between the Summer Flounder, Scup and Black Sea Bass Board, the Policy Board, and the Mid-Atlantic Council for the remainder of 2024.

We're going to start off with that April 9 through 11, 2024 meeting in Atlantic City, New Jersey, which will be a meeting of the Summer Flounder, Scup, Black Sea Bass Board and the Mid-Atlantic Council. These two groups will meet to approve summer flounder commercial mesh exemptions framework addendum for public comment, as I just mentioned earlier. Moving on to that next Council meeting there, which falls outside of the typical meeting schedule.

That meeting is from June 4 through 6 of 2024, it will be held in Riverhead, New York, and that meeting will be between the Summer Flounder, Scup, Black Sea Bass Board and the Council, and then also between the Policy Board and the Council, and the topics for discussion are the final action on the Summer Flounder Commercial Mesh Exemptions Framework Addendum.

The Policy Board will be receiving an update on their recreational measure setting process, framework and Addendum. Then the last two Council meetings on that list are typical joint meetings. Those are in August and December. The meeting in August as always, will be between, well I guess that's always in recent years. Summer Flounder, Scup, Black Sea Bass Board and the Council, and then the Policy Board and the Council. In August, we will be setting 2025 black sea bass specifications, reviewing 2025 summer flounder and scup specifications, and approving the recreational measure setting process framework addendum for public comment.

Then finally in December of 2024, the Summer Flounder, Scup, Black Sea Bass Board will meet jointly with the Mid-Atlantic Council in Annapolis, at the Council's meeting to adopt 2025 black sea bass recreational management measures, and then review those 2025 measures for summer flounder and scup. Then just to wrap up today.

As a brief note, we anticipate that the joint aspect of the April and June meetings will take no longer than 2 hours for the April meeting and around 3 to 4 hours for the June meeting. Given the brief nature of these action items, and that these meetings fall outside of the typical meeting schedule, we encourage virtual participation, and we know it is a lot for folks to travel. Yes, I guess I'll just leave it off at that and hold for questions if there are any.

CHAIR MESERVE: We'll look forward to a lot of meetings this year. Are there any questions about the schedule? Again, it will be sent to you in an e-mail. Not seeing any.

ADJOURNMENT

CHAIR MESERVE: Is there any other business to come before the Board today? Again, I'm not seeing any, so that brings us to the end of our agenda. We'll consider this meeting adjourned at this time. I thank everyone for their participation today, hope you have a good night and enjoy some heart shaped chocolates. Thank you!

(Whereupon the meeting adjourned at 3:30 p.m. on February 14, 2024)

Atlantic States Marine Fisheries Commission

Atlantic Striped Bass Management Board

February 5, 2026
8:30 a.m. – 10:45 a.m.

Draft Agenda

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

1.	Welcome/Call to Order *(C. Batsavage)*	8:30 a.m.
2.	Board Consent • Approval of Agenda • Approval of Proceedings from October 2025	8:30 a.m.
3.	Public Comment	8:35 a.m.
4.	Review and Consider Approval of Addendum III State Implementation Plans *(E. Franke)* **Action**	8:45 a.m.
5.	Discuss Work Group on Future Striped Bass Management *(E. Franke*) • Provide Guidance on Work Group Composition, Task Details, and Timeline	9:00 a.m.
6.	Discuss 2027 Benchmark Stock Assessment *(K. Drew*) • Provide Guidance to Stock Assessment Subcommittee on Biological Reference Points and Spatial Management	9:45 a.m.
7.	NOAA Fisheries Report on Considerations for Aquaculture of Atlantic Striped Bass *(D. Blacklock)*	10:10 a.m.
8.	Other Business/Adjourn	10:45 a.m.

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details.

MEETING OVERVIEW

Atlantic Striped Bass Management Board
February 5, 2026
8:30 a.m. – 10:45 a.m.

Chair: Chris Batsavage (NC) Assumed Chairmanship: 2/26	Technical Committee Chair: Tyler Grabowski (PA)	Law Enforcement Committee Rep: Sgt. Jeff Mercer (RI)
Vice Chair: Vacant	Advisory Panel Chair: Eleanor Bochenek (NJ)	Previous Board Meeting: October 29, 2025
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, NMFS, USFWS (16 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2025

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

4. Addendum III State Implementation Plans (8:45-9:00 a.m.) Action

Background

- State implementation plans for Addendum III to Amendment 7 on total length and the Maryland Chesapeake Bay recreational season baseline were due on December 31, 2025.
- The Plan Review Team (PRT) met on January 13, 2026 to review the state implementation plans **(Briefing Materials)**.

Presentations

- PRT Report by E. Franke

Board action for consideration at this meeting

- Consider approval of Addendum III state implementation plans.

5. Work Group on Future Striped Bass Management (9:00-9:45 a.m.)

Background

- In October 2025, the Board approved the establishment of a Work Group (WG) on future striped bass management considering recent low recruitment and impacts on the stock as those weak year classes mature. The Board included list of tasks for the WG to address.
- Staff is seeking guidance from the Board on WG composition, task details, and timeline **(Briefing Materials)**.

Presentations

- Request for Board Guidance by E. Franke

Board guidance for consideration at this meeting

- Guidance on Work Group composition, task details, and timeline.

6. 2027 Benchmark Stock Assessment: Biological Reference Points and Spatial Management (9:45-10:10 a.m.)

Background

- The 2027 benchmark stock assessment is underway with peer review scheduled for March 2027.
- The Stock Assessment Subcommittee (SAS) seeks guidance from the Board to inform exploration of different types of biological reference points and to inform potential development of reference points for different regions **(Supplemental Materials)**.
- The SAS requests this guidance by May 2026.

Presentations

- Request for Board Guidance by K. Drew

Board guidance for consideration at this meeting

- Guidance on biological reference points and spatial management for the benchmark stock assessment.

7. NOAA Fisheries Report on Considerations for Aquaculture of Atlantic Striped Bass (10:10-10:45 a.m.)

Background

- In January 2024, NOAA Fisheries Office of Aquaculture provided a presentation to the ISFMP Policy Board on aquaculture in the EEZ, specifically of Atlantic striped bass.
- The Policy Board requested NOAA Fisheries provide further information on several issues including environmental concerns, economic concerns, and enforcement/legal concerns.
- NOAA Fisheries developed a report on both the science and environmental issues as well as legal and policy issues regarding striped bass aquaculture **(Supplemental Materials)**.

Presentations

- NOAA Fisheries Report by D. Blacklock

8. Other Business/Adjourn (10:45 a.m.)

Atlantic Striped Bass

Activity level: High

Committee Overlap Score: Medium (TC/SAS/TSC overlaps with BERP, Atlantic menhaden, American eel, horseshoe crab, shad/river herring)

Committee Task List

- TC-SAS-TSC – Conduct the 2027 Benchmark Stock Assessment, including Data Workshop in 2025, Methods Workshop in early 2026, and Assessment Workshop in mid-2026
- TC – June 15: Annual compliance reports due and data deadline for benchmark assessment

Technical Committee (TC) Members: Tyler Grabowski (PA, Chair), Lars Hammer (ME), Gary Nelson (MA), Nicole Lengyel Costa (RI), Kurt Gottschall (CT), Caitlin Craig (NY), Brendan Harrison (NJ), Margaret Conroy (DE), Alexei Sharov (MD), Luke Lyon (DC), Ingrid Braun-Ricks (PRFC), Shakira Goffe (VA), Robert Corbett (NC), Jeremy McCargo (NC), Tony Wood (NMFS), Jimmie Garth (USFWS)

Stock Assessment Subcommittee (SAS) Members: Margaret Conroy (DE, Chair), Gary Nelson (MA), Nicole Lengyel Costa (RI), Mike Celestino (NJ), Alexei Sharov, Brooke Lowman (VA), John Sweka (USFWS), Tyler Grabowski (PA), Katie Drew (ASMFC), Samara Nehemiah (ASMFC)

Tagging Subcommittee (TSC) Members: Gary Nelson (MA), Jessica Best (NY), Brendan Harrison (NJ), Ian Park (DE), Angela Giuliano (MD), Beth Versak (MD), Jim Gartland (VIMS), Stuart Welsh (WVU), Mike Mangold (USFWS), Julien Martin (USGS)

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

ATLANTIC STRIPED BASS MANAGEMENT BOARD

Hyatt Place Dewey Beach
Dewey Beach, Delaware
Hybrid Meeting

October 29, 2025

TABLE OF CONTENT

INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).

2. **Approval of Proceedings of August 2025** by consent (Page 1).

3. **Main Motion**
   Move to approve in Section 3.4 Option A Status Quo (Page 20). Motion by Adam Nowalsky; second by John Clark. Motion amended.

   Motion to Amend
   Move to amend to add "and establish a Work Group to develop a white paper that could inform a future management document. The Work Group should include representation from all sectors in addition to scientists and managers. The goal of this Work Group is to consider how to update the FMP's goals, objectives, and management of striped bass beyond 2029, in consideration of severely reduced reproductive success in the Chesapeake Bay. The Work Group should utilize public comment, including that received during the Addendum III process to inform its research and management recommendations and work with the Benchmark SAS to incorporate ideas and deliver necessary data products. Work Group discussions should include the following topics:
   - **Review BRPs and consider recruitment-sensitive, model-based approaches.**
   - **Formally review hatchery stocking as both a research tool and a management tool for striped bass w/ cost analysis.**
   - **Evaluate the potential for other river systems to contribute to the coastal stock.**
   - **Explore drivers of recruitment success/failure in Chesapeake Bay, Delaware, and the Hudson in light of changing climatic and environmental conditions, including potential impacts from invasive species.**
   - **Explore the reproductive contribution of large and small female fish and the implications of various size-based management tools.**
   - **Methods to address the discard mortality in the catch and release fishery"** (Page 21). Motion by Marty Gary; second by Eric Reid. Motion passes (14 in favor, 2 opposed) (Page 30).

   Main Motion as Amended
   Move to approve in Section 3.4 Option A Status Quo and establish a Work Group to develop a white paper that could inform a future management document. The Work Group should include representation from all sectors in addition to scientists and managers. The goal of this Work Group is to consider how to update the FMP's goals, objectives, and management of striped bass beyond 2029, in consideration of severely reduced reproductive success in the Chesapeake Bay. The Work Group should utilize public comment, including that received during the Addendum III process to inform its research and management recommendations and work with the Benchmark SAS to incorporate ideas and deliver necessary data products. Work Group discussions should include the following topics:
   - **Review BRPs and consider recruitment-sensitive, model-based approaches.**
   - **Formally review hatchery stocking as both a research tool and a management tool for striped bass w/ cost analysis.**
   - **Evaluate the potential for other river systems to contribute to the coastal stock.**
   - **Explore drivers of recruitment success/failure in Chesapeake Bay, Delaware, and the Hudson in light of changing climatic and environmental conditions, including potential impacts from invasive species.**

- **Explore the reproductive contribution of large and small female fish and the implications of various size-based management tools.**
- **Methods to address the discard mortality in the catch and release fishery.**

Motion to Amend
Move to amend to replace "Option A Status Quo" with "Option B (equal 12% reduction by sector)". (Page 30). Motion by Nichola Meserve; second by Jay McNamee. Motion fails (5 in favor, 11 opposed) (Page 35).

Main Motion as Amended
Move to approve in Section 3.4 Option A Status Quo and establish a Work Group to develop a white paper that could inform a future management document. The Work Group should include representation from all sectors in addition to scientists and managers. The goal of this Work Group is to consider how to update the FMP's goals, objectives, and management of striped bass beyond 2029, in consideration of severely reduced reproductive success in the Chesapeake Bay. The Work Group should utilize public comment, including that received during the Addendum III process to inform its research and management recommendations and work with the Benchmark SAS to incorporate ideas and deliver necessary data products. Work Group discussions should include the following topics:
- **Review BRPs and consider recruitment-sensitive, model-based approaches.**
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- **Evaluate the potential for other river systems to contribute to the coastal stock.**
- **Explore drivers of recruitment success/failure in Chesapeake Bay, Delaware, and the Hudson in light of changing climatic and environmental conditions, including potential impacts from invasive species.**
- **Explore the reproductive contribution of large and small female fish and the implications of various size-based management tools.**
- **Methods to address the discard mortality in the catch and release fishery.**

Motion passes (13 in favor, 3 opposed) (Page 36).

4. **Move to add a task to explore the socioeconomic impacts on the striped bass commercial fishing sector, including the party/charter sector, from potential quota reductions not consistent with actual striped bass mortality effects from that sector** (Page 37). Motion made by Jeff Kaelin; second by Eric Reid. Motion fails (1 in favor, 13 opposed, 2 abstentions) (Page 39).

5. **Main Motion**
Move to approve in Section 3.3 Maryland's ability to choose Option A, status quo, or Option B, a new Maryland baseline season. Maryland would notify the Board of the option chosen through its implementation plan (Page 40). Motion by Mike Luisi; second by John Clark. Motion to amend.

Motion to Amend
Move to amend to replace Option B (a new Maryland baseline season) with Option C (new baseline season with 10% buffer) (Page 42). Motion made by Doug Grout; second by Jason McNamee. Motion fails (6 in favor, 8 opposed, 2 abstentions) (Page 47).

Main Motion
Move to approve in Section 3.3 Maryland's ability to choose Option A, status quo, or Option B, a new Maryland baseline season. Maryland would notify the Board of the option chosen through its implementation plan. Motion passes (7 in favor, 6 opposed, 2 abstentions, 1 null) (Page 47).

6. **Main Motion**
   Move to approve in Section 3.2 Option A. Status Quo States Choose Point of Harvest or Point of Sale Tagging (Page 56). Motion by Jay McNamee; second by Chris Batsavage. Motion substituted.

   Motion to Substitute
   Move to Substitute for Option C: Commercial Tagging by the First Point of Landing with a three-year transition period (Page 57). Motion made by John Clark and seconded by Raymond Kane. Motion passes (8 in favor, 4 opposed, 4 abstentions) (Page 59).

   Main Motion as Substituted
   Move to approve in Section 3.2 Option C: Commercial Tagging by the First Point of Landing with a three-year transition period. Motion passes (10 in favor, 3 opposed, 3 abstentions) (Page 60).

7. **Move to adopt in Section 3.1 Option B, Mandatory Elements for Total Length Definition with the following requirements: squeezing the tail and a straight-line measurement. This definition applies to both the recreational and commercial sectors** (Page 62). Motion by Chris Batsavage; second by Marty Gary. Motion passes by unanimous consent (Page 63).

8. **Move to approve the following compliance schedule for the Maryland recreational season baseline and total length definition:**
   - **States must submit implementation plans by December 31, 2025.**
   - **States must implement regulations for the total length definition by January 1, 2027.**

   (Page 64). Motion by Mike Luisi; second by John Clark. Motion passes by unanimous consent (Page 64).

9. **Move to approve the following compliance schedule for commercial tagging:**
   - **States must submit implementation plans January 1, 2028.**
   - **States must implement regulations by December 31, 2028.**

   (Page 64). Motion by Mike Luisi; second by John Clark. Motion passes by unanimous consent with one objection by Rhode Island (Page 64).

10. **Move to approve Addendum III to Amendment 7 to the Atlantic Striped Bass FMP, as amended today.** (Page 64). Motion by Joe Grist; second by Marty Gary. Motion passes (Roll Call: In Favor – MA, CT, NY, NJ, PA, VA, PRFC, DC, MD, DE, ME, NH, NOAA; Opposed – NC; Abstentions – None; Null – RI) (Page 65).

11. **Move to adjourn** by consent (Page 65).

ATTENDANCE

Board Members

Megan Ware, ME, proxy for C. Wilson (AA)
Steve Train, ME (GA)
Rep. Allison Hepler, ME (LA)
Renee Zobel, NH (AA)
Doug Grout, NH (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)
Nichola Meserve, MA, proxy for D. McKiernan (AA)
Raymond Kane, MA (GA)
Rep. Sarah Peake, MA, proxy for Rep. Peake (LA)
Jason McNamee, RI (AA)
David Bordem, RI (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Matt Gates, CT (AA)
Bill Hyatt, CT (GA)
Rep. Joseph Gresko, CT (LA)
Marty Gary, NY (AA)
Emerson Hasbrouck, NY (GA)
Joe Cimino, NJ (AA)
Jeff Kaelin, NJ (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Kris Kuhn, PA, proxy for T. Schaeffer (AA)
Loren Lustig, PA (GA)
Fran Torres, PA, proxy for Rep. Kulik (LA)
John Clark, DE (AA)
Roy Miller, DE (GA)
Craig Pugh, DE, proxy for Rep. Carson (LA)
Michael Luisi, MD, proxy for L. Fegley (AA)
Robert Brown, MD, proxy for R. Dize (GA)
David Sikorski, MD, proxy for Del. Stein (LA)
Joe Grist, VA, proxy for J. Green (AA)
Chris Batsavage, NC, proxy for K. Rawls (AA)
Rep. Brian Turner, NA (LA)
Daniel Ryan, DC
Ron Owens, PRFC
Kelly Denit, NMFS
Rick Jacobson, US FWS

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

Ex-Officio Members

Tyler Grabowski, Technical Committee Chair
Margaret Conroy, Stk. Assmnt. Subcommittee Chair
Eleanor Bochenek, Advisory Panel Chair
Lt. Jeff Mercer, Law Enforcement Committee Rep.

Staff

Bob Beal
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Emilie Franke
Katie Drew
Jeff Kipp
Jainita Patel
Samara Nehemiah
Kurt Blanchard

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Ballroom East/West of Hyatt Place Dewey Beach, via hybrid meeting, in-person and webinar; Wednesday, October 29, 2025, and was called to order at 9:45 a.m. by Chair Megan Ware.

CALL TO ORDER

CHAIR MEGAN WARE: Good morning, everyone. We are going to call the Striped Bass Board to order today. My name is Megan Ware; I am the Chair of Striped Bass. First, I just want to thank everyone for coming today. It is great to see a lot of folks in the audience. I appreciate you taking your time to be with us today.

APPROVAL OF AGENDA

CHAIR WARE: We'll start with Approval of the Agenda. I do just want to note, I think for efficiency I am going to have the LEC Report while we're talking about commercial tagging during our Addendum III discussion. If folks are okay moving that into our Addendum III discussion, we will do that. Are there any other changes to the agenda? Seeing none; the agenda is approved by consent.

APPROVAL OF PROCEEDINGS

CHAIR WARE: Next, we have proceedings from August 2025. We did receive one edit from Doug Grout, so thank you, Doug. Are there any other edits to those proceedings? Seeing none; the proceedings, with one edit, are approved by consent. We're going to move into public comment now, and this is for items not on the agenda. If you are hoping to speak on specific alternatives in Addendum III. Oh, we're going to pause. Toni, sorry.

MS. TONI KERNS: I just want to make note that Commissioner Joe Gresko is online, Rick Jacobson from Fish and Wildlife Service and Mike Pentony is going to start for NOAA Fisheries, and then Kelly Denit will join us around ten, ten-thirty.

CHAIR WARE: Thanks, Toni.

PUBLIC COMMENT

CHAIR WARE: Back to Agenda Item 3, Public Comment. It's for items that are not on the agenda, so if you're hoping to speak on a specific alternative or the Board's final action, I would ask you to hold that or slightly modify your comment to be a little bit broader, maybe. I'll look for hands in the room, and we'll also do an ask online.

Once we have a sense of how many folks want to speak, we'll assess time. Great, so I think we just have the two folks in the room here, three folks in the room. I'm going to do three minutes each, and I think there is a public, great, now we're up to four, but we're still going to keep them three minutes each. There is a public microphone up front there. If you could just state your name and affiliation that is much appreciated.

MR. BRIAN HARDMAN: My name is Brian Hardman; I'm the President of the Maryland Charter Boat Association. We also represent a part of the watermen as well and have joined forces with them. I just want to give you a brief update on some of the things that have happened over the last couple years since the January 24th meeting, when we got knocked down to one fish and a slot.

We've been adversely selected for this. There are 428 charter boats, and in 2023 we caught 92,000 fish, 92,816. That is when we had two fish. In 2024 we caught 34,000 and year to date 2025 we caught 26,000. That is a 72% reduction from what we had before. Last year's number at 34 was a 63% reduction.

Number of trips we had in '23 was 10,651, then we went down in '24 to 6800, year to date 5100. That is a 52% reduction. Number of passengers we had in '23 was 78,000, in '24 it was 50,000, the year to date is 35,000. That is a 56% reduction. I'm not sure whether it is this Committee's goal or not, but you've reduced our businesses by well over 50% in every single category, and we can't survive with

these continued reductions and closures and try to stay in business.

If we were given our second fish today, it would take over five years for us to recoup our business, and this is how bad we're suffering. There have been 54 charter boats that went for sale or listed for sale during this time period. To my knowledge, not one recreational boater has had to sell their boat or seek other employment somewhere else.

This adversely affected the charterboat industry on there. I did speak with Emilie, in regards to the public comment. I had a question for her, and asked her, how do we get credit, for example, for the 50,000 people that went fishing with us last year? She said they would all have to write in individually.

My issue with this is, we have special interest groups in the state of Maryland that will sit there and they're going to send an e-mail to their membership and someone is going to send an e-mail to the subscribers, and they're going to get back 11 to 1200 responses, which they did. But it adversely affects us, because we don't have somebody sitting there inputting data, and somebody can hit a button and send out 25,000 e-mails.

We've got 425 charter boats that are going to send something in, and some of our passengers. But I don't think the public comment is a representative of what is really going on in the public. We're adversely affected by this. If you poll those 50,000 people that went out fishing with us, I'm pretty sure 49,990 of them are opposed to Maryland's baseline, and opposed to this reduction on it.

But we're being overlooked once again, because we just don't get a chance to represent everybody in there. I think it's time for us to have a separate category for charter boats, because we keep getting put in with the recreational side, and then every time they have a cut, we have a cut. We've already had over 50%, guys.

How much more can we take and try to stay in business like this? Once again, we're adversely selected against. I will say this, if the Maryland Proposal is going to be approved, you are going to force about 350 charter boats to start fishing in April, when we've been approached over the last five years to protect these female spawning stock. I would like to thank you for your time, that's all I have.

CHAIR WARE: Thank you, appreciate your comments. I think Captain Newberry; you were next on my list. I'll say this for every comment, just a friendly reminder to try to be on items not on the agenda.

CAPTAIN ROBERT NEWBERRY: Commissioners, my name is Captain Robert Newberry with Delmarva Fisheries Association. Thank you very much. Brian has already had everybody stand up. Just take a good look at these guys back here. This is who you are affecting here today. They took the day off to come here. We saw people from Virginia here on the other issue yesterday.

The important matter that we have here on the commercial side is since 2012 we've taken a 46% reduction. If this moves forward, we're going to be over 50 to 60% reduction. Right now, our fishermen are catching more fish with less effort and less time than they have in 30 years. This goes from the Maryland/Virginia line all the way as far as Turkey Point up in the Northeast Rip.

We've got a load of fish in this Bay. There is a load of fish in the Bay right now, and the young of the year, I mean on the agenda it might be. But you've just got to consider, it may have been 1, it's 4 this year. That is a 400% increase. We're on the upswing. It could be 10 next year, it could be 8 next year.

What we're seeing and the amount of fish in the Bay, you know the old saying is that 90% of the fish are in 10% of the water. I don't know anybody that

had a bad season this year fishing, as far as well, when it got warm and when we were shut down, yes. But right now, everybody is catching fish, there is plenty of fish. You look at the videos, they've been catching big fish all year long, small fish all year long all up and down the coast. But just really what concerns me are these hardworking men and women that are in my industry in Maryland. I've taken such a hit and are getting so emaciated by the cost of living and everything else.

Any more cuts are going to put us out of business. But the most important thing that you have to realize, both the charter boats and the commercial fishermen that are in this room feed people. People come on our boats to take fish home to eat. It feeds people by putting it on the market. The recreational side, that is a hobby.

We have a living. We pay our bills, we buy vehicles, that is what we do for a living, so please, look at these people here today, when we go through what we have to on this striped bass today, because they took the day off to come here, and it's good to see them here. I thank you very much.

CHAIR WARE: Thank you, very much. I think there was another hand in the back. Tom, you were next, and then I think there is one more hand in the room, then we'll got to webinar.

MR. THOMAS P. FOTE: My name is Tom Fote. I'm here representing Jersey Coast Angler's Association. It is nice to see everybody in person for a change, because the last couple of years I've been doing all these striped bass board meetings online. You probably couldn't understand me, because my microphone was always bad and my voice is kind of gravelly.

I'm going to talk about the blue catfish. I've written more articles on blue catfish, I think than striped bass in the last couple of issues of the Jersey Coast Newspaper, talking about the problem they are having in Chesapeake Bay. I thought it was just the Chesapeake Bay, and now we see they are up at Hyde Park in New York, they came through the Delaware Canal, so now they are in Delaware Bay and the Delaware River.

We need to do something about that. There is a bill, strangely enough the bipartisan bill to allow for the better harvest for commercial fishermen of the blue cat fish in Maryland, Jersey, and Delaware. We have to get that passed, so I'm hoping that the states will get behind that bill. I know the Legislative Committee hasn't met yet.

I was so many years in the Commission on the Legislative Commission, and I really talked to my Congressman and Congresswomen in New Jersey and my Senator, Senator Andy Kim, we tried to get him to support this bill. I'm looking forward to the Commission to basically get hard behind this bill.

If somebody is not familiar with it, it will allow easier regulations, instead of going through the FDA just for annual harvest group chapters. I mean they are making up a large part of the biomass in the Chesapeake Bay. It's like the Black Lake wound up with 93% Jelly Fish. We can't have that happen.

It's not only your striped bass, it's your menhaden, its blue claw crabs and everything that effects the environment in the Bay. The other issue we need to look at is what is happening with the spawning fish. Maryland, because of what we did many years ago when I was a commissioner in the 1990s, we basically thought Maryland tautog were just male fish.

Now, after all these years of dealing with endocrine disruptors and everything else, I realize there is a problem with the male fish population. We see it with the flounder in Jamaica Bay that there are 14 females to 1 male. It should be just the opposite. I don't know what is going on with Chesapeake Bay with the males. I don't know if they are viable males.

We wound up with small mouth bass in the Potomac River, they were not viable. We should be looking at what is going on. I know research money

is tight, and it's probably not going to get any better. But maybe we can get outside groups like PEW and everybody else to look into what is going on with those species. I support the charterboat association what they are saying here.

But recreational fishing is important to my state, as far as the businesses in my state. I also sit on ASA Governor's Affairs Committee. It is very important to the industry, and that is hundreds of thousands of jobs making tackle and everything else for the country. One of the important fish to all of us is striped bass, so we need to do what is necessary to keep them. Thank you for your time.

CHAIR WARE: Thanks, Tom, so I saw one more hand on the side there, and then we're going to go to our person online.

MR. NICK VANGIONE: My name is Nick Vangione. I stand here today, not just as a commercial fisherman, but as a voice for every man and woman who have spent a lifetime feeding this nation from the sea. For more than 50 years, commercial fishermen have played by the rules.

We've been regulated, restricted and reduced; all in the name of conservation, while the Commission has repeatedly turned its back on us. Let's not forget, Congress gave you clear mandates in 1979 and again 1984, to ensure fair and balanced actions to our shared resources. Those mandates were never fulfilled.

In 1984, this very Commission initiated a stocking program, and in your own 1997 report you acknowledged that if the fish could not produce on their own, management and stocking would be a viable alternative. Yet here we are decades later, and the recommendation was never implemented.

Instead, those ideas were buried while the commercial sector continued to pay the price. Then to justify the waste created by failed management, you made up a word conservation equivalency, a term created not to protect fish, but to protect a system that refuses to be accountable. That is not conservation, it's camouflage.

After half a century of stealing, cheating and robbing the commercial fleet of its fair share, you are once again talking about cutting us. But we have a new executive order to promote American seafood, to strengthen domestic harvest, support coastal communities and reduce dependence on imports. Cutting the commercial quota does the opposite, it doesn't promote American seafood, it destroys it.

Every pound taken from the commercial side is one less pound of wild, sustainable American caught fish for our people. One less job, one more blow to those who feed the nation. We're not asking for special treatment, we're asking for fairness, accountability and honesty, and we're asking you to finally live up to the responsibilities Congress gave you decades ago. Commercial fishermen are not the problem. We are the foundation of American seafood. It's time to stop hiding failure behind new words and stop cutting the hands that feed this nation. Thank you.

CHAIR WARE: We're going to go to Ross Squire online. Just a reminder, folks, for items not on the agenda. Yes, I'll talk to you in a second, but Ross has been in line.

MR. ROSS SQUIRE: Thank you, Madam Chair, my name is Ross Squire, and I serve as the Vice-President of the New York Coalition for Recreational Fishing. Our organization currently has just over 2,000 organization and individual members. I appreciate the opportunity to address the Board directly.

While this Board is focused today on Addendum III and rebuilding the striped bass fishery by 2029, we're all aware of the elephant in the room. Seven consecutive years of historically low recruitment in the Chesapeake, and two and possibly three consecutive years of low recruitment in the Hudson. The sad truth is that there is not a single Board or

staff member that can tell the public when or if this poor recruitment will change. I'm struck by how relevant the words of Patrick Kelliher, the then Commission Chair gave at the Striped Bass Management Board meeting in May of 2021.

When speaking about the management of striped bass he said, and I quote, "I would say we've likely had mixed results over the years." That brings us to today. I feel there is a lot at stake, not only to striped bass but to ASMFC as well. Some are stating that the Commission has a credibility problem, and that we've taken our greatest fisheries management success story and reversed it."

He went on to say, "For many of the Commission species we are no longer in a position to hold out hope that things will revert to what they have been previously if we just hold static. Change is happening too fast and actions need to be taken." Patrick concluded, "Today I would ask this Board to think about what is best for the species, but also what is best for the future of the Commission. I suspect that this will be a painful discussion and sacrifice is needed to find the path forward. A small amount of pain now pays us dividends down the road."

I find these comments to be incredibly relevant today. With a full day of meetings ahead, some action that addresses this declining recruitment must occur. Delaying or deferring action is unacceptable. Anything less than taking real action would be a dereliction of your duty to the species, and to all that rely on striped bass for sport, social enjoyment and economic gain. Please do not ignore the elephant in the room. Thank you.

CHAIR WARE: Thanks, Ross. We've had two more hands in the room. We're going to cut it at that. I see other hands going up, but you guys are late, so we're going to cut it at those two. Since they are late hands, we're going to ask you to keep it to two minutes. You sir, and then John, and then we're going to move on. Thank you.

MR. CAPTAIN VINNIE CALABRO: Good morning, Captain Vinnie Calabro, I'm from Jamaica Bay, New York. I'm a commercial fisherman and own a fleet of charter boats. I'm going to begin very briefly, by asking my peers here by a show of hands if they are in agreement with me, or if the management board has failed miserably in managing striped bass.

I met with President Trump about a month ago. I spoke briefly with him at his golf course, and I'm going to report back to him on some of the hearing today and yesterday also. It has taken you people the better part of 40 years to destroy our industry and our livelihood. Failed policies, not adhering to the mandates from the Magnuson Act, so on and so on.

I think that you have to have some accountability and not put your failures on the back bones of the fishermen of the country. As my friend, Nick, said earlier, this country was built on the backbone of the American fisherman. Thank you.

MS. DAWN MASK PENNEY: Hello, my name is Dawn Mask Penney, and I'm actually a commercial waterman. I started fishing with my dad when I was nine years old, when I was in middle school. He asked me, what do you want to do for a living? I said, I want to be a waterman. He said, well. When I was 16 is when the moratorium was first put in, and I had to get my first TFL. I have gone into aquaculture. I actually got the first degree from the University of Maryland in aquaculture. I actually had to kind of put it together through the independent studies department.

I've actually researched how to raise rockfish. We even did a little aquaculture in our own backyard, turning our shed into an aquaculture facility. I'm here today, because I have some suggestions and recommendations that I would like you to listen to. Maryland commercial watermen have complied with every conservation measure required by the Atlantic States Marine Fisheries Commission and the Maryland Department of Natural Resources.

Yet continued quota cuts threaten the survival of the centuries old working waterfront heritage. A sustainable striped bass recovery plan must recognize environmental and ecosystem stressors, not only fishing pressure, and balance biological goals with socioeconomic fairness. This report consolidates data and field observations from Chesapeake Bay watermen, public ASMFC documents and peer reviewed studies.

It outlines realistic next steps, restore striped bass populations without forcing working watermen out of business. Key elements include integration of water quality data in nutrient low reductions into stock assessment models. Creation of a public performance dashboard to track progress transparently.

Regional not coastwide quota adjustments that reward early compliance. Investment in nursery restoration, hatcheries, and invasive species control blue catfish and snakehead. By the way, the only reason that the USDA is required to do anything for the catfish is because people in the south did not want China competing with them for catfish fillet. I'm sorry, is that two minutes?

CHAIR WARE: Yes, if you could just wrap it up, Dawn.

MS. MASK PENNEY: Like I said, I have this report here and there are a lot of things that you can and should be doing. Just to conclude, Maryland has consistently led in implementing conservation measures, yet continued quota cuts without recognition of environmental progress risk undermining the fishing heritage and livelihood of Maryland watermen.

By adopting these steps, particularly immediately a transparent dashboard, integration of water quality methods, accelerated nutrient reductions, invasive predator control and a fair regional quota network ASMFC can protect the resource while sustaining the working waterfront for future generations. By the way, I am not full time. I can't be, I would starve, or eat only my fishing profits. Thank you.

CHAIR WARE: Thanks everyone for your comments.

CONSIDER ADDENDUM III TO AMENDMENT 7 FOR FINAL APPROVAL

CHAIR WARE: We're going to move on to Agenda Item 5, which is our Consideration of Addendum III. Before we start, I just want to thank Emilie and all the Commission staff that helped with public hearings and organizing a lot of written comments. It takes a ton of work to get us here. I appreciate that. In terms of a plan, what I would like to do today is start with focusing on the percent reduction, if any, and the Maryland Baseline, and we'll see how far we get before lunch. Then after lunch we'll continue on and then go to commercial tagging and total length. I've asked staff to break up the presentation, so we'll start just with the parts on the percent reduction and the baseline. We'll hear the AP Report, the Public Comment Summary, and then we'll start our discussion there. Then of course later this afternoon we'll do Commercial Tagging with the LEC Report and Total Length. That is the game plan today.

REVIEW OPTIONS AND PUBLIC COMMENT SUMMARY (*PART 1*)

CHAIR WARE: I will pass it off to Emilie to get us started on that.

MS. EMILIE FRANKE: Great, thank you, Chair. I'll just start out with a quick reminder of the timeline for this draft addendum, and then as the Chair mentioned, we'll be starting with Section 3.3 on the Maryland Season Baseline and Section 3.4 on the reduction. I will go over those options from the Addendum and the Public Comment Summary.

Then I will also, near the beginning of the portion on the reduction, there was a request at the last Board meeting and at several public hearings to look at the current available MRIP data so far. I'll provide a brief overview of that as well. Then I will

turn it over to our AP Chair, Eleanor Bochenek, to give the AP Report on these two sections.

First just a reminder of the timeline. The Board initiated this Addendum back in December of last year, December 2024. The draft addendum was developed over the next several months. Then the Board approved Draft Addendum III for public comment in August of this year. Then we had the Public Comment Period stretching through the month of September through October 3rd, and we are here today for the Board to review the public comment, select measures and consider final approval of this Addendum III.

Then the states would implement any new addendum measures in 2026 and beyond. I just want to extend a thank you to all of those who participated in the public comment process. On the written comment side, we received about almost 4,500 written comments through October 3rd, which was the closing comment deadline.

Within those comments there were comments from 59 organizations. There were about 1,400 comments received through 12 different form letters or multi-signatory letters. Then there were just under 3,000 individual comments. You may recall, there were a couple different options, as far as submitting comments, so about half of those were from folks e-mailing us directly or using the comment box on our web page, and the other half were from a public comment forum that was available if folks preferred to click on the options that they preferred.

As far as the public hearings, there were 17 public hearings from September 8 through September 30; 11 of those were in person. A couple of those did have links where the public could listen in as well. Three of those hearings were hybrid, so people could participate both in person or online, and then three of those were webinar only.

Across all of those public hearings there were about 1100 public attendees. Some of those people did attend multiple hearings. That does not include the folks who were listening in through the listen only links. I will jump right into again the two sections we're starting with this morning. The first is Section 3.3 on the Maryland/Chesapeake Bay Season Baseline. Just a very brief background. Maryland's striped bass seasons have become increasingly complex over time, and there has been some stakeholder desire from the state of Maryland to adjust the seasons to allow for more fishing opportunities and access in the spring, when conditions are favorable with lower release mortality. This Draft Addendum does consider a new recreational season baseline to simplify Maryland's Chesapeake Bay season and to realign that access based on that stakeholder input and release mortality rates.

This new baseline would modify the duration and timing of seasons in the Maryland/Chesapeake Bay. Just a note that the existing March through May spawning closures would not be affected by this potential change, and the new baseline is calculated to maintain the same level of removals as 2024, so it would be calculated to be net neutral.

The Technical Committee did accept Maryland's methods for calculating this new baseline. The TC did highlight the uncertainty of predicting how effort would change. For example, if you're opening a season that is currently no targeting, and you open it to allow catch and release, it is very difficult to predict what a potential increase in effort might be.

To address some of this uncertainty and some of the other data uncertainties, there is an option in the Addendum to consider an uncertainty buffer and this would be to increase the chance of success that this new baseline actually stays net neutral, compared to the 2024. Basically, with this buffer some of the closures would be a little bit longer than if there were no buffer.

I'm just going to go over sort of the high-level options and I'll get into the sort of side-by-side

comparison of the 2024 season compared to the proposed new baseline. Starting with Option A, status quo. There were a couple of questions that I got, wanting to explain this option a little bit more. I'm going to try to make it clear here.

For status quo, no new baseline, there are sort of two different scenarios. If the Board does not take a reduction, which we'll talk about in the next section, and the Board also decides to stay status quo on this Maryland season. That means that the FMPs measures for seasons would not be changing, which means that the current FMP measures which are Addendum II, which maintains the same seasons as 2022 would stay in place.

The current FMP does allow for Chesapeake Bay trophy season. Maryland has chosen to be more conservative by closing the trophy season, and that continues to be a Maryland decision on whether or not to keep that trophy season closed under this double status quo option. If there is status quo for a reduction no reduction, and status quo for this baseline. It is still a Maryland decision on the trophy fishery.

However, if there is a reduction, which again we'll talk about in the next section, and Maryland keeps the same baseline. That essentially sort of uses the 2024 season, which does not have a trophy fishery as the starting point for any new reduction. It's a little bit different, depending on whether or not there is a reduction.

Option B is the new baseline. Maryland/Chesapeake Bay would implement that new season baseline, calculated to be net neutral. Then if there is any reduction then Maryland would add any new reduction closures on top of that new baseline. Then Option C is that option with the 10% buffer. Maryland could still implement that new season baseline, but there would also be a 10% uncertainty buffer on top of that. If there is a coastwide rebuilding reduction then Maryland would take a slightly larger reduction than the other states to account for that buffer. If there is no reduction, Maryland could still implement the new season, but they would have to be slightly more conservative than the 2024 season.

This is a side-by-side comparison of the current 2024 season compared to the proposed new baseline. Yellow means catch and release, green means open for harvest and red means no targeting. You can see in the first column the 2024 season. The second column is the proposed new baseline, so this baseline does four things.

First, it extends the current catch and release season through April. April is currently no targeting, so this would extend catch and release through the month of April. The new baseline would allow harvest a little bit earlier during the month of May. The new baseline would move the summer no-targeting closure to August, and it would be four weeks instead of two weeks.

Then the December harvest fishery would close a little bit earlier. These dates are not set in stone. Again, it depends if the Board is taking a reduction and if the uncertainty buffer is put into place. Now I'm going to get into the public comments that we heard on this issue. You will see for all of the slides on public comments there is a row that shows the number of comments that we received, written comments for each of the options.

There is also the number of comments that we heard at the hearings for each of the options. As far as the written comments. The majority of the written comments support either Option B, which is the new baseline, or Option C, which is the new baseline plus the buffer. The majority of the hearing comments supported Option A, which is status quo.

Those that support status quo that is Option A. Note concern about allowing catch and release fishing on pre-spawn and spawning females during the month of April. These comments noted strong opposition to this, and this would result in additional mortality and stress on the female fish

from handling, and that would negatively impact their ability to spawn.

These comments also noted that this impact on spawning females was not sufficiently considered or reviewed during this process. Those that support Option B, the new baseline, noted that the new baseline would simplify the season from the compliance and enforcement perspective. It would also allow more access and economic opportunity when those release rates are lower in the spring when those temperatures are not as high.

Also noted that having a longer closure in the summer would be beneficial for the stock. Then those that support Option C, which his that new baseline plus that buffer, noted that the buffer is important because of the uncertainty around predicting how much effort might increase, and some comments supported a buffer larger than 10%.

All right, so that was Section 3.3. I'm going to move into 3.4, this would be reduction in fishery removals to support stock rebuilding. The stock is subject to a rebuilding program to be at or above the spawning stock biomass target by 2029, and the projections estimate there would be an increase in fishing mortality this year in 2025, as the above average 2018-year class enters the ocean slot limit.

Then from 2026 onward the projections estimate a decrease back in the 2024 levels, as those 2018-year class fish move out of the slot. There is also a concern about the lack of strong year classes coming in behind the 2018s. Essentially, under status quo and those projection assumptions that I just went over, there is an estimated 30% probability of rebuilding the stock, so getting to that target by 2029.

The Draft Addendum considers measures to increase that chance of meeting the target to get up to a 50% probability of meeting the target from 2029, which would require a 12% reduction in fishery removals.

Now I'm just going to briefly touch on, again I mentioned there was a request to look at the 2025 MRIP data that are available so far. I'm just going to briefly touch on that, and again I'm happy to take questions later on during questions. But right now, we only have preliminary 2025 MRIP data through Wave 3, so that is through June.

We do not yet have Wave 4 data, so 2025 striped bass removals through Wave 3 are 44% lower than removals through the same time last year. Typically Waves 2 and 3 typically make up about just over a third of annual removals. If we use just this Wave 2 and 3 data to predict what might final removals look like for the entire 2025.

We can do that, and we've done that for the past as well. Sometimes when you just have these two waves of data, sometimes this ends up overestimating the final removals, sometimes it underestimates it, sometimes it's pretty similar. The Board has seen a figure like this in the past. The TC has put this together.

But this figure shows, looking back over a couple of years, the black circle is the final MRIP estimate for that year, and then all the different shapes are if you're using partial year data to estimate final removals what does that look like? Here if you look at the yellow square, that is if you're using Waves 2 and 3 only to estimate what final removals would be for the whole year. What does that look like?

For example, last year in 2024 that yellow square is right on top of that final estimate, that black circle. Using Waves 2 and 3 alone ended up being a pretty similar estimate to what the final removals were. However, if you look back at 2021, if we only used Waves 2 and 3 data to estimate that was an overestimate. In 2018 and 2019 it was a little bit of an underestimate. Again, it just sort of varies by year.

Then the last sort of the edge of the figure you can see that black X. That is what the projected 2025 removals were used in the projections. Again, those projections estimated an increase in 2025. That X is what was used in the projections, and then that yellow square below it, that is using the current Wave 2 and 3 data we have right now to estimate what removals might be at the end of this year. Again, we only have these two waves of data.

Katie and I are happy to take questions on that when we get to questions. I'm going to get into the options now for this section, and then I will get into the public comment summary. Again, thinking about these options for a 12% reduction. There are three questions to think about. Should there be a reduction in fishery removals? What measures should change to meet the reduction, and then if there are any recreational season closures, what should they look like? First, should there be a reduction in fishery removals?

Option A is status quo, no reduction. Option B is a 12% reduction in fishery removals. The Addendum proposes an even reduction by sector, so 12% for the commercial, 12% for the recreational. The Board does have the ability to do something between 0 and 12 for one or both of these sectors.

What measures should change to meet this 12% reduction? On the commercial side it would be a quota reduction. I know the table is hard to read, but it would be a quota reduction. Up there are the values for a 12% reduction in quota for each state and for the Chesapeake Bay. On the recreational side, what measures to change to meet the 12% reduction.

For the ocean there are two options. First is 01 for the ocean recreational fishery. This would be a status quo size limit, 28 to 31 inches. The bag limit is still 1 fish, and that 12% reduction would come from season closures. Option 02 would be a mode-split option, where the for-hire modes would be allowed a wider slot limit, so 28 to 33 inches.

Private and shore would stay status quo, and then everyone would take a slightly longer season closure to account for that slightly wider for-hire slot limit. Just a note here for the ocean fishery. There are three fisheries, the New York Hudson River Fishery, the Pennsylvania Spring Slot and the Delaware Summer Slot that have historically targeted smaller fish, to either protect spawning females or due to the availability of resident fish in those fisheries.

Those fisheries have had smaller size limits in the FMP. All of these options for the ocean would allow those fisheries to maintain those smaller size limits. These fisheries would still be subject to season closures or these fisheries could submit alternative analysis using their fishery specific data to show how they would meet the 12% reduction.

Moving on to the Chesapeake Bay, what recreational measures would change to meet the reduction. Option CB1 would be just a size limit change. All recreational modes would go to a 20-to-23-inch slot, continue to be a one-fish bag limit that would achieve the reduction. CB2 would be a mode-split option, again just a size limit change, where private and shore would go to a 19-to-22-inch slot.

For-hire would go to a 19-to-25-inch slot and that would achieve the reduction. Then Option CB3 would be a season change. Status quo size limit for all recreational modes, one fish 19 to 24, and that 12% would come from additional season closures. These would be season closures on top of the current seasons to achieve that 12% reduction.

As far as what should these recreational season closures look like. There are a couple things to think about. The first is the type of closure, either a no-targeting closure or a no-harvest closure. The second is the geographic scope. For the ocean the closure could be coastwide. All states from Maine to North Carolina would have the same closure, or the ocean could be split into two regions, New

England and Mid-Atlantic, so all states in a region would have the same closure dates. The question here is where to put Rhode Island. Should Rhode Island be in the Mid-Atlantic region or the New England region? There are options for both configurations. For the Chesapeake Bay the closures are different by state.

There are options for Maryland closures in the Bay, options for Virginia closures in the Bay and then the Potomac River Fisheries Commission and D.C. could choose to have a closure during the same wave as either Maryland or Virginia. The next thing for closures is timing. When during the year would this closure be implemented.

Wave 1 that's really only an option for North Carolina, which I'll get to in a minute. But for the other states and regions there are options for most of the other waves, Waves 2, 3, 4, 5 or 6. For New England there are just options for Waves 3 through 5. As far as timing, there is a bit of a tradeoff. There could be a shorter closure during peak season or a longer closure during slower season.

For the ocean there are some options that divide the closure between two different waves, so dual wave closures. In the draft addendum there were tables that calculate how many days you would close in each wave if you were going to split that evenly between the two waves. The Board does have the ability though to change that split. If the Board wanted to do a longer closure in one wave, a shorter closure in the other wave, the Board could do that.

Just a note for New York and North Carolina. New York is already closed for part of Wave 2 and part of Wave 6, and those closures weren't able to be accounted for in the analysis. The Board can modify New York's closures to account for their existing season closures, and we can get to that a little bit later on.

New York submitted a memo with analysis for that modification in the supplemental meeting materials, and there are some slides on that later on to explain that. Then for North Carolina the Board could specify that North Carolina's closure be in a different wave than the rest of the coast or the rest of the region, because North Carolina really only sees the coastal migratory striped bass in the ocean in Wave 1 or Wave 6, so really in the winter.

All right, so getting to the public comments here. On the reduction, the first as far as comments on whether or not there should be a reduction. The majority of comments did support Option A, status quo, no reduction. You can see the numbers there in the table. There were also a few comments that specifically weren't discussing both sectors, were just discussing the fact, their opinion that there should be no commercial reduction.

Those that support Option A, which is status quo, note that fishing mortality is already below the target, and the proposed reduction in fishing mortality is statistically indistinguishable. They also note ongoing concerns about MRIP, including uncertainty, the current revision of effort estimates, and they also know that the preliminary 2025 MRIP estimates are low.

They note that the stock is doing well and they are observing a high abundance of fish, and they also note that the reference points are too high and not biologically achievable. Again, these comments on Option A, status quo, note that the current restrictive regulations are working, and actions should wait until after the 2027 benchmark is complete. They note there would be severe negative economic impacts with any closures, and those economic impacts outweigh the data uncertainties.

They note that any action would harm fishing related businesses and local economies, and they note that the real issue is low recruitment and conditions in the Chesapeake Bay. Those comments that support Option B, which is that 12% reduction note that the Board needs to act quickly to maximize the probability of rebuilding by 2029.

Most of these comments note there should be equal reductions by sector. They note that there has been six consecutive years of poor recruitment, and there is a long-term risk to the stock if action is not taken. Given the current low recruitment, these comments note that the Board needs to preserve the future of the stock in the fishery, and that if action is not taken now that future action might be more restrictive.

Some comments would support aiming for a higher than 50% probability of rebuilding. I noted there were some comments that spoke only to having no commercial reduction. These comments noted there has already been multiple quota reductions in recent years, and that the commercial fishery has strict accountability measures in place already, including harvest reporting and quota paybacks.

This next table looks at those different options for the ocean and Chesapeake Bay. For the ocean, 01 is the status quo size limit, 12% closure, 02 is that mode split option where for-hire has a wider slot limit. CB1 is the size limit change to the narrow slot in the Bay. CB2 is the mode split option for the Bay, and CB3 is the season closure option for the Bay.

A majority of the comments supported Option 01 for the ocean, and then for the Bay they supported either CB1 or CB3. Essentially, all of these comments in support of 01 or CB1 and CB3 were essentially opposed to any of the mode split options. They noted concern about allowing one segment of the fishery to have additional harvest opportunity.

Those that were in support of the mode split options noted that the for-hire industry is an important part of local economies, providing access for customers and putting fish on the table. For the ocean there were some folks that noted they would support a wider for-hire slot limit and an exemption for for-hire from any season closures as well.

They noted that the for-hire businesses are already declining and further restrictions would be detrimental. There is some support for managing modes separately. This table here shows support for the different types of closures, no harvest and no targeting. You'll note for the written comments on the public comment form, respondents were able to answer separately for the ocean or for the Bay, you know if they would support different types of closures depending on the region.

There was a little bit more support for no targeting in the Bay, but overall, you can see that the majority of comments support no harvest closures. Again, the support for no harvest closures, a lot of these comments note strong opposition to no targeting closures. They note that prohibiting catch and release during no targeting would be devastating for fishing communities and businesses. They noted this would be denying a culturally important past time of fishing for striped bass, and they also noted that no harvest closures helped rebuild the stock back in the eighties, and some commenters noted they would support a full harvest moratorium at this point.

Then those that did support no targeting closures noted that the catch and release fishery also needs to be addressed, not just the harvest side. Not as many comments spoke to some of the more specific details on the closures. But as far as the comments on how to split up the ocean region, there were 95 comments that supported grouping Rhode Island with New England, and a lot of these comments also support adding Connecticut and New York to New England as well.

Then 32 comments support grouping Rhode Island with the Mid-Atlantic region. Then on some of the season closure specifics, there were some individual comments. Some comments noted that proposed regions and closures are not equitable for all states, and they would prefer to see state by state closures.

Some support closures during the spawning season or during the summer when release mortality is higher. There were some comments that support

closures during peak season, so that would be summer in New England, sort of fall in the Mid-Atlantic. But there were some comments specifically opposed to closures during the peak season, noting the severe economic consequences.

Then there were various comments on, you know this state should be closed during this wave, a lot of different comments there. All the comments that were posted were grouped by state, so Board members could find specific closure comments for their state. Then before I turn it over to our AP Chair, just a couple of things.

You know there are always additional comments that are raised in these comments. I just wanted to give a list of some of the most common topics that were raised. There was overall concern about menhaden harvest. Comments noted the need to further investigate and research conditions in the Chesapeake Bay that are impacting recruitment success or water quality predation. There was some support for striped bass hatcheries and stocking efforts.

Concern about the commercial fisheries targeting large females and concern about the use of net gear still in the commercial fishery. There was support for ending striped bass commercial harvest, support for ending the New Jersey Bonus Program. Then there were also comments, again concern about predation, whether it's sharks, seals, blue catfish.

Those were the three most common things mentioned. Comments noting the need for increased angler education on best handling practices, and also support for additional gear restrictions. With that, I will turn it over to our AP Chair, and that is Presentation Number two.

ADVISORY PANEL REPORT (*PART 1*)

MS. ELEANOR BOCHENEK: Fishery Removals, concerning that, 7 AP members supported Option A, status quo. Concern about allowing catch and release on spawning females in the spring was one of the main ones. Concern about making this change during a rebuilding plan. There was also concern about data uncertainty, calculation assumptions and predicting increased effort. There was also concern from Maryland AP member about the original summer closure being a tradeoff for a two-fish bag limit, but not getting those dates back after moving to a one fish. Two AP members noted that if the baseline were to change the 10% buffer from Option C should be applied.

Now I'm going to talk about reduction in fishery removals to support stock rebuilding. Nine AP members support Option A, status quo, no reduction. These are the following comments. Reduction does not address real issues of low recruitment, environmental conditions, predation and et cetera.

The for-hire commercial industries are already disappearing from multiple past reductions and current restrictive measures. This would cause a negative impact. The negative impact outweighs the potential reward of the closure. Any season closure would devastate the for-hire industry. The commercial fishery may no longer be profitable with more cuts, and fishermen have been promised results for a long time. The management system is currently not working.

This is a continued support for the status quo that 2020 MRIP data so far indicate low removals assumed by the projections. There is concern about the MRIP accuracy. There is no other data source for private anglers, but the for-hire and commercial reporting is more accurate. You need to wait until the 2027 benchmark assessment is complete to consider any change.

The question was, was spawning stock biomass target is a gamble. There was a lot of discussion about that. When the target was met in early 2000s, the fishery and environmental conditions were very different than now. Now we're going to the 7 AP members supported the 12% reduction Option B.

They said striped bass are the lynch pin of the economy, and we want to ensure a fishery for the future. Not taking a reduction now would lose time to reach the target. If no action now there will be a bigger reduction in the future. Poor recruitment for six consecutive years, and priority should be protecting the stock.

The Board cannot control environmental factors, only fishing mortality. Continued support for Option B. Effort control is a necessary reality with a shrinking stock. The fishery must shrink as there are fewer fish available. There will always be data availability, and uncertainty goes both ways.

Observations of a poor summer fishery in New England with no small fish, and Surf Cast is seeing a decline in the fishery. There is concern that recent spawning stock biomass increase shown in pounds. The fish are getting older and larger so you would see more pounds is misleading, and increase is not the same in number of fish.

Two AP members note that there should be no commercial reduction. The commercial sector is strictly regulated and held accountable to its quota. There are already multiple quota cuts in recent years. One AP member observed differences in the views of tackle manufacturers based on their business focus. The Surf /light tackle industry tends to support a reduction, while others do not. Three AP members noted opposition to mode split options. Six AP members supported no harvest closures. They are opposed to no targeting closures due to enforceability concerns, including the Law Enforcement Committee's position that no targeting closures are difficult to enforce. No harvest closures minimize economic impact by still allowing the economic driver of catch and release fishing and supporting associated businesses.

There is also concern about the calculations and assumptions for no targeting closures. One AP member supports no targeting closures if there is a reduction. Most fishermen would follow the rules. The EEZ has been closed to targeting for years. No targeting closures would impact all recreational anglers, including catch and release.

Individual AP members noted the following on closures. Large region closures do not seem equitable for all states. Seasons should be continuous with a start/end date. Short closures mid-season will not be effective, and we should group Rhode Island with Mid-Atlantic, since the fishery is more similar to Connecticut/New Jersey than New England.

Rhode Island's decision is complex, even within a state fishery timing can differ. For example, Massachusetts fishery timing can differ by 6 weeks between north and south ends of the state. Individual AP members know the following on closures. Any Massachusetts closure should protect the spring schoolies.

Any closure in the summer would devastate the Massachusetts for-hire fleet, and if striped bass closes in March or April, there is no other species available for fishermen in the for-hire industry to target in New Jersey. Several AP members support increased angler education on proper handling and release. This was said by most of the people on our AP that we've really got to get education out there.

A few AP members noted concern about blue catfish predation and need to support blue catfish harvest in the Bay. One AP member recommends reestablishing hatchery stocking program for striped bass. One AP member concerned about public comments on reducing menhaden harvest, noting menhaden is important for bait for other fisheries. Taking a cut in other fisheries for the sake of striped bass defeats the point of mitigating socioeconomic impacts. I'll take any questions now, thank you.

CHAIR WARE: Thank you, Emilie and thank you, Eleanor, particularly for being in person today. It's always great to have the AP Chair at the table, so appreciate that. Just a point of order. I saw Carl sat in my seat at the table, so I just want to be clear

that I am the one participating on behalf of Maine DMR in the vote and the discussion today. We'll move to questions. Any questions on the two presentations we just had? Yes, Emerson Hasbrouck.

MR. EMERSON C. HASBROUCK: Thank you, Emilie, for your presentation, a lot of materials there to cover. Thank you, Eleanor, for your presentation. I have like a two-part question relative to our 2025 estimate. You had a slide up there, Emilie, that showed where we were through Wave 3, and how that compared to where we ended up in previous years. The X that you had there for 2025, as I understand it, it's the same estimate that is in the Addendum. Is that correct? Let's get to that, and that is the first part of the question, I have a second part. Well, you can stop there if you want, because that is where I was going next. You anticipated where I was going. That X that we see for 2025, that is the projected 2025 removals. That's a projection currently exists in the public hearings document, is that correct? It hasn't been adjusted for anything.

MR. FRANKE: That's correct, that X is what was used in the projections that informed the Addendum.

MR. HASBROUCK: Right, okay, but you also presented information that so far through Wave 3, 2025 removals were down, I forget what it was, 44% or something. Then that brings me to the second part of the question, which was the slide you just had up there. Yes, that one. That is from the Public Hearing Document.

I'm looking at that bump in 2025 for the red part of the graph, the red or the orange part. There is that increase in 2025, which is what we expected when the Addendum was put together. Then the difference between those red exes and those black dots are kind of, that is at the projected 12%. We need to lower those red exes down to where the black dots are. Do we have any projection, in terms of what might occur if that red increase for 2025 is much lower than what is shown here? Following on that, if we have any kind of a guess, right? We know through Wave 3 it's 44% less than 2024. It's likely that the 2025 mortality is going to be less. Do we have any hints or guess about where it might be and how it could impact the difference between the red exes and the black dots, in terms of where we might have to go? I hope I made my question somewhat clear.

DR. KATIE DREW: We have not updated the projections with the new MRIP numbers through 2025. However, we can maybe think back to all of the other projections that we have done for this process. We did put together a table, where remember we went through this with, you know we presented what are we projecting for 2024 on the basis of Waves 2 to 4.

Then on the basis of the preliminary data, that would be Waves 2 to 5, and then on the basis of the preliminary data, on the basis of the final data. You can see that we were talking about relatively small changes in the 2024 removals, which carried through to relatively small changes in what we were projecting F to be for 2025, and then for 2026 through 2029.

That gave you a range of projected rebuilding from 30% using that final MRIP data to, at the high point at one point was a 57% probability of rebuilding. I think the question, it's small changes in what we're projecting removals to be for 2024, and therefore, kind of how that ripples through to our assumptions about the really critical assumptions are going to be about what happens in 2026 through 2029.

We're down in 2025. Are we going to come back up or are we going to stay down? Are we going to continue to decline? What do you think is most likely? I think if you, just looking at kind of the projections we've already done, relatively small changes in our estimates of F and fishing mortality gave you a range of projected rebuilding from kind of where we are at 30% to almost 60%. I think you can sort of interpolate that or extrapolate from

that, that a more significant reduction in 2025, if that carried through to '26 to '29, would in fact increase your probability of rebuilding, potentially by a lot. But we have not done those projections, and that is going to be really sensitive to what we assume about what happens in 2026 to 2029, on the basis of kind of what we're seeing today.

I will say, the difference between sort of where we are. We have two projected 2025 numbers, right? We have the numbers that came out of the projection based on assuming a 17% increase, and that is what that F was. Then if we look at our data and say, based on Waves 2 to 3, where do we think we'll end up in 2025?

That was that little yellow square. That difference is much larger than the differences we were sort of showing here, trying to hone in on what 2024 would be. While we overshot, undershot a little bit on 2024, the overall differences were much smaller than the difference we're seeing now between what we had projected, what we thought was most likely to happen and which does not appear to be happening in 2025.

CHAIR WARE: Yes, quick follow up, Emerson.

MR. HASBROUCK: Follow up, thank you. Thank you for your explanation. What I gather from that is even though you haven't done a projection, it's highly likely that the difference between those red exes and the black dots is going to be less than what was originally projected, and in fact those black dots and red exes now may be right on top of each other, or fairly close.

The other point is, based on what you have right there. Again, I know there isn't a formal projection, but just sitting here and looking at this kind of from the seat of my pants. In 2024, Waves 2 through 4, 3.67 million fish were not going to be there for 2025, it's much less. That resulted in a 57% probability for rebuild in 2029. My estimate is, we're going to be at least a 57% probability, because I think we're going to harvest less than what we did in 2024 for 2025.

DR. DREW: Obviously these numbers are, you know I don't want to say yes, it's going to be 57%, because obviously we overshot where we were on that projection. We took more out in 2024 and so moving that forward followed by some weak year classes, are we going to get back down to 0.119 for the future?

I can't say for sure, but I would agree that it's likely that if we did these projections again with this much lower 2025, and especially if we assume that with that F through 2026 to 2029 is going to stay at that low level without further intervention. Then yes, the probability of rebuilding would be much higher than it is now, and the reduction would likely be lower or zero.

CHAIR WARE: Next, I have John Clark.

MR. JOHN CLARK: Thank you for the presentations. Emerson asked what I think a lot of us are interested in. Just to go back to when we started this Addendum process. The original projection Waves 2 through 4 last year, my recollection is that it was coming in with the reduction needed would be less than 10%, and the agreement at the time was less than 10%, it's something we can't even measure if we take a reduction in that. Based on what you just explained to Emrson, I would say that we're looking at much less than a 10% reduction is needed now to maintain ourselves at the 50% probability of reaching the biomass in 2029. Is that a good assumption at this point? I just want to keep it as simple as possible. Would you say we're below a 10% need for a reduction? I mean the reduction needed to maintain our probability of hitting the SSB?

DR. DREW: I didn't put the percent reductions associated with this, but yes. As we have walked through this process from literally a year ago when we first presented the assessment update to this group. We have ranged from a 0% reduction up to, at one point it was a 14% reduction. Again, those

are associated with very small changes in kind of our predictions about 2024, and then 2026 to 2029.

Agreed, the TC does still feel that reductions less than 10% are not really meaningfully achievable. I would say, again this is me speaking and not the Technical Committee, because the TC has not met on this topic. But I would say I think it's likely that if we ran the projections again, especially if we assume that fishing mortality for '26 to '29 is going to stay at low values, then yes, the reductions would be less than 10% if not 0.

CHAIR WARE: All right, Marty Gary and then Nichola.

MR. MARTY GARY: Just working along this theme that Emerson brought up, John commented on and Katie's comment about what happens in '26 through '29. I guess a couple of these questions are just making sure I have the numbers right, Katie. I think I heard you say on a number of occasions to the Board that the three above average year classes are supporting the age structure of this population are '14, '15 and '18. Is that accurate?

DR. DREW: Yes.

MR. GARY: Then the mean size of the fish in the coast in 2026 for the 2015-year class is 31.6 inches. Is that accurate? I believe that is what I heard.

DR. DREW: We have the table we can pull that up and look at it.

MR. GARY: That's fine, my point is, if more than 50% of those animals are above the coastal slot, and by this time next year maybe most, not all of them are through it. The exploitation on that last year class of availability that we really pondered providing conservation benefits last December at an emergency meeting, are through the slot. How much is that going to contribute? Then I would say in the Chesapeake Bay we have the string of now 7 consecutive poor year classes, so there is low availability of exploitable stock biomass for the Chesapeake. I guess I'm just tagging on these thoughts of concern that Emerson brought up and then John mentioned about, you know how is that '26 to '29 going to perform? Those are the two questions, I just want to confirm that.

DR. DREW: Our assumption on, you know we were assuming that there would be an increase in 2025 removals, due to the fact that that 2018-year class will enter the slot this year. We have not seen that increase in removals. I don't think we have a good sense of why. Whether that is just overall, maybe we underestimated the size of that year class or the size of that population. On the other hand, maybe they are less available. It does look like effort is down a little bit, both directed trips and total effort through Wave 3.

It's not down as much catch is, but effort is down a little bit. It's probably a combination of multiple factors. After 2025, yes, that 2018-year class will be out of the slot, and so what is coming into that slot will be those weaker year classes. Those weaker year classes that we've seen in the index are included in the projections.

We use both the weaker year classes that the model predicted at the end, so 2022 through '23, but then also we've been projecting recruitment on the basis of the observed index. Those projected recruitment year classes beyond '23 have been lower than we would otherwise predict, because we have that information from the index.

That is included, as is sort of the selectivity of the fishery when we do these projections. But obviously, these are projections, and we're not updating the assessment model to try to understand F and abundance. We're just sort of projecting it forward.

MS. FRANKE: Just to Marty's question about the average size at age. Again, this was compiled for the last addendum based on some data from the

last benchmark. But the 2018-year class is Age 7 this year, so they estimate to be right within the slot, with an average length of about almost 29 inches. Next year in '26 they are estimated to have an average length of about 31.5 inches. There will still be some fish in the slot next year. The average is just about the top of the slot.

CHAIR WARE: All right, thank you guys. I'm going to go to Nichola and then Bill Hyatt. Wherever we are at, at 11:15, I'm going to close questions and we're going to try to do this motion. Nichola.

MS. NICHOLA MESERVE: Thank you to the presenters. That is a great amount of information we're all digesting right now. So far, discussion about the projections is focused on the assumption about fishing mortality in 2025. There is also an assumption about recruitment in those projections.

This says the low recruitment assumption it still includes some of our strong year classes, and there were some sensitivity runs that used the very low recruitment assumption. We now have a seventh year of recruitment failure in the Chesapeake Bay. I'm just trying to remember if we had reduction numbers provided that use that variable recruitment assumption, and if not, it would at least be safe to say that it was more than 12%.

DR. DREW: I don't believe we provided reductions associated width that very low recruitment scenario. We can say it had a very minimal effect on the probability of rebuilding by 2029. It had a bigger impact on what the trajectory of the population is after 2029, which I think is what this figure is showing. Scenarios where we assumed that recruitment will essentially, so we are including several of those low recruitment years, as I mentioned, they seem to be projections based on predicting recruitment from the Maryland Index, as opposed to predicting it from that median recruitment. But we can only do that for the years that we have the Maryland Index for, so going into the future beyond 2025 we are then going back to that median recruitment. However, those fish are not going to enter the SSB for several years, essentially.

They don't affect the short-term rebuilding projections very much, but they definitely affect the trajectory after 2029 about whether we will continue that slow outward increase, or whether we will start to level off and start to decline based on what happens past sort of the index years that we've observed.

CHAIR WARE: Next, I have Bill Hyatt.

MR. WILLIAM HYATT: I was just wondering if you could talk for just a minute about the distribution of removals among the waves and some of the changes that have happened and occurred in recent years that we've seen in the MRIP data. I believe it probably wasn't taken into consideration in the chart that you showed us.

But just wondering if there is any information on changes in the distribution of removals among waves, and how that might be taken into consideration on deciding on whether, if that influenced any of your thinking on the reliability of the estimates going forward, or if it should be considered tweaked somewhat, and how those estimates from Waves 1 through 3 to produce an estimate of total removals, if it should be considered tweaked a little bit to get that final estimate.

DR. DREW: The percentage of removals that are coming from Waves 2 to 3 versus 2 to 4, 2 to 5, 2 to 6 does vary somewhat over time, but there hadn't been a strong trend and sort of it's been a little bit variable but not significantly variable. What you can see in these graphs is basically there is a little bit of variability from year to year about whether using 2 to 3 is going to overpredict or underpredict.

For this specific projection that little orange square for 2025, we used the ratio of Waves 2 to 3 to the total harvest from 2024. In these other figures we're using sort of an average based on those

years, but for this 2025 we are specifically saying, okay what about 2024, where we did see a big jump in the Wave 6 numbers and it was a little higher for Wave 6 than I think it was for some of the other years.

I would say we haven't been seeing a strong trend that would say it's moving one way or the other, but there is definitely variability, in terms of how much you predict. But if you look at sort of the range of predictions that you're getting from year to year, compared to the range of differences, you know from 2025 to 2024 or 2025 to that projected number there is less. The variability in projecting from Waves 2 to 3 is probably less than that difference that we're seeing.

CHAIR WARE: The last question is going to be Matt Gates.

MR. MATTHEW GATES: Thank you, I think this is an easy one for you. Since 2018 we've had really low recruitment in the Chesapeake and we are projecting increasing biomass through 2029. That biomass is coming from growth, am I right in that?
DR. DREW: It's coming from the growth of a couple of strong year classes as well as them maturing into females and contributing to that. The females maturing and contributing to SSB.

MR. GATES: So, the number of fish in the population is not necessarily increasing as the biomass is increasing, in fact it may actually be going in the other direction, is that right?

DR. DREW: I would have to pull those figures up, which we can do, we have total abundance from the last. I don't think we projected total abundance, but we definitely have it from the last assessment, we can compare some of those trends. I think the lower fishing mortality is going to allow some increased survival. But the SPR, the lower recruitment is definitely the trend in abundance is going to look different than the trend in SSB. That is why you do see, you know depending on what you assume about recruitment beyond '29.

That is why you can see the trend starts to reverse. If that low recruitment persists into the future, then the benefit we've been getting from the lower F rate will go away and the population will come down if recruitment returns to the low, not the low, low recruitment you will still see some increases in SSB as those year classes are protected and move forward. But depending on future recruitment for sure there is a possibility that that trend will be reversed as those weak year classes come into the population.

MR. GATES: Thank you and I may expand on that when we get to comments, thanks.

CHAIR WARE: It's 11:13, Marty has asked for another question, so we're going to do it super quick, Marty, and then we will be looking for motions.

MR. GARY: Thank you, Madam Chair for the second bite. Hopefully this is a question on again SSB to inform the Board and others. I just want to make sure that I'm accurate on this. You just mentioned, Katie that certain year classes are driving SSB through '26t through '29. Again, I was under the assumption that was primarily those three that are above average in the age structure, '14, '15 and '18.

If I have this accurate, the maturity schedule assumes 45% of age 6 are mature, 85% of Age 7 fish are mature, 90% of Age 8 fish are mature and 100% are mature by Age 9, is that accurate? If I understand that correctly, that string of success of poor year classes in the Chesapeake Bay, the 2019 year class, which was the first of those year classes, in 2026 will be the six year old fish, which will only be contributing, so that is the first one of the four year classes will only be contributing 45% and when we get to the benchmark stock assessment it has a terminal year of 2025.

DR. DREW: Yes, it will have a terminal year of 2025.

MR. GARY: When we get to the benchmark, we're not even going to see the impact based on the maturity schedule. But my main point is, I just want to make sure, this '26 through '29, we're not really feeling that impact quite yet of those weak year classes, is that right?

DR. DREW: Yes, that is why it has a really minimal impact on the probability of rebuilding by 2029 is, those fish are not fully, they wont count towards the SSB at that point, and then sort of the projection beyond, you know we did the projections out to 2035, and that is where you can see more of an impact of those smaller fish.

Also, what you assume about year class strength after 2025, which is sort of we have enough data in these projections to lag forward to the Age 1s in 2025, but beyond that we don't, so '26 through '29 or '26 through '35 is what we are. The question is, are they going to stay very low or are they going to maybe go back up to the medium low category? That does have an impact on those trajectories that we were seeing.

CHAIR WARE: I think that was a really good discussion, so thanks everyone for participating in that.

CONSIDER FINAL APPROVAL OF ADDENDUM III TO AMENDMENT 7 (*PART 1*)

CHAIR WARE: I am now going to be looking for a motion on Section 3.4, so either Option A, status quo or Option B, some sort of percent reduction. Adam, I saw your hand first, you can go for it.

MR. ADAM NOWALSKY: Wow, showing my hand first. That's a lot of pressure, right? This has been an enlightening conversation this morning. Obviously, looking at the audience that is here, the people that attended the public comment, the number of conversations that have gone on with people around the table. This is a very important decision here before us. It is an extremely important decision in the name of conservation. It's an extremely important decision in the name of socioeconomics. I'm going to go forward with a **motion at this time for Section 3.4, Option A, Status Quo.** After a second, I'll provide additional rationale. Thank you, Madam Chair.

CHAIR WARE: You've got a second from John Clark, why don't you just give staff a second to put that on the screen. Adam, want to go for some rationale?

MR. NOWALSKY: I think a lot of it was borne out between the AP, the public. Again, I've got to tip my hat to all the people on both sides that have been involved. I don't know anybody that has offered public comment from a point of not caring about the resource, from a point of not getting educated about the concerns.

That really helps inform our decision here. A lot of their points, again, we've got an upcoming benchmark stock assessment. We've dealt with somewhat about the decision making here has been a function of recreational/MRIP whiplash, from what we're getting from that, which this Commission has dealt with on numerous other species and has sought to try to minimize that response. A lot of other factors that we've got here, but today, just bringing forth this element of the 2024 projections of over 4 million recreational removals, it's not happening.

It is not going to happen. There is no way, no how. That slide that was up there that showed that. What it demonstrates is that just a 400,000 number swing of fish almost doubles our projection of getting to almost a 60% probability of rebuilding. When we're dealing with that type of uncertainty with regards to, is there a real need to get this to reach a target that as many people have said, may not even be attainable, and hopefully the next benchmark will look at those reference points. It is just too close, too soon. This resource is going to continue to be getting the attention it needs. But right now, status quo is the way forward. Let's get the next benchmark and then respond accordingly.

CHAIR WARE: John Clark, as seconder, any rationale?

MR. CLARK: As usual, it's hard to follow up on Adam's great explanation for why we should support status quo. I would just like to add that ten years is not a long time biologically for the striped bass. The striped bass are working on their own timeframe, but it's a hell of a long time for the fishery.

If we keep reducing the removals we're going to end up in a situation where there are no for-hire commercial fisheries when striped bass do recover. This is one of those situations where we could then say the operation was a success but the patient died. From a fisheries standpoint, every striped bass that we're leaving alone and dies of old age is going to be an economic loss to the fishery.

I just think that we're at a point now, we've cut over 40% over the past ten years. We're at a situation we are protecting the stock in ways we certainly did not before the closure back in the 1980s. I think we're at a point where we can just stop the reductions for a while and hopefully economically our fishery can recover.

CHAIR WARE: I've had a couple people flag me down for a comment, so we've got a list going. The first one I saw was Marty and then Steve Train.

MR. GARY: You've called on me a few times, I'm wearing out all my options for you to go to me. I think it is really important. Typically, I wait and really take my time and listen to the conversation, but I feel it's important I jump in right now. We have a divided public. We have a divided Board on the decisional at hand.

I know there is fault/risk that says, when you have 50% of the people that disagree with your decision, you know you've done a good job. I wholeheartedly disagree with that. I feel like there has got to be a better way than us to be this divided over an outcome, you know for the fish, the resource itself and for the communities that rely on it and care so much about it.

This is going to be an amendment to this motion, to try to find some way to a middle ground we can live with, until we can get to the benchmark stock assessment in 2027. I think I've sent that over to you and Emilie. If you could put it up, I will read it in.

CHAIR WARE: Yes, thanks, Marty, just give us one second. All right; Marty do you have your own webinar. I don't know if you can read that.

MR. GARY: I think I can read it. I can't read fast.

CHAIR WARE: Go ahead and read it into the record.

MR. GARY: **Move to amend to add, "and establish a Work Group to develop a white paper that could inform a future management document. The Work Group should include representation from all sectors, in addition to scientists and managers. The goal of this Work Group is to consider how to update the FMPs goals, objectives and management of striped bass beyond 2029. In consideration of severely reduced reproductive success in Chesapeake Bay. The Work Group should utilize public comment, including that we received in Addendum III process to inform its research and management recommendations, and work with the Benchmark Stock Assessment Committee to incorporate ideas and deliver necessary data products. The Work Group discussion should include the following topics**, and these are topics I came up with. I would hope the Board could perfect this if they think this is a good idea and I get a second. It would include:

- **Review BRPs and consider recruitment sensitive model-based approaches.**
- **Formally review hatchery stocking as both a research tool and a management tool for striped bass with a cost analysis.**
- **Evaluate a potential for other river systems to contribute to the coastal stock.**
- **Explore drivers of recruitment success and failure in Chesapeake Bay, Delaware and**

the Hudson in light of changing climatic and environmental conditions, including potential impacts from invasive species.

- **Explore the reproductive contribution of large and small female fish and the implications of various size-based management tools.**
- **Methods to address the discard mortality in the catch and release fishery."**

I offer that, and if I get a second, I'll provide a little bit of context.

CHAIR WARE: We have a second by Eric Reid. Some rationale, Marty?

MR. GARY: Oh boy, where to start with this? First and foremost, I'm struggling with my support for either of these decisional. I feel that the real program is what looms ahead in the 30s. I feel like the '14, '15, '18-year class is the existing biomass is going to get us at or near the target. We have a lot of focus, as you've already heard in this conversation on that artifact.

We cannot be agnostic to that. That is part of the fishery management plan, understood. But I don't like sitting in the seat that I have to sit in as administrator for New York, and presumably the other administrators that are in my position in other states, have to balance the need for conservation with the economic impacts and the societal and cultural needs and desires.

Those last two components, the economic component and the societal component, I'm really struggling with. Is it worth the risk for one decimal point, when we're at an F that is in a 30-year low. When we're only two points above what is statistically, not insignificant, but would put us in a position where we wouldn't be able to tell the difference, to inflict the economic hardship that this will absolutely inflict.

I'm really struggling with that part of it. Anyone that knows me in private conversations and in public conversations, I've been one of the most outspoken people in our community to raise this concern of where we're headed in the 30s, and part of that is driven by my own past. You know in a room full of really smart people, and really smart people in the audience, and really experienced people in the audience and people online. I don't fashion myself as the smartest person in the room by any standard. But I have experience going back, practically and in my work-experience going back 40 years, to the time of the initiation of a moratorium in Maryland, and I've seen bad from the front row seat really close. I can tell you as a young biologist in my 20s right out of school, when the moratorium was implemented. I didn't even think we would open this fishery, that's how bad it was.

To get an assignment that assigns multiple commercial watermen to you to do work, because you just shut their fishery down, these proud and independent individuals, they just lost their livelihood, because they made the hard decision to shut the entire resource down. It's pretty humbling to be a 24- or 5-year-old managing a bunch of commercial fishermen.

That thought has haunted me from the first day I started work at a college. I'm not suggesting we're heading back there. There are people saying, this is not the same, Marty, as 1985. We have much better, more robust SSB. We're fishing in much lower limits than we are. All that is true. We also have a complete potential ecosystem shift in the Chesapeake Bay.

I don't think the Chesapeake is anything like when I started working 40 years ago. We have a number of issues that are going on there. I don't think any of us understand, and I don't know that we can understand it. But I think we need to be prepared going into the 2030s for a much lower spawning stock biomass.

I'm just going to close by saying this. All those people that made that really hard decision back in

1984, to close that fishery down in 1985, I talked to them many, many times. Some of those people are not with us anymore. One of the things they will tell you is that yes, maybe it saved the resource and turned it around.

They will also tell you they made a mistake. It probably wasn't the right thing to do, because we lost connectiveness to the resource. Fishermen stopped fishing, and when they stopped fishing, you lose people. When you lose people, you lose the advocate for the resource. I'm struggling with going either direction with this.

You can tell by the tenor of my pitch, you know I care deeply, as we all do for this resource, and I want to find a way that we can all come together on. I don't know if this is it. This is the only thing I can come up with, so it's my best shot. I'm hoping you know this is something that we value and will contribute to this discussion today, so thank you, I'll stop there, Madam Chair.

CHAIR WARE: Thanks, Marty. Eric, as second, any rationale?

MR. ERIC REID: It's pretty hard to compete with Mensa down on the table here, so I'll just simply say that I agree with Captain Nowalsky and I also agree with the former Striped Bass Board Chair, Mr. Gary, Mr. Clark. It is my opinion that we have disenfranchised the public, the private sector, the for-hire sector, the commercial sector, each other; and we still are not helping the resource by doing these knee-jerk reactions time after time after time. I agree the Working Group, as Marty has proposed is a way forward. We need to take a longer look at this fishery, and figure out how we're going to handle things into the future, not just tomorrow. I support the Amendment and I also support the underlying motion.

CHAIR WARE: Just to orient folks. We have an underlying motion for status quo and then a motion to amened to create this Work Group with the status quo. I had a list. I'm going to continue to go through the list, and if folks are not interested in speaking on either the underlying motion or the motion to amend, you can just say pass. Steve Train.

MR. STEPHEN R. TRAIN: I'm going to speak in favor of the amendment. I had intended to speak in favor of the motion, but I'll speak in favor of both at this point. I think the amendment makes the motion better. I'll stick with the original motion first. I'm going through the data and I'm coming to this meeting and I'm thinking, we keep meeting on striped bass and nothing we're doing is working.

I started reading the data and the little red line scared me under fishing mortality, because red is usually bad. But it was below fishing mortality, it was below the target, below the threshold. What we're doing is working, and spawning stock biomass is going up, but it's if we do the 12%, which we don't need to do, because fishing effort is down.

Now we're back under 10 and everything is good. We don't need to make a cut, we are there. It's like we're afraid of success, so we're looking for something else. We put enough people out of work already, trying to fix this fishery. We're there now. We know the problems are coming from outside of what we manage. This hopefully will tell us what they are. I'm in favor of the amendment and I'm in favor of the underlying motion.

CHAIR WARE: Next, Doug Grout.

MR. DOUGLAS E. GROUT: I can support this motion to amend; I think it was well thought out by Marty. I was going to bring up some of these suggestions myself. My approach on this was tripped when we got that seventh consecutive year of poor recruitment. I believe that using that time period of 2008 to 2023 for our projections on accomplishing our 2029 rebuilding goal is no longer useable. That includes four dominant year classes, five average year classes, seven below-average, and that hasn't occurred, certainly in recent years.

I really believe that we are in a new productivity regime. Probably in retrospect, probably should have been using the very low recruitment stream to project what would happen if we took this 12% cut. Now I heard Katie say that she believed that it would probably still reflect rebuilding to 2029. But I feel a little bit less certain of that, given the fact that you know by 2029 we'll have at least three of those four years classes in the SSB.

My belief right now is that if we were to take those cuts, I believe there is a lower probability that we're actually going to attain that target by 2029. I'll also point out that if you look at the SSB, the most recent stock assessment, we've only pertained the SSB target in four years out of the 41 years we've been managing this fishery, and that came after several dominant year classes that occurred in the late 1990s. I think the good news is, if you look at the projections, no matter what productivity or year classes you put into the projections, it suggests that we will no longer be overfished. We will be above the SSB target by this year some time. As many people have stated, we are below the F target, you know we are well below that. I think what we need to do is to continue now, despite what our plan called for, you know rebuilding to the SSB target by 2029. I think we need to continue to manage to F target, and I think many of the things that Marty is suggesting we take on in the next few years is what we need to do.

But we also need to make the public aware that things are only going to get worse before they get better. We have seven straight years of poor recruitment. You think things are bad right now, wait until the 2030s, it's not going to get good. But hopefully, the only thing we can hope for right now to improve it is for a new productivity regime to start, so thank you very much, Ms. Chairman.

CHAIR WARE: I have a pretty long list here. I want to first ask, is any Board member interested in speaking opposition on the motion to amend? Okay, thank you. We're going to start alternating. I'll go Nichola first, and then I'll go to others on my list, who I assume are in favor.

MS. MESERVE: I don't disagree that many of the items listed here are very important inquiries, valid questions that need addressing. However, I'm concerned about who does them. Most of these look to me like Technical Committee tasks. Our Technical Committee members are largely our Stock Assessment Committee members who are working on the benchmark stock assessment.

We're all looking forward to that assessment, and whether or not it changes our perception of stock status. That seems to be one of the major reasons that people don't want to act now, is because we have a benchmark stock assessment coming. I'm concerned that this task list might impact the schedule for that stock assessment.

A number of the tasks also look remarkably like the Terms of Reference for that stock assessment. Term of Reference 1 asks the assessment to identify relevant ecosystem influences on the stock. That looks a lot like one of these. Natural mortality will be reviewed as part of the benchmark stock assessment, and the implications of blue catfish and the other things that we hear about more in the New England about seals and shark depredation.

Term of Reference 6 asks for the benchmark assessment to update or redefine the biological reference points. That is another thing in this list, so it just feels to me as duplicative to what our benchmark stock assessment process is going to do, and may take up the time of the very important staff members that are working on that stock assessment.

It's not that I disagree with the questions in it, but I'm just concerned about the impact of getting a benchmark stock assessment done, and answering some of those questions already through that process. Before I move though, I would just want to flag for you, Madam Chair, that I do have a motion to substitute the underlying motion at some point, if we get there.

CHAIR WARE: We're going to work through this one first. I appreciate that. Next, I have Mike Luisi.

MR. MICHAEL LUISI: I would like to say that at this time I am fully supportive of, not only the amendment to the underlying motion, but also the underlying motion for status quo. The conversation that we had in that half an hour ago about MRIP estimates and about guessing as to what the future will hold, as far as effort.

It had me thinking back to times when we were doing similar things on other species, and we found ourselves getting in a lot of trouble using MRIP as the basis for making decisions on how to control either effort or harvest, to the point of doing it the right way without complicating and confusing things more than they already are.

I want to applaud Marty for taking the time to give some thought to the future, because for me, the future, the graph that was shown that was, I think, an extra slide was the one we saw a few minutes ago, where there were five or six ERPS. One of the ERPS stayed high, but the other five or six ERPS on biomass all were starting to trend down.

Now that is based on the level of recruitment success that we have in the next few years. But for me, managing the expectations of our fishermen, during that time when we know the spawning stock is going to start to come down, is what I would like to focus on for the next few years, so that when the benchmark assessment comes about, that we have a plan in place on how we're going to communicate to the public that this striped bass fishery may not ever be what it once was. That things are changing.

The environment is changing. Spawning success, while spawning success has been there, we've seen successful spawns. Those fish are having a difficult time getting from April to July when we start picking them up in our samples. I really, really appreciate the proactive approach here. I think we need to put our efforts into working with the public and working on expectations.

I think this accomplishes it and I'm fully supportive. My biggest concern about taking reductions is that when we get back to this table after the benchmark, nobody will be here to talk to us about it, and nobody will be with us to work on plans for the future, because these reductions are going to be so impactful to the economics and the fisheries that we're managing, that the people won't be around anymore, and then what are we doing, because the people are just as important as the fish, and I'll leave it at that, thank you.

CHAIR WARE: Next, I have Jay.

DR. JASON McNAMEE: I think I'll start with a couple of lead-in comments. I raised my hand in opposition. I'm actually not opposed to the Working Group concept; I think that that is a fine idea. What I'm specifically opposed to is the status quo, which is in both of the motions. You know saying that, thinking about the folks back home.

I know that that comment hurts people, that I know, people that I respect, people that I care about. But I'm sitting here and thinking about the information that we have in front of us, and kind of putting the information into different bins, and trying to see where that leads me. You know I'll talk about on the positive side it's been discussed already, the MRIP, you know the projected harvest.

I concur with all of the things that have been said about that. I think there is a lot of uncertainty there, and the information would lead us to think that that uncertainty is going to be on the lower side. The harvest is going to be lower than we projected, and that would be a positive thing. But that is not the only piece of information we have. We have lots of other information to look at, and so these ones end up on the negative side, bad risks that we have with this fishery. One of them is the menhaden decision that was made just yesterday. We think about the ecosystem, we care about the ecosystem, we talk about it a lot.

Yesterday it was decided that we're going to leave less menhaden biomass in the water, and therefore we should think about that in the context of the types of fishing mortalities that we can impose on the striped bass fishery, so that's one that I think about. The recruitment indices, the empirical information that we have in front of us is also negative.

It's been brought up a couple of times, but we've got empirical information that shows us that there is not recruitment going on in this fishery, and that is now persistent over a number of years. The comments that Doug made about it being in a different productivity regime. I think we're thinking about that and kind of contemplating that in the projections.

But the fact of the matter is, there aren't fish coming up into this population for the foreseeable future. We've got also there is a new discard estimate that was out there that some kind of late-breaking research. The MRIP recalibration, and folks might say, well yeah, that means there is going to be even less removals.

But when you think about that in the context of how the stock assessment model sees that, it is actually a negative. The population becomes smaller because of that, and so those are a lot of negatives for me to outweigh that one positive that I mentioned, and that's why I think it's really a risky approach to stay at status quo.

When you have a population that is in distress like this, protecting those spawners, the remaining spawners, becomes really, really important. Protecting those fish that are in the population, and one way that we can do that is by taking some action today. One final comment is, you know some of the business aspects that folks have been talking about, I don't ignore.

I think about those and I think we actually have some tools in this document to help mitigate some of those issues as well to the party and charter industry, and to the commercial fishery as well. We have some tools available to us that we could vote on today to mitigate some of those concerns, but still take some action today. Thanks for the time.

CHAIR WARE: I've got four people left on the list who have not spoken yet. I assume you are all speaking in favor of the motion to amend, so this is my time to bring a friendly reminder that I'm looking for new comments, and it's also totally fine to say you agree with the previous speaker. Matt Gates, you are first.

MR. GATES: I was prepared to be fully in support of Marty's recommendation, and I appreciate him bringing this forward, I think this is the kind of work we need to do. But Nichola's comments give me some pause of fully supporting it. The extent to which those activities can be streamlined, yes, I think they should be. I do have some concerns with the underlying motion. Some of the assumptions we're using, just 44% reduction in the MRIP estimate through Wave 3 of this year. That's a big drop in targets. I start to think, just wonder why. What typical causes such big changes in harvest estimates in the recreational fisheries, and abundance is one of those things that tends to drive how much fishing people do and how much fish people have.

If they can't bring home rockfish, if they are just not available to catch. I'm wondering what is going on to get that estimate, whether that is giving us a sneak peek at what is happening, because sometimes our recreational fisheries see ahead of what the managers are seeing through stock assessment to give us that look at what is coming. It gives me some pause, and I'll just leave it at that so that we can move on.

CHAIR WARE: Dave Sikorski and then Emerson.

MR. DAVID SIKORSKI: I absolutely support the idea of a Work Group, and I think, Marty, your comments were spot on. I also support the underlying motion, because Adam's comments were also spot on. I've been a consistent advocate

for conserving striped bass at every turn for more than a decade.

I've served on this Board for a few years now. I've learning so much from all of you. But it's times like this that we have to take a step back and consider, do we have the tools in the toolbox to achieve the outcome we need? The answer is, we don't. In fact, getting those tools, trying to develop them, whether they are data improvements or things we can do as member states or as a Commission has been really difficult.

It is hard to turn this ship. But getting stakeholders involved in trying to plan the future hearkens back to a different time in the Chesapeake Bay, when leaders brought together a roundtable of stakeholders to determine, how do we plot our future in the striped bass fishery? We came up with allocation policies and sectors, and the ability to work our way into a growing fishery.

Well, as an eternal optimist I would hope that this Work Group could start on that path, or at least set that path forward for when we have a growing fishery. But we're about a decade behind doing that work for a declining fishery. I think the biological risk is, well, it's pretty obvious, the status of the stock. I don't think that the biological risk is higher than the economic risk that currently exists coastwide, no matter what sector, what group, what person, what opinion you have.

I think the division has taken us to a very unfortunate place, where we've lost focus on what is most important. I think Mike said it really well. When we come back to this thing, what is going to be left? I also want to remind everybody that I work for the Coastal Conservation Association, CCA. A group that quite often is told that we're against this, we're against that, we're against commercial fishing. We want striped bass as a game fish.

The fact of the matter is, I want everyone to have access to this fishery in the future, which is why our organization, along with other sportfishing and marine organizations support status quo today. Not an easy choice, but to me enough is enough. It's time to move forward and bring everybody along, recognizing that we're not going to have as many fish as we once had, but guess what, we're trying to avoid this problem for future generations. That's what I want for my children. I think that is what everybody around this table should be thinking about, what do we lose economically? What do we lose in our community? I do not support special rules for different groups, period. That is not a solution. We need to work through this as a group, and try and find out the outcomes, not make rule changes here and there with different modes and what not on a day like today.

We have a lot more work to do, and it's worth it, regardless of the capacity. This is the Atlantic Coast's most important fish. When you look at all recreational, commercial and all the different drivers. It was our success story, and 12% is not going to make it our success story again. I support status quo and I support the Work Group.

The only thing I would add to this motion is, other duties as assigned. You know it's in every single job description, because guess what? We don't' know, but I guarantee you people in the back of the room and stakeholders listening right now have lots of great ideas, ideas that we haven't implemented ever, because we're stuck in this little box.

I say we vote this motion up, both of them and move forward, and try and find a solution, a solution that can address the very real problems, and actually some of the solutions were actually mentioned at the public microphone by Tom. Some of them are reflected here. But these are the things that we should be talking about, and thank you, Marty for moving this forward. I greatly appreciate your leadership, and I think the state of New York is very lucky to have you.

CHAIR WARE: I have Emerson and then Joe Grist, and again, looking for new comments on this.

MR. HASBROUCK: I'll be brief. I support the amendment and the underlying motion. The underlying motion gets to the point that I was making earlier this morning, that our 2025 F is going to be a lot less than projected. We will get to rebuild without a reduction. That kind of initiated the discussions that we're in now.

Also, the issue for the Board now, really, is beyond 2029, and what we are going to do in the 30s. We need to shift our focus now beyond 2029, and the amendment does that. It starts to provide us with a roadmap of what we're going to do to address those projections, those curves that all bend downward after 2029. Thank you.

CHAIR WARE: Joe Grist and then Robert Brown.

MR. JOSEPH GRIST: I'm not going to repeat all the good comments that have been made, I'm on a little different comment. It's all process. Mr. Gary's motion has a lot of good points in it. Ms. Meserve also made a lot of good points about duplicity in here about we're overlapping with some of the TORs to the stock assessment. One thing I don't see in here is a timeline. When are we expecting this group to report back a final product to this Board?

Two, and this is going to probably have to come from leadership ASMFC staff. Where are we with resources to do this, because this is not a small work group effort here, this is a large work group effort, and some of the same people that are going to be part of the stock assessment process are probably going to have to be part of this. This is also going to cost money, and that just doesn't grow on trees anymore. Where are we in the process of this organization to be able to handle this tasking? We are tasking a fairly major project to staff.

CHAIR WARE: I think I heard two questions, Joe. First, I'll go to Marty as the maker of the motion on the timeframe.

MR. GARY: Thank you, Madam Chair, and thanks, Nichola and Joe for your critique of this. To be perfectly honest with you, the itemized bullets are not meant to be duplicative, they are not meant to be time consumptive, they are a brain storming session that I came up with folks largely on our staff, to try to address the intention of this Amendment.

I'm perfectly amenable to modifying to remove the duplicity. There is probably a whole lot more you could add, but I think Dave said it pretty well, maybe other items. You know we couldn't capture it all, I would be waiting probably still. But certainly, that is not my intent. I am sensitive to resources from a Commission perspective, from the folks that participate in TC.

Whatever we can do, I don't know how we would perfect it today. But I certainly concur with you on that. I just feel like this is the opportunity to move the discussion and needle, not to be agnostic again, to the FMP. We can do that and do whatever we need to do, to make sure we best attain that. But I think this is an opportunity to move us to a more forward-looking vision. I welcome any and all modifications of this, to achieve what your concerns are.

CHAIR WARE: I think there is a second question there on resources. I'm going to go to Bob Beal for that.

EXECUTIVE DIRECTOR ROBERT E. BEAL: The way I read this, I don't see this as a very financially expensive project. I think a lot of this can be done virtually over webinars and other things. I think the size of this group, you know if this passes, we don't need to do it here today, but I think we'll need to sort of narrow the scope so this isn't dozens and dozens of people, because sometimes large work groups aren't that productive. I think we just need a relatively small group with the right people.

I think the staff resources and the Stock Assessment Subcommittee and Technical Committee. My perception of the conversation here is that everyone wants to maintain the current timeline for

the benchmark stock assessment. Those resources are the priority for those folks would be the benchmark stock assessment, and that you know, maintaining that timeline and not delaying that seems to be a priority. But as we can work with the staff we have and sort of in-between spaces there a little bit.

We can move this project forward, but not at the expense of the benchmark, is the way I see it. I think we can do that the best we can with the resources we have. But financially I'm not too worried about it, but staffing at state and Commission level and federal level I am more concerned about.

CHAIR WARE: A follow up, Joe?

MR. GRIST: Okay, so I still haven't heard an answer on the timeline, what are we shooting for, for a goal or to report back? Annual meeting next year, annual meeting in '27, some other time period? I think we do need to establish some boundaries here for what we're doing. Otherwise, it's just open-ended.

CHAIR WARE: What I'm going to recommend, because I think there may be other additions or modifications to this as well. I think we're kind of past the point of a friendly motion at this point. People are welcome to bring forward ideas, but I think we need to either vote this up or down, and then decide if we are going to modify it. I think maybe, Joe, that is something we can have folks to be thinking about and then if we want to get a timeline in there, we can do it that way. All right, we still have a list guys, so Robert Brown and then Jeff Kaelin.

MR. ROBERT T. BROWN, SR: I want to thank Adam for making the motion, and I support that 100%. Also, the vision that Marty Gary had and showing a path forward and what we can do to take care of some hurdles we can run into. One of them was from 2018, the threshold and the target which was set, more than likely, too high. Bringing that up and having that into discussion is the main thing, because it has really hindered our progress forward. MRIP, looking at that, it needs, that data is less than sufficient to make good assumptions and projects on. I just want to say that I'm proud of the watermen that showed up here today. That shows you the socioeconomic effects this is having on our industries. I thank all of you all for being here today, because it really does make a difference.

The main thing I want to say is just like now, we need to stay the course. We have all given up enough over the past seven, eight years to get to this 2029. Stay the course, everybody if we can't do anything else that is really going to make a difference. They were talking about we may have to take the 10% chance of making it or we may be, no just stay the course until 2029, and let's get this motion with the Amendment, and thank you for it, so true.

CHAIR WARE: Jeff Kaelin and then Ray, and then we're calling the question.

MR. JEFF KAELIN: I just was responding to Marty's invitation for Board members to add something to this list. I really do appreciate the motion, I think it's very comprehensive. In fact, it may be duplicative as Nichola said. That can be worked out. But there is an element that I would like to add for consideration. I am not making a motion to amend or anything, I don't think I need to do that. I just wanted to throw out a concept and see if the Board would accept it as part of this approach.

That would be to explore the impacts on the striped bass commercial fishing sector, including the party charter sector from the potential for quota reductions, not consistent with actual mortality effects from that sector. On the two years I've been sitting here, we've tried to keep, relative to striped bass, we've tried to keep the quota cuts for the commercial sector, which only affects our bonus program in New Jersey, limit them to their actual mortality, the 11%. We lost that vote relative to this Addendum, but I think it remains a very important issue for striped bass management that

quota cuts be tied to actual mortality effects from this sector that they're affecting. I just wanted to throw that out as a potential addition to this list today, without making a motion, Madam Chair, but thank you for the time.

CHAIR WARE: We'll let folks think about that and if it is the prevailing motion we'll come back to that. Ray, last comment.

MR. RAYMOND W. KANE: I support the main motion and the amended motion. We've got recalibration of MRIP in '26, we've got a stock assessment, which Bob Beal has already told us Katie Drew will stay that will be foremost, the stock assessment. We just went through a working group of menhaden.

A quick history here. I would like to thank the watermen of Maryland for showing up. Back at the turn of the century, the ground fish industry had over 1,800 permits. Through federal Congress, through federal buyouts that number was reduced, reduced, reduced. Then there was some of us at our age said, what else can we do? We stayed in the fishery.

We got reduced again. I myself ended up with three groundfish days. You can't make a living at that. Then the federal government turned around and said, we've got the plan. Seeing how you are all professional commercial fishermen, we're going to send you back to school, we're going to license you as charter fishermen.

They developed another business model, and these people have been making money with this business model for years. I keep hearing about these socioeconomic impacts, but do we have a committee here in fact that I can see a white paper? Other than what the price was for striped bass over the course off a season. I would like to see how the socioeconomic impact does in fact work, you know hotel, restaurants, fuel. Thank you.

CHAIR WARE: We're going to do a one-minute caucus, because I think our state needs it, and we'll be back in one minute to vote. All right, I'm going to have the Board come back to order here, we've had our one-minute caucus. We are going to call the question. This is the motion to amend to add the Work Group to the status quo. If we could just have the audience quiet down a little bit or take your conversation outside that would be great**. All in favor of the motion to amend, please raise your hand.**

MS. TONI KERNS: Massachusetts, Connecticut, New York, New Jersey, Pennsylvania. I need this side of the room to sort of lean your faces and then pull away. All right; I have Virginia, Potomac River Fisheries Commission, District of Colombia, Maryland, Delaware, Maine, New Hampshire, NOAA Fisheries and Fish and Wildlife Service.

CHAIR WARE: Is anyone opposed?

MS. KERNS: Rhode Island, North Carolina.

CHAIR WARE: Any abstentions or null votes? That motion to amend passes 14 to 2. What I would like to do now, I know there may be some perfections to the motion that has just passed. I also believe that there is like an entirely different concept out there, and I would like to just get that on the table, debate those two, and then whatever the prevailing motion is, we can perfect after that. If someone has a different idea out there, this is the time to make your motion. Nichola.

MS. MESERVE**: I would move to amend to Option B, 12% reduction**. No, I want to keep the entire Work Group aspect of it so I'm just amending Option B, so it would be Option B plus establishing the Work Group.

MS. KERNS: Nichola, do you want 12% reduction in parentheses?

MS. MESERVE: If that helps with clarity that's fine.

MS. KERNS: Is it for?

MS. MESERVE It's 12% even reductions.

CHAIR WARE: Let's get staff to get that on the screen. We have the motion to amend on the screen; there is a second by Jay. Nichola, any rationale?

MS. MESERVE: I think that the change here, you know Dr. McNamee really captured a lot of it. I'll try to rephrase some of that in my own words. But I think this motion signifies taking a more risk-averse approach for rebuilding the species that is the backbone of the Atlantic Coast recreational fishery and an important cultural and economic factor in the commercial fishery.

I happen to take a pretty pessimistic view about the trajectory of striped bass right now. Many public commenters looked at the projections and said, what's the rush for 2029? We'll get there by 2032? Besides the fact that the Board has made a commitment multiple times through the amendment to a ten-year rebuilding timeline, and that that is an FMP requirement.

It is also essential that we recognize that that projection uses the more favorable recruitment time series. The reality is now a recruitment failure type situation in the Chesapeake Bay that has been reinforced with the recent news of the seventh well below average year class for the spawning area that supports 75% of the fishery. The positive trend in SSB is going to be short-lived, without additional years of average classes to support it.

Very low recruitment projections show SSB never passing the SSB target and then declining, and I don't think that that future downturn SSB is going to change, depending on the assumption we make in the fishing mortality for 2025. All the focus on SSB is also distracting attention from the declining trend in abundance as was brought up earlier.

I did look back at the 2024 stock assessment, and the graph of total population abundance shows that abundance has declined to the early 1990 levels already. I think that the projection would show further declines in total abundance. Total abundance is what drives the fishery for striped bass. It is already being felt in areas in reduced numbers of catches, truncated distribution, and the length frequency of the catch having less smaller fish available. The high mobility of effort in the fishery, as well as the ability to still catch larger fish masks some of those effects. But the signals are there. They are foreshadowing what's to come. The socioeconomic impact of this low abundance, which reduces angler interest to go fishing.

Be it from a private vessel to shore or by booking a for-hire trip is going to be greater than some slightly more stringent regulations that supports abundance, which offers the opportunity to continue to catch a fish, helping to maintain that effort, even if that fish has to be release more often. With regards to these concerning signs for SSB and abundance, many rightfully point to recruitment as the issue, and I don't disagree with that.

It is going to make getting to our benchmarks harder. It may suggest that our benchmarks need to be reevaluated. But that doesn't lessen the need to maintain a very low F in recognition of that recruitment failure. Additionally, the F associated with rebuilding the stock is not the same as the fishing mortality associated with the target.

Additional commercial quota reductions and seasonal closures in the recreational fishery feel inevitable to me, based on these conditions. Pushing them off now sends the wrong signal about the Board's commitment to sustainably manage this stock, and a wrong signal about the adaptations that the fishery is going to need to make to a less productive stock in the future.

Others seem to have a more optimistic view that the coming benchmark assessment will change our perception of the stock status, and that we should delay action until afterwards. We all understand

that there is a number of parameters that are going to change in that, the MRIP time series, revised release mortality rates, the potential for alternative reference points.
But I don't share that optimism, and our view is that we will be better prepared to deal with the outcome of that assessment by taking a modest but meaningful step in support of the resources of sustainability now.

CHAIR WARE: Jay, as seconder, any rationale?

DR. McNAMEE: Just really, I droned on at you enough previously, so you know I support everything that Nichola just offered, and will just simply add, you know I think there is a lot of optimism in the room. I hope those folks are right, I hope I'm wrong. I hope Nichola is wrong. But it's really risky to bank that optimism and not take action now, because we're going to be looking at worse reductions in the future if we don't take an interim step now, so that is it, Madam Chair, thanks.

CHAIR WARE: We have a motion to amend to the 12%. Since both have the Work Group, I'm going to ask folks not to talk about the Work Group part but just the percent reduction part. We have had some folks who've already commented on their feelings on percent reduction. I'm looking for folks who haven't had a chance to comment on that. Jeff Kaelin. Jeff, is your hand up?

MR. KAELIN: I don't think so.

CHAIR WARE: Oh, my apologies. Was there a hand over in that corner? No.

MR. KAELIN: I made my, I already said what I had.

CHAIR WARE: Thanks a lot, sorry about that. Chris Batsavage.

MR. CHRIS BATSAVAGE: I support the motion to amend for the reasons that Nichola and Jay gave. Hard to really elaborate on that more. It really goes back to we're just not getting any good recruitment coming out of the Chesapeake Bay. We know, we talked a lot about what to expect in the 2030s. I'm probably as equally pessimistic as they are, as far as the outlook goes.

We've had successful spawning events with low spawning stock biomass, and maybe that will happen again if we get good environmental conditions. But this is a cautionary note. We've had good environmental conditions for spawning in the Roanoke River in recent years, namely optimum river flow, and it still resulted in really poor recruitment.

This adds to my level of pessimism. We've heard some comments about having a knee-jerk reaction to give changes in MRIP and things like that. But I think really zooming out, as far as striped bass management. We've seen warning signs with this stock since what, early 2011 or so. I think this has been a slow train coming and doing nothing, and waiting for something better to happen. Just this puts this slow-motion train wreck on fast forward.

CHAIR WARE: Next, I have Sarah Peake and then Eric Reid.

MS. SARAH PEAKE: I came into the room today back and forth on this, whether to support status quo or Option B, the 12% reduction. I have been listening carefully to the conversation running from my colleagues around the table, and I have to say for me, I have landed on the side of Option B, the equal 12% reduction by sector. Some of it has to do with what Mr. Grout had to say. His words were so impactful, persistent low recruitment.

I feel like that seven years of persistent low recruitment can't be ignored. It's like proverbial locomotive, right. We see a light at the end of the tunnel and what is it? Is it higher recruitment? I think the word hope was used. You know hope is not a method, right, and I think we have to embrace the science and the means we have to create a method to turn around that persistent low recruitment.

I think the light we're seeing at the end of the tunnel is a locomotive bearing down on us. It's bearing down on this species and it's bearing down on everybody who makes a buck from this species, everybody who enjoys eating a striped bass. That locomotive is bearing down on them. If this species continues with its persistent low recruitment, if we do nothing and we take no action.

The economic impact, the people that will be put out of business, it's almost unimaginable to think about. What would my region, that I love, the seashore and the back beach of Cape Cod be like without its charterboat without its recreational fishermen, without the hotels and motels that get booked. But if that locomotive comes charging at us, and that is what the light is that we see at the end of the tunnel, that is what the economic reality for the people that I know and love, it's going to become that, it will become their reality.

I sat on this Board, probably back in 2011, when there was an option to take more conservation measures at that time, and the then Governor's Appointee and I voted against what was actually the motion of our State Directo, to take conservation measures then and allow status quo to go forward.

I have spent time since then reflecting back on that vote, and regretting that I didn't stand up for the conservation measures at that time, and maybe some of that would have helped to contribute to us not being in this pickle that we're in today. For all of these reasons, the ecological reasons, the economic reasons, I am supporting this motion to amend, and I hope my colleagues around the table join me.

CHAIR WARE: Next, I have Eric Reid, and then Marty Gary.

MR. REID: I am by no means a scientist, for sure. But I just wanted to touch on a couple of points. Mr. Clark asked the question this morning about what 12% means, or if it was a number less than 12%, and the answer he got was it's pretty small. The difference is going to be pretty small. I don't know how small, infinitesimally small, but the economic pain is going to be suffered by the people I work with, who are a bunch of citizen scientists.

They are on the water every day. Gentlemen in the back, the ladies in the back all up and down the coast, they are on the water every day, and they are all optimistic, because they are informed. It's informed optimism, and that gives me a lot of comfort, because I hear it from them every day. I will not support the amendment, and I support the underlying motion. Thank you.

MR. GARY: Thank you, Madam Chair, and I'll just use my turn to express some appreciation to Nichola for including this Work Group concept in her amended version, and it tells me that the concept at least is sound, and hopefully we can perfect it to everyone's satisfaction, regardless of how this vote goes.

I don't necessarily disagree with most of what Nichola is saying on a technical basis, and I wholeheartedly agree with what Sarah Peake just said. There is a freight train coming down the tracks. Anybody that knows me, I've been saying this for a long time. But despite that, I keep hearkening back to what I've learned from a lot of wonderful mentors that I've been blessed to work with over the years.

When we sit and make these decisions, we have to consider all three of those components I mentioned, the conservation needs, the economic impacts and the societal part. It is not formulaic. As we sit here and we're blessed to sit here at the table, it is an honor and a privilege, you know these are things we have to weigh and use our experience to weigh in on. Despite the fact that I said, in a roomful of very smart people I don't think I'm the smartest person. I know for a fact that Nichola and Jay are pretty much one of the smartest people in this room. I'm going to disagree, and I think my instincts and my intuition, everything that 40 years of working with this species has told me is the right

decision is to go against this, to go with the SG plusses, I call it, and we'll get to that benchmark and we will do right for the 2030s.
CHAIR WARE: We are going to go online, Kelly Denit, I believe, has a comment.

MS. KELLY DENIT: Again, I'm taking my crash course here over the last two days. But I think I have a pretty basic question, maybe towards Katie. There has been a lot of discussion around the recruitment challenges, and so could you please refresh my memory, because I was trying to cram all the information into my head last night about that spawning stock biomass recruitment relationship.

I'm looking at the graph that shows what it looks like over the last four or five years in increase in the spawning stock biomass, but then I've heard repeatedly references in the discussion so far today that we haven't seen any changes in recruitment, and in fact maybe in some instances we've seen decreases. Could you please just elaborate a little bit more, at least refresh my memory on that spawning stock recruitment relationship?

DR. DREW: Sure, we do not use a spawning stock recruit relationship within our projections or within our model. We generally believe that recruitment is much more driven by environmental conditions than it is my SSB levels. We've seen some very strong recruitment come out of some of our lowest SSB levels, but we've also seen strong recruitment from high SSB levels and vice versa. We've seen very low recruitment when we have had stronger high levels of SSB.

We've seen what we're seeing now, where we have low recruitment associated with low SSB. IT seems to be driven more by environmental effects. I think the question of maintaining SSB will increasing SSB cause increases in recruitment? I think it is hard to say on that front. It certainly will help contribute when environmental conditions are right, to allow for more eggs in the water to take advantage of those conditions.

On the other hand, I think the relationship between recruitment and SSB in the future is much stronger, which is that low recruitment is going to lead to low SSB down the line, if fishing mortality is not kept at appropriate levels. I think overall the relationship between SSB and recruitment is weak. Obviously, you can't have recruitment without some level of SSB, but environmental effects are a very strong influence on the recruitment that we get for any given level of SSB.

MS. DENIT: Great, thank you, may I follow up, Madam Chair?

CHAIR WARE: Yes, absolutely.

MS. DENIT: Speaking to the motion, thank you very much, Katie, for the refresher. I think as many around the table already have alluded to, this is a really challenging issue, given all of the different facets and factors. I think one of the things that is really challenging me as I think about the amendment, and then the next steps are that the Option 2, achieve the 12% reduction are very constrained. They are focused on ten area closures. That is a very blunt tool. We often have to use it in fisheries management, for sure, and it can have its place in helping us be effective. But I am really struggling with the use of such a blunt tool in a time where we are not exactly sure what's the percent reduction we actually need to achieve, and we may or may not be able to actually distinguish if we do achieve it, based on the data streams that we do have.

I'm still a bit struggling with where to land ultimately on the amendment and the move to amend it, but I am slightly leaning towards closing the amendment in support for maintaining the status quo, and really appreciate all the comments and I think the refinements that will come, sort of looking forward and what this really looks like for this fishery in 2029 and beyond.

We're grappling with some of those issues all across, really the country, not even exclusively to the east coast, and what type of factors are impacting what ultimately are our goalposts. Because in some instances our goalposts, in fact, may need to change, and that's not an easy thing for anyone to navigate or work through, and I really appreciate the efforts of all of the expertise around this table, and acknowledging that that exists and trying to identify ways to move forward on it.

CHAIR WARE: Last comment from Bill Hyatt.

MR. HYATT: I do support the amendment and I do support 12% removals, albeit with the caveat that I am also maybe one of the few people in the room who would be comfortable with a carve out for the party/charter sector. But for the rest of the angling public, the overwhelming sentiment, and I'm not talking by a small margin, but by a huge margin that I've heard has been a desire for us to take measures that are as absolutely as conservative as possible.

It is a group that is deeply disturbed and concerned over the recruitment problems that have been acknowledge here over and over again, and they are a group that is looking forward into the 1930s and maybe even beyond to the future of our striped bass fishery along the Atlantic coast. At this meeting that considerate option that we have at our disposal is the 12% reduction. For those reasons I support that in concept and support this amendment.

CHAIR WARE: We're going to call, Roy, quick comment, because I don't believe you've had a chance to comment yet.

MR. ROY W. MILLER: As someone who was involved in fisheries management and striped bass management in the 1970s and 1980s and so on. I was witness to the success of the 1970-year class and how it carried the fishery for so many years, until it didn't. Until that we had relatively poor reproduction success in the 1980s, and then finally that reproductive success turned around.

Now what caused it to turn around? Well obviously, we had enough eggs in the water when environmental conditions became favorable that we got the '89-year class and subsequent dominant year classes after that. Honestly, I think we're poised for similar success, in terms of the effort and harvest controls that we've taken in recent years. I think it is a matter of the right environmental conditions allowing for reproductive success. Honestly, you know although I greatly respect Jay and Nichola's opinions, I think that status quo is the direction that we should be heading with no backsliding on effort and harvest controls, and I think we'll get there.

CHAIR WARE: We've had a request for a two-minute caucus, so we'll do that and then we're going to call the question. All right have the Board come back to order here, it looks like everyone is ready to vote. Okay, so we are voting on the motion to amend. **All those in favor of the motion to amend, please raise your hand.**

MS. KERNS: Rhode Island, Massachusetts, Connecticut, North Carolina, Maine.

CHAIR WARE: All those opposed.

MS. KERNS: New York, New Jersey, Pennsylvania, Virginia, Potomac River Fisheries Commission, D.C., Maryland, Delaware, New Hampshire, NOAA Fisheries and Fish and Wildlife Service.

CHAIR WARE: All right, the motion to amend fails 5 to 11, so we are now on the underlying motion, which becomes our main motion. What I'm going to ask, I know there are some perfections, probably get a bullet and things like that. I'm going to ask the Board to vote on this kind of in concept, because we are super late for lunch.

But I think we should give folks a sense of where we are on 3.4 and the percent reduction, and then after lunch we can have this up on the screen, and

folks can make suggestions for a bullet, timeframe, things like that. I would ask folks to think about that over lunch, assuming that this pass. Do you have a point of order?

MR. REID: No, it's not a point of order, Madam Chair, but if we just change the word where it says discussions should, say discussions may include. That kind of whitewashes the whole thing and we don't have to have a big discussion today about refining points. Because it would be my opinion that this white paper wouldn't come out until after the 2027 benchmark. If you want to spend all day today talking about how we're going to refine this that's fine, but we might not have to do that today.

CHAIR WARE: Yes, so I'm going to stick with let's vote on this in concept, and then we can change that language during lunch, after lunch. But we do have to get to lunch. Toni has a comment.

MS. KERNS: I was just going to ask that if you have an additional bullet, please e-mail it to Emilie or myself, so we can put them up on the screen for everyone to see what they are, after lunch. E-mail us during lunch.

CHAIR WARE: We are on the very long motion. We are voting on this motion, does anyone need a caucus? Excellent, we're going to call the question. **All those in favor, please raise your hand.**

MS. KERNS: Massachusetts, New York, New Jersey, Pennsylvania, Virginia, Potomac River Fisheries Commission, D.C., Maryland Delaware, Maine, New Hampshire, NOAA Fisheries and Fish and Wildlife Service.

CHAIR WARE: Anyone opposed?

MS. KERNS: Rhode Island and North Carolina, sorry, Connecticut, apologize.

CHAIR WARE: Motion passes 13 to 3. As a reminder, folks can think about this and bring ideas to us during lunch. We're going to take up Maryland baseline afterwards, and Bob is going to speak about lunch.

EXECUTIVE DIRECTOR BEAL: My favorite topic, so 1:15 or so. I ask that anyone that participated in the Laura Leach Fishing Tournament, you know come back here. They are going to hand out the prizes that were donated to the tournament and talk about the money that will be donated to the Delaware Take a Kid Fishing Program.

That was from the revenue generated from the tournament. That's right, and if you didn't participate, but you bought a tee shirt, you still are eligible for the raffle, which is how we generate the money for the Delaware folks. We'll grab lunch, you can eat either in here or out in the hallway, but be back here around 1:15.

CHAIR WARE: I just want to let everyone know that we do have a film crew now in the room, so just so everyone is aware. Then Bob Beal would like to introduce the new Commissioner.

EXECUTIVE DIRECTOR BEAL: Yes, I apologize. I should have done this at the outset of this meeting. I wanted to introduce a new Commissioner proxy from Pennsylvania, Fran Torres is in the back of the room, so welcome, Fran. Fran is the new proxy for Pennsylvania for Representative Anita Kulik, so welcome, you took quite a board meeting to show up for your first one. They are not all this exciting, but we're glad you're here. If you have any questions reach out to staff running around the room and we'll help you out. Welcome.

MR. FRAN TORRES: Thank you.

(Whereupon a recess was taken)

CHAIR WARE: Okay, just to orient everyone where we're at. I asked Madeline to put up the list of the bullets for the Work Group. We had one suggestion during lunch, so they will all be on the screen. Pending no opposition to that, I think the game plan

or the best path forward is to have staff look at this and understand the timeline associated with each.

I suspect some are more challenging or take longer than others. They can come back at a subsequent Striped Bass Board meeting and give us a sense of what they think the timeline is, and we can go from there. This is the list as we have it. The additional task is on the bottom there, and this is the one that Jeff Kaelin had mentioned. Not seeing anyone shaking their head in opposition, I'll give folks a minute just to digest.

MR. KAELIN: Sorry, I was out of the room, Madam Chair, appreciate you putting that up, I had a call I had to take.

CHAIR WARE: That's okay, Nichola, did you want to ask a question or make a comment?

MS. MESERVE: Just a question, Jeff, is this for a socioeconomic analysis? Is that the type of impacts you are referencing in it?

MR. KAELIN: Yes, that is what I had in mind.

CHAIR WARE: Adam Nowalsky.

MR. NOWALSKY: I appreciate the interest and I certainly appreciate the interest in trying to be holistic about things to look at here. I just want to note that this isn't something that is asking for something to be looking at a specific sector. Whereas everything else on the list broadly references benefits to our overall understanding of the stock, benefits to everyone.

I'm going to highlight that, I'm not going to sit here and force a motion on it, but I do think the theme, I think the idea behind the original part was let's look at everything to holistically benefit everyone, as opposed to picking something that talks about only a specific sector, and again, highlighting that here for other people's part as well.

CHAIR WARE: Nichola and then Bill Hyatt.

MS. MESERVE: I think I do have a problem with this addition. I'm not sure what it means to have a quota reduction that is not consistent with the mortality effects from that sector. Each sector has some mortality, none of them have a target though, so I don't know how we are going to assess whether a quota is consistent with mortality effects from that sector.

I agree with Adam that the other list is looking on kind of the future, and this situation the environmental conditions that we need to deal with and potential solutions. I don't think that this is consistent with the rest of the list.

CHAIR WARE: With that comment, Jeff Kaelin, I'm going to ask you to make this as a motion to add to the list, if you would like to keep it on there.

MR. KAELIN: Making a motion, Madam Chair.

CHAIR WARE: Great, we'll have staff pull that up. Is there a second to the motion? Eric Reid. We'll just give staff a second here. Jeff Kaelin, can I get you to read that into the record, please? I need you to read it into the record first.

MR. KAELIN: I **move to add a task to explore the socioeconomic impacts on the striped bass commercial fishing sector, including the party/charter sector, from potential quota reductions not consistent with actual striped bass mortality effects from that sector.** On Page 7 of the Addendum, we learned that the commercial sector only represents 13% of removals by number of fish, and on Figure 4 on Page 9 is a dramatic difference in mortality between the recreational and the commercial sector that is illustrated there.

I personally thing that the sectors should be responsible for the mortality that they are affecting on this stock, or any other one, frankly. I may lose a vote, but at least I feel good about putting it back up again. Well, we lost this proportional option in the Addendum. We've had more than one vote on it; I may get voted out here too. But I just felt

strongly it needed to be put back in front of the Board.

CHAIR WARE: Eric, as seconder, any rationale?

MR. REID: No, Jeff covered it, but we're actually dealing with two separate sectors here not just one sector. It says effects for that sector.

CHAIR WARE: We've had a lot of discussion already and we've got a long way to go on this document, so I am going to just ask for limited comments, please keep them as brief as you can. I saw Dave Sikorski and then Bill Hyatt.

MR. SIKORSKI: I would like to speak against this motion. We've tried this approach in Maryland, and I think it's a mistake. It is a mistake, because it divides stakeholders, something I spoke against earlier and it doesn't work for conservation. The reduction, if we would have done a 12% reduction would have been 12% times the quota, 12% times the removals by controlling fishing mortality through various regs. We've been doing this forever.

There is already proportionality built into the system. It's when you compound it, like we did in Maryland, by placing reduction on the recreational fishery so we could alleviate the pain on the commercial fishery in 2020 that we undermined management and simply enter into a paper exercise, which frankly has led us where we are today, and it's going to lead us to some of the conversation and angst you're going to hear in my voice, when we start talking about what Maryland's regs are moving forward. The bottom line is, I think this is a mistake.

As Adam said, I think it flies in the face of the intent of the Work Group, and some of the comments I made earlier with the intent, in my mind, is to bring everyone to the table, think about all the fish that are out there, all the places that need them, and try and sort of kind of focus us on a path forward through a tougher, but really a storm we are about to continue to go through here. I think this is counterproductive to the reality of where we are, and it flies in the face of what we've done forever, where we already have proportionality built into the removals and therefore F, and therefore what we manage.

CHAIR WARE: Bill Hyatt.

MR. HYATT: I just have a question on this. Is this not presented as sort of a broader, all-encompassing socioeconomic survey or whatever? Is the rest of the recreational sector not included, simply because it is accepted that we already have that data in a usable form, or is there some other reason for not including it? You know I'm thinking of tackle shops and things along those lines.

CHAIR WARE: I think that would be a question for the maker of the motion. If you just want to kind of, put some, we've got a lot of great discussion, but there are limits to what staff can evaluate. I just want to put that out there for some thought. Jeff Kaelin, would you like to respond to that?

MR. KAELIN: I'm speaking to a specific issue that is illustrated there, and it is the problem that I have is that the mortality represented by that sector is 11, 12, 13% of overall mortality, and I think that quota reductions should be proportional, based on mortality. That is what we do in all the federal plans. I think that is the way it ought to be done. If I lose a vote, I lose a vote. I appreciate the opportunity to put it in front of the Board. I think it speaks for itself.

CHAIR WARE: I'm not seeing any more hands, does anyone need to caucus within their state? Okay, one-minute caucus. All right, so we are voting on a motion to add a task to that list. **All those in favor, please raise your hand.**

MS. KERNS: Rhode Island.

CHAIR WARE: Okay, all those opposed.

MS. KERNS: Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, North Carolina, Virginia, Potomac River Fisheries Commission, D.C., Maryland, Delaware, Maine, New Hampshire.

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Great, by the count I don't think there should be any null votes, any null votes? That's going to fail, 1 to 13 to 2.

I have heard that there is another motion, maybe you can start it. Joe, do you want to throw out your idea and then we'll see if it needs a motion.

MR. BRUST: First of all, at "Review BRP's and consider recruitment-sensitive model-based approaches". I would like that struck, and I can give rationale if I can give a second.

CHAIR WARE: Just give us a second, Joe, we're just going to ask a procedural question really quick.

MS. KERNS: Joe, were you on the prevailing side of that motion?

MR. GRIST: Yes.

CHAIR WARE: I think the issue, Joe, is that was included in the motion that passed, so if you would like to remove it, it would take a vote to reconsider and then a motion to remove. Why don't I suggest we have the staff review it and they can come back with some feedback, or their thoughts, how long will it take, and then at the next Board meeting we can have a discussion about that. I am just conscious of where we need to go. Is that okay, Toni?
MS. KERNS: A question to Joe, really quickly, just because of timing of the benchmark stock assessment is, are you leaning to push to have some of that work get done in the upcoming benchmark stock assessment instead, and want to see biological reference points addressed a little further through that or is that not the direction you're going?

MR. GRIST: Yes, so this will be part of the benchmark stock assessment. Having a separate Work Group decision on this is kind of outside of that. This is part of what Nichola was talking about earlier, so that is why I was suggesting that particular bullet should be struck.

MS. KERNS: I think, so the February Board meeting one of the discussion topics will be some guidance to the benchmark stock assessment in particular around biological reference points. I think during that meeting we may be able to give more direction to the SAS and then as we develop how we will address this Work Group.

If there are some things that don't get addressed through the upcoming benchmark stock assessment, and something that might take longer or some other issue relative to biological reference points. This Work Group potentially could address those, but we know that this upcoming assessment will include some biological reference point work. Depending on the Board's direction in February, and then Katie can add to that.

DR. DREW: I think there is also the potential that after the benchmark is complete, we may have different options for the Board to consider for reference points, in terms of to align with your management objectives or goals. At that point the Board Work Group may have a role in providing additional guidance or commentary on the reference points that do come out of, either the reference points or the method to develop reference points that come out of the benchmark assessment, to sort of follow up on that work.

CHAIR WARE: Joe, is that satisfactory to you? Excellent. All right, so we're going to conclude our discussion then on Section 3.4. We are going to move to the Maryland Baseline. We've already had the presentations, at this point I would be looking for a motion on the Maryland Baseline. Mike Luisi.

MR. LUISI: If I can get a second on this motion I'll provide some rationale. I think some members of the Commission are going to question how the motion is laid out, and I'll get to that in a second. I

would **move to approve in Section 3.3 Maryland's ability to choose Option A, status quo, or Option B, a new Maryland baseline season. Maryland would notify the Board of the option chosen through its implementation plan.** If I get a second, Madam Chair, I'll provide rationale for why it's like that.

CHAIR WARE: Yes, John Clark is providing a second, so go for it, Mike.

MR. LUISI: A year ago, after we received information on the assessment, folks started coming to us in Maryland asking, what is it that we expected during the previous five years when our spring season was closed? What is it that we were hoping to get out of that? One of the reasons we closed our spring fishery was not only to increase spawning stock biomass, but to increase the probability of having a successful recruitment event or spawning event. After five years and some kind of ongoing frustrations about these closures that were continued, and with no end in sight, and with the thought of maybe refocusing some of our conservation effort on some other portion of the stock, and that other portion would be the resident stock in the Bay.

The younger fish that have been experiencing poor recruitment for the past six, seven years. One of the ideas was that we would carry that out and we would consider modifying our rules to make adjustments for where that protection would be placed. Starting last year, we worked through a process, you have all heard the presentation through the public hearings.

We convened a Working Group to help formulate the plan each and every Board meeting that we've come to since last year we've had this on the agenda and we've discussed it. Each and every time we were faced with a different challenge, that challenge being what reduction we might be facing.

Some meetings there weren't any reductions we were facing, others, you know we were looking at further cuts, like a 12% cut that we just discussed earlier today. What Maryland, in order for us to be able to implement the baseline approach, if the Board agrees that that is an approach that you would approve.

We still have to go through a formal regulatory process in our state to implement those rules. We think that we would be able to address and deal with our stakeholders directly on this one particular topic, rather than folding it in with the discussions of the Addendum, which in my opinion, most of the focus of the public hearings that we had were just about maintaining status quo.

There was a sector that wanted to maintain status quo for our rec seasons, but there was also another whole group of individual stakeholders who wanted us to continue exploring this baseline. We do have kind of a split opinion in the state, and we feel that we need a little more time working directly with our stakeholders to make that decision.

The reason why the motion asks the Board to approve status quo and the baseline approach, is so that if we get home and begin that regulatory process, and find ourselves at the end of that process facing challenges that we didn't anticipate. We would rather implement the 2024 season than have the default season go back to 2022, which is how it was couched in the Addendum, because 2022 season is a less restrictive season than we currently have.

I don't believe the Board would support that and I don't blame you for that. That's why the motion is laid out the way it is. We're asking for you not only to support a status quo approach for Maryland, which all the rest of the states here would be planning for next year, but also to give some consideration to this change.

I have a slide that illustrates how those seasons would lay out, as far as what the rules would be, so that you could see where the certain closures within Chesapeake Bay would be in different times of the year, to still protect and continue to protect the spawning stock, while allowing for catch and

release in the spring. But the Maryland Baseline Adjustment Proposal puts more of our emphasis on the resident stock, by closing a month of the summer for that protection. I know there is a little kind of round and around there, but I'll stop there. Our rationale again is to be able to go home, have the discussion and ultimately make the decision, which would be reported through our implementation plan.

CHAIR WARE: John Clark, as second, any rationale?

MR. CLARK: Yes, thank you, Madam Chair. Obviously, Mike has spoken to the motion very well. But I just wanted to commend Maryland for thinking about this, because you know we've all seen in our states with different species that over time you just accumulate regulations, and sometimes it starts to be a mess after a while.

I think trying to rationalize the whole fishery there, the recreational side, streamline the regulatory process is a great idea. I think by doing this, as Mike said, without the rest of the Addendum to be a distraction, that they will get the real input from their fishermen as to whether they think they should stick with what they have or go with the new one. I think it's a great idea.

CHAIR WARE: I'm looking for a show of hands as to who would like to speak in favor of this motion. We're going to do for and against. A question? Yes, I can write you down for that. Then is anyone looking to speak in opposition to this motion? Okay, so we've got a few questions and some comments, so we'll start with questions. Matt Gates.

MR. GATES: You're asking us to approve two options here. I understand, I just want to make sure that the intention here is to implement one or the other, and there is not going to be choose your own adventure for one fishery or another in there.

MR. LUISI: Thanks for the question, Matt. Yes, the intention would be, we wouldn't split. We wouldn't keep one in place for half a year and then switch it. It's either going to be a full year or not. In the event that our regulatory process doesn't allow us to get to the final point in time to start next year, we would have to put it on hold for the following year, which again, it would be one season at a time, without splitting the two options at all. It's one or the other, and we would inform the Board by our next meeting.

CHAIR WARE: Toni wanted to comment on that.

MS. KERNS: The way staff looked at this when we were asked how this approach would work is that Maryland came to this Board asking for this to be a part of the Addendum to make a change to their fishery, which is what we all or what the Policy Board and the Management Board has asked for when states cannot use conservation equivalency, that you can go through a public process to make sure that everybody understands what is happening and what is changing.

For Maryland, when they choose, in their implementation plan they will choose for the date in which they are implementing for, and then that will be their new regulations. They will not be able to go back and change it again; it will be that season moving forward. If you're deciding you're going to implement, but you can't get it done in time for the 2025, the implementation plan would say, it will be in effect for 2026, until an addendum changes the regulations, or an amendment would change them further.

CHAIR WARE: Matt, did you want to follow up in any way?

MR. GATES: No, I think that is a satisfactory answer for me, thanks.

CHAIR WARE: Then we have a question from Steve Train.

MR. TRAIN: Mike, I don't want to put you on the spot, but that's exactly what I'm going to do, I

guess. What months are your release mortality the highest?

MR. LUISI: Wave 4, July and August.

MR. TRAIN: I'm sorry, may I continue. If you have a no target in August that is a long period, would that result in more releases than the harvest during that period?

MR. LUISI: No targeting, the no targeting provisions that we've had in place now for just a few weeks in Wave 4 don't allow for striped bass fishing. It's the more extreme version of no harvest, it's a no targeting provision that we would implement in August, which I believe would have a tremendous savings on the young, vulnerable fish that are trying to get through the summer to make it to the fall to live another year.

These are the younger fish that are just recruiting to the fishery. They are 18, 20, 24 inches long, and they are having a real hard time getting through the summer, where the mortality is tremendous with the heat. The idea of this plan is to shift our attention away from our spring season, which to be honest, Maryland's spring season and the interaction on the spawners is a snap, is a blip in time compared to what the other states have as access to that resource.

Those fish are only there very briefly in the spring. We're saying we would rather have a little access on that resource at a time when the mortality is extremely low in the cool waters, and put more of our focus on Wave 4, by closing the month of August entirely, to give the fish an opportunity to find some place to hide until the conditions get better.

One of the things, and you'll see in the way that that baseline was set up. Currently we have a July closure. The July closure, we are considering moving it to August, because August provides, and this is from the fishing public, August provides more opportunity for other things in Maryland. There are other species that charters can take.

There are other species that recreational anglers can fish for in August. It is still hot, it's just as bad as July, if not worse, because now in August you are looking at fish that have already made it through five, six weeks of extreme heat and poor condition. Now they're in August, it's even a better time in my opinion to protect them, let them find some place to hide and get into the fall where the conditions get better and they are protecting mortality there.

MR. TRAIN: Thank you, Mike, that answered my question.

CHAIR WARE: I'm going to start going through a list of hands I had seen. Doug and then Chris.

MR. GROUT: I certainly appreciate and support Maryland's concept and proposal, and to be able to give them a choice between status quo on this. However, when the TC evaluation of this was done there was an assumption made that there would be no change during the spring season using a no target, no change in effort when we go to a no target as opposed to.

Excuse me, I'm mixing this up. Let me try this again. When we go from a no target to a catch and release fishery. Because of that, and I admit that the TC could not develop a quantitative assumption on how effort would change, so I am more supportive of Option C on this, and I would like to make a motion to amend to change Option B to Option C.

CHAIR WARE: Okay, give us a second to get that up there, and we'll see if he has a second. Doug, can I just get you to read that into the record, please?

MR. GROUT: **Move to amend to replace Option B (a new Maryland baseline season) with Option C (new baseline season with 10% buffer).**

CHAIR WARE: There was a second by Jay. Doug, any additional rationale?

MR. GROUT: No, I think I started even though I stumbled through it.

CHAIR WARE: But you got there. Jay any rationale? You're all set. Okay, we now have a motion to amend. I'm going to continue on my list, but I'll just obviously ask folks to be now focused on the motion to amend. Chris Batsavage, you're next.

MR. BATSAVAGE: Yes, like Doug, I appreciated Maryland's work on establishing a baseline season option for the reasons they've given. If I was to choose one, if we took a 12% reduction I would have chosen Option C that has a 10% buffer. But considering that we are staying status quo, and also considering that despite all the efforts by the state of Maryland to work with their stakeholders.

They just couldn't find that consensus they were hoping for. There are a good number of folks in the for-hire and private angler sectors in Maryland who don't support changing the baseline. I cannot support either the motion to amend or underlying motion. I think it's probably just best to stay at status quo at this point.

CHAIR WARE: Nichola and then Adam Nowalsky.

MS. MESERVE: I was also going to disagree with the inclusion of Option B, I am more comfortable with Option C for the reason that Doug pointed out, and that the assumptions that had to be made in the calculations. I would also point out that were Maryland to pursue this through conservation equivalency there would be a 10% of buffer at a minimum.

There could be more, we don't have that option in this document, but at a minimum there would be a 10% buffer, so I think it's really important that we stick to that, given the uncertainty that the Technical Committee finds about the calculations.

CHAIR WARE: Adam Nowalsky.

MR. NOWALSKY: Just so that I'm clear. While Option C was labeled as a 10% buffer, based on our previous actions this morning, what this really would ask for Maryland to do under a new baseline, it's only an additional 2% reduction from 2024. The 10% was relative to the 20% that was taken already in previous years.

Again, even though the section is labeled 10%, this is only an additional 2% reduction from 2024, and I'm seeing nodding heads, so I'll put on the record that sounds correct. Then my question for the Maryland delegation would be, would Option C with that additional buffer calling for an additional 2% reduction make this, well I won't say.

Would this completely kill any support that this had at home? I understand there is limited support now, but would adding this buffer eliminate any support that even remains, or is this still a viable option for you to consider at home?

CHAIR WARE: Mike, do you want to answer that?

MR. LUISI: Yes, I can make a point, but I would also like to give Dave an opportunity. He's wanted to speak as well. Adam, I wouldn't say that it makes it not viable, it's going to just be more difficult. It's only a three, I think it's a three day or four-day difference in the start point in May for when we switch from a catch and release fishery to a harvest season at 19 to 24 inches.

I think I've done the math right, and I believe that that's all the difference that Option B versus Option C is. That 2% is accomplished in four days in May. What I would say to that, it will make it harder. There is a split opinion, although we may not be hearing any of that today on the other side of the opinion.

There is a split opinion, and it will make it more challenging. For a group that based on some challenges and for a Board that just took no action, to ask a state that is focused on the future, trying to get ahead of the ongoing problem of poor

recruitment. We're trying to take an active step, why make it more difficult?
Why would we now, Maryland would be the only state on the east coast that would be taking, what would be in forms of reduction, whether it's one day or four days, it's a reduction. It's another few days where it's going to make things more challenging for us to implement, and I'll stop there, thanks.

MS. FRANKE: Yes, just to clarify exactly what is in the addendum. This extra buffer in this situation. Maryland would either under this new baseline, if they were to take that extra buffer for Wave 3, the harvest season would start May 6 instead of May 1, or they could make that adjustment in Wave 6, so the harvest season in the fall would end November 26 instead of December 5. Maryland could take that extra change in either May or November/December.

CHAIR WARE: Dave Sikorski. You are next.

MR. SIKORSKI: Just following on what Mike said. I participated in the baseline discussions and there was agreement until there wasn't agreement. The unfortunate realities of the path we took to get here, I best describe it as a rocky road. We chose to split sectors and put a 20.6% reduction on the recreational fishery, rather than taking an 18% reduction.

An 18% reduction would have been one fish for everyone in the recreational fishery back in Addendum VI. Instead, we throw all these different options together. We went through multiple meetings, multiple meetings, until another option popped up at the last meeting, and it became very obvious that that option was going to be the one Maryland was putting forward.

It was the one that was going to put the conservation burden on the private recreational fishery, allow the captains which participated in an electronic reporting system to keep a two fish limit, and a 1.8% reduction would be applied against the commercial fishery quota, not landings. That is the back story that led to the founding of the light tackle group, which is part of our for-hire sector, which was founded because they were taken off the water for a month.

Fishing in an area that they've been able to fish in, and lots of people have been able to fish in for 20 plus years. Years with a history of an amazing recruitment and an amazing fishery. Those days that were taken away when we analyzed it was 0.64% of our total 20.6% reduction. I remember sitting in the crowd at that board meeting watching Mike present that, something I completely opposed, because it's inequitable and would not achieve our conservation goals. But we did it.

We have businesses that have been put on the sideline that can't be forgotten. There are a lot of people here that have their way and they want their way, but it is not the only voice of the for-hire fishery in Maryland. Until we can have an opportunity back home to better vet it, based on the reality of what 0% reduction means coastwide, and our baseline.

I think we're making a mistake to add on these extra five days and further impact these people that have already been impacted. To the increase in effort that which may occur by opening in April, it's negligible. Just like the five days that are just buffer, they are negligible. We've admitted all day long we know where we're headed.

But a buffer or just status quo is admitting failure for a group of people who have been wronged by politics, period. That is a fact and I do not support that, and I would not want all of you around this table to support that. I am asking for our state for a chance to go back for the underlying motion and try and present an opportunity for anglers, the public, commercial fishers, for-hire sector, no matter what size their boat is or what drives them to go fishing or who their customers are, or where their customers are from.

They need the ability to go fishing. What our baseline reset does is increase the percentage of

days available to go fishing, in a time of year when Mother Nature is going to turn on the wind and turn on the weather and impact their ability to go fishing. That is a component that is weighing on the minds of captains that don't want to close August. But then you have captains that want April back open. Maybe we'll never get to the end of the solution, but as all of you know, none of this is a vote. This is us trying to make the right decision to try and send us in a path forward, so the most people possible can access our shared public resources of the United States of America.

The fact that we're leaving people behind if we do not approve this baseline, under the idea that we might be protecting fish on their way to spawn. Well, at the next meeting I would be really interested in starting to talk about how we're protecting fish before they spawn, because we have states all around this table that are all still killing spawning stock biomass.

Recreational anglers in Maryland are only killing spawning stock biomass if that fish gets hooked in the gills, which we assume to be a 9% rate, but we know in the spring it could be as low as less than 3. Mass has just told us recently that there is some new information about these types of fishing.

We would be kidding ourselves and we would be removing economic opportunity, that I hope we can even get back, under the idea that we're trying to save spawning fish, when no one else up and down this coast has an option to kill less spawning stock right now. You are penalizing the wrong people to try and achieve the outcomes you want.

I think we need to solve this problem now, so we can move forward with our Work Group and try and have a solution that works for everybody. Because right now there are certain stakeholders in Maryland that have been put behind already, and they are not in this meeting. Everybody deserves that fair chance and that is all we're asking for with that underlying motion, so please vote this down. We do not need a buffer, we need the underlying motion and we need to move forward. Thank you.

CHAIR WARE: All right, those were all of the hands that I had. I'm going to go to Emerson first, I don't think he's spoken yet.

MR. HASBROUCK: I'm not going to comment either in favor or in opposition to this. I'm just a little confused here in terms of what Maryland really wants to do. I mean we started to develop this addendum and Maryland came to the Board and said, we've got such a hodge podge mess of regulations in our state.

It doesn't mesh very well, and we want to clarify it and make everything work better, and we want that to be part of this addendum, and here is a series of things that we in Maryland, want to do to correct this hodge podge of regulations that we have. We included that in the Addendum. Now, here we are today, when we're taking final action on the Addendum, and Maryland says, well, we're not quite so sure about that list of things that we put together, it may not work.

We want to go back, ourselves in Maryland, and work it out amongst ourselves, and we, the state of Maryland, are going to choose what it is that they want to do. You know Option A, status quo or Option B, or Option C, wherever we get to here. But part of that is status quo. I just heard Dave say, and maybe I misunderstood him a couple of minutes ago, where status quo doesn't work.

On the one hand you're saying status quo doesn't work, on the other hand you're saying, we might choose status quo. I'm a little bit confused here about why Maryland came to us to make this part of the Addendum, to help them square away and straighten out the regulatory mess they are in, and that I want to say to the Board, don't worry about it, we'll go back and take care of it ourselves and we'll report back in the future. That's my concern.

CHAIR WARE: I have Robert Brown and then Joe Grist.

MR. BROWN. I just want to make everybody aware that what is happening in this baseline is catch and release during our spawning season, where it used to be for the recreational at the April was closed and to May 15, closed for spawning season. Now, these fish that are laying off in a staging area into the Bay, 50-60 foot of water, a man goes out and he catches one of them.

He catches one, it takes a while for him to fight the fish up to the top. Once he gets it up to the top of the water, he's got to take a dip net and dip it up. Then he gets it in the boat, it's mashed down on the floor, he's got to get the hook out of it. Then this one picks it up, look, I've got a picture of this fish I just caught, just got another one.

Then they might pass it on to somebody else. At the same time, they still got another fish that has hit and it's dragging around. It's not that they are catching one fish, it's that they might catch 15, 20 fish a day catch and release. We don't know how well fish are going to be biting. I want everybody to know that you're going to be putting these fish through a stress.

When you put these fish through this stress, what does it have to do with these eggs? I do agree with Dave on one thing, up and down the coast during the rest of the season earlier, yes, the northern states and all up and down the coast is working on some of the brood feed, our attention on the broodstock, no worries about that.

For this fish is going to finally survive, being not caught in all these states, and now here he is, he's saying, only at the Bay sitting in a staging area to go up and spawn. We're talking about the young of the year. One we got up to four. Just the product of the water and the amount of rain, the amount of plankton, all environmental issues have a lot to do with how your spawn turns out.

I've got a problem with them taking those fish that time of the year. Our commercial industry in Maryland ends the last of February, of course to protect the spawning stock. I just wanted to bring it to your all attention so you all know exactly what is involved in this. I think it is a bad idea to attack spawning stock. Thank you.

CHAIR WARE: Joe Grist, you're next.

MR. GRIST: Going through the document, I think I answered the question I had. But since Dave said it, and if I'm understanding this. If we go to the new baseline your all season is going to expand. Is that correct? We have one of the shortest ones in the Bay.

MR. SIKORSKI: My recollection is that the number of days available to go fishing would go from something like 83% to 90 something percent, and that is because the 30 days of April account for so little removal. It's more days, so it's more bang for your buck, so it is more of a choice about where you apply mortality, which directly relates to some of the politics of it. Because mortality placed in a certain time of year where certain people don't like to fish is mortality you take from time of the year. In the end, the only thing to Emerson's point about status quo is that it's an option. But my goal as a Maryland Commissioner is clearly to advance the baseline with no buffer, and we have disagreement amongst our delegation, just like we have disagreement amongst our state.

CHAIR WARE: Hey, Dave, let's let Joe finish.

MR. GRIST: I got my answer I need, thank you.

CHAIR WARE: Real quick, Nichola, because this is the second bite. Then we're going to caucus.

MR. MESERVE: This is Massachusetts preliminary release mortality rates were brought up by Dave. I just wanted to make sure everyone was aware that while it is suggesting a lower release mortality rate, it is also length dependent. If it is larger fish being released primarily in a spring catch and release season.

Those would have a higher release mortality rate, still lower than 9%, but not as well as the 3% that you left them. Overall, if Maryland were to (fast words) propose one a year, we would probably have better release mortality rate information to use in that and take a calculation then.

CHAIR WARE: We are going to caucus for a minute, and then we will come back and vote on the motion to amend. Does any other state need more time? I appreciate Maine getting another moment there. Okay, so we are calling the question. This is on the motion to amend. **All those in favor of the motion to amend, please raise your hand.**

MS. KERNS: Rhode Island, Massachusetts, Connecticut, New York, Maine, New Hampshire.

CHAIR WARE: All those opposed.

MS. KERNS: Delaware, Maryland, District of Colombia, Potomac River Fisheries Commission, Virginia, North Carolina, Pennsylvania, New Jersey.

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Okay, so the motion to amend failed 6 to 8 to 2. We're now back on the underlying motion. We'll just give staff a second there. Any other discussion on this motion? Joe Cimino.

MR. JOE CIMINO: I apologize for doing this, but as a delegation we do have a difference of opinion here. I would like to see Maryland go home and be able to do this. What they are doing though is somewhat novel, and so it isn't a matter of where does that percentage impact a single state. It's the notion that because there truly is uncertainty, and the assumptions that are being made about the reductions, I think that the idea of an uncertainty buffer is very important, as items like this continue to move forward. I just want to say that as a delegation we may be voting differently than how I feel.

CHAIR WARE: Any other comments? Seeing none; I'm going to do another one-minute caucus. Does anyone need more caucus time or are folks ready? I'm not seeing any requests for a caucus, so we're going to call the question. This is on the **motion to approve Maryland's ability to choose Option A or Option B.** All those in favor, please raise your hand. We are calling the motion, is everyone ready to vote? **All those in favor, please raise your hand.**

MS. KERNS: Connecticut, New Jersey, Pennsylvania, Virginia, Potomac River Fisheries Commission, Maryland, Delaware.

CHAIR WARE: All those opposed.

MS. KERNS: Rhode Island, Massachusetts, North Carolina, District of Colombia, Maine, New Hampshire.

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Any null votes?

MS. KERNS: New York.

CHAIR WARE: It passes 7 to 6 with 2 abstentions and 1 null vote.

Okay, so we are now in the second half of our Addendum III discussion.

LAW ENFORCEMENT COMMITTEE REPORT ON COMMERCIAL TAGGING PROGRAM TEN-YEAR REVIEW

CHAIR WARE: We are going to start now with the commercial tagging discussion, and we're going to go over to the LEC Report, so I'm going to pass it to Jeff Mercer.

LT. JEFF MERCER: The Law Enforcement Committee conducted a virtual meeting earlier this month and discussed the request by the Board to review the PRTs Commercial Tagging 10-year Review Report. Specifically, we were asked to review the report and discuss any further LEC recommendations on point of tagging and potential improvements for the state tagging program. The Board had passed the PRT reviewing the striped bass commercial tagging program, since it's been over a decade since the program was implemented.

The PRT had a few key objectives. One was compiling a summary of each state's tagging program, and then they were tasked with looking across programs and reporting any key observations to take away across the programs, including common challenges faced by multiple states and various biological metrics used to determine the number of tags.

The general consensus of the LEC was that the current state programs are effective, and each in their own way offer a level of protection for resource and meet the spirit of interstate fisheries management plans, and follow the recommendations that were laid out in the 2012 Interstate Watershed Task Force Report. Specifically, when it comes to the point of tagging, the perspective of the LEC had softened in respect to time of tagging. In general, the ability to inspect the commercial catch of striped bass at multiple points from take to consumption provides law enforcement the ability to be most effective in the protection of our resources. But recent management measures in the ocean fishery have made the commercial take of striped bass more easily distinguished from a recreational take of striped bass.

Management measures in the ocean fishery creating essentially two different sizes and possession limits between sectors gives law enforcement the ability to clearly define a commercial take from a recreational take, while at sea and while at the dock. There is no overlap between the two.

This reduces the enforcement concern in a point-of-sale program. Point of sale or point of landing tagging is less desirable from enforcement states that are managed through individual quotas, and/or that allow multiple commercial limits aboard a vessel, or that have overlapping size limits between commercial and recreational fisheries.

In these states, the LEC would strongly suggest point of harvest tagging. The LEC also suggests that if the point of landing provision were to be considered more widely outside of Delaware, that we would recommend that a clear and consistent definition of landing be used, as it was found that the definition varies greatly between states and federal regulations.

For tag distribution the LEC did not have any concerns with how the tags were distributed throughout the different states. Tag accountability, apparently all jurisdictions have a process in place to account for lost, damaged or delinquent tags. Again, these processes differ among the agencies, but the LEC found that they all met the standards of the plan.

The LEC can also support the PRT and state contacts recommendation to offer tag accounting in the yearly compliance reports, and rewrote the preliminary data included in the tagging reports, which member of the LEC did not find very helpful in and of itself. The one improvement to the program that the LEC noted was tag traceability. While I don't think the PRT report specifically addressed it, but the LEC wanted to emphasize the importance of being able to trace a tag back to the fisher or the harvester.

Most states with a point of harvest program tagging program seemed to follow this practice, but not all states with a point-of-sale program allow for tags to be traced to the fisher. I just want to point out that we did cover tagging of marine species in a Guideline to Resource Managers on the

enforceability of fisheries management plan document.

One of the recommendations in there is that tag should be traced back to a harvester. Before I get to questions, I just want to also note if it's still on the table that the LEC was wholly supportive of a standardized coastwide method for measuring total length of striped bass, and I'll take questions on that.

CHAIR WARE: Any questions for Jeff on the LEC Report? Steve Train.

MR. TRAIN: Jeff, how did the LEC reconcile what would be high grading on point of sale tagging versus point of harvest tagging.

MR. MERCER: High grading for the two? That specifically didn't come up. I think the major concern from the Board was personal consumption fish not being reported. I don't know if we actually discussed the high grading in the LEC.

MR. TRAIN: Didn't come up, okay, thanks.

CHAIR WARE: Nichola.

MS. MESERVE: I was wondering if the Law Enforcement Committee had any further comments about tag accountability. I noticed in the Ten-Year Review that there are some states that have dealt with 5 to 6% unaccounted for tags, and some states that can amount to as much as 20 to 30,000 missing tags in a year, more than some fisheries commercial quota. I was just wondering if the Law Enforcement Committee talked about that at all or saw that states are revoking permits in those instances where there are always unaccounted for tags.

MR. MERCER: Like I said, each state handles it a little bit differently, whether or not there are no tags issued to that person the following year reduced a lot of it. The PRT did note that those higher years with less tags accounted for, the period during COVID. Most recent years are 1 to 3% across states.

CHAIR WARE: John Clark.

MR. CLARK: Thank you for the presentation, Jeff. Just curious about the point of landing. When you said you wanted a clear definition of that you said there is a definition. Would the LEC come up with a recommended point of landing definition that we could use? Because in Delaware we have point of landing tagging, and just curious.

MR. MERCER: Yes, it was discussed, kind of went around the room and poled the room of what the definition is in those states. I don't think there was anyone willing to go out on a limb and actually come up with a definition. But it varies from offload to tying to the dock to entering port, which for the northeast federal regulations it's entering port. If it went with anything different from that, it would be two different rules that applied.

MR. CLARK: Entering Port, that would be like coming into a marina, coming up to it. Do you have to have it tagged before you got to the dock? Is that what you're saying is the federal rule for point of landing?

MR. MERCER: Yes, that is how it's defined in the northeast fisheries.

CHAIR WARE: Adam Nowalsky.

MR. NOWALSKY: Is point of harvest considered more restrictive than point of landing? Specifically, my question for asking this would be that given that there are at least four states that presently require point of harvest tagging. If this Board was to select point of landing, would those states, if they chose to keep point of harvest, be considered more restrictive and be allowed to keep that, or would they be required to change the point of landing?

MS. FRANKE: I don't think you need to characterize it as more restrictive, it's just that if you're tagging at point of harvest, you are already meeting the requirement of tagging before you get to the dock.

Yes, states that already have point of harvest wouldn't be compelled to switch to point of landing if that were selected.

CHAIR WARE: John Clark.

MR. CLARK: Thanks for allowing the follow up. I was just curious, Jeff, about the point of harvest, and it just reminded me, because I know from hearing the discussion at the last meeting that some states that have point of harvest still have some leeway built in, because it can be dangerous to tag right there at the point of harvest, depending on the gear.

I was just wondering if there was any consistency that the LEC would like to see, you know recommended on that. Because you know as I said, we moved to point of landing in Delaware, because of those dangers that are sometimes posed to the fishermen because of the gear while tagging.

MR. MERCER: Yes, I would say, defining what point of harvest and having consistency in that would be preferential. I mean it seemed a little bit clearer than what point of landing is, and how that has varied between state to state. I think most states have different language for how they describe point of harvest, but it's all basically we're taking and retaining.

CHAIR WARE: Craig Pugh.

MR. CRAIG PUGH: I would like to add to what John had said, and try to help the Board a little bit with point of harvest and point of landings differences, as we've tagged fish over a lot of years. We found that point of harvest was hard to get a guilty verdict on in our court system. If tried, all point of harvest convictions were, or violations were 80% failed in court.

Mainly because of the broad aspects of whether point of harvest also was construed, interpretation wise as time of possession, and what considers as time of possession? Is it when you lift the net, because that is what was brought up in court, the possibility as soon as I lift the net, and the fish may be out all right. I can't necessarily tag it, but it has been considered in my possession.

We could be charged at any level with any fish with that type of interpretation. That doctrine has tried and been applied to our fishery. It was my policy through 2012 to 2015 to keep an attorney on retainer, especially through our fish season for this reason. I now still carry three attorney's names in my pocket, because of that experience.

It did not work. It did not work well in the courts; it did not work for our fishery. When we tagged the fish, when you actually tag the fish, it takes a bit for a 15, 20-pound fish. If it's green, meaning very alive, you must take a knee and you will look down, meaning that you're not looking at the sea, you're not paying attention to the weather that is conflicting with you. My other responsibility is to the other people that are on my vessel, and that becomes very difficult. Where, if I have the ability to put the fish on the boat and move to a safer spot, out of the wind usually, then it becomes a lot easier process to tag this. We found that putting ashore was the right definition for us, where the wardens can meet us at the shore, wherever that may be.

Whenever we meet the shoreline to put ashore, then that tag certainly has the correct serial numbers that pretty much put our signature on each one of those fish. That part becomes very consistent at that point. It also becomes a safer, and I would say since we've adopted that our court system has not been plagued with inadequate violations.

I must point out that as those violations were handed out, the fishermen are not immune to that, but yet the enforcement officers were. They could hand things out without any impunity for them at all. But the fishermen, it became incumbent on them to have the records expunged, if they chose to do it, or even if the court system would hear it to be done. It's a bit of a pain. Putting ashore has alleviated these problems. We don't seem to have

near as much problems any more with that. Thank you.

CHAIR WARE: Eric, you want to ask a question of Jeff?

MR. REID: Yes, I have two questions. One is if we are talking about point of harvest or point of landings, is that going to require an ITQ fishery? That is my first question, and my second question is sort of a follow on Nichola's question. Tag accountability, if it's a point of sale are the dealers more accountable or less accountable than if the fishermen have the tags?

MS. FRANKE: To your first question, would switching to point of landing or point of harvest require a state to have ITQs, that is up to the state to decide how they want to implement their fishery, knowing they have a requirement to tag at point of harvest or point of landing. But that doesn't necessarily require them to do individual quotas.

That is up to the state how they want to implement their fishery. I can't answer your question, in terms of which is more accountable, tagging at the dealer or harvester. It is probably different by state, and I would not be qualified to address that.

REVIEW OPTIONS AND PUBLIC COMMENT SUMMARY (*PART 2*)

CHAIR WARE: We're going to move on to the presentation now, this is going to cover both the commercial tagging and the total length parts of Addendum III, and then we'll look for some motions.

MS. FRANKE: I will be going over now for commercial tagging that Section 3.2, the options in the public comment summary, and I will also being going over here Section 3.1, which is the remaining section in the Addendum on measuring total length, the options in the public comment summary.

The AP Chair has asked that I preset this second half of the AP report as well. On measuring total length, so looking at that section of the Addendum. Again, the FMPs specify size limits and total length, but has never defined total length for striped bass.

There are varying regulations across states on how to measure striped bass for compliance, and there has been concern that having no standard method of measurement could potentially be undermining the conservation consistency and enforcement of current size limits. As Jeff just said, the Law Enforcement Committee does support having consistent language here, so the Draft Addendum considers a coastwide definition of total length, which would apply of both sectors.

Option A, status quo, no definition of total length in the FMP. Option B would be mandatory elements for the definition of total length., again this would apply to both sectors. Each state's definition would have to address four elements. Squeezing the tail, taking a straight-line measurement, laying the fish flat, and closing the mouth.

In the Addendum there is a definition incorporating all four of those elements that the state can use, or in an implementation plan, states can submit alternative language that the Board can consider. As far as public comment on total length, again this is the same format you saw earlier today with the tables.

You can see a majority of comments support Option B; this is the defined elements for total length in the FMP. They note that those that supported staying status quo, not having a definition in the FMP, noted concern that having this definition would slow down fish handling time and potentially increase mortality.

The priority should be releasing fish as quickly as possible. But those that supported Option B, these new defined elements in the FMP noted the importance of standardization and consistency, especially with the current narrow slot limit. Now I will get into commercial tagging. Following up on the LEC presentation.

Again, in this Addendum currently in the FMPs states with commercial fisheries can choose to tag at point of harvest or point of sale, or as was mentioned, at least one state had in between that at point of landing. There have been concerns that waiting to tag until point of sale could increase the risk of illegal harvest, so that led to this draft Addendum considering requiring commercial tagging at either point of harvest or point of landing.

This potential change would impact three states that currently tag at the Dealer at point of sale, that is Massachusetts, Rhode Island and North Carolina. However, every state manages their fishery a little bit differently, manages their tagging programs a little bit differently, so it' s difficult to determine whether making this change would actually decrease that risk of illegal harvest in every state.

As far as the options here, Option A, status quo, states will continue to choose whether to tag at the point of harvest or point of sale or point of landing, if that's in between those two. Option B would be requiring commercial tagging at the point of harvest. This would be immediately upon possession or within certain parameters outlined by the state.

For example, I believe Maryland the requirement is you have to tag the fish within 200 yards of the pound net. That is just an example of a very specific state definition there. Option C would be requiring tagging by the first point of landing, as has been discussed. This is before offloading or before removing the vessel from the water. If you are fishing from shore, of course you would have to tag immediately upon possession, you are already on shore. The Addendum notes that for these two options the Board may consider delaying implementation to account for the administrative and regulatory changes that those three states I mentioned would need to go through, to switch from their current point of sale programs.

As far as the public comments here. You can see that a majority of the comments did support Option B, this is point of harvest tagging. Just going through each of the options here. Those that supported status quo note that point of harvest tagging is not appropriate for every state, given the different management systems.

Those that support point of harvest note that this would help limit illegal activity and increase accountability. Those that support point of landing, Option C, note that it would be favorable to go with Option C instead of Option B, given the safety concerns with the point of harvest tagging.

ADVISORY PANEL REPORT (*PART 2*)

MS. FRANKE: Before I take questions, I'm just going to jump over to the AP presentation, it's Number 6. Again, the AP Chair asked that I make this presentation of the second half here.

The AP met via webinar on October 16, there were 11 AP members in attendance to talk about these last two issues, the total length and commercial tagging. Again, there were four AP members who submitted their comments via e-mail. Those are incorporated into this presentation.

Starting with Total Length, 8 AP members support that Option B, standard definition, those new elements. They noted a need for standardization and consistency along the coast, including from a scientific perspective. This is important with the new slot limit to close any loopholes. There were 3 other AP members who support a standard definition, but they would prefer a fanning out the tail instead of pinching the tail.

They noted that it was unclear how hard you would have to pinch the tail, and that fanning the tail would be a more natural position. The AP members on the call also agreed that Law Enforcement should be trained on how to measure a fish, whatever the definition is decided by the Board. Then on commercial tagging, the Advisory Panel, there were three members that support Option A, Status Quo again, where the states are choosing the

point of tagging. They noted that there will be some level of illegal harvest no matter what the tagging program is, that each state should figure out what works best for their fishery.

They noted concern for the states that are switching, if they had to switch that the tag distribution process is unclear how that would work. A couple state-specific points here. In Rhode Island there was concern that point of harvest does not seem appropriate for such a short season, you know 8 to 9 days in recent years in the Rhode Island season.

Then in Massachusetts, there was concern about how the number of eligible harvesters to receive tags would be refused from, currently I believe it's over 4,000 people who have commercial endorsements, and they would have to be reduced by some level, given the challenges of administering harvester tagging. Continued support for status quo, there were also, as we've heard, safety concerns about point of harvest tagging. But also, that safety concerns would apply not only to stationary gears like gillnets, but also to the hook and line fisheries. There was an example of, if there are a lot of people fishing at night, a lot of boat traffic, rough conditions. There would still be safety concerns with having to tag the fish right away.

On the other end, 5 AP members did support Option B, this is point of harvest tagging. They noted there is illegal activity occurring and this option would only help law abiding harvesters. It would also help address high grading. They noted it seems like a low hanging fruit to implement point of harvest tagging for all states.

There was some discussion about the definition could be sort of very specific, you know trying to, for example, you have to tag the fish prior to resetting the gear, so allowing harvesters to maybe get to a safer location to tag, but they have to tag the fish before they go back and reset their gear. They noted that commercial fishing is a business, and tagging is a part of those business requirements, and that is what makes it different from recreational.

Then again on the point of harvest. The AP acknowledged that Massachusetts would have many challenges if switching from point of sale, but also there was some concern about the Massachusetts fishery harvesting large fish and how easy it is to get a permit. Also concern about how quota monitoring would switch to track harvester reports instead of tracking dealer reports. But there are other fisheries to look to as examples there for how to make that switch.

Then there were 4 AP members that were interested in a combination option. They would recommend point of harvest for hook and line fisheries and then point of landing for all other gears. They noted those safety concerns for gillnets and pound nets, for example, but that hook and line fishery should be able to tag right away.

They noted that again, tagging before the dealer would limit illegal activity, and all fish should be tagged as soon as possible, given the limited enforcement capacity. Again, there was some concern about the Massachusetts fishery harvesting large fish. There was an example of New Jersey's bonus program as a good example of requiring tagging immediately when you catch the fish. With that I am happy to take any questions on either the AP Report or the public comment.

CHAIR WARE: Jay, I'll go to you first, because I kind of cut you off there at the end.

DR. McNAMEE: No, I just didn't know what we were doing.

CHAIR WARE: No worries. Emerson, a question?

MR. HASBROUCK: I do. I've got well, a couple of questions. If you don't want me to ask three questions I'll ask one question, then if you want to come back to me, fine. My first question is, do we have any information about how much illegal activity is taking place because of point of sale or

point of landing tagging? I mean that is some of the justification is to reduce illegal harvest, but is there any information, any data? I just had a discussion with Marty, and he's saying in New York, enforcement there hasn't been any issues. But we have tagging at point of harvest. I'm just wondering, what is the manager of the problem that we're trying to address? Then I've got some other questions, and I ask them after this or you can come back to me, if you want, Madam Chair.

MR. FRANKE: I would turn to each state if you're looking for information from point-of-sale states, if they have any information on enforcement concerns. But we don't have any hard data on illegal activity at the Commission level. But I'll turn to the states if anyone wants to comment.

LT. MERCER: From Rhode Island point of harvest vs. point of sale, you're really looking at a commercial harvester who is selling a striped bass that isn't getting reported. That's what the tagging program is designed for. We don't see a big issue with that or most of our illegal striped bass are taken by recreational fishermen and then sold black market. That specific purpose of point of harvest, in Rhode Island at least we're not seeing a huge issue with it.

CHAIR WARE: Emerson, go for another question.

MR. HASBROUCK: Just as a follow up, and I'll reserve those other questions if there is time. A follow up to that is, if this a solution in search of a problem here? Maybe that is a rhetorical question.

CHAIR WARE: Yes, I'm going to take that as a rhetorical, you're all set. I've got a lot of folks on the list, so I'm going to just start going down the line. Renee, and this is for questions at this point. Renee.

MS. RENEE ZOBEL: Yes, I guess my question is to the states in the room that do have point of sale or point of landing. For the benefit of the group, has there been thought put into how long the transition would take and what that might look like for you if we were to move to point of harvest.

CHAIR WARE: Those state by state, north to south, Massachusetts.

MS. MESERVE: Yes, we have been putting thought into that, and would ask that the Board allow us until 2028 if it is the will of the Board to make a switch.

CHAIR WARE: Rhode Island. Jay?

DR. McNAMEE: Yes, so I hope we don't do this. That is my first comment, and the second is to sort of maximize the amount of time to make this major adjustment, trying to fix something that is not broken.

CHAIR WARE: North Carolina.

MR. BATSAVAGE: Yes, thanks. If we have to change our requirements we would also like as long as possible, so 2028. Just an added note, we don't have the ability to make our fishery limited entry if the fishery becomes active again, so we have maybe some challenges other states don't have, in terms of changing our requirements.

CHAIR WARE: Renee, was your question moving a point of harvest or a point of landing, because we do have some states that are point of landing.

MS. ZOBEL: No, if we were moving to point of harvest.

CHAIR WARE: Okay, so I'll still open it up to states that are point of landing, I think Delaware that's you on impacts, I think is the question or if you've planned for point of harvest.

MR. CLARK: I first wanted to respond to Emerson's rhetorical question there. I mean by the very nature illegal harvest is illegal harvest that is unaccounted for. I mean it's the problem we have in every fishery. I would just say that as we know

with any human activity, there is a certain small amount of people that you give them the opportunities to cheat and they will take it.

I can just look at Delaware as an example. We only have 111 licensed gill netters. We have about 40 who actually gillnet, we only have 30 Natural Resources Police for the entire state, and just giving an example of our own fishery. At the time that the fishery is going on we have a lot of hunting activity going on too.

There is not a lot of enforcement available to check on these things, and I'm guessing that is probably the same with every state. We heard like with point-of-sale states, Massachusetts, for example has a lot of fishermen. That is a lot of people to try to keep track of for a small police force. As I said, it's how are you going to know how much it is, if you are not able to have people out there all the time watching them?

We've got a double tagging system in Delaware. As mentioned, we are a point of landing state. We are probably the only one that has that, but it's worked well for us, because our fishermen first have to tag them. Because we don't have federal dealers in the state we developed this weigh station system, where it's done on the honor system. But it's been working well for us, where every fish is then checked twice within the state.

The report from the fishermen and report to the weight station are coincided there so everything works out. We're not blind to the fact that there is cheating that goes on in our state. My point in this whole process has been, the more opportunity people have to game the system, the gamier the systems are going to be. When you do something like point of landing and after tagging right there, it reduces the opportunities to cheat.

MS. FRANKE: Also, I just wanted to note. Delaware noted their point of landing, and I know Maryland is sort of past point of harvest for a couple years, half point of landing as well. I just wanted to remind folks of that.

CHAIR WARE: We are in question period. John Clark, I have you down here, do you have a question? Did you have a question, John, I have your hand?

MR. CLARK: No, I was responding to when Emerson was asking about how do we even know there is any illegal harvest.

CHAIR WARE: Roger. Adam Nowalsky.

MR. NOWALSKY: I have a question on total length, Madam Chair.

CHAIR WARE: I am going to have you hold that until we get there, but I will put you first on the list for that. Doug Grout, question?

MR. GROUT: It was in response to Emerson's question about do we have a problem here. I was just going to comment that we've had some cases of Massachusetts commercial fishermen coming up to harvest in New Hampshire waters, and if they had tags on there, we would make it a lot easier to enforce those illegal activities.

CHAIR WARE: Nichola, did you have a question?

MS. MESERVE: A response to some of the criticism of Massachusetts. I can hold it until you've got comment, if you want.

CONSIDER FINAL APPROVAL OF ADDENDUM III TO AMENDMENT 7 (*PART 2*)

CHAIR WARE: I think we're very fluid at this point.

MS. MESERVE: I did want to comment on some of the perception of, I think recreational anglers getting a commercial permit in Massachusetts, because it is open entry, and using that to take a larger than slot limit fish, I think was part of the concern. You know like Rhode Island, we have a very brief season, it's 15 to 20 days generally. It's not a full-year season, so the opportunity to misuse

the commercial permit in that way is already very limited.

However, we are aware of that criticism though and I think it is pertinent to today's discussion that I let the Board know that Massachusetts has made the decision to limit entry in the striped bass fishery effective next year. We're freezing the issuance of new permits, essentially, and planning to consider additional criteria moving forward to reduce the number of permits that would all be subject to public hearings and regulations in Massachusetts.

We have made the decision to limit entry. My impression really was that that open access nature of the Massachusetts fishery was a part of the reason that the Board brought this forward into the Addendum. I think it is important that that is known. There are also the two reports that identify some differences in the Massachusetts program compared to some of the other states.

I think those are all things that could be addressed without requiring us transition through a point of harvest tagging program. For example, we could start having dealers record the paucity of tags that are used per each transaction. That is not something we currently do and a lot of other states do, so have the number of tags used.

We could require dealers to record the tag serial numbers per transaction, such that it could be traceable back to the harvester was brought up by Lieutenant Mercer. We could require harvesters to bring all the fish to the dealer for reporting and tagging, prior to any of it coming home for personal consumption. There are all ways to modify the Massachusetts tagging program that doesn't require a point of harvest tagging approach, so I just wanted to put those thoughts out on the record for the Board's consideration.

CHAIR WARE: I'm going to maybe have us focus on commercial tagging. That has been the bulk of the discussion to date, and those are all the names I have, so I just kind of thing we're ready for a motion on commercial tagging. Jay, go for it.

DR. McNAMEE: Just a simple motion here. I'll **move to approve Option A, status quo for Section 3.2 Commercial Tagging Point of Tagging.**

CHAIR WARE: Is there a second to that motion? Chris Batsavage. We'll just wait a second for that to get up on the screen. We have a motion by Jay and there was a second by Chris Batsavage. Jay, I'll go to you for some rationale.

DR. McNAMEE: Feels like another exercise in screaming into the void here, but why not. I don't know if folks heard, status quo is all the rage these days. Looking back at the Law Enforcement Report, I really appreciated some of the criteria that they put on there. I can speak for Rhode Island that we meet some of those criteria, specifically with different sizes for our commercial and recreational, and there are some other regulations that allow for differentiation between the two.

We've met that criteria that they offered for what helps with protecting against illegal harvest in point-of-sale situations. I just appreciated what Emerson brought up earlier. I take the points made about it seemingly will help with illegal harvest, but there has really not been an identified problem between point of sale, point of harvest, point of landing.

Now we have this nuance that continues to exist between point of harvest and point of landing, that we're going to have to work through. It seems like to the points Nichola made a little while ago, anything that kind of remains that we can shore up, to do a better job with our point-of-sale tagging. Rhode Island is certainly onboard with that in particular the traceability one. We may be doing that as well. I actually tried to text somebody to get an answer on that and I didn't hear back.

But I'm sure that is something that we could shore up. It just seems like, I'm preaching to the choir, you all have administrative burdens, but this is a big shift for the purpose, I don't know what sort of

bang we're getting for our buck with this one, so I hope folks will let us continue with having this option to do our point of sale harvest and allow us an opportunity to fix up any parts that still don't meet some of the criteria noted by the Law Enforcement Committee.

CHAIR WARE: Chris, as seconder, any rationale?

MR. BATSAVAGE: No, I think Jay really covered it well. Yes, we're concerned about being able to account for tags given to fishermen as opposed to given to dealers, when we don't have the ability to put in limited entry for this fishery, at least not anytime soon. For now, it's a moot point. The fishery hasn't been active in over a decade. But we still need to prepare for if and when that occurs again. Kind of taking it a step further, I think this was really added, if I remember right, a long time ago this was added to the addendum originally as a notion to kind of come up with some commercial reduction credit, which the PDT said really wasn't feasible to do.

I think if there was any interest in looking at the commercial tagging program overall for the things that were described in the Law Enforcement Committee report, it's probably better done through a separate action instead of just dealer to tagging aspect. There were a lot of other things identified in the report that could improve the tagging program coastwide.

CHAIR WARE: We're looking for a discussion on the motion. Eric Reid.

MR. REID: Just to fill in the gap that Jay didn't have. In Rhode Island we tag at point of sale, and we record the tag number, the fisherman's name, his license number and the weight of the fish. We have the ability to trace a fish wherever it goes, as long as the tag stays on it through the chain.

As far as this particular action, I am concerned about the language about point of harvest versus point of sale, because of the comments Captain Pugh put up, a safety concern for them, and I can understand that. My question is, does this make Delaware have to do point of harvest, which they are not doing now?

MS. FRANKE: No, so status quo, point of landing sort of falls within this between harvest and sale, so point of landing is still okay for status quo.

MR. REID: Okay, and I guess my last point is, one of the first things Lieutenant Mercer said was tagging programs are effective, each in their own way. We are looking for a problem in search of a solution, or whatever that saying is. There is no problem, what are we doing?

CHAIR WARE: Matt Gates.

MR. GATES: I appreciate all this discussion on this today. We recognize some of the challenges that some of the states are going to have with implementing one of these things. I think I would like to thank John Clark, because you started this. I think this discussion has moved the needle on, especially the response from Massachusetts and Rhode Island, so I think we can support this.

CHAIR WARE: Those were all the hands I saw. Go ahead, John Clark.

MR. CLARK: Well, as you probably figured, Madam Chair, I am willing to put forward a substitute motion, and I put that up there earlier.

CHAIR WARE: Just give us a second, John. Can we just get you to read that into the record, John. All right, go for it.

MR. CLARK: **Move to substitute for Option C, commercial tagging by first point of landing, with a three-year transition period.**

CHAIR WARE: That's a motion by John Clark, a second by Ray Kane. Can I just get a clarity for you, John, on three-year transition plan, is there like a specific year?

MR. CLARK: Well, I guess we were talking about 2028. I understand this is a big change for states that have point of sale, so wanted to make the transition as painless as possible. But I do believe that this is something that should be done. I think point of landing is a good compromise between point of harvest and point of sale.

Point of landing, as stated. I mean if we need to have a definition of point of landing in there, we can put that in also. But I think it's fairly clear we mean before putting on shore. This allows, as my fellow commissioner from Delaware, Craig Pugh so eloquently explained, it is not only a safety concern, it also makes the Law Enforcement even more certain there.

I know the question we've heard is like, is this a solution in search of a problem. No, I think we had at least what maybe 100,000 years of humankind to know that human nature being what it is, I hope I don't sound too pessimistic here, but once again I just keep repeating that the easier you make it to cheat, there is always going to be a small number of people that are going to figure that out.

I think especially with the added pressure that the commercial fishery has been under in recent years, due to reduced quotas and skepticism from the much larger recreational community that the commercial fishery is illegally taking fish. Everything we can do to maximize accountability in the commercial fishery, to maximize transparency, I think helps preserve the commercial fishery, because it keeps coming up.

You keep hearing people that want to make striped bass a game fish, and I think not only is it the right thing to do, to make sure that states stay within their quotas, but it also helps, because it will allow the recreational sector to have confidence that the commercial sector truly is only taking what the quotas are.

MS. FRANKE: Just from staff perspective, you said by 2028. Do you mean that tagging at point of landing would be implemented for the 2028 fishing season or by the end of 2028 for the next fishing year?

MR. CLARK: Let me turn that over to the states that would have to transition. From what I understood, three years was a long enough time to do this. But if they would put a date certain to that, that would be fine, you know 2028, which is three years from now of course. But that is what I assume was meant by the three-year transition period.

MS. WARE: Okay.

MS. FRANKE: Yes, just to clarify. I just wanted to understand if you meant during the 2028 fishing season they would be tagging at the point of landing, or if you mean implemented by December 31, 2028, such that it is in place for the 2029 season.

MR. CLARK: Right, once again I was planning to just defer to the states that have transition. I assumed they could do it by their 2028 fishing season. I figured three years would be enough time, but just wanted to check with them.

CHAIR WARE: What I'm going to propose is, unless this is an issue for the states that would be impacted. I'm hearing some discussion on 2028, one in 2028. Let's just see which one passes first, and then we can deal with the specific timing. Ray Kane, you were seconder. Any rationale?

MR. KANE: For the same reasons Dave Borden mentioned, Massachusetts is known as, it's probably the largest highest revenue state for fisheries, both recreational and commercial on the east coast. Our enforcement, I think we might have 80 enforcement officers throughout the entire state. We know that they are not going to be out on the water for the most part. That they will be at the point of landing, so we can support this motion.

CHAIR WARE: I have David Borden then Mike Luisi.

MR. DAVID V. D. BORDEN: I appreciate John's effort and applaud his effort to try to tighten up this provision, but I'm opposed to the motion to substitute. In the case of Rhode Island, we have so few dealers that most of the commercial fishermen basically fish, and then they land at a boat launching, keep the fish in the boat, and then eventually take them to a dealer.

That's the active practice that is being used now. I think the message that is imbedded in this is good. We all need to tighten up our tagging programs, and I think we need to work with our own enforcement officers to make them as tight as we can get them. But this is a little bit too prescriptive and will cause major problems in the state of Rhode Island.

CHAIR WARE: Mike Luisi.

MR. LUISI: I am going to speak in favor of the substitute. I realize as an administrator and somebody responsible for implementation of our tagging program that what we're suggesting here in this motion is going to be challenging for some states. The allowance for three years is I think a reasonable amount of time to get the work done. But mostly my concern is that if the tables were turned and we were coming, the state of Maryland, we have 800 plus permitted striped bass fishermen in the state, all which receive individual tag allotments.

We have check stations in our state, point of harvest in some cases or point of landing rules apply to different gears. If I were to come to this table and say that we wanted to go to a point of sale tagging program, I am not sure, first of all I wouldn't be able to ask that. To relieve the state of Maryland from the detail and the specific way for which we account for tags would not be something that I would support. I think for all of us to be in the same place, where tags need to be affixed to the fish prior to coming off a boat or being taken somewhere for sale, I think is the right way to go. I know the challenges exist, but we're creative and I have no doubt that the states that would need to fall in line would do so, in a way that they need to in the three years.

CHAIR WARE: Those are all the hands I had, so I think at this point we're going to do a caucus, and then we'll call the question. One minute caucus. Does a state need more caucus time? I'm not seeing that so we are going to call the question here. This is on the motion to substitute for commercial tagging by point of landing**. All those in favor please raise your hand.**

MS. KERNS: Massachusetts, Connecticut, New Jersey, Virginia, Potomac River Fisheries Commission, District of Colombia, Maryland, Delaware.

CHAIR WARE: All those opposed.

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

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Any null votes? The motion passes 8 to 4 with 4 abstentions. That now becomes our main motion. Is there any other discussion on the motion? Eric Reid.

MR. REID: I have a question. How long has it taken the states that have tautog tagging programs to be in full compliance?

CHAIR WARE: Well, I do not sit on the tautog board, so I can't answer that.

MS. KERNS: Eric, it took us, I think it was once the amendment was approved it took us another two years to fully flesh out the tagging program itself. Then from there, I think it took a couple of the states another two years to implement. But since then, the provisions within a state regulations or laws, wherever they are implemented, have been in place.

MR. REID: I think I can count to five, maybe. I've got all five fingers on at least one hand. I would like to make a motion to amend to make it four years transition instead of three.

CHAIR WARE: Go ahead, Toni.

MS. KERNS: The Addendum limits us to a delayed implementation to 2028; it did not go any further. There is specific language in the document. It could be December 31, 2028, but that is what we have to work with.

MR. REID: Well, whatever. It is not only a change in how we issue tags and who applies the tags, it's going to be a change in culture for the fishermen that are used to doing a lot of things that they've been doing forever. I realize that old ways are not always good. But it is going to be a challenge for us. We don't have 4,000 commercial fishermen that have the ability to land striped bass, but we have several hundred. It's five fish a day for eight days, and it is going to be a lot of effort and a lot of money for nothing.

CHAIR WARE: Any other discussion on the motion? Does anyone need a caucus? You need a caucus, Emerson. Okay, one-minute caucus. New York, are you guys all set? Great. We have been asked for clarification on what a three-year transition period means. I'm going to interpret this as Chair to be by December 31, 2028. Excellent, is everyone okay to vote at this point? Great. **All those in favor, please raise your hand.**

MS. KERNS: Massachusetts, Connecticut, New Jersey, Virginia, Potomac River Fisheries Commission, District of Colombia, Maryland, Delaware, Maine, New Hampshire.

CHAIR WARE: All opposed.

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

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Any null votes? Motion passes 10 to 3 with 3 abstentions. I think we're in need of a break, so we're going to do a sharp ten minutes, 3:51 we'll be back to Total Length.

(Whereupon a recess was taken)

CHAIR WARE: Back to order, and we have announcements.

MS. KERNS: If you're not aware, the tide is really coming in, so if your car is parked on the street, then you may want to consider moving it into the garage. The garage seems to be okay for now and it does have a flood gate. We will be trapped in the garage if the flood gate went up, but this is the worst of the tide, so I guess you could ask the front desk if they anticipate putting the front gate up, but I have no idea. But I just wanted to make sure that if anybody was on the street you might want to consider moving your car. Mike can add to that, because he's a veteran.

MR. LUISI: Just another note on the tide. I've been coming down here since I was a child. My family, we have a house down the street. I have never seen the water from the Bay go on the other side of Route 1. If you have to park for tonight, you could go across the street and just pay. I think you have to pay to park over there, it may be waived at this point. But yes, get your car as far away from the body of water that is over there, it will come up pretty good. You would be surprised how far it will come up the road. If you want to really be safe, go across Route 1.

CHAIR WARE: This is even more reason to press on with our action today. If all the Board members could please return to their seats, we are going to continue on. We are now on total length. I'm going to go to Adam Nowalsky. Adam, I believe you had a question on total length, and I would be looking for hands of other folks who have questions on total length.

MR. NOWALSKY: Let me preface my question by saying that all measuring devices are not the same, and that all tails of all different fish are not the same, in terms of where their longest point is. This is a Law Enforcement question. Is there a standard measuring device across law enforcement for all jurisdictions? Then once I get some input about that, you know is there a standard device and if yes or if no, could you describe the device or the prevalent devices that are used, and then I can provide some additional thoughts based on that.

LT. MERCER: I can't answer definitively for all states. Speaking probably for most states we could believe the tape measure in the field, but eventually we will measure it on a fish board.

MR. NOWALSKY: Okay, so the first follow up from that is there is proposed language in the document that suggests that the fish would be laid flat on its side on top of the measuring device. Most tapes that I've seen, when used in practice, would be having the tape laid on top of the fish as opposed to laying the tape down, extending it to some length, and then putting the fish on top. What would you describe as law enforcement's general use of a fish tape, on top of the fish or the fish on top of the measuring device?

LT. MERCER: Yes, we use the tape as a preliminary check, but we'll spread it not over the curved body, but straight along the top.

MR. NOWALSKY: What that leads me to is, while I support the concept of a standard definition of total length, I'm really struggling with this section, particularly with regards to the biological makeup of the tail of a striped bass, whereby the longest parts are at the top and bottom. Additionally, the larger the fish gets, when you lay it flat in order to get to the mouth, depending on whether you put that mouth part down flat and introduce another curve to the fish or not. With the 28-to-31-inch slot limit it's different. There is going to be a lot more variance that would be introduced between a 28 and a 48-inch fish than a 28-to-31-inch fish that way. I think I'm looking for any input more in depth that might have come out of the public hearings that would give us direction. I know there was overwhelming public input in favor of this, but how are we suggested to do this, particularly with the language in here on top of the device, when most people are probably using some type of tape that generally is over the top, even if not pushed down flat on the fish in a generally straight direction.

I'm just looking for some more input here. Again, squeezing the tail, if you've got an inch wide tape measure, you're probably not even going to be able to squeeze that tail down far enough. You're going to have to extrapolate where that length goes to. Any other input you could give me from public comment that suggests how this will work, because I would really like to vote in favor of this. I'm having a hard time seeing this in practice right now.

MS. FRANKE: Thank you for the question. There weren't a lot of written public comments that went into detail on this. I'll say at the public hearing I got a couple of questions on using different measuring devices, say a board versus a tape. The Addendum did note that there is still going to be some uncertainty, depending on the measuring device used. This definition/no definition will be perfect, so that the type of measuring device they are using is one source of uncertainty. I know from the past AP discussion on this they noted that anglers could still lay a fish flat on top of the measuring tape, that would still be possible. Not a ton of more detail from the public comment. It's just, I think acknowledging that it's not perfect.

CHAIR WARE: I'll say, Adam, I think there is the potential here, you know there are four elements of the definition. A motion may not necessarily need to improve all four elements of the definition. Any other questions on total length? Roy Miller.

MR. MILLER: It's not a question, Madam Chair, it's a comment. Would you entertain one?

CHAIR WARE: I will, yes.

MR. MILLER: Many of us that sit around this table, at one point in our career were field biologists. The folks I worked width over the years; we had a fairly common method of measuring the fish for total length. We would lay it on a board that had a vertical piece in the front.

We would butt the nose up against the front of the board and we would squeeze the tail in the back on top of the measuring board to get total length. That seemed to be pretty standard with every biologist I ever worked with, and our enforcement office adopted that form of determining total length as well. If you're looking for a definition, that would be the definition I would suggest.

CHAIR WARE: Thanks, Roy. I think at this point we're into comments, so if someone has a motion on total length, I would entertain that. Chris Batsavage.

MR. BATSAVAGE: I would like to make a motion to at least get something up for consideration. I sent it to staff last week, so they should have it. If not, I can read it, it's not that complicated. There it is. **Motion to adopt Option 3.1B, Mandatory Elements for Total Length Definition with the following requirements: squeezing the tail and a straight-line measurement. This definition applies to both the recreational and commercial sectors.** If I get a second, I'll provide some rationale as to why I just picked certain parts.

CHAIR WARE: Marty Gary gave you a second.

MR. BASTSAVAGE: Thanks. Although the motion doesn't include every element considered in the Draft Addendum, it includes two of the most important requirements of properly measuring striped bass to its total length. Many states have definitions for measuring fish, either in rule or in statutes. But not every element is in some state's definition, so try to find some common ground here. Rule and statutory changes result in a longer administrative process. That could take years to implement in some cases, so including only the important requirements in the definition avoids delays in implementing this part of the Addendum for most states. While including every element into the definition would ensure more consistency in measuring fish across states, it would not resolve differences in measuring whole fish and fish racks, which was a point raised by the Law Enforcement Committee. In short, this motion balances the need to have a consistent definition for measuring striped bass for enforcement compliance purposes, and the need for states and jurisdictions to implement anything in a timely manner.

CHAIR WARE: Marty, as the seconder, any rationale?

MR. GARY: Thanks, Madam Chair, I think Chris covered it well. Roy also made mention of his experience with it. Forty years ago, when I was a striped bass biologist, we measured the same way, that way. My Hudson River staff took me out last year and they let me tag and measure fish again, and they were still doing it the same way. I think that is the way a lot of the states are working otherwise, so I support that.

CHAIR WARE: Discussion on the motion. Adam Nowalsky.

MR. NOWALSKY: The question is, what does squeezing the tail look like? Does it mean a little squeeze? Does it mean bringing both of the longest parts on the top and bottom together completely? What does that look like here, what is the intent here?

CHAIR WARE: Chris, do you want to try and answer that as the maker of the motion?

MR. BATSAVAGE: Yes, thanks. I don't have our rule language right in front of me, so I don't think it gets to that level of specificity. We have some guidance up on our website that kind of shows what that

looks like, as far as measuring total length versus fork length. But I don't think you get into that specific level.

Anglers or fishermen in general, and also through outreach, kind of know. There are a lot of different measuring devices out there and you mentioned tape measures, which will give you different lengths. Cooler tops that have measurements on them that are horribly inaccurate.

Yes, I think folks need to be aware that when they measure stuff it better have the most accurate device out there, because Marine Patrol, at least in North Carolina are using a standard measuring device, sometimes there are aluminum measuring boards or sticks that are kind of described by Roy and Marty.

Yes, it doesn't answer your question, I'm just acknowledging the fact that it's not perfect, just in terms of what is available for fishermen to measure their fish. Most of them are aware of those little differences, when it comes to making sure they are legal.

CHAIR WARE: All right, Nichola Meserve.

MS. MESERVE: Massachusetts implemented the squeeze tail language last year and initially had some questions about how much do you squeeze a tail. The simple response to the Law Enforcement and anglers that asked this question is that you're essentially squeezing as much as it takes to get the longest measurement. You are trying to get the longest measurement. As much as you would squeeze it to get it to fit into the lower slide of the slot limit, that is how much you have to squeeze it to see if it is within the upper bound of the slot limit.

CHAIR WARE: Craig Pugh.

MR. PUGH: I can't necessarily speak to the statement, but marketwise, I can. As most of you all have for forty some years done this measurement, I am in agreement for well over 40 years we've squeezed the tail. I can tell you, when it goes to trial, the judge wants to know what the overall length was of the fish, the complete overall length is what the judge wants to know. That is what qualifies, the squeezing of the tail.

CHAIR WARE: Joe Grist.

MR. GRIST: I'll import up our definition of measurement, just to provide that for information, what it looks like with Virginia. The way that we define it, Total the length fish measured from the most forward projection of the snout with the mouth closed to the tip of the longest length of the tail, caudal fin, measured with the tail compressed along the midline, using a straight-line measure, not measured over the curve of the body. Snout moved in a forward projection from the fish head, that includes the upper and lower jaw. That is how we had it written out.

CHAIR WARE: I think at some point there was a Mass DMF memo on this that included every state's definition. I have Googled that in the past week. I'm sure others can do the same and see everyone's state is like. We're back on the discussion of the motion here. Are there any other comments on the motion?

Seeing none; does a state need to caucus? No. Okay, so we are going to call the question. All those in favor of the motion, please raise your hand. Actually, we're going to try a different way. **Is there any opposition to this motion? Any abstentions? Okay, Woo Hoo, this motion passes by unanimous consent.** Adam.

MR. NOWALSKY: For completeness' sake, what will this mean to the sample paragraph included in the Addendum, which would be the baseline by which, as I understand it, states would have to confirm their language, if it was not exactly as in the Addendum, would need to bring it back before the Board for approval, if I understand it. What would that do to that language?

MS. FRANKE: That language we would remove those two elements about closing the mouth and laying the fish flat, because the Board did not approve those. Staff will remove those elements and update that definition, and then in the implementation plans states can either use that definition, which I can send out to the Board, or if states have existing language they think meets that criteria, they will submit that language and the PRT will review it.

MR. NOWALSKY: The laid flat part will also remove the on top of the measuring device phrase.

MS. FRANKE: Correct, that third element I think was lay flat on top of the measuring device, so that would be removed.

CHAIR WARE: We are now at implementation plans and implementation deadlines. I think there was potentially a straw man motion that we had been working on that we could maybe just put it up, and if someone like this, they can offer it as a motion. I suspect there will be two different motions, one for the commercial tagging and then one for the other stuff.

Just so folks know, we're going to do it in two parts. This is for the Maryland Recreational Season Baseline and Total Length definition, potential dates for implementation plans and implementation, if someone is supportive of this it would be get someone to make a motion. Mike Luisi.

MR. LUISI: I **move to approve the following compliance schedule for the Maryland recreational season baseline and total length definition**. **States must submit implementation plans by December 31, 2025. States must implement regulations for the total length definition by January 1, 2027**.

CHAIR WARE: Thank you, Mike, is there a second? John Clark. We can have a bit of discussion. If this doesn't work for someone, please let us know. I know there are some things in statutes. Not seeing any hands, does anyone need to caucus on this? **Is there any opposition to this motion? Any abstentions? All right, so this motion passes by unanimous consent**.

Thank you very much. The next motion will be on the implementation plan for the commercial tagging. This is a draft motion for commercial tagging implementation plans if anyone is interested in that. Mike Luisi.

MR. LUISI: I **move to approve the following compliance schedule for commercial tagging: States must submit implementation plans January 1, 2028. States must implement regulations by December 31, 2028**.

CHAIR WARE: Do we have a second. John Clark. Looking to states who are impacted by this, make sure this is amendable as it could be. Any discussion on the motion? **Any objection to the motion? I'll just note one objection by Rhode Island, any abstentions? No abstentions, so this motion passes with one objection from Rhode Island.**

I think we are now at a motion to approve Addendum III as modified today and we'll wait for that to appear. Great, is anyone willing to make this motion? Joe Grist.

MR. GRIST: **Move to approve Addendum III to Amendment 7 to the Atlantic Striped Bass FMP, as amended today.**

CHAIR WARE: Second by Marty, is there any need to discuss this motion? Yes, Chris, go ahead.

MR. BATSAVAGE: I'm not going to rehash what we've already discussed all day today, and the final product is definitely if the discussion is the will of the Board. But again, I feel like we missed an opportunity again to try to put in some measures to slow down what we know is eventually going to happen to the stock in the 2030s. Therefore, I can't support it, although I know it is going to go forward and we'll implement things as we should. I just

have a hard time supporting what we approved today.

CHAIR WARE: Any other discussion? Matt Gates.

MR. GATES: I'll sort of second what Chris just said. We're a little bit disappointed in missing this opportunity to do some meaningful striped bass conservation.

CHAIR WARE: Any other discussion? Does anyone need to caucus on this? One minute caucus. I think the need for a caucus may have passed, so I'm going to call everyone back to the table. We are ready to vote. I am going to do a show of hands, just because I'm not advanced. **All those in favor of the motion, please raise your hand.**

MS. KERNS: Massachusetts, Connecticut, New York, New Jersey, Pennsylvania, Virginia, Potomac River Fisheries Commission, District of Colombia, Maryland, Delaware, Maine, New Hampshire, NOAA Fisheries.

CHAIR WARE: Any opposition to the motion?

MS. KERNS: North Carolina.

CHAIR WARE: Any abstentions? Any null votes?

MS. KERNS: Rhode Island.

CHAIR WARE: We had Fish and Wildlife Service leave the webinar, but that is okay. Motion passes 13 to 1 with 1 null. I think that concludes Draft Addendum III and everything we need to do today. I'm just checking with Emilie. Yes, Bob, go for it.

EXECUTIVE DIRECTOR BEAL: Not any business for the Board, but just wanted to thank you, Megan, for this I think is your last meeting, you said you were quitting at five o'clock as Chair, so you have 45 minutes to spare, so you can talk and filibuster until then if you want. No, I think your first meeting was Addendum II, the Board finalized Addendum II and now your last meeting is finalizing Addendum III. That is quite a two-year run as a Striped Bass Board, so thank you for all the hard work and keeping this group organized. (Applause)

ADJOURNMENT

CHAIR WARE: Thank you, that is very kind. We are looking for a **motion to adjourn**, everyone's hand, excellent. Thanks, everyone.

(Whereupon the meeting adjourned at 4:15p.m. on Wednesday, October 29, 2025)

Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: **Atlantic Striped Bass Management Board**

FROM: **Atlantic Striped Bass Plan Review Team**

DATE: **January 20, 2026**

SUBJECT: **Review of Addendum III State Implementation Plans for Total Length and Maryland Recreational Season Baseline**

The Striped Bass Plan Review Team (PRT) met via webinar on January 13, 2026 to review state implementation plans for Addendum III to Amendment 7 to the Interstate Fishery Management Plan (FMP) for Atlantic Striped Bass. State implementation plans regarding total length and the Maryland Chesapeake Bay recreational season baseline were due on December 31, 2025.

State implementation plans are available in the meeting materials for the 2026 Winter Meeting.

Measuring Total Length

Per Addendum III, the definition of striped bass total length measurement related to size limits must include the following elements: 1) squeezing the tail; and 2) a straight-line measurement. This applies to both the commercial and recreational sectors. States can implement the provided language (see below) or states can submit alternative language for Board consideration. The deadline for implementing the total length definition is January 1, 2027.

> *Total length means the greatest straight line length in inches as measured on a fish from the anterior most tip of the jaw or snout to the farthest extremity of the tail with the upper and lower fork of the tail squeezed together.*

Nine states propose to implement the Addendum III language verbatim or with slight modifications by the deadline of January 1, 2027. Some of those states will have the new definition implemented by mid-2026. Five states note their existing definitions of total length already include the required elements so no regulatory change is needed.

The PRT found all state implementation plans to be consistent with the Addendum III total length requirements.

The PRT notes Delaware will implement the definition to apply to all species that use total length size limits. The PRT also notes some states include additional elements in their definition (e.g., fish laid flat on its side, mouth closed).

Maryland Chesapeake Bay Recreational Season Baseline

Per Addendum III, Maryland's implementation plan notifies the Board of which Chesapeake Bay recreational season the state will implement: status quo or the new baseline. Maryland's plan specifies that the state is moving forward with implementing the new recreational season baseline. Maryland notes the new season regulations are awaiting review and approval, with an expected effective date in late March 2026.

STATE OF MAINE
DEPARTMENT OF MARINE RESOURCES
21 STATE HOUSE STATION
AUGUSTA, MAINE
04333-0021

JANET T. MILLS
GOVERNOR

PATRICK C. KELIHER
COMMISSIONER

TO: Emilie Franke, Atlantic Striped Bass FMP Coordinator

FROM: Megan Ware, Maine Department of Marine Resources

DATE: December 5, 2025

SUBJECT: Implementation Plans for Addendum III to Amendment 7

Total Length Definition

Maine General Statute defines total length under Chapter 601: General Provisions (§6001.48-A Total Length). This definition has been in statute since 1987. The state definition includes both Addendum III required elements for the total length definition: 1) squeezing the tail and 2) straight-line measurement. Therefore, the Maine Department of Marine Resources submits the following alternative language for Board consideration:

> *"Total length" means the greatest dimension between the most anteriorly projecting part of the head and the farthest tip of the caudal fin when the caudal rays are squeezed together. The measurement is a straight line and is not taken over the curve of the body.*

Instead of "the upper and lower fork of the tail squeezed together", the Maine definition states, "the caudal rays are squeezed together". Additionally, the Maine definition expands on the straight-line length by including, "is not taken over the curve of the body". Upon Board approval of this alternative language, Maine should be in full compliance with Addendum III to Amendment 7.

OFFICES AT 32 BLOSSOM LANE, MARQUARDT BUILDING, AUGUSTA, MAINE
http://www.Maine.gov/dmr
PHONE: (207) 624-6550 FAX: (207) 624-6024

State of New Hampshire
Addendum III Implementation Plans for Striped Bass
December 30. 2025

1) Definition of total length must include the following two elements:
    a. Squeezing the tail
    b. Straight-line measurement

Proposed regulatory language to be implemented by New Hampshire (additions in bold):

Fis 603.08 Striped Bass.

(a) No person shall take, possess, or transport striped bass unless the fish is at least 28 inches in total length and less than 31 inches in total length. Striped bass shall have head and tail intact while on or leaving the waters or shores of the state except as follows:

(1) A person may possess up to 2 striped bass fillets so long as they also possess the fish rack that the fillets came from with the head and tail intact and the rack measures at least 28 inches in total length;

(2) Any striped bass fillet shall have the skin still attached for the purpose of identification of the fillet as striped bass.

(3) Total length for striped bass is defined as the greatest straight-line distance from the tip of the snout to the tip of the tail (caudal fin) while the fish is lying on its side and the upper and lower fork of the tail are squeezed together.

(b) No person shall possess more than the daily creel limit of 1 fish.

(c) There shall be no closed season for the taking of striped bass.

(d) The sale of striped bass shall be prohibited regardless of origin.

(e) The taking of striped bass shall be prohibited by netting in any form except that striped bass may be landed by the use of a hand held dip net.

(f) The taking of striped bass by gaffing shall be prohibited.

(g) No person shall cull any striped bass taken from or while on the waters under the jurisdiction of the state.

(h) Any person taking striped bass with bait from the waters of the state by angling shall only use corrodible non-offset circle hooks, meaning a hook where the point and barb are turned perpendicularly back to the shank to form a circular shape. When such a hook is laid on a flat surface, all parts of the hook lie flat on the surface.

2) Implementation deadline for total length definition must be implemented by January 1, 2027.

   New Hampshire plans to hold public hearings and implement new regulatory language in March of 2026.

The Commonwealth of Massachusetts
Division of Marine Fisheries

(617) 626-1520 | www.mass.gov/marinefisheries

MAURA T. HEALEY, Governor | KIMBERLEY DRISCOLL, Lt. Governor | REBECCA L. TEPPER, Secretary | THOMAS K. O'SHEA, Commissioner | DANIEL J. MCKIERNAN, Director

Memorandum

To: Emilie Franke, ASMFC FMP Coordinator

From: Nichola Meserve, Interstate Fisheries Management Specialist

Date: November 7, 2025

Subject: Striped Bass Addendum III Implementation Plan – Total Length Definition

---

Please consider this memorandum to be Massachusetts' implementation plan for the new requirements relevant to each jurisdiction's regulatory definition of total length for measuring striped bass for compliance with commercial and recreational size limits as adopted in Addendum III to Amendment 7 to the Interstate Fishery Management Plan for Striped Bass.

Massachusetts' regulatory definition of striped bass total length already meets the new requirements of including: 1) squeezing the tail; and 2) a straight-line measurement. This definition applies to both commercially and recreationally harvested striped bass. The relevant language within the Code of Massachusetts Regulations is copied below and can be found in its entirety online. No further action is planned.

322 CMR 6.07: Striped Bass Fishery (*Morone Saxatilis)*

(2) Definitions. For the purposes of 322 CMR 6.07, the following words shall have the following meanings:

Total Length means the greatest straight line length in inches as measured on a fish with its mouth closed from the anterior most tip of the jaw or snout to the farthest extremity of the tail with the upper and lower fork of the tail squeezed together.

SOUTH COAST FIELD STATION
836 S. Rodney French Blvd
New Bedford, MA 02744

CAT COVE MARINE LABORATORY
92 Fort Avenue
Salem, MA 01970

NORTH SHORE FIELD STATION
30 Emerson Avenue
Gloucester, MA 01930

Rhode Island Department of Environmental Management
Division of Marine Fisheries

Office 401.423.1920 | Fax 401.423.1925 | dem.ri.gov/marine

Fort Wetherill Marine Laboratory
3 Fort Wetherill Road, Jamestown, RI 02835

Coastal Fisheries Laboratory
1231 Succotash Road, Wakefield, RI 02879

TO: Emilie Frank, Fishery Management Plan Coordinator, ASMFC

FROM: Nicole Lengyel Costa, Environmental Policy Analyst II, RI DEM

DATE: December 22, 2025

SUBJECT: Rhode Island Addendum III Implementation Plan

Please find a copy of Rhode Island's Addendum III Implementation Plan. If you have any questions, you may contact me directly at 401.423.1940.

CC: Dr. Jason McNamee
Scott Olszewski

Atlantic Striped Bass Addendum III to Amendment 7 Implementation Plan
Rhode Island

Total Length Definition

Requirement: Implement a striped bass total length definition by January 1, 2027, that includes the following two elements for both recreational and commercial fisheries: 1) squeezing the tail and 2) straight-line measurement.

- Proposed Measures: Below is a copy of Rhode Island's proposed total length definition for recreational and commercial striped bass. The proposed language will go to a public hearing in February of 2026, and a Rhode Island Marine Fisheries Council meeting in March of 2026. The proposed language is subject to change as Rhode Island goes through its regulatory process and receives public comment. Final regulations will be effective on or around May 1, 2026.

250-RICR-90-00-1

TITLE 250 – DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

CHAPTER 90 – MARINE FISHERIES

SUBCHAPTER 00 – N/A

PART 1 – DEFINITIONS AND GENERAL PROVISIONS

1.10(NNNNN) "Total length" means the straight linear distance from the tip of the snout to the end of the tail of a finfish species. All finfish species' minimum sizes are measured as total length, except for coastal sharks and striped bass. The~~, in which~~ minimum size for coastal sharks is measured by fork length. The minimum size for striped bass is measured as the greatest straight line length in inches as measured on a fish from the anterior most tip of the jaw or snout to the farthest extremity of the tail with the upper and lower fork of the tail squeezed together.

Connecticut
Department of Energy &
Environmental Protection

State of Connecticut

Atlantic Striped Bass Addendum III Implementation Plan

December 19, 2025

Introduction

The Atlantic States Marine Fisheries Commission (ASMFC) approved Addendum III to Amendment 7 to the Interstate Fishery Management Plan for Striped Bass at its annual meeting in October 2025. The addendum requires states to implement a definition of total length for striped bass with two required elements:

1) squeezing the tail; and

2) straight-line measurement.

The definition applies to both the commercial and recreational sectors. The addendum includes the following suggested language:

Total length means the greatest straight line length in inches as measured on a fish from the anterior most tip of the jaw or snout to the farthest extremity of the tail with the upper and lower fork of the tail squeezed together.

The deadline for implementing the total length definition is January 1, 2027.

State implementation plans for total length should note the proposed or existing regulatory language to meet the two required elements and should note the timeline for implementation.

Implementation Plan

For the recreational fishery, Connecticut implements minimum lengths in RCSA Sec. 26-159a-4.

Sec. 26-159a-4. Minimum lengths

(a) No person, while on the waters of this state or on any parcel of land, structure, or portion of a roadway abutting tidal waters of this state shall possess or land any fish of the following species taken by sport fishing methods, regardless of where taken, if it is less than the identified length as measured from the tip of the snout to the end of the tail:

Connecticut will modify Sec. 26-159a-4 to read:

(a) No person, while on the waters of this state or on any parcel of land, structure, or portion of a roadway abutting tidal waters of this state shall possess or land any fish of the following species taken by sport fishing methods, regardless of where taken, if it is less than the identified length as measured from the tip of the snout to the end of the tail for species other than striped bass. Striped bass shall be measured in a straight line from the anterior most tip of the jaw to the farthest extremity of the tail with the upper and lower fork of the tail squeezed together.

Connecticut does not permit the commercial harvest of striped bass in Connecticut waters. However, striped bass caught outside of Connecticut waters and tagged with other states commercial striped bass tags, may be landed in Connecticut provided they meet the recreational size limit. Therefore, no modification to Connecticut's commercial minimum size definition is required.

Connecticut will implement this modification to the regulations effective January 1, 2027.

Department of Environmental Conservation

KATHY HOCHUL
Governor

AMANDA LEFTON
Commissioner

Atlantic Striped Bass Addendum III to Amendment 7 Implementation Plan

New York

Submitted by:
New York State Department of Environmental Conservation

December 22, 2025

Division of Marine Resources
123 Kings Park Blvd, Kings Park, NY 11754 | dec.ny.gov | FW.Marine@dec.ny.gov | 631-444-0430

New York’s current regulatory language meets the requirements of the total length specifications for Atlantic striped bass as defined in Addendum III to Amendment 7.

6 NYCRR Part 40.1(e) Table A-- Recreational fishing

> ** Total length is the longest straight line measurement from the tip of the snout, with the mouth closed, to the longest lobe of the caudal fin (tail), with the lobes squeezed together, laid flat on the measuring device, except that black sea bass are measured from the tip of the snout or jaw (mouth closed) to the farthest extremity of the tail, not including the tail filament.*

6 NYCRR Part 40.1(h) Table B--Commercial fishing

> **Total length is the longest straight line measurement from the tip of the snout, with the mouth closed, to the longest lobe on the caudal fin (tail), with the lobes squeezed together, laid flat on the measuring device, except that black sea bass are measured from the tip of the snout or jaw (mouth closed) to the farthest extremity of the tail, not including the tail filament.*

State of New Jersey
DEPARTMENT OF ENVIRONMENTAL PROTECTION
FISH & WILDLIFE
MARINE RESOURCES ADMINISTRATION
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https://dep.nj.gov/njfw/

PHILIP D. MURPHY
Governor

TAHESHA L. WAY
Lt. Governor

SHAWN M. LATOURETTE
Commissioner

MEMORANDUM

TO: Emilie Franke, Striped Bass FMP Coordinator

FROM: Joe Cimino, ASMFC Administrative Commissioner, New Jersey

DATE: December 11, 2025

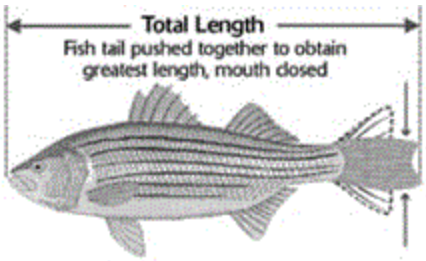
SUBJECT: New Jersey's Implementation Plan for Addendum III

New Jersey is submitting the following implementation plan for Addendum III to Amendment 7 to the Interstate Fisheries Management Plan for Striped Bass.

New Jersey plans to implement the Addendum III Total Length Definition before the January 1, 2027 deadline by amending the slot size limit description at NJAC 7:25-18.1 and adding the following language:

Total length means the greatest straight line length in inches as measured on a fish from the anterior most tip of the jaw or snout to the farthest extremity of the tail with the upper and lower fork of the tail squeezed together.

The image below has been included in New Jersey's Marine Digest for years so this method to measure striped bass is already common practice. In addition, New Jersey plans to add a similar image to the 2026 Marine Fisheries Recreational Regulation Card that is widely distributed to anglers and bait & tackle shops.



1. **Lay fish flat on top of, or alongside a measuring rule, not measured over the body.**
2. **Fish are measured from the tip of the snout (mouth closed) to the longest part of the tail.**

If you have any questions or concerns, please let me know.

cc: T Kerns
K Drew
J Kaelin
A Nowalsky
J Brust
H Corbett
M Celestino
B Harrison

Atlantic Striped Bass Addendum III to Amendment 7 Implementation Plan
Pennsylvania

Summary of Proposed Measures

The Pennsylvania Fish and Boat Commission (PFBC), acting under the authority of Title 58, Part II (relating to Fish and Boat Commission), will propose to amend 58 Pa. Code Chapter 63 (related to General Fishing Regulations) to implement the total length measurement requirements approved in Addendum III to Amendment 7 of the Fishery Management Plan for Atlantic Striped Bass. This management provision will include both the straight-line measurement and tail squeezing requirements, while also requiring the mouth be closed during the measurement. This regulation will apply to all fish species and/or fish species groups under the jurisdiction of the PFBC that have length requirements as part their management strategies, including Atlantic Striped Bass. The amendment will be proposed no earlier than the April 2026 quarterly meeting of the PFBC Board of Commissioners (Commission), with final rulemaking expected to be considered no later than the October 2026 quarterly Commission meeting.

Timeline for Implementation

Requirement: Implementation of all measures no later than January 1, 2027.

Proposed Implementation Timeline

This timeline describes Pennsylvania's established rulemaking process to promulgate regulations.

Proposed Amendments

- Total length measurement – Pennsylvania plans to implement the total length measurement requirements of Addendum III to Amendment 7 and add a provision that requires the mouth be closed. The proposed draft language is detailed below; however, it may be modified through the rulemaking process.
    - *Total length is defined as the greatest straight-line length as measured on a fish while laid flat on its side with its mouth closed from the most forward tip of the jaw or snout to the farthest extent of the tail with the upper and lower tail lobes compressed or squeezed together.*

Timeline

- April 2026 quarterly Commission meeting – Proposed Rulemaking: Request the Commission approve the publication of a notice of proposed rulemaking in the *Pennsylvania Bulletin* containing the amendment in the approved implementation plan. If approved, a link will be established on the PFBC website coincident with posting in the *Pennsylvania Bulletin* to accept public comments for at least 30 days prior to the Commission meeting where the amendment will be considered for final rulemaking.

- July or October 2026 quarterly Commission meeting – Final Rulemaking: Following the publication of notice in the *Pennsylvania Bulletin* and closure of the 30-day public comment period, the Commission will consider the amendment as set forth in the notices of proposed rulemaking for final rulemaking in July or October 2026. If adopted on final rulemaking, the amendment will go into effect January 1, 2027.

STATE OF DELAWARE
DEPARTMENT OF NATURAL RESOURCES AND ENVIRONMENTAL CONTROL
DIVISION OF FISH & WILDLIFE
RICHARDSON & ROBBINS BUILDING
89 KINGS HIGHWAY
DOVER, DELAWARE 19901

FISHERIES SECTION

PHONE
(302) 739-9914

Atlantic Striped Bass Addendum III to Amendment 7 Implementation Plan - Total Length Definition

November 25, 2025

Implementation Plan

Delaware regulations currently use Total Length (TL) to set the minimum, maximum or slot length of many species, but none of these regulations define T L. After consultation with the Division of Fish and Wildlife's Natural Resource Police, Delaware intends to promulgate the Addendum III TL definition as a standalone regulation so it will apply to Atlantic Striped Bass and all other fisheries regulations that use TL to set legal lengths. This standardized definition of TL will improve the enforceability for all of Delaware's TL-based fish length regulations.

Implementation Timeline

Since Delaware will be promulgating the TL regulation as a separate regulation, not as an individual Striped Bass regulation required by a Fishery Management Plan, the regulation must go through Delaware's Administrative Procedures Act (APA) process rather than the streamlined regulatory process allowed for specific measures required by Fishery Management Plans. The APA process typically takes four to six months at a minimum as opposed to the one month or less for the streamlined process. Despite the lengthier regulatory process, the regulation will be in effect well before the January 1, 2027 deadline. The anticipated timeline is:

- December 2025 – January 2026: Draft regulation, initiate APA process
- February – March 2026: Proposed regulation published in Register, public hearing held
- April – May 2026: Regulation published as final in Register and becomes effective

Atlantic Striped Bass Addendum III to Amendment 7 Implementation Plan
Maryland

Total Length Definition

Requirement: definition must include the following two elements: 1) squeezing the tail and 2) straight-line measurement.

- Maryland anticipates having the following language in place by April 2026 and found in COMAR 08.02.15.02:

"Total length" means the greatest straight line length in inches as measured on a fish laid flat on its side on top of the measuring device with its mouth closed from the anterior-most tip of the jaw or snout to the farthest extremity of the tail with the upper and lower fork of the tail squeezed together.

Maryland Chesapeake Bay Recreational Season Baseline

- Maryland is moving forward with implementing the new recreational season baseline as described in Section 3.3 of Amendment III to Amendment 7. The regulations will be submitted by mid-December and will await review and approval by the legislative review panel, with an expected effective date in late March of 2026. We do not anticipate any problems, but if the panel does not approve the regulations, MD will revert back to 2025 recreational rules for 2026.

GOVERNMENT OF THE DISTRICT OF COLUMBIA
Department of Energy and Environment

MEMORANDUM

To: Emilie Franke
ASMFC (FMP Coordinator)

Thru: Rese Cloyd
DOEE Associate Director Fish and Wildlife Division

From: Daniel Ryan
DC Fish Chief
Administrative Proxy for Rese Cloyd

Date: 12/30/2025

Subject: Implementation Plan for Total Length Requirement

This memo is to notify the Atlantic States Marine Fisheries Commission (ASMFC) of the implementation of the "total length" requirement by the District Department of Energy and Environment (DOEE) in accordance with the directive established by Addendum III of the Striped Bass Fisheries Management Plan. The required language will be included in the announcement of the 2026 striped bass fishing season for the jurisdiction of the District of Columbia and will read as follows:

2026 Striped Bass Season Announcement: The Director of DOEE, pursuant to 19 DCMR § 1503.1(g), hereby announces that the 2026 striped bass season begins May 16 and concludes December 31, 2026. Anglers may keep one (1) fish per day, no less than nineteen (19) inches and no more than twenty-four (24) inches in total length. In compliance with ASMFC's Striped Bass Management Plan, total length means the greatest straight line length in inches as measured on a fish from the anterior most tip of the jaw or snout to the farthest extremity of the tail with the upper and lower fork of the tail squeezed together.

This announcement is currently available on the DOEE website and can be viewed here:

https://doee.dc.gov/service/regulated-fishing-activities

Atlantic Striped Bass Addendum III Amendment 7 Implementation Plan for the Potomac River

Prepared for the
Atlantic States Marine Fisheries Commission
December 2025

Potomac River Fisheries Commission
P.O. Box 9
Colonial Beach, VA 22443

(804) 224-7148

1. Management Action Being Implemented

The PRFC submits this implementation plan to comply with Section 3.1 of Addendum III to Amendment 7, which requires all jurisdictions to adopt a uniform definition of Total Length for striped bass harvest and possession.

The standardized definition must use:

1. **A straight-line measurement**, and
2. **A squeezed (pinched) tail**, measured from the tip of the snout to the tip of the pinched tail.

This definition applies to:

- All **recreational** fisheries
- All **commercial** fisheries

PRFC will implement the new definition on January 1, 2027.

2. PRFC Regulatory Changes

2.1 Total Length Definition (Effective January 1, 2027)

PRFC will adopt the following definition in all applicable striped bass regulations:

"Total Length" means the straight-line measurement from the tip of the snout to the tip of the tail with the tail lobes squeezed (pinched) together. The measurement must be taken in a straight line without curvature of the body."

This language will be placed in Regulation III Section 11 Methods of Measuring and applied to:

- Recreational size limit and slot regulations
- Commercial size limit and tagging rules

3. Sector-Specific Implementation

3.1 Recreational Sector

Beginning January 1, 2027:

- All recreational anglers must follow the straight-line, squeezed-tail definition.
- All 2027 regulation cards, summaries, and digital materials will be updated to reflect the new definition.

3.2 Commercial Sector

Beginning January 1, 2027:

- All size checks performed dockside or on the water will use the standardized definition.
- Dealers must confirm compliance before accepting any striped bass.
- 2027 PRFC Striped Bass Tagging Program documents will include the updated measurement requirement.

4. Enforcement Program

4.1 Enforcement Coordination

PRFC will coordinate with Maryland NRP and Virginia Marine Police to ensure consistent enforcement of the new definition across shared waters.

4.2 Enforcement Approach

Beginning January 1, 2027, PRFC officers will fully enforce the new measurement definition across all sectors under the Commission's jurisdiction.

5. Outreach & Education

Throughout 2026, PRFC will conduct an outreach effort focused on ensuring awareness of the new measurement method.

5.1 Printed Materials

- Updated guides, regulation cards, and charter packets

5.2 Digital Outreach

- Updated PRFC website pages in early 2026
- Social media posts with measurement diagrams

6. Monitoring & Reporting

PRFC will:

- Report progress and final regulatory adoption in the **2027 PRFC Striped Bass Compliance Report**

7. Implementation Timeline

Action	Timeline
Draft regulatory amendments for Addendum III	Spring 2026
PRFC Commission review and approval	By Fall of 2026
Publish regulatory notice	Within 10 days of approval
Enforcement coordination	Fall 2026
Public outreach	Summer–Winter 2026
Regulations become effective	January 1, 2027
First compliance reporting to ASMFC	2027 annual report

COMMONWEALTH of VIRGINIA

Marine Resources Commission
380 Fenwick Road
Building 96
Fort Monroe, VA 23651

Stefanie K. Taillon
Secretary of Natural
and Historic Resources

Jamie L. Green
Commissioner

January 5, 2026

MEMORANDUM

TO: Emilie Franke, Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission

FROM: Joseph Grist, Deputy Commissioner

SUBJECT: VIRGINIA IMPLEMENTATION OF ADDENDUM III – TOTAL LENGTH DEFINITION

Virginia's current regulatory definition of total length for striped bass already meets the requirements established under Addendum III to Amendment 7 of the Interstate Fishery Management Plan for Atlantic Striped Bass.

Virginia regulation 4VAC20-252-20 defines "total length" as follows:

"Total length" means the length of a fish measured from the most forward projection of the snout, with the mouth closed, to the tip of the longer lobe of the tail (caudal) fin, measured with the tail compressed along the midline, using a straight-line measure, not measured over the curve of the body.

This definition includes both required elements of Addendum III: (1) measurement using a straight-line method and (2) compression (squeezing) of the tail. The definition applies broadly within the striped bass regulations and is used consistently for both recreational and commercial fisheries in Virginia.

Based on this existing regulatory language, no regulatory changes are required for Virginia to comply with the Addendum III total length definition. Virginia will continue to implement this definition as currently adopted.

JOSH STEIN
Governor
D. REID WILSON
Secretary
KATHY B. RAWLS
Director

North Carolina's ASMFC Atlantic Striped Bass FMP Addendum III to Amendment 7 Implementation Plan

Total Length Definition

Definitions for finfish lengths are established in North Carolina Marine Fisheries Commission Rule 15A NCAC 03I .0101 (1) (d) (4). The definition for total length is "*A length determined by measuring along a straight line the distance from the tip of the snout with the mouth closed to the tip of the compressed caudal (tail) fin.*" This rule applies to both the recreational and commercial fisheries in North Carolina. The complete rule language text is below (finfish lengths section highlighted).

North Carolina Division of Marine Fisheries staff determined that the total length definition in this rule includes the elements required in Addendum III: 1) squeezing the tail and 2) straight-line measurement. Therefore, no regulatory changes are needed.

15A NCAC 03I .0101 DEFINITIONS
All definitions set out in G.S. 113, Subchapter IV and the following additional terms shall apply to this Chapter:

(1) enforcement and management terms:
- (a) "Commercial quota" means total quantity of fish allocated for harvest by commercial fishing operations.
- (b) "Educational institution" means a college, university, or community college accredited by an accrediting agency recognized by the U.S. Department of Education; an Environmental Education Center certified by the N.C. Department of Environmental Quality Office of Environmental Education and Public Affairs; or a zoo or aquarium certified by the Association of Zoos and Aquariums.
- (c) "Internal Coastal Waters" or "Internal Waters" means all Coastal Fishing Waters except the Atlantic Ocean.
- (d) length of finfish:
  - (i) "Curved fork length" means a length determined by measuring along a line tracing the contour of the body from the tip of the upper jaw to the middle of the fork in the caudal (tail) fin.
  - (ii) "Fork length" means a length determined by measuring along a straight line the distance from the tip of the snout with the mouth closed to the middle of the fork in the caudal (tail) fin, except that

fork length for billfish is measured from the tip of the lower jaw to the middle of the fork of the caudal (tail) fin.

(iii) "Pectoral fin curved fork length" means a length of a beheaded fish from the dorsal insertion of the pectoral fin to the fork of the tail measured along the contour of the body in a line that runs along the top of the pectoral fin and the top of the caudal keel.

(iv) "Total length" means a length determined by measuring along a straight line the distance from the tip of the snout with the mouth closed to the tip of the compressed caudal (tail) fin.

(e) "Nongovernmental conservation organization" means an organization whose primary mission is the conservation of natural resources. For the purpose of this Chapter, a determination of the organization's primary mission is based upon the Division of Marine Fisheries' consideration of the organization's publicly stated purpose and activities.

(f) "Polluted" means any shellfish growing waters as defined in 15A NCAC 18A .0901:

(i) that are contaminated with fecal material, pathogenic microorganisms, poisonous or deleterious substances, or marine biotoxins that render the consumption of shellfish from those growing waters hazardous. This includes poisonous or deleterious substances as listed in the latest approved edition of the National Shellfish Sanitation Program (NSSP) Guide for the Control of Molluscan Shellfish, Section IV: Guidance Documents, Chapter II: Growing Areas; Action Levels, Tolerances and Guidance Levels for Poisonous or Deleterious Substances in Seafood, which is incorporated by reference, including subsequent amendments and editions. A copy of the reference material can be found at https://www.fda.gov/food/federalstate-food-programs/national-shellfish-sanitationprogram-nssp, at no cost;

(ii) that have been determined through a sanitary survey as defined in 15A NCAC 18A .0901 to be adjacent to a sewage treatment plant outfall or other point source outfall that may contaminate shellfish and cause a food safety hazard as defined in 15A NCAC 18A .0301;

(iii) that have been determined through a sanitary survey as defined in 15A NCAC 18A .0901 to be in or adjacent to a marina;

(iv) that have been determined through a sanitary survey as defined in 15A NCAC 18A .0901 to be impacted by other potential sources of pollution that render the consumption of shellfish from those growing waters hazardous, such as a wastewater treatment facility that does not contaminate a shellfish area when it is operating normally but will contaminate a shellfish area and shellfish in that area when a malfunction occurs; or

(v) where the Division is unable to complete the monitoring necessary to determine the presence of contamination or potential pollution sources.

(g) "Recreational possession limit" means restrictions on size, quantity, season, time period, area, means, and methods where take or possession is for a recreational purpose.

(h) "Recreational quota" means total quantity of fish allocated for harvest for a recreational purpose.

(i) "Regular closed oyster season" means March 31 through October 15, unless amended by the Fisheries Director through proclamation authority.

(j) "Scientific institution" means one of the following entities:

(i) an educational institution as defined in this Item;

(ii) a state or federal agency charged with the management of marine or estuarine resources; or

(iii) a professional organization or secondary school working under the direction of, or in compliance with mandates from, the entities listed in Sub-items (j)(i) and (ii) of this Item.

(2) fishing activities:

(a) "Aquaculture operation" means an operation that produces artificially propagated stocks of marine or estuarine resources, or other non-native species that may thrive if introduced into Coastal Fishing Waters, or obtains such stocks from permitted sources for the purpose of rearing on private bottom (with or without the superadjacent water column) or in a controlled environment. A controlled environment provides and maintains throughout the rearing process one or more of the following:

(i) food;

(ii) predator protection;

(iii) salinity;

(iv) temperature controls; or

(v) water circulation, utilizing technology not found in the natural environment.

(b) "Attended" means being in a vessel, in the water or on the shore, and immediately available to work the gear and be within 100 yards of any gear in use by that person at all times. Attended does not include being in a building or structure.

(c) "Blue crab shedding" means the process whereby a blue crab emerges soft from its former hard exoskeleton. A shedding operation is any operation that holds peeler crabs in a controlled environment. A controlled environment provides and maintains throughout the shedding process one or more of the following:

(i) food;

(ii) predator protection;

(iii) salinity;

(iv) temperature controls; or

(v) water circulation, utilizing technology not found in the natural environment. A shedding operation does not include transporting pink or red-line peeler crabs to a permitted shedding operation.

(d) "Depurate" or "depuration" has the same meaning as defined in the 2019 revision of the NSSP Guide for the Control of Molluscan Shellfish, Section I: Purpose and Definitions. This definition is incorporated by

reference, not including subsequent amendments and editions. A copy of the reference material can be found at https://www.fda.gov/food/federalstate-food-programs/national-shellfish-sanitation-program-nssp, at no cost.

(e) "Long haul operation" means fishing a seine towed between two vessels.

(f) "Peeler crab" means a blue crab that has a soft shell developing under a hard shell and having a white, pink, or red-line or rim on the outer edge of the back fin or flipper.

(g) "Possess" means any actual or constructive holding whether under claim of ownership or not.

(h) "Recreational purpose" means a fishing activity that is not a commercial fishing operation as defined in G.S. 113-168.

(i) "Swipe net operations" means fishing a seine towed by one vessel.

(j) "Transport" means to ship, carry, or cause to be carried or moved by public or private carrier by land, sea, or air.

(k) "Use" means to employ, set, operate, or permit to be operated or employed.

(3) gear:

(a) "Bunt net" means the last encircling net of a long haul or swipe net operation constructed of small mesh webbing. The bunt net is used to form a pen or pound from which the catch is dipped or bailed.

(b) "Channel net" means a net used to take shrimp that is anchored or attached to the bottom at both ends or with one end anchored or attached to the bottom and the other end attached to a vessel.

(c) "Commercial fishing equipment or gear" means all fishing equipment used in Coastal Fishing Waters except:

(i) cast nets;

(ii) collapsible crab traps, a trap used for taking crabs with the largest open dimension no larger than 18 inches and that by design is collapsed at all times when in the water, except when it is being retrieved from or lowered to the bottom;

(iii) dip nets or scoops having a handle not more than eight feet in length and a hoop or frame to which the net is attached not exceeding 60 inches along the perimeter;

(iv) gigs or other pointed implements that are propelled by hand, whether or not the implement remains in the hand;

(v) hand operated rakes no more than 12 inches wide and weighing no more than six pounds and hand operated tongs;

(vi) hook and line, and bait and line equipment other than multiple-hook or multiple-bait trotline;

(vii) landing nets used to assist in taking fish when the initial and primary method of taking is by the use of hook and line;

(viii) minnow traps when no more than two are in use;

(ix) seines less than 30 feet in length;

(x) spears, Hawaiian slings, or similar devices that propel pointed implements by mechanical means, including elastic tubing or bands, pressurized gas, or similar means.

(d) "Corkline" means the support structure a net is attached to that is nearest to the water surface when in use. Corkline length is measured from the outer most mesh knot at one end of the corkline following along the line to the outer most mesh knot at the opposite end of the corkline.

(e) "Dredge" means a device towed by engine power consisting of a frame, tooth bar or smooth bar, and catchbag used in the harvest of oysters, clams, crabs, scallops, or conchs.

(f) "Fixed or stationary net" means a net anchored or staked to the bottom, or some structure attached to the bottom, at both ends of the net.

(g) "Fyke net" means an entrapment net supported by a series of internal or external hoops or frames, with one or more lead or leaders that guide fish to the net mouth. The net has one or more internal funnel-shaped openings with tapered ends directed inward from the mouth, through which fish enter the enclosure. The portion of the net designed to hold or trap fish is completely enclosed in mesh or webbing, except for the openings for fish passage into or out of the net (funnel area).

(h) “Gill net" means a net set vertically in the water to capture fish by entanglement of the gills in its mesh as a result of net design, construction, mesh length, webbing diameter, or method in which it is used.

(i) "Headrope" means the support structure for the mesh or webbing of a trawl that is nearest to the water surface when in use. Headrope length is measured from the outer most mesh knot at one end of the headrope following along the line to the outer most mesh knot at the opposite end of the headrope.

(j) "Hoop net" means an entrapment net supported by a series of internal or external hoops or frames. The net has one or more internal funnel-shaped openings with tapered ends directed inward from the mouth, through which fish enter the enclosure. The portion of the net designed to hold or trap the fish is completely enclosed in mesh or webbing, except for the openings for fish passage into or out of the net (funnel area).

(k) "Lead" means a mesh or webbing structure consisting of nylon, monofilament, plastic, wire, or similar material set vertically in the water and held in place by stakes or anchors to guide fish into an enclosure. Lead length is measured from the outer most end of the lead along the top or bottom line, whichever is longer, to the opposite end of the lead.

(l) "Mechanical methods for clamming" means dredges, hydraulic clam dredges, stick rakes, and other rakes when towed by engine power, patent tongs, kicking with propellers or deflector plates with or without trawls, and any other method that utilizes mechanical means to harvest clams.

(m) "Mechanical methods for oystering" means dredges, patent tongs, stick rakes, and other rakes when towed by engine power, and any other method that utilizes mechanical means to harvest oysters.

(n) "Mesh length" means the distance from the inside of one knot to the outside of the opposite knot, when the net is stretched hand-tight in a manner that closes the mesh opening.

(o) "Pound net set" means a fish trap consisting of a holding pen, one or more enclosures, lead or leaders, and stakes or anchors used to support the trap.

The holding pen, enclosures, and lead(s) are not conical, nor are they supported by hoops or frames.

(p) "Purse gill net" means any gill net used to encircle fish when the net is closed by the use of a purse line through rings located along the top or bottom line or elsewhere on such net.

(q) "Seine" means a net set vertically in the water and pulled by hand or power to capture fish by encirclement and confining fish within itself or against another net, the shore or bank as a result of net design, construction, mesh length, webbing diameter, or method in which it is used.

(4) "Fish habitat areas" means the estuarine and marine areas that support juvenile and adult populations of fish species throughout their entire life cycle, including early growth and development, as well as forage species utilized in the food chain. Fish habitats in all Coastal Fishing Waters, as determined through marine and estuarine survey sampling, are:

(a) "Anadromous fish nursery areas". means those areas in the riverine and estuarine systems utilized by postlarval and later juvenile anadromous fish.

(b) "Anadromous fish spawning areas" means those areas where evidence of spawning of anadromous fish has been documented in Division sampling records through direct observation of spawning, capture of running ripe females, or capture of eggs or early larvae.

(c) "Coral" means:

(i) fire corals and hydrocorals (Class Hydrozoa);

(ii) stony corals and black corals (Class Anthozoa, Subclass Scleractinia); or

(iii) Octocorals; Gorgonian corals (Class Anthozoa, Subclass Octocorallia), which include sea fans (Gorgonia sp.), sea whips (Leptogorgia sp. and Lophogorgia sp.), and sea pansies (Renilla sp.).

(d) "Intertidal oyster bed" means a formation, regardless of size or shape, formed of shell and live oysters of varying density.

(e) "Live rock" means living marine organisms or an assemblage thereof attached to a hard substrate, excluding mollusk shells, but including dead coral or rock. Living marine organisms associated with hard bottoms, banks, reefs, and live rock include:

(i) Coralline algae (Division Rhodophyta);

(ii) Acetabularia sp., mermaid's fan and cups (Udotea sp.), watercress (Halimeda sp.), green feather, green grape algae (Caulerpa sp.)(Division Chlorophyta);

(iii) Sargassum sp., Dictyopteris sp., Zonaria sp. (Division Phaeophyta);

(iv) sponges (Phylum Porifera);

(v) hard and soft corals, sea anemones (Phylum Cnidaria), including fire corals (Class Hydrozoa), and Gorgonians, whip corals, sea pansies, anemones, Solengastrea (Class Anthozoa);

(vi) Bryozoans (Phylum Bryozoa);

(vii) tube worms (Phylum Annelida), fan worms (Sabellidae), feather duster and Christmas treeworms (Serpulidae), and sand castle worms (Sabellaridae);
(viii) mussel banks (Phylum Mollusca: Gastropoda); and
(ix) acorn barnacles (Arthropoda: Crustacea: Semibalanus sp.).

(f) "Nursery areas" means areas that for reasons such as food, cover, bottom type, salinity, temperature, and other factors, young finfish and crustaceans spend the major portion of their initial growing season. Primary nursery areas are those areas in the estuarine system where initial post-larval development takes place. These are areas where populations are uniformly early juveniles. Secondary nursery areas are those areas in the estuarine system where later juvenile development takes place. Populations are composed of developing subadults of similar size that have migrated from an upstream primary nursery area to the secondary nursery area located in the middle portion of the estuarine system.

(g) "Shellfish producing habitats" means historic or existing areas that shellfish, such as clams, oysters, scallops, mussels, and whelks use to reproduce and survive because of such favorable conditions as bottom type, salinity, currents, cover, and cultch. Included are those shellfish producing areas closed to shellfish harvest due to pollution.

(h) "Strategic Habitat Areas" means locations of individual fish habitats or systems of habitats that provide exceptional habitat functions or that are particularly at risk due to imminent threats, vulnerability, or rarity.

(i) "Submerged aquatic vegetation (SAV) habitat" means submerged lands that:

(i) are vegetated with one or more species of submerged aquatic vegetation including bushy pondweed or southern naiad (Najas guadalupensis), coontail (Ceratophyllum demersum), eelgrass (Zostera marina), horned pondweed (Zannichellia palustris), naiads (Najas spp.), redhead grass (Potamogeton perfoliatus), sago pondweed (Stuckenia pectinata, formerly Potamogeton pectinatus), shoalgrass (Halodule wrightii), slender pondweed (Potamogeton pusillus), water stargrass (Heteranthera dubia), water starwort (Callitriche heterophylla), waterweeds (Elodea spp.), widgeongrass (Ruppia maritima), and wild celery (Vallisneria americana). These areas may be identified by the presence of above-ground leaves, below-ground rhizomes, or reproductive structures associated with one or more SAV species and include the sediment within these areas; or

(ii) have been vegetated by one or more of the species identified in Sub-item (4)(i)(i) of this Rule within the past 10 annual growing seasons and that meet the average physical requirements of water depth, which is six feet or less, average light availability, which is a secchi depth of one foot or more, and limited wave exposure that characterize the environment suitable for growth of SAV. The past presence of SAV may be demonstrated by aerial photography, SAV survey, map, or other documentation. An extension of the

past 10 annual growing seasons criteria may be considered when average environmental conditions are altered by drought, rainfall, or storm force winds.This habitat occurs in both subtidal and intertidal zones and may occur in isolated patches or cover extensive areas. In defining SAV habitat, the Marine Fisheries Commission recognizes the Aquatic Weed Control Act of 1991 (G.S. 113A-220 et. seq.) and does not intend the submerged aquatic vegetation definition, of this Rule or 15A NCAC 03K .0304 and .0404, to apply to or conflict with the non-development control activities authorized by that Act.

(5) licenses, permits, leases and franchises, and record keeping:

(a) "Assignment" means temporary transferal to another person of privileges under a license for which assignment is permitted. The person assigning the license delegates the privileges permitted under the license to be exercised by the assignee, but retains the power to revoke the assignment at any time, and is still the responsible party for the license.

(b) "Designee" means any person who is under the direct control of the permittee or who is employed by or under contract to the permittee for the purposes authorized by the permit.

(c) "For hire vessel", as defined by G.S. 113-174, means when the vessel is fishing in State waters or when the vessel originates from or returns to a North Carolina port.

(d) "Franchise" means a franchise recognized pursuant to G.S. 113-206.

(e) "Holder" means a person who has been lawfully issued in the person's name a license, permit, franchise, lease, or assignment.

(f) "Land" means:

(i) for commercial fishing operations, when fish reach the shore or a structure connected to the shore.

(ii) for purposes of trip tickets, when fish reach a licensed seafood dealer, or where the fisherman is the dealer, when fish reach the shore or a structure connected to the shore.

(iii) for recreational fishing operations, when fish are retained in possession by the fisherman.

(g) "Licensee" means any person holding a valid license from the Department to take or deal in marine fisheries resources, except as otherwise defined in 15A NCAC 03O .0109.

(h) "Logbook" means paper forms provided by the Division and electronic data files generated from software provided by the Division for the reporting of fisheries statistics by persons engaged in commercial or recreational fishing or for-hire operators.

(i) "Master" means captain or operator of a vessel or one who commands and has control, authority, or power over a vessel.

(j) "New fish dealer" means any fish dealer making application for a fishdealer license who did not possess a valid dealer license for the previous license year in that name. For purposes of license issuance, adding new categories to an existing fish dealers license does not constitute a new dealer.

(k) "Office of the Division" means physical locations of the Division conducting license and permit transactions in Wilmington, Morehead City, Washington, and Roanoke Island, North Carolina. Other businesses or entities designated by the Secretary to issue Recreational Commercial Gear Licenses or Coastal Recreational Fishing Licenses are not considered Offices of the Division.

(l) "Responsible party" means the person who coordinates, supervises, or otherwise directs operations of a business entity, such as a corporate officer or executive level supervisor of business operations, and the person responsible for use of the issued license in compliance with applicable statutes and rules.

(m) "Tournament organizer" means the person who coordinates, supervises, or otherwise directs a recreational fishing tournament and is the holder of the Recreational Fishing Tournament License.

(n) "Transaction" means an act of doing business such that fish are sold, offered for sale, exchanged, bartered, distributed, or landed.

(o) "Transfer" means permanent transferal to another person of privileges under a license for which transfer is permitted. The person transferring the license retains no rights or interest under the license transferred.

(p) "Trip ticket" means paper forms provided by the Division and electronic data files generated from software provided by the Division for the reporting of fisheries statistics by licensed fish dealers.

History Note: *Authority G.S. 113-134; 113-174; 113-182; 143B-289.52;*
Eff. January 1, 1991;
Amended Eff. March 1, 1995; March 1, 1994; October 1, 1993; July 1, 1993;
Recodified from 15A NCAC 03I .0001 Eff. December 17, 1996;
Amended Eff. April 1, 1999; August 1, 1998; April 1, 1997;
Temporary Amendment Eff. May 1, 2000; August 1, 1999; July 1, 1999;
Amended Eff. August 1, 2000;
Temporary Amendment Eff. August 1, 2000;
Amended Eff. May 1, 2015; April 1, 2014; April 1, 2011; April 1, 2009; October 1, 2008; December 1, 2007;
December 1, 2006; September 1, 2005; April 1, 2003; April 1, 2001;
Readopted Eff. June 1, 2022;
Amended Eff. March 24, 2025.

Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: **Atlantic Striped Bass Management Board**

FROM: **Emilie Franke, FMP Coordinator**

DATE: **January 20, 2026**

SUBJECT: **Request for Board Guidance on Work Group on Future Striped Bass Management**

In October 2025, the Board approved the establishment of a Work Group (WG) on future striped bass management with the following motion:

> Move to approve in Section 3.4 Option A Status Quo and establish a Work Group to develop a white paper that could inform a future management document. The Work Group should include representation from all sectors in addition to scientists and managers. The goal of this Work Group is to consider how to update the FMP's goals, objectives, and management of striped bass beyond 2029, in consideration of severely reduced reproductive success in the Chesapeake Bay. The Work Group should utilize public comment, including that received during the Addendum III process to inform its research and management recommendations and work with the Benchmark SAS to incorporate ideas and deliver necessary data products. Work Group discussions should include the following topics:
>
> - Review BRPs and consider recruitment-sensitive, model-based approaches.
> - Formally review hatchery stocking as both a research tool and a management tool for striped bass w/ cost analysis.
> - Evaluate the potential for other river systems to contribute to the coastal stock.
> - Explore drivers of recruitment success/failure in Chesapeake Bay, Delaware, and the Hudson in light of changing climatic and environmental conditions, including potential impacts from invasive species.
> - Explore the reproductive contribution of large and small female fish and the implications of various size-based management tools.
> - Methods to address the discard mortality in the catch and release fishery.

Staff is seeking Board guidance on the WG composition, task details, and timeline.

WG Composition

The Board motion indicates participation by all sectors, scientists, and managers but does not provide specifics. Staff is seeking guidance on the size and composition of the WG as well as the process for selecting WG participants. The following questions are intended to help with Board discussion:

1. What is the maximum size of the WG to ensure the group will function effectively?

2. Will each WG seat be allocated by category type to ensure representation of the full management range and diversity of stakeholder interests?
3. Will there be a specific nomination process, e.g. each state can nominate x number of participants?
4. How will individuals be chosen?

Task Details and Timeline

Staff is seeking guidance on the timing of WG meetings and deliverables. Staff has considered the specific Board tasks and when information may be available relative to each task. From staff perspective, most tasks seem to require some level of technical information gathering and/or completion of the assessment (peer review scheduled for March 2027) before the WG discussions could begin. In determining a timeline for WG deliverables, the timing of when information becomes available is important. The table below reflects initial staff notes on each task for Board discussion.

Task from Board Motion	**Staff Notes**
Review BRPs and consider recruitment-sensitive, model-based approaches.	Assessment Timing: The full Board will be asked for guidance to the Stock Assessment Subcommittee (SAS) on developing alternative reference points. If the SAS is able to develop multiple options for reference points that pass peer review, the WG could provide input to the Board after the peer review on the various reference point options for application to management.
Formally review hatchery stocking as both a research tool and a management tool for striped bass w/ cost analysis.	Information Needed: Review past ASMFC reports on striped bass stocking (1990s). Compile relevant information from state agencies on past and current striped bass stocking efforts (current stocking in North Carolina) including performance of past stocking programs, resource needs, environmental/ genetic/disease concerns. Potential literature review of stocking for other diadromous species.
Evaluate the potential for other river systems to contribute to the coastal stock.	Information Needed: Compile available information on other river systems of interest outside the Chesapeake Bay, Delaware Bay, and Hudson River. The benchmark stock assessment will include review of recent genetic studies on spawning origin of striped bass.

Task from Board Motion	Staff Notes
Explore drivers of recruitment success/failure in Chesapeake Bay, Delaware, and the Hudson in light of changing climatic and environmental conditions, including potential impacts from invasive species.	Information Needed/Assessment Timing: Through the benchmark stock assessment, the SAS is conducting literature review on this topic and is considering which potential drivers of recruitment could be incorporated into the assessment model.
Explore the reproductive contribution of large and small female fish and the implications of various size-based management tools.	Information Needed/Assessment Timing: Compile available information on the reproductive contribution of different size striped bass. After the assessment is complete, the TC-SAS could provide input on size-based management tools.
Methods to address the discard mortality in the catch and release fishery.	Information Needed: The MADMF release mortality work is still underway. When that work is available, the WG could revisit the 2024 Board Work Group Report on Release Mortality in light of completed research from MADMF and other recent studies (e.g., UMass Amherst recent publications).

From:	rick clair
To:	Emilie Franke
Subject:	[New] [External] Striped bass
Date:	Tuesday, December 9, 2025 11:38:45 AM

I was reading an article on Betty and Nicks facebook about how the handling of stripers before release is causing a problem with the mortality of the fish. I have been guilty of taking pictures of fish I am going to release, having said that, in Florida they have introduced regulations on Tarpon so the fish never leaves the water or face a hefty fine, we should do this with stripers so it has the best chance for survival. It can be policed by the conservation officers either in person or from social media.
Regards
Rick Clair

From:	leaddog@ rockfishing.com
To:	Emilie Franke
Subject:	[New] [External] Impact of Handling Practices on Spawning Striped bass
Date:	Friday, December 19, 2025 6:28:29 PM
Attachments:	Chesapeake Bay Fish Handling.pdf

Emily,

I did an AI search on this topic. If you read middle of paragraph 1 page 1 and bottom of page one into top of page 2 it clearly states how bad catch and release is on female spawning fish.

I wish the technical committee would have done some research instead of stating there was not enough information available. We probably would have had a different result.

Thanks
Brian

Lead Dog Charters,LLC
Capt. Brian L Hardman
910 B Kentmorr Road
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Impact of Fish Handling Practices on Spawning Striped Bass: Effects on Reproductive Success, Stress, and Survival

Introduction

Striped bass (*Morone saxatilis*) represents one of the most economically and ecologically significant fish species along the Atlantic coast of the United States. Its anadromous life cycle, in which adults migrate from saltwater to freshwater rivers and estuaries to spawn, underpins the productivity of major fisheries and supports vital ecosystem services. However, striped bass populations, particularly in prominent spawning grounds like the Chesapeake Bay and Hudson River, have faced unprecedented pressures: overfishing, climate-driven habitat changes, and, crucially, the widespread adoption of catch-and-release fishing. While catch-and-release is promoted as a conservation tool, mounting evidence demonstrates that improper handling of spawning striped bass can lead to sublethal injuries, elevated physiological stress, reduced reproductive capacity, and, ultimately, significant post-release mortality[1,2].

This report synthesizes the latest peer-reviewed research, government technical documents, and fisheries guidance to assess how different fish handling practices impact the reproductive success, physiological stress, and survival of spawning striped bass. It consolidates findings from laboratory and field studies conducted in the United States, with a priority on recent and regionally relevant sources. Special attention is given to the mechanisms behind handling-induced harm, physiological responses revealed by stress markers, implications for population dynamics, and the development of evidence-based best practices to minimize negative outcomes during this vulnerable phase of the striped bass life cycle.

Overview of Fish Handling Practices During Striped Bass Spawning

Handling practices for spawning striped bass vary widely depending on the fishery context (recreational vs. research, at rivers vs. estuaries), regulatory requirements, and angler behavior. Typical handling events may involve landing the fish with nets or by hand, air exposure, hook removal or tagging, and, for larger individuals, weighing or photographing before release. Many management agencies now advocate or require the use of circle hooks for bait fishing, barbless single hooks for artificial lures, and immediate release protocols, but compliance and effectiveness still vary significantly[3,4].

The recurrent challenge is the trade-off between data collection, recreational enjoyment, and conservation: even with well-intentioned catch-and-release, negative outcomes arise from extended fight times, air exposure, rough netting, improper de-hooking, or thermal or hypoxic stress. Understanding the biological impacts of these practices—especially during the spawning period—is crucial for sustaining striped bass stocks.

Air Exposure Duration Effects on Spawning Success and Survival

A growing body of evidence implicates air exposure as a primary stressor that negatively affects post-release survival and reproductive performance in striped bass. Recent field and laboratory studies reveal that even short durations of air exposure (30–120 seconds) significantly increase physiological disturbance, disrupt equilibrium, and impair recovery following release[5,6].

For example, a 2025 field experiment in Massachusetts demonstrated that striped bass exposed to air for 120 seconds exhibited a 50% loss of equilibrium after handling, a stark contrast to those not exposed to air or exposed for only 30

seconds, who maintained reflex responses and rapid recovery. The physiological basis for this impairment involves a rapid rise in blood lactate and plasma cortisol during asphyxia, compounded by the preceding fight and handling stress[5 7].

Beyond immediate survival, air exposure can interfere with spawning behavior. Striped bass returning to spawning grounds exhaust substantial energy reserves; prolonged asphyxiation constrains their ability to resume migration, locate mates, and complete egg deposition and fertilization. Air exposure exceeding 30 seconds elevates stress hormones, impairs muscular function, and can lead to delayed mortality, often hours to days after release. Best management practices, therefore, call for limiting air exposure to under 10–30 seconds and, whenever possible, releasing fish without removing them from the water[2 6 4].

Netting Techniques Impact on Injury and Stress

Landing methods—especially the type of net used—directly affect the degree of external injury and subsequent stress response in striped bass. Traditional knotted nylon or large mesh nets tend to abrade or remove the fish's protective slime coat, disrupt scales, and increase the risk of wounds that may lead to secondary infection. Such abrasions were shown to elevate cortisol and glucose levels, indicative of acute stress[4 5 6 8].

In contrast, rubberized, knotless, or soft-mesh landing nets minimize external injury and mucus loss, substantially reducing the physiological costs of capture. A 2025 observational study recommended rubberized nets as standard equipment, noting that handling in such nets during air exposure minimizes both stress and the likelihood of delayed mortality[6 4].

Researchers also caution against handling fish with dry hands, rough surfaces, or bank contact, all of which further compromise protective barriers. Avoiding excessive netting, supporting fish horizontally, and keeping them in water during unhooking are recommended to maintain fish health and increase the odds of successful spawning after release[2 9 8].

Hook Type and Hooking Location on Post-Release Mortality

Hook type and hooking location are among the strongest predictors of mortality in caught-and-released striped bass. Circle hooks—now widely mandated for bait fishing—are designed to reduce incidents of deep or gut hooking and are consistently shown to result in higher rates of jaw-hooking, which is far less injurious. Numerous studies confirm that fish jaw-hooked with circle hooks have markedly higher survival rates than those hooked in the gills, pharynx, or stomach[3 4 5 1 10].

Experimental studies by Diodati and Richards (1996) reported that striped bass deeply hooked (e.g., in the throat or gills) were six to seventeen times more likely to die post-release compared to those jaw-hooked. The odds of death for gut-hooked fish were nearly six times greater. Gut hooking is more likely when using traditional J-hooks, especially with natural bait. Use of artificial lures further reduces deep hooking incidences, and single barbless hooks are also preferable for ease of hook removal and minimal tissue damage[4 1].

It is worth noting that multiple or treble hooks, commonly used on plugs or lures, increase the risk of foul hooking sensitive body areas, compounding injury rates and stress. Regulatory trends now favor replacing treble hooks with singles to lower these risks and facilitate faster releases[4 5 2].

De-Hooking Methods and Tools Effects on Fish Injury

Expeditious and gentle de-hooking is central to reducing injury, stress, and post-release mortality. The longer a hook remains embedded—especially deeply—the greater the risk of hemorrhage, organ damage, or prolonged air exposure. Guidelines emphasize the use of long-nosed pliers, hemostats, or dehooking tools that enable rapid hook removal with minimal force. When a hook is deeply embedded or visible removal poses a risk of further damage, it is best practice to cut the leader close to the hook eye and release the fish with the hook in place, as most hooks will corrode and dislodge over time[4 11 2 8].

Research also highlights the advantage of using barbless hooks, which facilitate swift removal and further minimize tissue injury. Forceful or aggressive hook removal is discouraged, as it can tear tissue and prolong handling, leading to increased mortality[4 11].

Handling Time Out of Water and Stress Physiology

The total duration a spawning striped bass is handled, especially out of water, shows a direct correlation with physiological stress markers. Handling time encompasses the total interval from landing to release, including time spent photographing, weighing, or measuring the fish. Prolonged handling out of water leads to cumulative increases in the stress hormone cortisol, blood glucose, and lactic acid, all of which impair muscular and metabolic recovery-a prerequisite for resuming migration or spawning activity[7 5 4 6].

Laboratory tests have repeatedly shown that cortisol and glucose levels peak within minutes of intense handling, with post-exercise metabolic acidosis (lactate buildup) corrected only after several hours of recovery in optimal (preferably brackish) water. Studies confirm that restricting fighting and handling times to less than two minutes and ensuring rapid, in-water release produce the best outcomes for post-release survival and future reproductive effort[5 7].

Use of Sedatives During Handling and Reproductive Performance

The use of sedatives or anesthetics (e.g., MS-222, clove oil) in fisheries research or aquaculture settings is intended to reduce struggling and related injuries. However, results regarding their efficacy in reducing physiological stress are mixed. Peer-reviewed studies found that most commonly used sedatives, such as MS-222 and sodium chloride baths, do not consistently reduce the cortisol or glucose response in hybrid or pure-strain striped bass when exposed to handling or low-water stress[12 13].

Metomidate, a non-barbiturate anesthetic, showed some promise in briefly dampening the stress response, but its regulatory approval and field applicability are limited. In practice, sedation is rarely used in recreational fisheries due to practical and legal constraints. Thus, the focus remains on minimizing handling and employing gentle restraint rather than pharmacological intervention to reduce stress and ensure reproductive performance is maintained post-handling[12 13].

Thermal Stress During Handling and Its Effects

Thermal regime at the time of handling is a critical determinant of post-release survival and spawning success. When water temperatures exceed 21°C (70°F), the physiological burden associated with handling spikes sharply; mortality rates

for caught-and-released striped bass surge in both freshwater and marine environments as temperature rises, especially when compounded by low dissolved oxygen[14 4 2 15 5].

Field and laboratory studies in the southern U.S. show that during peak summer, suitable thermal refugia contract, leading to greater vulnerability during handling-induced stress. Fish subjected to handling at 28°C (82°F) exhibited decreased condition factor, reduced growth, and increased genetic markers of stress, such as telomere degradation (potentially affecting longevity and future fecundity). Studies further demonstrate that post-release recovery from acute acidosis is delayed at higher temperatures, increasing the window for predation, secondary mortality, and sub-optimal reproductive output[14 5 7].

Best practices recommend avoiding all non-essential targeting and handling of striped bass during periods of elevated water temperatures-typically late spring through summer, with regional variability[2 6].

Reproductive Outcomes: Egg Viability and Fertilization Rates

Proper handling is foundational to successful spawning and recruitment. Physical and physiological stress during and after handling is known to reduce gamete quality, suppress ovulation, delay or prevent spawning, and lower the viability of eggs released. Elevated stress hormones interfere with reproductive hormone cascades, leading to reduced fertilization and hatching success[16 17 4 6].

Controlled experiments revealed that eggs stripped and exposed to air before ovulation failed to hatch, while eggs suspended immediately in water and handled with minimal disturbance yielded hatch rates as high as 91%. Thermal fluctuation, excess air exposure, and rough handling drastically reduce fertilization rates and egg survival. Additionally, larger, older females—key to population sustainability due to their exponentially greater egg output—are particularly susceptible to handling stress, emphasizing the need for exceptional care with trophy-sized spawning individuals[17 16].

Physiological Stress Markers After Handling

Physiological measures routinely used to quantify stress in handled striped bass include plasma cortisol, glucose, and lactate levels, assessed immediately after handling and during subsequent recovery intervals. These markers provide insights into the metabolic and endocrine cascades triggered by catch-and-release, netting, or confinement. Elevated post-handling cortisol signals acute stress, with observed values rising from a baseline of 45–50 ng/mL to 500–800 ng/mL after strenuous exercise or extended confinement[18 7 5].

Metabolic acidosis, characterized by decreased blood pH and sharply increased lactate (from anaerobic exercise), impairs muscle function and recovery. Prolonged acidosis delays the fish's ability to resume migration, spawning, or escape from predators after release. These findings validate practical recommendations for minimizing fight and handling times, limiting air exposure, and releasing fish in optimal (well-oxygenated, cool) water whenever possible[18 5 7].

Behavioral Changes Post-Handling on Spawning Sites

Behavioral consequences of sublethal handling stress extend beyond immediate physiological impairment. Angled and stressed striped bass have demonstrated disrupted feeding behavior, altered migratory patterns, and compromised site fidelity upon release. In acute cases, equilibrium loss and suppressed post-release activity were documented, especially after air exposure or at warm temperatures[5 4 6].

Suppressed post-release movement may increase predation risk or delay return to spawning grounds. Studies using acoustic telemetry revealed that larger, exhausted striped bass that remained disoriented or hypoactive for even 20–40 minutes post-release could more easily succumb to predation or fail to recover reproductive function in time for effective spawning. Collectively, these sublethal effects reduce individual reproductive fitness and, in aggregate, can lead to lower year-class strength during periods of high angling pressure[19 5].

Delayed Mortality and Sublethal Effects After Tagging

Tagging studies, both with external and internal transmitters, play a vital role in stock assessment but also introduce unique handling challenges. The process of capturing, confining, anesthetizing (in some studies), and surgically implanting tags is associated with short-term increases in stress markers and, occasionally, delayed mortality that occurs beyond the direct observation period. Studies have reported survival rates typically exceeding 90% under best practices, but with clear evidence that excessive air exposure, prolonged handling, and warm water elevate the risk of both mortality and sublethal effects, such as stunted growth and diminished subsequent spawning behavior[5 20 21].

In population-level studies, sublethal impacts can include reduced migratory capacity and disruption of spawning aggregations, effects that may not be apparent without long-term tracking and robust survey designs.

Population-Level Impacts of Handling-Induced Mortality

Even when release mortality rates per fish appear low (the regulatory standard is a 9% coastwide estimate for striped bass released by recreational anglers[1 22]), the sheer magnitude of catch-and-release in major spawning areas translates to significant cumulative loss. For example, in a single year, an estimated 2.7 million striped bass may die following capture and release out of more than 30 million released coastwide[1].

In spawning rivers experiencing multiple consecutive years of below-average recruitment—such as the Chesapeake Bay region from 2018–2024—handling-induced mortality can sharply curtail the reproductive potential of the stock, undermining rebuilding efforts and leading to population contractions. Delayed or sublethal effects compound these losses: fish that survive but do not spawn effectively or succumb to predation are effectively lost from the gene pool, further reducing future class strength[23 24 25].

Regulatory bodies, including the Atlantic States Marine Fisheries Commission (ASMFC), have increasingly emphasized seasonal closures, gear restrictions, education, and slot limits to address the additive mortality from both harvest and release during the critical spawning window[3 26].

Existing Guidelines and Best Practices for Handling Spawning Striped Bass

Best practice guidelines—developed and disseminated by government agencies, fisheries scientists, and angler education organizations—now incorporate an integrated view of handling, taking into account hook selection, tackle, landing, de-hooking, air exposure, and release technique. Key recommendations include:

- Use of circle hooks (non-offset) when fishing with bait, which dramatically decreases gut hooking and internal injuries.
- **Switch to single, barbless hooks** on lures to facilitate quick removal and reduce tissue injury.

- **Minimize fight time**: Use adequately heavy tackle to bring fish to hand quickly, especially during the spawning run or in high temperatures.
- **Rubberized, knotless nets** for landing, reducing physical abrasion and mucus loss.
- **Limit air exposure** to under 10–30 seconds and, ideally, release fish in the water.
- **Support fish horizontally** when handling for measurement or photographs; never suspend by the jaw or gill plate.
- **Wet hands or gloves** before touching fish to preserve the protective slime layer.
- **Avoid fishing during thermal extremes**; cease catch-and-release when water temperature exceeds 70°F.
- **Revive exhausted fish** by gently holding them upright, head first into a current, until they swim away on their own[4 2 22 9 8 6 5].

Educational initiatives now emphasize these approaches (e.g., ASMFC's Best Practice Outreach, Virginia DWR's guidance), and technological innovations, such as specially designed dehookers and regulatory changes mandating gear modifications, are increasingly adopted[11 3].

Gear Modifications to Minimize Handling Harm

Recent management actions underscore the effectiveness of gear restrictions as a conservation measure—chief among them, the required use of circle hooks, which has shown quantifiable reductions in deep-hooking mortality and, by extension, overall release mortality. Replacement of treble hooks with single barbless hooks further enhances fish survival by simplifying de-hooking and reducing tissue trauma. Field studies support that gear modifications, in tandem with angler education, enable consistent improvements in post-release survival rates across various water bodies and fishing contexts[3 4 5].

Laboratory vs. Field Experimental Methods in Handling Studies

Empirical evidence on handling stress derives from both laboratory and field experiments, each bringing complementary strengths and limitations. Laboratory studies allow precise manipulation of variables (e.g., holding time, temperature, recovery salinity) and fine-scale monitoring of physiological markers, but may not fully replicate environmental complexity or predation pressures. Field studies using tagging or telemetry capture real-world consequences at scale but may confound variables, especially under differing angler skill, gear use, or ambient conditions[7 5 27 18 14].

The best available knowledge now integrates both approaches: for example, tagging studies paired with behavioral acceleration loggers provide granular data on recovery and survival, while laboratory trials elucidate dose-response relationships for temperature and stress hormone kinetics.

Physiological Recovery Times After Handling

Recovery from handling-induced stress in striped bass is neither instantaneous nor uniform. In laboratory and tagging studies, metabolic (lactate, glucose) and endocrine (cortisol) markers typically return to baseline within 2–24 hours,

provided the fish are released into cool, well-oxygenated water. However, elevated handling stress at high temperatures delays this recovery, sometimes prolonging physiological disturbance for more than a day, and increasing vulnerability to both predation and reproductive failure[7 5 14].

Observational telemetry work confirms that fish handled quickly, with minimal or no air exposure, regain normal activity within 5–20 minutes. In contrast, air exposure beyond 60 seconds, extended handling, or handling at water temperatures above 16.6°C sharply reduces the pace and completeness of recovery, leading to greater sublethal and lethal outcomes[5].

Key Handling Practices and Documented Effects: Summary Table

Handling Practice	Documented Effect on Spawning Success	Effect on Stress Levels	Effect on Mortality	Supporting Citations
Use of circle hooks	Reduces deep hooking, improves spawning survival	Lowers injury/stress	Decreases post-release	[14†L14][36†L36][34†L34][7†L7]
Single/barbless hooks	Facilitates faster/safer removal, lower tissue trauma	Reduces stress	Improves survival	[14†L14][10†L10]
Air exposure <30 sec (prefer 10 sec)	Preserves spawning behavior, reduces sublethal harm	Minimal cortisol/lactate rise	Low mortality	[43†L43][14†L14][42†L42]
Use of rubber/knotless nets	Protects slime, scales, less injury/infection	Reduces physiological stress	Reduces delayed mortality	[14†L14][10†L10][42†L42]
Avoiding high temperatures (>70°F)	Avoids thermal reproductive suppression	Prevents additive stress	Minimizes temperature-induced death	[24†L24][14†L14][10†L10]
Gentle de-hooking/cut leader	Reduces tissue/organ damage	Shorter handling, less pain	Increases survival	[19†L19][14†L14][10†L10]
In-water release and revival	Supports oxygenation, recovery before release	Accelerates physiological reset	Reduces sublethal/latent mortality	[10†L10][39†L39]
Avoiding gill/eye contact	Maintains vital function, reduces infection risk	Lower stress response	Increases reproductive opportunity	[10†L10][15†L15]
Limiting fight and handling duration	Preserves muscular reserves for spawning	Reduces lactic acid/cortisol	Decreases mortality	[14†L14][43†L43]

Table Explanation: This table synthesizes the multitude of handling interventions into a clear compendium of "what works, why, and under which circumstances," drawing on the most recent and rigorous evidence available. For example, a move toward universal adoption of circle hooks addresses both the immediate stress of physical injury and longer-term mortality, as does limiting air exposure and adopting proper netting and release techniques. Handling practices are ranked here by their direct impact on fish well-being and documented contributions to population-level spawning success.

Discussion: Integrating Handling Practices for Effective Management

Striped bass stocks are at a crossroads: without improved stewardship at the point of angler contact—especially during the sensitive spawning window—efforts to manage fishing mortality, rebuild stocks, and sustain the fishery into the future are at risk of failure[23] [24] [3]. Scientific consensus, reflected in peer-reviewed research and regulatory action, emphasizes that proper handling is an essential conservation tool, not merely a matter of angling etiquette.

Current population trends highlight the need to go beyond simple regulatory compliance; instead, targeted angler education, gear modification, seasonal closures, and proactive stewardship must become hallmarks of effective striped bass management. Small improvements in handling at the level of individual fish can, when widely adopted, yield population-scale benefits.

Conclusion

The impacts of fish handling practices on spawning striped bass are profound, encompassing acute physiological stress, sublethal impairment, reproductive failure, and significant mortality—effects that ripple through the entire population structure. Best available science demonstrates that careful attention to gear selection, air exposure duration, handling technique, and environmental context dramatically improves the odds of survival and reproductive success in released striped bass.

In summary, to maximize the conservation potential of catch-and-release—and to give the iconic striped bass the best chance at persistence and recovery—anglers, researchers, and managers alike must integrate the best practices detailed here: limit air exposure and handling time, use circle or barbless hooks, handle fish gently and in water, and minimize all contact during periods of high temperature or low dissolved oxygen. These individual actions, scaled up across the vast recreational and research fisheries, are critical for reversing declining trends, supporting strong year classes, and ensuring that future generations can enjoy the thrill and ecological benefits of healthy striped bass runs.

Web and Literature Citations Embedded

This report incorporated data and recommendations from government technical reports (e.g., ASMFC, NOAA, MD DNR), state and federal fisheries research, and recent peer-reviewed articles. Key supporting sources are referenced throughout in the required bracketed format, ensuring transparency and traceability to the underlying scientific evidence.

References (27)

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4 *Assessing Impacts of Catch and Release Practices on Striped Bass ....* https://www.monmouth.edu/uci/documents/2018/10/best-practices-striped-bass-catch-and-release-report.pdf/

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19 *Striped Bass Spring Migration Guide | Maps, Patterns & Locations | 2025*. https://www.aquamarinepower.com/striped-bass-spring-migration-guide/

20 *Tagging methods for estimating population size and mortality rates of ....* https://pubs.usgs.gov/publication/70192524

21 *Cooperative Tagging Program - Virginia Institute of Marine Science*. https://www.vims.edu/research/units/programs/multispecies_fisheries_research/striped_bass_assessment_program/cooperative_tagging/

22 *Stripers In Our Hands - Keep Fish Wet*. https://www.keepfishwet.org/stripers-in-our-hands

23 *Amid Striped Bass Struggles, CBF Urges the Public to Weigh In on ....* https://www.cbf.org/news-media/newsroom/2025/all/amid-striped-bass-struggles-cbf-urges-public-to-weigh-in-on-rebuilding-plan.html

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https://news.maryland.gov/dnr/2024/02/12/two-studies-by-dnr-scientists-highlight-spawning-challenges-for-striped-bass/

26 *2023 Striped Bass Biennial Report to Congress - NOAA Fisheries*. https://www.fisheries.noaa.gov/s3//2024-08/24-0090902-final-report-508-compliant.pdf

27 Effects of loading density during transport on physiological stress and ....
https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=102287

From:	jps0886@gmail.com
To:	Emilie Franke
Subject:	[New] [External] Re: Dead Stripers Discarded by Dragger
Date:	Tuesday, November 18, 2025 4:43:29 PM
Importance:	High

Dear Emilie,

I am writing to draw your attention to a deeply concerning incident documented in the attached video and online discussion, wherein large numbers of dead Atlantic striped bass (stripers) were reportedly discarded by a dragging vessel. This video and its commentary (see link) illustrate a practice that is incompatible with the conservation goals and regulatory frameworks that the ASMFC has committed to uphold: https://www.stripersonline.com/surftalk/topic/910283-dead-stripers-discarded-by-dragger/#comments

As you are aware, striped bass stocks have been on a persistent decline, which is why the ASMFC's Striped Bass Management Board, along with state and federal partners, has put in place strict management measures to restore and protect this iconic fishery. It is therefore troubling that practices such as the one shown, apparently resulting in large-scale mortality and waste of a protected resource, continue to occur.

I respectfully request that the Board review this incident promptly, assess whether it constitutes a violation of existing regulations or the intent of the Striped Bass Fishery Management Plan, and explore whether additional regulatory prohibitions are necessary. Specifically, I urge consideration of an immediate prohibition on the discarding of dead stripers by dragging or other non-selective gear, labeled clearly as illegal and subject to enforcement.

Thank you for your attention to this matter. I appreciate the ASMFC's ongoing efforts to safeguard our striped bass resource and stand ready to assist or provide further information if needed.

Sincerely,
James Sabatelli

From:	Emilie Franke
To:	Emilie Franke
Subject:	FW: [New] [External] Re: Dead Stripers Discarded by Dragger
Date:	Thursday, November 20, 2025 2:41:02 PM

From: jps0886@gmail.com <jps0886@gmail.com>
Sent: Thursday, November 20, 2025 2:39 PM
To: Emilie Franke <EFranke@ASMFC.org>
Subject: RE: [New] [External] Re: Dead Stripers Discarded by Dragger

In case the location is needed, this occurred about 10 miles off NJ.

Thanks.

Atlantic States Marine Fisheries Commission

ISFMP Policy Board

February 5, 2026
11:00 a.m. – 12:30 p.m.

Draft Agenda

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

1.	Welcome/Call to Order *(D. McKiernan)*	11:00 a.m.
2.	Board Consent *(D. McKiernan)* • Approval of Agenda • Approval of Proceedings from October 2024	11:00 a.m.
3.	Public Comment	11:05 a.m.
4.	Executive Committee Report (*D. McKiernan*)	11:15 a.m.
5.	Review and Discuss 2025 Commissioner Survey Results (*A. Law*)	11:25 a.m.
6.	Update from the Declared Interests and Voting Privileges Work Group (*R. Beal*)	11:45 a.m.
7.	NOAA HMS Update on Recent Coastal Shark Actions (*K. Brewster-Geisz*)	11:55 a.m.
8.	Consider Habitat Management Series Report on Atlantic States Shell Recycling (*S. Kaalstad*) **Final Action**	12:05 p.m.
9.	Review Noncompliance Findings (If Necessary) **Action**	12:15 p.m.
10.	Other Business	12:20 p.m.
11.	Adjourn	12:30 p.m.

The meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details.

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

MEETING OVERVIEW

ISFMP Policy Board
Thursday February 5, 2026
11:00 a.m. – 12:30 p.m.

Chair: Dan McKiernan (MA) Assumed Chairmanship: 10/25	Vice Chair: Doug Haymans (GA)	Previous Board Meetings: October 30, 2025
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, SC, GA, FL, NMFS, USFWS (19 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2025

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

4. Executive Committee Report (11:15 -11:25 a.m.)

Background

- The Executive Committee will meet on February 4, 2026
-

Presentations

- D. McKiernan will provide an update of the Executive Committee's work

Board action for consideration at this meeting

- None

5. Review and Discuss 2025 Commissioner Survey Results (11:25 -11:45 a.m.)

Background

- Commissioners completed a survey of Commission performance in 2024 (**Supplemental Materials**). The survey measures Commissioner's opinions regarding the progress and actions of the Commission in 2025.

Presentations

- A. Law will present the results of the 2025 Commissioner survey highlighting significant changes from the previous year.

Board discussion for consideration at this meeting

- Determine if any action is required based on the survey results

6. Update from the Declared Interest and Voting Privileges Work Group (11:45 - 11:55 a.m.)

Background

- The Executive Committee will discuss the Work Group Progress that has been working on Board voting procedures and declared interest procedures and definitions.

Presentations

- Staff will present the work group progress

Board action for consideration at this meeting

- None

7. NOAA HMS Update on Recent Coastal Shark Actions (11:55 a.m. – 112:05 p.m.)

Background

- The NOAA Fisheries published a proposed rule to revise the commercial Atlantic blacknose shark and recreational Atlantic shark measures. These measures impact commercial or recreational shark fisheries in the northwestern Atlantic Ocean, including the Gulf of America and Caribbean Sea, as well as dealers who buy or sells sharks or shark products in these areas.

Presentations

- K. Brewester- Geisz will present the measures in the proposed rule

Board action for consideration at this meeting

- Provide feedback to NOAA on the proposed shark measures

8. Consider Habitat Management Series Report on Atlantic States Shell Recycling (12:05 – 12:15 p.m.) Final Action

Background

- The Habitat Committee drafted the most recent Habitat Management Series Report on shell recycling (**Supplemental Materials**). The report is a practitioners guide to shell recycling on the Atlantic coast. It highlights shell recycling programs across member states and offers recommendations for best management practices, including permitting guidelines, lessons learned, strategies to minimize the risk of disease introduction, and a variety of useful links and contacts.

Presentations

- S. Kaalstad will present the Habitat Management Series Report on Atlantic States Shell Recycling

Board action for consideration at this meeting

- Approve the Atlantic States Shell Recycling Habitat Management Series Report

9. Review Non-Compliance Findings, if Necessary Action

10. Other Business

11. Adjourn

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

ISFMP POLICY BOARD

The Hyatt Place Dewey Beach
Dewey Beach, Delaware
Hybrid Meeting

October 30, 2025

These minutes are draft and subject to approval by the ISFMP Policy Board.
The Board will review the minutes during its next meeting.

TABLE OF CONTENTS

INDEX OF MOTIONS

ATTENDANCE

Board Members

Carl Wilson, ME (AA)
Renee Zobel, NH (AA)
Doug Grout, NH (GA)
Dan McKiernan, MA (AA)
Jason McNamee, RI (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Matt Gates, CT (AA)
Marty Gary, NY (AA)
Joe Cimino, NJ (AA)
Jeff Kaelin, NJ (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Loren Lustig, PA (GA)
John Clark, DE (AA)
Roy Miller, DE (GA)
Lynn Fegley, MD (AA)
Jamie Green, VA (AA)
Chris Batsavage, NC, proxy for K. Rawls (AA)
Ben Dyar, SC, proxy for B. Keppler (AA)
Mel Bell, SC, proxy for Sen. Cromer (LA)
Doug Haymans, GA (AA)
Spud Woodward, GA (GA)
Erika Burgess, FL, proxy for J. McCawley (AA)
Gary Jennings, FL (GA)
Ron Owens, PRFC

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

Staff

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

The ISFMP Policy Board of the Atlantic States Marine Fisheries Commission convened in the Ballroom East/West via hybrid meeting, in-person and webinar; Thursday, October 30, 2025, and was called to order at 10:35 a.m. by Chair Dan McKiernan.

CALL TO ORDER

CHAIR DANIEL McKIERNAN: Good morning, everyone, I'm going to call to order the Policy Board meeting this morning. My name is Dan McKiernan from the state of Massachusetts and this Board's Chair. First, I would ask when folks do speak, they bring their microphones closer. I was listening this morning up here at the front, and it was fairly difficult to hear some of you, so please be mindful of that. Toni, who is remote this morning?

MS. TONI KERNS: We have Renee Zobel online and Marty will need to head out around 11:00, and John Maniscalco will take over for him online.

APPROVAL OF AGENDA

CHAIR McKIERNAN: Very good. Next the approval of the agenda. Has everyone seen the agenda and are there any recommended changes to the agenda? Eric Reid.

MR. ERIC REID: At this time, I think it would be appropriate if all of us said a rousing show of appreciation to our staff, because without them none of this would ever happen. (Applause)

CHAIR McKIERNAN: Thank you, Eric. I assume there are no changes to the agenda.

APPROVAL OF PROCEEDINGS

CHAIR McKIERNAN: Can I get approval of the proceedings from our last meeting in August? I see a motion by Lynn, is there a second? I see Ben Dyar, nope it's Joe Grist. Sorry, you're a long way off. Any objections to approving the agenda? Hearing none; approved.

PUBLIC COMMENT

CHAIR McKIERNAN: Public comment, do we have anyone in the audience or remote who would like to speak on items not on this agenda this morning? I see no one in the room, is there anyone remote? Very good, we can move on.

Next, I'm going to invite Gary Jennings to provide some resolutions. This was scheduled for the Business Meeting, but I think we're going to dispense with the Business Meeting, so therefore Gary, if you would like to take the mic and provide the resolutions on behalf of your committee.

ANNUAL MEETING RESOLUTIONS

MR. GARY JENNINGS: Thank you, Mr. Chairman.

WHEREAS, the Atlantic States Marine Fisheries Commission conducted its 83rd Annual Meeting hosted by Delaware Commissioners John Clark and Roy Miller, Rich Wong with the Delaware Fish and Wildlife, and Representative William Carson on October 26th through 30th, in Dewey Beach, a coastal town known for its beautiful beaches, water activities, gale force winds and restaurants that are closed in October.

WHEREAS, Delaware, known as the first state for being the first state to ratify the U.S. Constitution on December 7, 1787, and for having the state motto, Liberty and Independence, especially for seagulls, who freely exercise their right to steal your french-fries without consequence.

WHEREAS in Delaware poultry are the real birders. The state bird is the blue hen, presumably chosen after the other 300 million resident chickens clucked their approval, after beating the human vote by almost 200 to 1. If you're a fish and wildlife official here, oh I'm sorry that's your next stakeholder meeting. It might involve a beak and some seed.

WHEREAS each spring tens of thousands of migratory birds stop to gorge on horseshoe crab eggs, making Delaware's beaches the east coast best all you can eat buffet, if your idea of fine dining

is ancient arthropod caviar, bon appetite red knots and sandpipers.

WHEREAS Delaware's horseshoe crabs have seen more history than the state archives, these living fossils have been trudging along Delaware shores for 450 million years, which coincidentally is how long the ASMFC menhaden and striper meetings go. They've survived mass extinctions and Continental Drift, but they still can't get a decent parking spot in Rehoboth in the summer.

WHEREAS Delaware has more corporate entities than residents, including Dupont, which explains why John Clark is the Teflon Man with Kepler lactic skin.

WHEREAS milk is Delaware's state beverage, and Delaware lays claim to the first commercially produced ice cream in 1857, which explains the plethora of ice cream shops.

WHEREAS at the 32nd Annual Laura Leach Fishing Tournament, Spud Woodward and the South rose once again my spanking the competition.

WHEREAS at the annual dinner Lynn Fegley received accolades and had her last hoorah before sailing off into the sunset.

WHEREAS while at the Big Chill Beach Club ASMFC recognized as the 2025 Melissa Laser Award recipient, Annie Roddenberry of the Florida Fish and Wildlife Commission, and now

THEREFORE, BE IT RESOLVED that the Atlantic States Marine Fisheries Commission once again expresses its appreciation to the Delaware contingent, and especially Rich Wong, for the terrific assistance in the planning and execution of this outstanding 83rd Annual Meeting. Thank you, Mr. Chairman.

EXECUTIVE COMMITTEE REPORT

CHAIR McKIERNAN: Thank you so much, Gary, well done. All right, moving on the agenda is the Report of the Executive Committee, which I will give. The Executive Committee met to discuss several issues, including the fiscal year '25 audit, the discussion paper on declared interest in voting privileges, notifying actions on agendas, a legislative update and a future annual meeting update regarding locations. The following action items resulted from the committee's discussion. First, Executive Committee reviewed and accepted the fiscal year '25 financial audit of the Commission, noting it was a clean audit and no negative findings were reported.

Mr. Beal reported a declared interest in Voting Privileges Work Group, which formed to flesh out the discussion paper presented in August, to further frame the Executive Committee discussion. The Committee will report back to the Executive Committee in February. Mr. Beal discussed the issue of notifying actions on meeting agendas.

After a thorough discussion, staff was tasked with developing language for agendas, and possibly the charter detailing the process in noting when public input was available. Mr. Alexander Law presented an update on the status of the fiscal year '25 federal funding, the government shutdown and the status of two recently introduced bills, the Fisheries Data Modernization Act and the Quahogs Act.

Laura Leach provided an update on future annual meeting locations. Next year Rhode Island will host the annual meeting, in 2027 it will be South Carolina, in 2028 Massachusetts, 2029 Pennsylvania, 2030 Georgia and 2031 Connecticut. Finally, an Executive session was held to discuss ongoing CARES challenges, notably a few grants made by two states and the issue that NOAA Grants has communicated ASMFC should pay back.

The second issue that was discussed was the status of lawsuits that the Commission is involved in. In the area of Striped Bass Addendum II, lobster v-notch conservation measures and lobster vessel

trackers. I'll take any questions on those matters at this time. Very good .

COMMITTEE REPORTS

CHAIR McKIERNAN: Next on the agenda we've got some reports.

ASSESSMENT SCIENCE COMMITTEE

CHAIR McKIERNAN: First is Jainita Patel of the Assessment Science Committee.

MS. JAINITA PATEL: Today the only Assessment Science Committee update I would have for you is in regard to the Stock Assessment Schedule. I believe the last time the Board saw this was last year, and there have been quite a few updates to the schedule since then. You all should have received a copy of these changes in your supplemental materials for this meeting.

But I just wanted to go over them with you today and point out any major changes that have occurred since we received those materials. This is a copy of the schedule, I know it is extremely difficult to read, so I am just going to quickly highlight the major changes for you. There have been quite a few changes.

Several assessments have been changed from updates to benchmarks or vice versa since last year, and several have been moved and pushed back. The changes are listed up there, but they are as follows. The 2025 croaker benchmark has been moved to next year, and will be presented to the Sciaenids Board at the summer meeting.

The '26 cobia benchmark has been moved to the following year and been changed to an update to be presented at the 2027 summer meeting. The 2026 striped bass update has been moved to 2027 and been changed to a benchmark. The '26 dogfish update has been moved to 2027. The 2026 winter flounder benchmark has been moved to 2027 and changed to an update, and that assessment is still tentative. The 2026 spot benchmark has been moved to 2027 and will be presented to the Board at the summer meeting of that year. The 2027 black drum benchmark has been changed to an update.

Then something slightly different from what was in the supplemental materials, but the Horseshoe crab ARM update was previously completed annually. Before this week's Horseshoe Crab Board Meeting it was discussed that this assessment should take place once every three years, but after discussions this week the Board has decided that this assessment will be completed at their discretion with the longest time period between assessments being three years.

The next update for Horseshoe Crab ARM is scheduled for 2027. Some added assessments, Spanish mackerel will receive an update in 2027, and weakfish will be receiving a benchmark in 2028. Looking further into the future. For 2029 we'll have tentative assessment updates for black sea bass, bluefish, river herring, scup and summer flounder, and we'll have a benchmark for Horseshoe crab and tautog.

For 2030 there are tentatively scheduled benchmarks for shad and American lobster, and an update for sea herring. That is all I currently have. I am happy to take any questions about these changes or additions. If I can't answer your question, hopefully someone on science can.

CHAIR McKIERNAN: Thank you, are there any questions for Jainita? Seeing none; I do need a motion to approve this schedule, I believe. I have a motion from Doug Grout to approve the schedule as presented today and seconded by John Clark.

MR. DOUGLAS E. GROUT: Do you want me to read it into the record?

CHAIR McKIERNAN: Toni? Yes, please.

MR. GROUT: **Move to approve the Commission's stock assessment schedule as presented today.**

CHAIR McKIERNAN: Is there any discussion on the motion? Seeing none, **is there any objection to the motion or nulls or abstentions? Seeing none; it's approved.** Seconded was John Clark, yes.

LAW ENFORCEMENT COMMITTEE

CHAIR McKIERNAN: Next up we have the Law Enforcement Committee, Kurt Blanchard.

MR. KURT BLANCHARD: The Law Enforcement Committee convened a hybrid meeting as part of the 83rd Annual Meeting of the Atlantic States Marine Fisheries Commission. The Committee discussed the following topics. In the species discussion we discussed the Atlantic striped bass.

Specifically, the LEC convened a meeting on October 10 to consider Striped Bass Management Board's request regarding the Plan Review Team's report on the Atlantic Striped Bass Commercial Tagging Ten-Year Review. The Committee focused on evaluating the report, discussing additional LEC recommendations pertaining to tagging procedures and potential enhancements of state tagging programs. A detailed summary of the meeting was presented to the Striped Bass Management Board during the annual meeting week. Staff also presented an update regarding Draft Addendum III of the Striped Bass Fisheries Management Plan. A review was conducted of the LEC recommendations on Addendum III as documented in our meeting summary from March 27, 2025. The LEC did not offer any further comments.

We also discussed red drum. Staff presented the LEC with an update regarding progress of Draft Addendum II of the Red Drum Fisheries Management Plan. There were no LEC concerns for the proposed addendum. Under Other Topics, the LEC Chair provided an update to the Committee regarding ASMFC support, considering the absence of JEA funding, program funding in the Fiscal Year '26 Presidential budget.

He reported receiving favorable feedback during Congressional meetings, and noted the NOAA OLE responded positively to our inquiries concerning this matter. The states remain committed to the JEA program and hope to see this funding restored. We discussed sector separation. Staff consulted with the LEC regarding sector separation, representatives from the Mid-Atlantic Fisheries Management Council's FMAT Team and ASMFCs PDT held an initial meeting with the LEC to address key issues identified during earlier discussions.

During this session, FMAT and PDT solicited input from the LEC concerning enforceability and anticipated compliance outcomes for draft alternatives under review. LEC members actively participated, providing feedback and specific inquiries related to proposed management measures that were shared with the Committee.

The LEC will continue its involvement as these proposals progress, offering further insight as appropriate. Some training opportunities, staff shared the upcoming training schedule for National Association of Conservation Law Enforcement Chief's Academies, covering calendar years 2025 through 2027.

Both Leadership Academy and the introduction of Conservation Leadership Academy have grown in popularity within the conservation law enforcement community. Members of the U.S. Coast Guard highlighted training opportunities for partner agencies at the Northeast Regional Fisheries Training Center.

The 2026 Living Marine Resource class schedule was shared with members of the LEC. A closed session was convened during our meeting to facilitate open discussion or guiding new and emerging issues in law enforcement, as well as each agency was given an opportunity to showcase its work and share updates on ongoing enforcement initiatives.

Some notable casework, the New York Environmental Conservation Police. Officers recently completed another successful Striped Bass Enforcement Initiative that resulted in nearly 100 tickets. Now in its third year, the detail focused on anglers fishing from vessels and along the shorelines of Hudson River during the months of April and May, big time for striped bass activity.

Officers checked hundreds of anglers and vessels on foot and by boat for compliance with the New York recreational regulations. They issued 98 tickets during the detail for violations, including failure to possess fishing licenses and/or being registered in the marine registry. Other violations documented were violations of boating safety laws. Officers addressed some of the more minor violations with written warnings and education rather than enforcement, issued more than 50 written warnings as nearly many verbal warnings.

Officers also assisted two vessels in distress during the detail, and participated in one search for a missing kayaker, and encountered one incident involving an intoxicated boater. For our friends with the Maryland Natural Resource Police. Officers responded to a call for a boater who had snagged an illegal gillnet with his boats motor.

Officers determined the gillnet belonged to two men on a boat in a nearby creek who were seen with additional gillnets on board. Officers located these men and upon inspection officers found 41 striped bass, 11 of which were outside the legal-size limit of 19-24 inches, 8 undersized croakers and several spot onboard with cuts and marks consistent with being caught in a gillnet.

The men, both from the area, were cited for the following violations; fishing without a license, use of a gillnet or monofilament gillnet, possession of illegal size striped bass, possession over limit striped bass, possession of undersized croaker and several additional boating safety violations.

Officers found that one of the men were wanted on another crime, and he was arrested and transported. Both men face maximum fines of $5,000.00. Finally, from our friends with the Massachusetts Environmental Police working in conjunction with the Westport Harbor Master. A new policy from the town of Westport to incoming harbor masters, Department with the State Environmental Policy.

This helps lead to a major illegal fishing bust. Officials say the fishermen, four from Maryland and one from Pennsylvania were caught with five coolers, packed with more than 1,000 illegally caught fish. The haul included undersized black sea bass, tautog and scup. Basically, if it bit the hook they took it, stated the Assistant Harbor Master.

The encounter started when the Assistant Harbor Master returned from a joint patrol with an environmental police officer. He was docking a town boat near the Harbor Master's Office when he noticed a 25-foot boat floating nearby. The operator asked for some gas or where he could get some gas.

The Harbor Master grew suspicious when he realized the boat engine was still running. He then called the EPO and asked him to return to his location. Just as the group was pulling their boat out of the water, the EPO arrived at the ramp. Upon inspection the officer opened the cooler and found what the Harbor Master called a boatload of illegal sized fish.

The fishermen were cited for fishing without a license and/or permits, as well as possession of undersized fish and exceeding the daily limit of fish. The five out of state fishermen were issued $52,000 in civil fines. I'll let the chairman discuss the administrative penalties in the state of Massachusetts. Side notes on this, four of the five fishermen have paid their fines, and one has appealed the offense. Mr. Chair, that is my report, I'm available for any questions.

CHAIR McKIERNAN: Thank you, Kurt, are there any questions for Kurt? John Clark.

MR. JOHN CLARK: Thank you for the report, Kurt, and my commendations to Massachusetts for having some pretty strict fines there. That should help. Kurt, I was just wondering, I heard that no fishing license came up in several of those, but particularly on the recreational one in the Hudson.

I know that is one thing we've been hearing more and more about is like younger people, Delaware has a general fishing license, so you should have a fishing license to do any type of recreational fishing that more and more people are thinking. Well, they are claiming they don't know about it, but otherwise they are fishing without licenses. Is this a widespread problem of recreational anglers fishing without licenses?

MR. BLANCHARD: I'm not hearing that it is. I know when the registry went through several years back, that many of the jurisdictions were very aggressive in their educational aspect of getting the word out on the new licenses and registration. I'm not seeing or hearing that that is any more prevalent than what we've seen in past years. Maybe just because of these couple cases I picked up on just happened to be no license cases.

CHAIR McKIERNAN: Any other questions? Loren.

MR. LOREN W. LUSTIG: Yes, thank you very much, Mr. Chair, and thank you, Kurt for a fascinating report. I really appreciated the fact that the magnitude of the Massachusetts fine hopefully will hurt enough that such lawbreakers will discontinue their illegal operations. I was wondering though if the Massachusetts law could have provided for confiscation of the vessel as well.

CHAIR McKIERNAN: The basis for the high fines was statutory change we enacted about five years ago, where we added a $10.00 violation per illegal fish. If you take, let's say black sea bass, if it's in excess of the limit well that is a violation of that reg and if it's a short fish that would be in violation of that reg. You would be paying $20.00 per fish, and I think the fines just escalated, because there were so many fish.

As far as seizing a boat. I mean I'll let Kurt speak to that, but it's my understanding the courts typically don't like to seize assets that might be worth more than the fines. That is a whole legal, some legal principles that I'm not capable of really addressing. But I'll let Kurt speak to the potential for seizures of equipment.

MR. BLANCHARD: I have seen seizure of vessels and equipment, based on state statute in different jurisdictions. In this particular case there was no seizure of a vessel, but they did seize and libel the illegal fish, which was ultimately sold also. That actually came back to the state. The other piece of this prosecution was that Massachusetts has a law on the books.

The Mass representative to our committee was very favorable to this and highlighted this back to us was that they have an aiding and abetting statute. With the five fishermen onboard this vessel, they did not have to prove who contributed to what take. The fact was the evidence of the illegal act was there, so they were all charged under aiding and abetting, and therefore had to share in that penalty.

CHAIR McKIERNAN: I will recognize Eric Reid. I did want to mention one aspect about vessel seizures. Early in my career I know there was a lobsterman who had his vessel seized, and it seemed like a great idea at the time. But then the state had to take care of that boat, and the court case took a fairly long time to solve. I think many of the Police Officers or the agencies are less enthralled to do that, because they have to take care of it and be responsible for it while it's in storage. Kurt

MR. BLANCHARD: I can support that statement. When I was still an active officer I ran our warehouse, and annually had to inventory, make sure that the vessels that we seized were cared for,

winterized and things like that. Then also, what was ultimately turned over to the state, we would have to go through auctions and all those types of processes. It does get burdensome, and I'm not sure always what the bang for the buck is on the seizure. But al- in-all the penalty and the license sanctions really have strong merit, as far as deterring these offenses.

CHAIR McKIERNAN: I'm going to go to Eric Reid, okay, all right, any other questions? Seeing none; we'll move on to the Habitat Committee Report, Simen Kaalstad.

ATLANTIC COASTAL FISH HABITAT PARTNERSHIP

MR. SIMEN KAALSTAD: I'll start with the Atlantic Coastal Fish Habitat Partnership Steering Committee. I gave an update in August and I guess the only notable update between then and now is we have one more project in our portfolio, and that is the Chesapeake Bay Foundation received $75,000.00 for continuing their oyster restoration efforts in the South River in Annapolis, Maryland.

This comes through the NOAA Fisheries Increasing Recreational Fisheries Engagement through the Fish Habitat Partnership Program. As I mentioned, that goal is to build on a previously ACFHP supported project to evaluate how to restore oyster reefs and enhance fish and forage habitat, compared to non-restored sites.

A big component is community engagement. Some of the activities include scientific monitoring of reef habitat and fish use, and angler led Citizen Science and data collection. There will be a series of educational workshops and community events for the local anglers to present some of their work and be involved with the restoration work.

Then a quick reminder of sort of what is in the pipeline. We have recommended five projects for funding through the National Fish Habitat Partnership, and that totals to about $437,000.00 in project funds. That would be in states including Connecticut, Rhode Island, Massachusetts, Delaware and Maryland.

In total those projects, if all executed, would conserve and restore 15 acres or 31 miles of fish habitat. As I mentioned, the Steering Committee did meet on Monday and Tuesday. We received some updates from a national level on activities. The 20th anniversary for the National Fish Habitat Partnership is around the corner, so lots of events and outreach activities coming next year. We had guest speakers, Leah Morgan from the partnership for the Delaware estuary presented on some of their restoration work, as well as Alison Rogerson from DNREC Division of Watershed Stewardship presented on the Indian River Beneficial Use Dredging Project they have been working on. Then on Tuesday a main bulk of the conversation in the morning was planning for a Seagrass Workshop in the fall of next year.

As I mentioned, sort of the big plans right now for the Science and Data Committee of the Atlantic Coastal Fish Habitat Partnership is to work on Eelgrass Seed Transfer Best Management Practices, developing a guidance document and forming a workshop. This will be focused on interstate and regional seed transfer practices for SAV, focusing mostly on Zostera marina or eelgrass.

We'll be compiling the latest science and best management practices to support seed-based research, restoration and management. The idea is that the document to come out of this workshop will serve as a resource for agencies and organizations considering policy or regulatory decisions.

It will not be a regulatory document as much as it is a compilation of recommendations for techniques. The Planning Committee that was formed out of this endeavor involves folks from VIMS, Stonybrook University, Northeastern University as well as UPA.

HABITAT COMMITTEE

MR. KAALSTAD: Moving on to the Habitat Committee, we met yesterday afternoon.

Just a kind of quick recap of what we discussed. The Habitat Management Series on Atlantic States Shell Recycling. We were hoping to have that in front of the Policy Board this time around. There was still some work to be done, so we're putting the finishing touches on that.

But at the next Commission meeting we will be seeking approval on the final draft of the Atlantic States Shell Recycling Document, and that focuses on shell recycling best management practices, permitting guidelines et cetera, things to consider for beginning a new program or expanding on your current program.

We also reviewed ongoing and emerging Atlantic Fish Habitat issues. We had long discussions about the Fish Habitat's concern if there are any things in there that need to be updated. We had some discussion on outreach, as far as getting some habitat information out to various audience members. Conversation I guess I'll have with Tina regarding the Fisheries Focus, and maybe including a regular habitat update in those newsletters.

We had Jessica Coakley from the Mid-Atlantic Fisheries Management Council. She provided a presentation on their EFA Source Document, that is an IRA funded project. We also had Jay Odell from the Urban Coast Institute at Monmouth University, who joined in on the conversation and discussed Ocean Data Portals and Habitat Mapping.

We considered the need for some basic level Fish Habitats of Concern maps to be included in our Habitat Program. We'll be in touch with you guys, as far as high priority items, but that is the end of the slides, that's all I've got. I'm happy to take any questions.

CHAIR McKIERNAN: Any questions from the Board? John Clark.

MR. CLARK: Thank you for the presentation, Simen. Just curious about the eelgrass. I saw that one of the projects was for the inland bays right behind us here. I know the efforts have been going on for, it's been decades, right, Roy, to restore eelgrass there. It has not been all that successful. Have the techniques improved? Are we getting to the point that some of these areas that are getting planted where it's really taking and proliferating well?

MR. KAALSTAD: Thank you for your question. There are some areas that have shown to be successful in some of the restoration techniques, mainly through seed dispersal. When we got a tour of the Louis SAV Shed Facility yesterday morning, you know the joke was about how scientific it is, which is just shaking the seagrass seeds and growing them back out. Depends on what corner of the Bay you're in, but there is some success.

This project that you're referencing that we've recommended for funding is more of a sort of monitoring and suitability project. Before putting things in the ground, they are really trying to hone in on where the most successful areas would be. It's a relatively inexpensive project, but we feel it's pretty important to really figure out where the best area is and use those areas as either a donor bed or as a reference for other areas.

CHAIR McKIERNAN: Loren Lustig.

MR. LUSTIG: I'm very interested in the restoration report that we just heard about. A number of years ago I was a Lake Manager in Central Maryland, and there was an excellent program, it was called Grasses in Classes, and it was a cooperative venture with local junior highs or high schools for example.

There was the double benefit, not only with the grasses that the students produced beneficial for the lake that I was a manager at, but there was also the educational value for the students themselves, a hands-on sort of lake management. Is the

program that you were describing, is there any complement that relates to the local school system?

MR. KAALSTAD: Thanks for your question. In the inland bay's monitoring project that I was referencing, not as much. There was one project that we did not recommend for funding, that didn't mean that we were not interested in it, and that is in Cohasset Harbor in Massachusetts, which is a very similar endeavor as you mentioned.

There they are, it's a smaller area but the outreach and education component they are involving high school students, growing sea grasses in the classroom and going out and planting them in the ground. We're trying to sort of find an opportunity to support that project through other funding sources. But this specific Delaware Inland Bay's one is more of a scientific and habitat suitability project.

MR. LUSTIG: Thank you very much for your support for that particular school opportunity. I really appreciate what you're doing on that.

CHAIR McKIERNAN: Joe Cimino.

MR. JOE CIMINO: Thank you, Simen, for that. Not quite to your question, Loren, but our New Jersey Shell Recycling Program has a school component to it as well.

CHAIR McKIERNAN: Is there anyone else with questions on this topic? I think Toni would like to weigh in.

MS. KERNS: Just a reminder to the Policy Board that if there are endeavors or actions that the Board is interested in Habitat Committee pursuing, to please reach out to Simen or myself. The Committee is always interested in finding out what the Board is looking for from the Habitat Committee's work.

CHAIR McKIERNAN: All right, we'll move on, oh, John Clark.

MR. CLARK: This isn't about the Habitat Committee. I just noticed there is no update from the CESS this time, and I don't think I've ever heard more discussion of socioeconomics than we heard in both the Menhaden Board meeting and the Striped Bass Board meeting, and I'm just wondering how we as a Board move ahead with maybe coming up with some tasks to look at that, because as I said it was just mentioned time after time after time in both meetings.

CHAIR McKIERNAN: Toni, care to address that?

MS. KERNS: The CESS works at the Policy Board's endeavors, so whatever the Policy Board would like to task the CESS with we can do so. Jainita and I have been chatting a lot about how the CESS can be more engaged when we're doing management documents. As this Board knows, what we put into management documents is dependent on the data that are available, which is often a hindrance of what we can do, as well as sometimes timeframes in which the Board is looking to move a management document.

The volunteers that work for us on the CESS Committees, there are very few states that actually have economists that work for them, so a lot of our CESS members are volunteers. Sometimes the timeframes do not fit in with the lack of data that are available, and the time that it would take to do some digging for that information. But that said, if we want to task the CESS with some items, we can do that and come back and talk that over with the Board.

CHAIR McKIERNAN: Go ahead, John.

MR. CLARK: One of the questions that comes up right away. As we saw at the Menhaden Board meeting, the reduction fishery Omega brought a busload of their employees up here and brought up the point that you know these reductions could put a lot of people out of work. That would seem like a logical place for us to ask for an analysis.

How does a 20% reduction in the TAC affect this business? I think I heard some comments at the

meeting that they didn't know how many people they would have to lay off because of that. Now that is just one aspect of it, and I know from our crabbers this year that the price of menhaden has gotten to the point that they reported days that between the reduction and the amount of crabs out there, and the cost of fuel, the cost of bait that there were days that they were really not making anything.

I just think we need to look at that with menhaden. Of course, with striped bass, we're going to have to balance reductions, when we discuss like reducing the catch to change the regulations, how does that impact the fisheries that depend on striped bass? I mean obviously we had another crowd here again. It's kind of tough, because we're just hearing one side from people telling us this, but we don't have any analysis to tell us that well, maybe it will be bad, maybe it won't be bad.

CHAIR McKIERNAN: I've got Doug and then Patrick and Lynn. Go ahead, Doug.

MR. DOUG HAYMANS: I agree with John's comments, as one of the people who called up the need for some of the socioeconomic information during menhaden. I would throw it out, is it possible, and I realize CESS is a volunteer organization, but perhaps the Commission consider contracting some of that work out, and then have CESS review the results of the contract, if that is possible and there is lots of those put your palms out there.

CHAIR McKIERNAN: Toni or Bob. We'll go to Toni first.

MS. KERNS: Let Bob speak to the funds to contract that work. I think one of the harder parts for us is, like I said having that source data to be available so that we can come to a Board meeting where we know an action is going to be taken to potentially reduce a fishery or to expand a fishery.

Without having that source data, like I am not aware of an overall economic, a study being done on striped bass for at least ten years. It's difficult for CESS to provide you all with something other than a general report on what is going to happen to that fishery, because we don't have real time, you know bait, data, fuel costs and all that in some sort of analysis for the coast.

But as I said, Jainita and I can work together to try to figure out how we can get CESS to potentially have some information that we can utilize in a quicker way, to bring to the Board when we're making these big decisions. I'll let Bob speak to the contract work.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Yes, the short answer is maybe. We do have a little bit of funding available right now, it is surprisingly left over from when folks couldn't travel during COVID. It's a long grant cycle that we have and that's a little bit of money left over there. We could look into doing some contract work for that.

That money will have to be used by June of next year, so we don't have a lot of time. But we could probably get something done. While I'm speaking, one of the difficult things for socioeconomic data or analysis is kind of the lack of just the fundamental data to plug into the analysis.

It's usually a two-part process for any of these things. You have to go collect the data, survey people, whatever it takes to get that data and then have someone analyze it. If there is some data around that we can use for menhaden and striped bass, you know getting the analysis done, I think is almost sometimes the easier part. The hard part is getting that data.

CHAIR McKIERNAN: Bob, I would add the confidentiality issues are probably going to be quite severe, at least among the entities that were here, there is one company. I have Pat Campfield next.

MR. PATRICK A. CAMPFIELD: To John's question. In addition to what Toni summarized. CESS has been meeting annually, so if you have specific tasks you

come to mind, please send them along through the staff. They will be having a call in a couple weeks, November 10.

If there is anything on the forebrain that you would like them to add to the agenda, again feel free to send that along. I think Toni sort of eluded to this, but we have the CESS member with expertise in menhaden fisheries engaged in evaluating some of those socioeconomic tradeoffs, you know management action.

CHIAR McKIERNAN: Next in my queue I have Lynn Fegley.

MS. LYNN FEGLEY: I wanted to just remind this Board that we did contract out a socioeconomic study on menhaden several years ago. It might have even been ten years. The idea was, and it was an academic out of North Carolina. The idea really was to try to understand the economic impact and drivers of the different sectors of the menhaden fishery, to help the Board inform allocation decisions.

It did not go really well, precisely because of the data issues and to be honest, particularly in Maryland, a lot of fishermen didn't even want to talk about it. They did not want to provide their information. I also wanted to point out that there is, if you get on the ACCSP website there is a list of data elements needed for socioeconomics.

It's everything from Captain's wages, labor cost, annual insurance cost, dockage. What might be helpful. I would say that this is really an issue for the states. You know how we can better get this sort of information from our people. What might be helpful from the CESS is to take this list that exists and help prioritize it for the states, because we're not going to get all of it.

It is very difficult information to get, but if there is sort of this list contains things like marital cohabitational status, you know. Would that be our priority, maybe not. It might just be helpful to hear a little bit from the CESS. As they are doing these analogies what is sort of the low hanging, it might not be low hanging, but what is the most helpful fruit out there.

CHAIR McKIERNAN: Joe Cimino.

MR. CIMINO: I'm glad Lynn went first, because I was going to make reference to some of that as well. Basically, the same exact notion behind a task is, amongst that what are the priorities. I feel a little bit deflated, because one of the things I was hoping for was that there are notions that that group could help us understand that if the states are looking to volunteer.

Because you hear that there are folks willing to volunteer information. Lynn saying that that is not always the case is a little deflating, but to understand the priorities that if states have that ability to reach out there for that data, that is something that could help us in the future. Particularly, even on the voluntary level. I would say that I think that some of that stuff gets volunteered gets past part of an issue on confidentiality. You know the other notion is that the analysis, that data could still be kept confidential, even if it was voluntarily given to a group to analyze and what they presented was still confidential data.

CHAIR McKIERNAN: Eric Reid.

MR. ERIC REID: This is an interesting conversation. I do agree that some of the data that is out there, you really have to look at it with, I don't know, blinders on or something, because it is not always accurate. You know when people come down to Dewey Beach, Delaware for a week, and they go fishing for two hours, they tend to say all the money they spent was on that fishing trip, which of course is not exactly true.

Some of the data is hard to find, but there is another set of data the Feds put out a status of the fishery every year, and there is some pretty good data in there. But the number that is probably the simplest, it's a down and dirty number, it's the value added per dollar of fish. You know a dollar's

worth of fluke is worth $6.75 when you take it through the chain.

There is supposed to be, the Department of Commerce is supposed to have that number for probably all the fish we have. I've never seen it, but you've got to look for it. But you can find these different value-added numbers. It's just that you can do a little bit of arithmetic and figure out what a pound of menhaden is or a dollar's worth of menhaden is, if you have that multiplier. That's a pretty simple way to do it. It's not perfect but it's quick.

CHAIR McKIERNAN: John Clark and I can't see that far. Okay, Jeff Kaelin.

MR. CLARK: One of the things I've been thinking is actually, I think simpler. As Lynn was saying, when we get the real economic studies, they tend to really get into the weeds about, I was thinking more just take menhaden for example and the price of crab bait or the price of lobster bait, for example.

How does our management action affect things like that, which then has ripple effects through these other fisheries? I mean just using that as one example. With striped bass we've been reducing for ten years, as we know the stock is sort of limping along. It's not really recovering. How do we weigh the economic cost of all the reductions, when the response of the stock is not what was expected, you know those types of things?

You know I think what I'm looking at are things that are not quite as detailed, but just, you know for example, if the TAC is reduced in menhaden, if it was reduced by 50% like was one of the options. How would that have affected both the reduction, the bait fishery and then all the fisheries that depend on the bait fishery, that type of thing?

CHAIR McKIERNAN: Jeff Kaelin.

MR. JEFF KAELIN: Just considering New Jersey. You know it's about a 50-million-pound fishery. We lost 10 million pounds with a 20% cut. At 20 cents a pound that is about a 2-million-dollar loss. to a handful of boats, it's a limited access program. I'm not sure, it's confidential, how many boats there are, but I think it's less than 30 or something like that permits. It's a lot of money. That doesn't consider the value-added aspects of putting that in the freezer and then selling it to their markets, whether it's those little things that look like lobsters that they produce in Louisianna, crawfish, right.

We sell down there. Stone crab, you name it, we sent menhaden to Turkey last year to feed bluefin tuna. Atlantic menhaden was one of our most valuable fisheries last year at Lunds, and we just lost millions of dollars of money the other day. Personally, I did think, even though I wasn't able to really vote or anything. I think the 20% adjustment was probably reasonable, given the signals that we had from the BAM model in particular.

But at least 2 million dollars ex-vessel losses I would estimate in round numbers a 20-cent fish, and it may be more than that now, and it will be more than that. From our perspective we look at it, okay we got a little bit of a haircut, but yes, the price will go up, absolutely it will. There are a lot of markets, a lot of competition. I really appreciate you bringing this issue up, Mr. Clark, because it does need a focus here. That's just a back of the envelop estimate that I did a minute ago.

CHAIR McKIERNAN: To Bob and Toni, since this issue is not on our agenda and we've had some very interesting conversations. How do I land this plane?

MS. KERNS: I think what I've heard is for that CESS call that is coming up we are going to look at the ACCSP list and prioritize that list for what states could be collecting for data. Then we will also look to see if we can do some contractor work that might assist in CESS in sort of providing some basic socioeconomic information as the Commission takes actions into the future. Am I missing anything else? Then if we obviously hear from anybody, we'll add that to the CESS agenda.

CHAIR McKIERNAN: Toni, you are inviting members to reach out.

MS. KERNS: I think yes, we definitely are happy to hear from you all. You can either send that to Pat, me or Jainita and we will get that on as a reminder, the call is November 10.

CHAIR McKIERNAN: I'm going to move on to the next agenda item if there are no objections.

CONSIDER FISHING YEAR 2026 COASTAL SHARKS SPECIFICATIONS

CHAIR McKIERNAN: It would be Consider the Fishing Year 2026 Coastal Sharks Specifications, and that is from Caitlin Starks.

MS. CAITLIN STARKS: There was a memo in your materials with the proposed coastal shark's specifications for the 2026 fishing year, which are based on the default federal regulations for Atlantic coastal shark fisheries. As a reminder, effective January 1st, 2024, NOAA Fisheries changed the federal regulations for Atlantic shark fisheries to automatically open the commercial fishing year on January 1st of each year under the base quotas and default retention limits.

The Final Rule established a default commercial retention limit of 55 large coastal sharks other than sandbar sharks per vessel per trip, and a commercial possession limit of eight blacknose sharks per vessel per trip at the start of the season. NOAA may make in-season adjustments to the commercial possession limits, depending on the catch rates. These are the NOAA fisheries base quotas and retention limits for the Atlantic Region. The Coastal Sharks Board does not set quotas actively for species in the non-blacknose small coastal sharks, blacknose aggregated large coastal sharks, hammerhead or pelagic species groups. But under the FMP the Commission will close the fishery for any species in these groups when it closes the fishery in federal waters.

We do set quotas for the states for smooth dogfish, which I'll get to in a bit. These are the NOAA Fisheries base quotas for the species groups with no regional quotas. All of these are status quo from last year. These would be the state shares of the 2026 Atlantic smooth dogfish coastwide quota of 3,973, 902 pounds based on Addendum II to the Coastal Sharks FMP.

To wrap this up, the Board's action for consideration today is to set coastal shark specifications for the 2026 fishing year, based on the default season start date and retention limits established by NOAA Fisheries. I can take any questions.

CHAIR McKIERNAN: Any questions for Caitlin? I don't see any questions, are you seeking a motion? Erika.

MS. ERIKA BURGESS: On behalf of the, as Chair of the Coastal Sharks Board, I would like to **make a motion on behalf of the Board, and that is Move to adopt the 2022226 coastal shark specifications matching the default season start date and retention limits as specified by the National Marine Fisheries Service final rule published on November 8, 2023 (88 Federal Register 77039).**

The fishing season will open on January 1, 2026 with a commercial possession limit of 55 large coastal sharks other than sandbar sharks per vessel per trip (as in aggregated large coastal sharks and hammerhead shark management groups) and 8 blacknose sharks per vessel trip. The commercial possession limit is subject to change; states will follow NMFS for in-season changes to the commercial possession limit.

CHAIR McKIERNAN: I had a second, Doug Haymans. Any discussion on the motion? Toni.

MS. KERNS: Erika, I think that you would just make that motion, not make it on behalf of the Board, since the Board technically hasn't met to discuss it.

MS. BURGESS: Then I am making it on behalf of Erika Burgess.

CHAIR McKIERNAN: John Clark, you're endorsing that change. Well, I have a second from Doug Haymans, but are we good with that amended motion? All right, any discussion on the motion? I see no hands**. Is there any objection to the motion? Again, I see no hands. Are there any abstentions or nulls? There is an abstention from New Hampshire. It passes unanimously with one abstention.**

UPDATE ON NORTH CAROLINA'S PAMLICO SOUND TRAWL SURVEY

CHAIR McKIERNAN: Next on the agenda is the Update on North Carolina's Pamlico Sound Trawl Survey. Chris Batsavage.

MR. CHRIS BATSAVAGE: A lot of you may know this information already, but just to make sure everyone is aware. I'll formally do this here today. This spring we were informed that the RV Carolina Coast, the vessel used to conduct the Pamlico Sound Trawl Survey is no longer structurally sound. The Survey is conducted each June and September in Pamlico Sound and its tributaries. Another similar vessel was unavailable, so the survey wasn't conducted this year, and it's uncertain if or when it will resume. Staff are exploring options for resuming the survey under current budget limitations.

If the survey resumes in the future, then it is likely that it will be a new time series, due to the lack of vessel calibration with the Carolina coast. Data from this survey are used in the summer flounder and weakfish stock assessments and the spot and croaker traffic light analyses as well as the ongoing assessments for those two fish.

This survey began back in 1987, so this is a major loss for the assessment and management of several species, not only managed by ASMFC, but also by the state of North Carolina. Just in closing, I'm sorry and very disappointed to share this news with you. Please let me know if you have any questions or would like to find out more about this. I can get you in touch with staff who deal more directly with this survey than I do.

CHAIR McKIERNAN: Are there any questions for Chris on this issue? John Clark.

MR. CLARK: Thanks, Chris, sorry to hear that. I know you brought it up earlier. What size trawl was this, and is it a highly specialized boat you need, or could this be something that you could have a boat in your current fleet that might be able to do it?

MR. BATSAVAGE: This is a pretty good-sized vessel. I forget the length, it's probably in the 40 foot "Ish" range, it's basically a shrimp boat towing two trawls. We don't have any other boats of that class available to us, not only in our possession but in the state. Just the budget limitations too are our major concern, and on top of we probably need to calibrate this somehow, even if there was a vessel available. We have several steps we've got to take in order to try to find a solution for this problem.

CHAIR McKIERNAN: Any other questions for Chris? Jason.

DR. JASON McNAMEE: Thanks, Chris, I'm sorry to hear that as well. You offered a couple of assessments that use that data stream. In the same area, is there another fishery independent data stream that also occurs in it? I know this is a trawl survey. I have a vague memory that there is like maybe a gillnet survey that kind of occurs in that area? Is there some opportunity to like swap in a different survey, at least as an alternative so we don't lose a signal coming out of that area?

MR. BATSAVAGE: Yes, Jay, you're correct. We do have a gillnet survey in that area. It fishes in shallower water, a different selectivity for that gear, compared to what the Pamlico Sound Trawl Survey captured. We also have another trawl survey that occurs in our nursery areas, it's a much smaller trawl, and again, different habitat than the main part of Pamlico Sound and its tributaries. The challenge there is just trying to find something comparable to basically make up for what we've lost from this survey. I think the other existing

surveys we have are kind of working in different habitats and collecting either different species or very different selectivities of those species, compared to the trawl survey.

CHAIR McKIERNAN: All right, thank you.

UPDATE ON ONGOING STOCK ASSESSMENTS

CHAIR McKIERNAN: We'll move on to Update on On-Going Stock Assessments.

CHAIR McKIERNAN: Emilie Franke.

ATLANTIC MIGRATORY GROUP COBIA

MS. EMILIE FRANKE: Thank you, Chair. I will be giving a brief update on the Cobia Stock Assessment and what is going on there. You may recall that a stock assessment for the Atlantic migratory group cobia was started last year in 2024 through SEDAR. However, a couple months in the lead assessment analyst from NOAA Fisheries moved to a different position, so the assessment was paused.

It's been paused for a little over a year. We did just learn that Dr. Amy Shcueller will now be taking over as the Lead Assessment Analyst starting in 2026. We'll be sort of restarting the assessment in the coming months. We will be transitioning the assessment from the SEDAR process to the Commission process.

The Commission will be forming a Stock Assessment Subcommittee, taking the terms of reference from SEDAR, putting them into the Commission format, and the Commission will be coordinating a data workshop, assessment workshop et cetera, and then if a peer review is needed, SEDAR will coordinate that peer review. It will be a similar format to the ERP and red drum assessments.

With Dr. Schuler coming on in 2026, the new anticipated completion date for the assessment is somewhere in 2027. That depends on a couple things. The first is the terminal year of the assessment. If the terminal year is 2024 and we're using the current MRIP estimates, the assessment could be done a little bit earlier in 2027.

If the assessment uses 2025 as the terminal year, and we're able to incorporate the revised MRIP estimates that are supposed to be coming out next spring. That will likely push the assessment a little bit later into 2027. However, given the duration of the government shutdown so far, if the MRIP estimates are delayed next year that may push the timeline even further.

A little bit TBD on the timeline, depending on the MRIP data and also depending on Dr. Schuler's availability to extend further into 2027. Also, as you may recall, Cobia is a little bit data limited. We may have to develop a new Index of Abundance. There are a lot of unknowns right now, in terms of how long this will actually take. But it is great to have Dr. Schuler onboard starting next year.

In the immediate term I'll be reaching out to the Pelagics Board to nominate Stock Assessment Subcommittee members. I believe at the next Pelagics Board meeting in the winter the Board will review the terms of reference and we'll get this assessment going again. I'm happy to take any questions.

CHAIR McKIERNAN: Any questions for Emilie? Jason.

DR. McNAMEE: Thanks, Emilie, and that's Amy is great, that's fantastic news. That is good. Just, can you remind me. This is a benchmark, so there is an opportunity, as you said, to kind of bring in. I think the existing model is in BAM, which I think is why Amy is like a logical person to jump in there. But you also noted some of the limitations. That's my question is, there is an opportunity here to like look at other methods for this beside just the existing model. It's not just an update.

MS. FRANKE: Correct. Right now, it's living a little bit in between an update and a benchmark, because we're just not sure whether the existing model will be able to be continued, because of the lack of some of the data that was used before with

the Southeast Headboat Survey Index, which is I believe no longer able to be used.

It just depends on a little bit of the decisions around if the BAM can still be used. But we're basically allocating the resources from the Commission side since we would have all the workshops that would be in a typical benchmark. Then I think just one factor we have to sort of follow up on, once Dr. Schuler is available again is just the extent of her timeline in 2027 and how that may impact things.

CHAIR McKIERNAN: Joe, do you have your hand up?

MR. CIMINO: Yes, thank you, and thanks, Emilie. I share Jay's comments. It's great to have Any's participation. We do need management advice; it's something I mentioned at the Sciaenids Board that this is a species that we're a long way from a terminal year. We've walked away from projections, because we're so far away from the last peer reviewed assessment that it's inappropriate.

But it's just, I don't see this as a species that it makes any sense to get ahead of recalibrated MRIP for a benchmark. As much as I support some information for the management board to work on, I don't see a value in doing a benchmark without recalibrated MRIP.

CHAIR McKIERNAN: I have Ben Dyar in the back and then John Maniscalco.

MR. BEN DYAR: I would like to second that, which I said. I strongly support and encourage utilizing that new calibrated information. I know and understand that some things, as far as the shutdown and the timeline of those doing assessments are out of our hands. But what we can control potentially is making sure that it's implemented with that included.

I think if it makes sense for us to try to make management decisions based on something that potentially by the time it comes out to review, peer review, may not be the best available information, and therefore have to maybe pause more staff time to then turn around and maybe to do another assessment right on the heels with an already busy schedule.

CHAIR McKIERNAN: John Maniscalco online.

MR. JOHN MANISCALCO: I am just voicing my support for Joe Cimino's sentiments regarding recalibrated MRIP data.

CHAIR McKIERNAN: All right, any other discussion on this topic? Seeing none.

ATLANTIC STURGEON

CHAIR McKIERNAN: We'll go to the Sturgeon Update from Dr. Katie Drew.

DR. KATIE DREW: Yes, the Sturgeon Technical Committee has met earlier this year to begin the planning process for our next benchmark stock assessment. We are planning to have this assessment peer reviewed at the end of 2028 through the ASMFC External Peer Review Process.

After this meeting we'll be sending out an e-mail to our administrative commissioners to solicit nominations for the Stock Assessment Subcommittee, and we will likely have that SAS approved over e-mail. Then we'll begin work on developing the terms of reference shortly thereafter, so thank you, happy to take any questions.

CHAIR McKIERNAN: Any questions for Katie? I see no hands. Thank you, Katie.

CHAIR McKIERNAN: Next on the agenda is any noncompliance findings, I assume there are none.

OTHER BUSINESS

CHAIR McKIERNAN: Other Business, I would like to take this moment to thank you all on behalf of Doug Haymans for the opportunity to serve as Chair and Vice-Chair. Thank you very much. I did see a hand go up. Go ahead, John.

MR. CLARK: On behalf of the Delaware delegation, I would just like to say it's been an absolute pleasure having ASMFC meet here in the fabulous first state. Don't mean to throw him under the bus, but Rich and I put Roy in charge of the weather. He promised us sunny days, so if you've got a problem with this rain take it up with Roy.

CHAIR McKIERNAN: Thank you.

ADJOURNMENT

CHAIR McKIERNAN: Motion to adjourn. Doug Grout seconded by John Clark. Thank you everyone, great meeting. Thank you to staff and have a safe trip home.

(Whereupon the meeting adjourned at 1:15p.m. on Thursday, October 30, 2025)

Atlantic States Marine Fisheries Commission

Commission Business Session

February 5, 2026
12:30 – 12:45 p.m.

Draft Agenda

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

1. Welcome/Call to Order *(D. McKiernan)*

2. Board Consent
   - Approval of Agenda
   - Approval of Proceedings from October 2025

3. Public Comment

4. Consider Noncompliance Recommendations, if necessary **Final Action**

5. Other Business/Adjourn

This meeting will be held at The Westin Crystal City (1800 Richmond Highway, Arlington, VA; 703.486.1111) and via webinar; click here for details

DRAFT PROCEEDINGS OF THE

ATLANTIC STATES MARINE FISHERIES COMMISSION

COMMISSION BUSINESS SESSION

Hyatt Place Dewey Beach
Dewey Beach, Delaware
Hybrid Meeting

October 28, 2025

These minutes are draft and subject to approval by the Commission Business Session.
The Board will review the minutes during its next meeting.

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ATTENDANCE

Board Members

Carl Wilson, ME (AA)
Steve Train, ME (GA)
Renee Zobel, NH (AA)
Doug Grout, NH (GA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)
Dan McKiernan, MA (AA)
Raymond Kane, ME (GA)
Rep. Sarah Peake, MA, proxy for Rep. Armini (LA)
Jason McNamee, RI (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)
Matt Gates, CT (AA)
Bill Hyatt, CT (GA)
Marty Gary, NY (AA)
Emerson Hasbrouck, NY (GA)
Joe Cimino, NJ (AA)
Jeff Kaelin, NJ (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Kris Kuhn, PA, proxy for T. Schaeffer (AA)
Loren Lustig, PA (GA)
Craig Pugh, DE, proxy for Rep. Carson (LA)
Michael Luisi, MD, proxy for L. Fegley (AA)
Russel Dize, MD (GA)
Joe Grist, VA, proxy for J. Green (AA)
Chris Batsavage, NC, proxy for K. Rawls (AA)
Rep. Brian Turner, NC (LA)
Ben Dyar, SC, proxy for B. Keppler (AA)
Malcolm Rhodes, SC (GA)
Mel Bell, SC, proxy for Sen. Cromer (LA)
Doug Haymans, GA (AA)
Spud Woodward, GA (GA)
Erika Burgess, FL, proxy for J. McCawley (AA)
Gary Jennings, FL (GA)

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

Staff

Bob Beal
Toni Kerns
Laura Leach
Tina Berger
Geoff White
Julie Defilippi Simpson
Alexander Law
Alex DiJohnson
Michael Opiekun
Madeline Musante
Caitlin Starks
Tracey Bauer
James Boyle
Emilie Franke
Chelsea Tuohy
Pat Campfield
Katie Drew
Jeff Kipp
Samara Nehemiah
Jainita Patel

The Commission Business Session of the Atlantic States Marine Fisheries Commission convened in the Ballroom East/West via hybrid meeting, in-person and webinar; Tuesday, October 28, 2025, and was called to order at 10:45 a.m. by Chair Joe Cimino.

CHAIR JOE CIMINO: Good morning, everyone. It's getting a little bit quiet in the room, so I think that is a good sign folks are settling into their seats. If you do have some conversations, please move them out to the hallway, thank you. My name is Joe Cimino; I am the Administrator for New Jersey, the current Chair, and we are going to convene the Business Session, in which it's that time.

It's that time. I don't know that I'm ready for it. I feel like the protagonist of a great literary classic, The Monster at the End of This Book, and unfortunately, I am furry, loveable little Grover, wondering why you keep turning the pages, because at the end of this agenda I have to turn over my Chairmanship, and I don't know that I'm ready for that, Spud. I'm going to be looking to you for some advice on how to handle that.

MR. SPUD WOODWARD: Leave with speed and grace, that's all I can say is relish the past and enjoy the fact you're getting to sit here like I'm sitting here, and not fret about some of the details. But you will be obligated for some things for a couple years yet, so it's not completely cutting the umbilical cord, so you can handle it.

CHAIR CIMINO: Yes, and as I mentioned, we've always leaned on you through these years. I very much appreciated my time. I think that really does, the Vice-Chairmanship is a big part of leadership, and I've always appreciated how much you leaned on me and I lean on Dan, without question.

CALL TO ORDER

CHAIR CIMINO: With that, let's get started on the Business Session today. I'm going to call us to order.

APPROVAL OF AGENDA

CHAIR CIMINO: I would ask if there are any additions or changes to the agenda for this Business Session. Not seeing any, we will consider the agenda approved by consent.

APPROVAL OF PROCEEDINGS

CHAIR CIMINO: Then the approval of the proceedings from the May 2025 meeting, were there any concerns or edits to what was? Not seeing any on the proceedings of the May 2025 meeting, so we'll consider that approved by consent as well.

CONSIDER APPROVAL OF 2026 ACTION PLAN

CHAIR CIMINO: This truly is one of my favorite items is the 2026 Action Plan. I very much appreciate how much work that staff puts into this, and then of course all the things that we say we're going to do. I will turn that over to, I believe Bob, just to get us started.

EXECUTIVE DIRECTOR ROBERT E. BEAL: Thank you, Mr. Chair. Maybe I'm saying that for the last time, I'm not sure. The Draft Action Plan is included in the briefing materials for this Session. Staff has pulled this together in talking with Board Chairs and Committee Chairs and amongst ourselves, and looking at sort of what requirements are in the FMPs and across all the other species and stock assessments and data and habitat and Law Enforcement, all the other sections.

What we'll do is we'll have the staff person that is sort of the lead for that subject matter introduce that section. This is your chance to add or subtract or change the work priorities for next year. If you have something in mind that you don't see in here, please raise your hand and let us know, or if you think there is something in here that is not a high

priority and not worth the effort that it may take to accomplish it, that's fair game too.

With that I'll ask Toni to do Goal Number 1, which is Fisheries Management. Toni, do you want to go through the high priorities then stop for questions? Then we'll go to the medium and low after that, if that works for everybody. Take it away, Toni, thanks.

MS. TONI KERNS: Thanks, Bob, and thank you, Mr. Chair. I just want to note that there is a possibility of actions taking place later this week that we would add to the document, but I don't want to make any judgments about what may or may not happen at a board meeting later this week, so we have not added those actions to the Action Plan yet and would do so later. Bob.

EXECUTIVE DIRECTOR BEAL: Yes, just one real quick comment. Sort of the convention of this document is anything that's in bold is a new project, and anything that is not bolded is essentially a rollover or a carryover from next year. It's not that that work didn't get done, necessarily, but some of these projects are ongoing year after year. Focusing on the bold is a good way to focus on the new projects for next year. Sorry, Toni.

MS. KERNS: Starting off with our high priority species, as we said before, and this is not about something being more important than other species, but just the workload that will go into the items in the Action Plan. For American lobster, the Board did not take any management action in response to the stock assessment, so unless something happens in February that action would go away. But we will bring to the Board exploring a management strategy evaluation to identify any possible management objectives and approaches for the Gulf of Maine and Georges Bank lobster stock that would be contingent on the Board approval, as well as finding funding to do so. We also will explore facilitating a meeting between the ASMFC Lobster Technical Committee, with Canada DFO lobster scientists to advance lobster stock assessment scientists across the border.

For Atlantic menhaden, there is the potential to initiate management action in response to the ecological reference point benchmark stock assessment and peer review in single-species stock assessment updates if necessary.

For Atlantic striped bass, we would be conducting the 2027 Benchmark Stock Assessment and working with the states to implement new management measures to support stock rebuilding if those are approved through Addendum III later this week, as well working with a contractor on the development of the Atlantic striped bass recreational demand model, which is ongoing right now. That is similar to the recreational demand model that we have for summer flounder, scup and black sea bass.

Moving down, cobia. We'll set the 2027 specifications and consider change to recreational measures if that's necessary, as well as starting to initiate the stock assessment that would be presented to the Board in 2027.

Then for horseshoe crab, we are in the process of conducting the stakeholder engagement process, to identify possible changes to the Utility/ Reward /Harvest Policy Functions of the Arm Framework to better align with stakeholder values and consider those recommendations and evaluate state spawning surveys to identify changes or improvements to allow further use in stock assessments.

For red drum, we'll work with the state to implement any measures that get approved via Addendum II, and also, we'll continue to conduct the traffic light analysis and respond if necessary. For tautog, the Board did initiate an addendum to respond to the stock assessment, so we will do that work, and I can take questions.

CHAIR CIMINO: Questions for Toni? Jason McNamee.

DR. JASON McNAMEE: On tautog I wondered if we wanted to add, we talked about trying to implement the risk policy on that one, so I think that might be a good one to add there. We talked about it with tautog, and then may there is a general one, so I'll wait for that section, unless you think this covers kind of the specific and then the general topic of kind of continuing to work on the Risk Policy.

CHAIR CIMINO: Toni, I have a question on that as well. Is there, Jay you probably know this too, a standing Risk Policy group or do we need to form a group? That's an additional question.

MS. KERNS: We don't have necessarily a standing Risk Policy Group. We have worked on the Risk Policy with the Tautog TC in the past, and then we've had a couple people come in and help out with explaining how that policy works. But Katie, if you want to add anything, please do so.

DR. KATIE DREW: Oh, great, this answer is probably not going to be worth all of that effort. But we had a Risk Policy Work Group that was formed to do the initial route, and it has been essentially working through the ASC at this point. We do plan to bring the Risk Policy back to the ASC to work on some issues identified during red drum, and we can, I think continue to move the tautog part of that forward as well through the ASC.

CHAIR CIMINO: Yes, that's one of our least recognized, but to me most appreciated groups. I think that is great and always worth it, Katie, thank you. I see Adam Nowalsky.

MR. ADAM NOWALSKY: At the last Mid-Atlantic Council meeting they had discussion about the role of their Monitoring Committees, which led to a motion to add to their Draft Implementation Plan the consideration of development of an omnibus framework to adjust their ACL specifications process in 2026.I am wondering if a complementary possible action or bullet would be appropriate here at the Commission level, since those were developed jointly, and should the Council decide to move forward with them, I would think we as Summer Flounder, Scup and Black Sea Bass Board, Bluefish Board would probably need to respond accordingly.

CHAIR CIMINO: Despite the joint management and what the Councils are required to deal with, I think that is one is associated with Magnuson and what we deal with are a little bit different. This is obviously something the Councils want to address at this point. Yes, we certainly need to, since we're trying to be in lockstep. I'll turn it over to Toni to see what our role is in all of that.

MS. KERNS: Adam, I think what we can do is add a bullet similar to what we see under dogfish, and to monitor the Councils activities on this, and then respond if necessary. I think it depends on what action gets taken and whether or not we need to do it or not through a joint FMP, or if it would just be an FMP by the Council.

That is also something the Board can discuss with the Mid-Atlantic when we meet in December. I assume that we'll get an update on that. This is where the tricky parts happen, when the bodies take action when the other body is not there.

CHAIR CIMINO: Follow up, Adam?

MR. NOWALSKY: No, monitor is great, and I've certainly learned that as long as we've got some placeholder for it somewhere, if we do have to take action it makes it a whole lot easier to enforce. Thank you.

CHAIR CIMINO: The last time I get to make the joke that I will confer with the Chairman of the Mid-Atlantic Council, to make sure that that happens in lockstep. I am told that we have a member of the public that has their hand up. Not seeing that, so go ahead.

MR. MIKE WAINE: Thank you, Mr. Chairman. I just had a question about the Recreational Demand Model for striped bass, and sort of the context in which that is being planned to use in the striped

bass fishery. You know for summer flounder, scup, black sea bass we're using it to estimate expected catch in the following year based on kind of angler's choice.

I'm just curious about sort of the intent of use of the Recreational Demand Model for striped bass, because as you know we don't set specs every year like we do for the Mid-Atlantic species on striped bass. I'm just curious if you had a little bit more context for how the Recreational Demand Model would be used on stripers.

MS. KERNS: Mike, we haven't fully discussed that aspect yet, so we're just working on the development of the model, and then we will get there. I can try to follow up with you later, but I don't have an answer for you.

MR. WAINE: Okay, thanks for that. Just a quick follow up. Is there going to be like an Angler Choice Survey?

MS. KERNS: It's already ongoing.

CHAIR CIMINO: Sorry, I should have pulled this up, next up.

MS. KERNS: We'll move on to our medium low priority species. For Atlantic sturgeon, we will continue to monitor the state and federal responses to the pending Biological Opinion and respond if necessary.

For black drum and the other sciaenid species, we will consider the recommendations from the Plan Review Team on the de minimis status criteria, and then respond if necessary.

For coastal sharks, HMS has Draft Amendment 16, which is the commercial and recreational shark fishery management measures, and proposed rule for electronic reporting that should be coming out. We will monitor that and see if we need to respond. Then as well as have a presentation on the bull and sandbar shark stock assessments and respond if necessary.

For Spanish mackerel, monitor the Council's development of the Federal Amendment to address catch-level recommendations from the most recent stock assessment, and several management topics that have been raised through the Council Port Meeting process.

For spiny dogfish, the Mid-Atlantic Council and the New England Fishery Management Council have activities that are looking at accountability measures and specification setting modifications. Depending on what those final actions are, the Commission would respond if necessary.

For spot, we will initiate a 2027 benchmark stock assessment and for weakfish we'll initiate the 2028 benchmark stock assessment. I will pause there before getting into the cost-cutting issues.

CHAIR CIMINO: Thank you, Toni, questions for Toni on the low priority issues. Not seeing anything, so I think we can move on.

MS. KERNS: For cost cutting issues, we will monitor and assess the impact to Commission FMPs and stock assessment from changes to the MRIP Fishing Effort Survey, including the recalibration results, as well as monitor the activities of the regional councils on the Executive Order for seafood competitiveness.

We will also facilitate the declared interest and voting privileges workgroup discussions, and incorporate any recommendations into the Commission Guiding Document as approved by the ISFMP Policy Board.

We will address challenges of sharing the tracking data for the lobster and Jonah crab fishery across different jurisdictions, as well as organize an opportunity for the states to present and discuss effort on the Northern Right Whale Monitoring and Research.

CHAIR CIMINO: Any questions on that for Toni? Not seeing any.

EXECUTIVE DIRECTOR BEAL: For Goal 2, Pat Campfield will run us through Science and Stock Assessment activities.

MR. PATRICK A. CAMPFIELD: Goal 2 starts off with Assessment and Science Committee activities, notably to seek refinements to our Retrospective Patterns Guidance Document. That is something the Committee developed a couple years ago. We've now applied it to both the tautog and menhaden assessments and that called for a revisit and some refinements. The Committee will work on that next year. Moving down again on the Risk and Uncertainty Tool. We're going to change that a little bit and use it on a data poor species. I think we had some discussions earlier this week for maybe using it for tautog, or trying it out again.

Under the data collection activities, notably the SEAMAP and NEAMAP programs, consider expanding the range of the Trap Video Survey further north up the coast to sample potentially shifting stocks. Also, build standardized survey data delivery tools, to expedite the use of those data in stock assessments.

Quite a bit of environmental data is collected during SEAMAP surveys, so we want to do a thorough evaluation of not only what is collected, but identify opportunities to use those data more fully in assessments and research publications. Shifting into the NEAMAP activities. Continue to participate on the Northeast Trawl Advisory Panel, to implement plans for wind energy area survey mitigation.

Also, collaborate with partner surveys to modernize from paper to digital data collection out on the survey vessels. That should speed up data delivery to the stock assessments. Then moving down to the next page, partner with the NMFS Northeast Fishery Science Center Cooperative Research Branch to pilot an industry-based survey to supplement current surveys. That is something the Commission has been involved with for a couple years, and we're going to flip the switch to implement that on the water. Work with the Councils to characterize efficiencies and NMFS scientific support and associated impacts on the fisheries. This is a continuation of projects funded through the IRA support to the Councils.

Then finally in that section, monitor progress in commercial landings, port and observer sampling information exchanges between state and federal partners. That sampling has declined in the last five years, and so we recently had a workshop coordinated by the Northeast Center. We will continue those discussions to try to get as many samples as possible in 2026.

Under Broader Fisheries Research, assist both the Northeast and Southeast Science Centers in identifying opportunities for Commission and state support from sample collection to lab analysis and stock assessment modeling. Under the broad bullet in category of collaborating with university researchers, we hope to bring in some fresh information on weakfish mortality estimates from dolphins, and use that in the weakfish assessment model.

Contingent upon Board approval at the Lobster Board, revisit the need for a Management Strategy Evaluation. Then finally under Ecosystem Based Management and Changing Ocean Conditions. Expanding incorporation of environmental data and analysis into our stock assessment work flows, to better inform stock recruitment and population productivity dynamics.

That is more of a meat and potatoes work, where we have a lot of fisheries data providers, survey data providers, but we haven't worked closely with the environmental data providers, and so to try to get those experts on to some of our stock assessment teams and use that information more in the assessments. Then lastly in Competing Ocean Uses, an MOU has been signed between the Commission and NOAA Fisheries to use offshore energy developer funds for surveys and monitoring.

That of course is contingent on funds being provided by developers. With that, Mr. Chairman, I am glad to take any questions. For additions, if there is any research for particular assessments or survey information that you all thought we need more of, this would be a time to suggest those.

CHAIR CIMINO: Thank you, Pat. I'm going to look to questions for Pat. I will also say that in dual role as Chair in Mid. I do know that for the NTAP Committee they may be looking to change folks there, since the past Mid-Chair may be a good candidate for us as the Commission's representative to NTAP has now moved to the Council's representative for NTAP, if we need a new Commission member. Any other questions for Pat? I see Jason's hand.

DR. McNAMEE: Back on the Risk Policy piece. I flagged this part, Pat, thanks for having the Risk and Uncertainty Tool in there. I agree with you, I think the hope had been to kind of have this sort of data rich version one further along, and then start to think about it in the context of data poor species, but I think both are true. I don't know if you want to either generalize this line or just add some text to kind of, yes, either way is fine. But just to capture that we still need to work on the kind of more data rich version of it as well.

MR. CAMPFIELD: Okay, thanks for that suggestion. We'll just change that to have both.

CHAIR CIMINO: John Clark.

MR. JOHN CLARK: Thanks for the presentation, Pat. I'm just curious, it just jogged my mind, because I saw one of the things as being funded by Inflation Reduction Act fund, which I know are going away. With the changes we're seeing at the Federal level, a lot of these are going to cost a lot of money, a lot of these action items. I'm just wondering if you have any idea how much, if there is any way to rate these things, as far as how sure you are of the funding continuing at the Federal level at this point, or is that still to be determined?

MR. CAMPFIELD: Of course, a critical question, John, so thanks for that. I mean a couple of places we have added, if resources are available, just in case they don't come through. But I might turn to Bob for any more elaboration, including the IRA Fund.

EXECUTIVE DIRECTOR BEAL: Yes, thanks, Pat. Generally, John, the things that are in here we anticipate being able to fund and support. You know we kind of work as a one-year lag sometimes with our projects, so Fiscal Year '25 money, we just got that or Laura like a month ago or something. We'll have that money for a year carrying forward, essentially.

My understanding of the IRA Projects is that if that money was obligated and the project has been initiated and approved that money will continue to flow. It' s not going to be withdrawn on those projects. I think the IRA Funds that were pulled back were not for specific projects yet, they were just ideas that were out there that people had talked about but nothing had started. Those funds were pulled back. But these projects that are up and running, I think we're in good shape.

CHAIR CIMINO: Emerson.

MR. EMERSON C. HASBROUCK: You mentioned a couple of minutes ago about membership or representation on NTAP. I just wanted to remind the Commission that myself and Eric Reid are both also members of NTAP, as well as the NTAP Working Group that is developing the Industry Based Trawl Survey.

CHAIR CIMINO: Adam Nowalsky.

MR. NOWALSKY: I'm glad that you highlighted your dual role as Chairman of the Council. I'm sure it helps facilitate the collaboration between the leadership between the two, so thanks for highlighting that. One of the other Council business

items is they are going to hold an upcoming Indicators Workshop this December.

It's an IRA project regarding Operationalizing, putting into use, Ecosystem and Habitat Indicators, to support Climate-Ready Fisheries Management in the Mid-Atlantic. They identify Council members, stakeholders, scientists and staff to participate in that project. Has ASMFC been invited to that workshop as a member, and if so, would it be appropriate to be included here as well?

MR. CAMPFIELD: Yes, thanks, Adam. I think we will follow up on that. It is a good suggestion. To my knowledge we are not invited or haven't appointed a representative. But we're aware of the project, and have talked with the lead contractor who is developing the indicators, but we'll follow through to make sure we can participate.

EXECUTIVE DIRECTOR BEAL: Just real quick Adam, we are on steering committees for, I don't know, I think four projects that the Council's plural, New England, Mid and South Atlantic Councils are, you know projects that have been funded through the IRAs money that is going to those Councils.

We are on the Steering Committee for a number of those projects; I just have to check in on this one and recall if we have a staffer on there or not. I don't think we do, but I can talk to the Chair when he has a minute. You know see if we can get on, because based on your description it makes sense that the Commission would be represented.

CHAIR CIMINO: Follow up, Adam?

MR. NOWALSKY: No, thank you, and again, similar to the earlier discussion about Council items, whether a bullet point gets added regarding monitoring and/or participation here. I think it's important that the entirety of the Commission understands that we're tracking this and the public does as well, so they look at this plan.

CHAIR CIMINO: Very fair. It was great to see some of those resources filled to the Councils. It was a little kind of different that the Commissions were handled so differently in that process. But that is what it is. I'll go to Toni; she has her hand up.

MS. KERNS: Adam, we do have a bullet to keep track of IRA projects in the Cross-Cutting Issues, so I think it is there already. But as you said, we will specifically reach out about the project.

EXECUTIVE DIRECTOR BEAL: All right, I think that wraps up the Science bullet. The other thing I should have said up front, I think, before we get into data management is that, you know with the Federal shut down right now, there are a lot of things in here that assumes they are going to open up soon and we're going to be able to keep working.

I don't mean this as a criticism of anybody from NOAA or Fish and Wildlife Service, but the reality of the last time we had an extended closure was that for every week of that closure it pushed back projects about a month. We had a five-week closure, we had about a five-month delay in some of the projects that we worked on cooperatively.

We're a month into this one now, and as far as I can tell, no signs of things loosening up. We may experience some significant delays, such as the recalibration, do the FES work for MRIP Program. That may be, I would think that likely would be delayed. You know we have a lot of pieces hinging on different things with the Federal Government, who is adjust scheduling as necessary, but hopefully they get back to work and we can continue these projects. With that I'll turn over Goal Number 3 to Geoff at statistics and the ACCSP Program.

MR. GEOFF WHITE: Goal 3 is focused on fisheries dependent data for the Atlantic Coastal Cooperative Statistics Program. This year we maintain the same kind of tasks and language under the Continuing Business and Partnership Sections. But under

fisheries dependent data collections the first major item is SAFIS, the Standard Atlantic Fisheries Information System.

One of our big projects this year is to develop the software for modernize and updated electronic dealer reporting. The first bullet here is to facilitate the transition of dealers into that redesigned electronic dealer reporting software, with specific focus on the file validation and transfer to file upload dealers.

We are going to be extending the One Stop Reporting Initiative in eTRIPS, the harvester allocation to add state requirements and expand functionality across Federal permits, as those get implemented. We will be soliciting dealer and harvester feedback on eTRIPS Mobile and online applications, the look and feel, to scope enhancements to the user experience.

How does the software work, how can we make it more functional and easier for folks to use us? We want to expand partner implementation of the eTRIPS One-Ticket functionality that's active in Georgia right now to allow a single submission from harvesters that act as their own dealers currently in a two-ticket system.

We've heard from shellfish dealers and several states that want to move towards that functionality, and again, ease the reporting burden on those entities and work with the partner agaencies to do that. Under recreational surveys, we will continue to support MRIP endorsed recreational pilot projects. One of those is an APAIS Catch Card Pilot Project that was supported at the Coordinating Council meeting yesterday, and to monitor and support South Atlantic exploration of state red snapper management. Under data distribution and use, through the data warehouse and our data team, we will provide validated commercial landings data for Commission stock assessments and the SEDAR processes, once a species is in a document. We will incorporate additional partner data feeds for the biological data load schedule, and finalize biological queries in the Data Warehouse to make those queries available to the public and our confidential users.

We'll be implementing charter boats, at-sea observer data warehousing for the South Atlantic, they are doing some field data collection now and want to have the centralized piece of that into data storage within our system. We'll be implementing consolidation, warehousing and display of release catch data across the data types within ACCSP.

Really, we store the discard information, the released fish information under mandatory reports, citizen science and observer data separately at the moment, so we need to make it easier to show what has been collected and share that back out, instead of looking in three places. Then we will review the Data Warehouse User Guide Materials and identify necessary updates or additions to those materials or applications.

Finally, under Outreach and Infrastructure, ACCSP will prioritize and implement improvements to our IT hosting scalability to address increased data demands within the scope of available funding. We'll increase outreach via industry publications on the value of SAFIS applications, with specific emphasis on the One Stop Reporting features, and we'll continue to improve the website through content expansion and useability enhancement to create a richer, more engaging worksite that is valuable to our users.

We will discontinue antiquated software obligations to increase the efficient use of ACCSP resources, to maintain vital functionality and meet future needs. Finally, we will document contingency plans for shifting funding availability by working with the Coordinating Council and the leadership. With that I will take any questions.

CHAIR CIMINO: Questions for Geoff? John Clark.

MR. CLARK: Thank you, Geoff. One of the points you made where you just mentioned citizen science just had me remembering. Wasn't there a Bill that

passed a few years ago, was it the Fish U.S.A. Act or something, and said that we had to incorporate more citizen science type things into fisheries management? I was just curious. I forget what the wording was exactly, but I'm just wondering where that is.

MR. WHITE: I have not been following that closely, but one of the ACCSP projects the SciFish Application has a couple different pieces through South Atlantic Council that are running now, and we've got projects for Angler Catch, which is a different software application to feed their citizen science information into the ACCSP SciFish Data Warehousing Storage.

There are pathways, and the SciFish Advisory Panel is considering applications to centralize and store more of that information, and make that available to the Stock Assessment Management Process, as necessary.

CHAIR CIMINO: Any other questions for Geoff? Not seeing anything; Bob.

EXECUTIVE DIRECTOR BEAL: Keep going. Goal Number 4 is the Habitat Activity. I think Toni and Pat are going to kind of tag team this with Toni starting out and Pat wrapping it up, is that right, Toni? As soon as Toni finds it, she'll be ready to go.

MS. KERNS: For the Habitat Committee we will continue to publish Habitat Management Series documents for the Atlantic Coast and we will be presented a shell recycling program and benefits to fish habitat in February and then the Committee will choose the next Habitat Management Series document moving forward. The Committee will also update the state reports on Ecosystem Resiliency Initiatives that are ongoing.

MR. CAMPFIELD: For the next section Leveraging Partnerships, mostly pertains to the Atlantic Coastal Fish Habitat Partnership and a handful of new activities for 2026. First is to work with partners to develop standardized seagrass monitoring assessment and restoration for the resource managers and habitat stakeholders up and down the coast.

Then also on the funding front, protect, restore and enhance fish habitats by supporting conservation projects, both through the NFHP National partnership and through funding available through NOAAs recreational fisheries and Habitat Conservation Offices. We've been very successful in funding over a hundred thousand dollars of projects in recent years from those sources.

Then finally, support ACFHP and its partners in fundraising efforts through a National 501(c)3 and some new staff that has been brought onboard for development, to bring more money to the Fish Habitat Partnerships. That's all, Mr. Chairman.

CHAIR CIMINO: Thank you, Bob and Toni, any questions on this? Not seeing any.

EXECUTIVE DIRECTOR BEAL: Goal Number 5 is Law Enforcement. I'll save Toni some breath here. There is essentially nothing new in the Law Enforcement activities for this year. It will be their ongoing monitoring of fishery regulations and enforceability of FMPs and their commenting on proposed enforcement issues, as well as partnerships and some real-time tools to more effectively and efficiently monitor fishery activity.

Nothing new there, just sort of care and feeding an ongoing work of the Law Enforcement folks. Happy to answer any questions, or if there is a specific project you think the Law Enforcement folks should focus on, we can add it here.

CHAIR CIMINO: Questions or discussions on the LE portion of this. Not seeing any.

EXECUTIVE DIRECTOR BEAL: All right, Goal 6 is Outreach, which is Tina's wheelhouse.

MS. TINA L. BERGER: Thank you, Bob. Goal 6 is about Outreach and Stakeholder Support for the Commission. Under the first bullet on increasing public understanding and support of the ASMFC, we

plan to publish a revised Guide to Fisheries Science and Stock Assessments that is out on our display table that was published first in 2009 and could use a serious update. We're going to look at revising that and also putting that in a story map format. We're going to look at some additional changes or explore changes to our ASMFC documents, including Habitat Outreach materials.

We're going to continue to do our stock assessment overviews, and focus next year on croaker and herring. We are also going to, later today you're going to hear a lot about the single species and ERP assessments for menhaden, and so we're going to focus some outreach on those two assessments throughout the year.

We're going to explore opportunities to collaborate with the Association of Zoos and Aquariums to get more information out there on fisheries management, data collection and fisheries science, and work with our sister Commissions and Councils and states as appropriate. On to Maximize the use of Current and New Technologies.

We're going to continue to seek improvements to our website, in terms of functionality and accessibility, to documents. We're going to look at trying to develop some videos on highlighting the importance a lot of coastal fisheries, the management process, the role of science and the role of data collection in the assessment process.

A number of maps are fairly outdated. We're using antiquated programs, so we're going to update all our graphics, especially maps on our website. Continue to streamline, we have a lot of new signups to the website Contact Us Page. We receive close to 10 to15 a week, so we're going to try and automate that more, so it goes directly into a database if possible. Under facilitate stakeholder participation, we're going to continue to work on our Action Tracker web pages.

We've got a lot of comments through those web pages, and I think it has certainly improved our public input on our proposed management actions. As part of that, we'll continue to look at ways of streamlining the submission of public comment on management documents through the customized forms generated on the website, as well as evaluate approach to populating Advisory Panels, similar in ways that we did to the Horseshoe Crab AP this morning, and look at both nontraditional and traditional stakeholders and solicit new membership as necessary.

Under Media Relations and Networking, we're going to continue to develop FAQs, commonly asked questions for high profile species, with the intent to get at the misinformation that continues to be perpetuated through the media on our various management and science activities, as well as develop Fact Checkers to address misinformation in media.

The last thing will be to bring together sort of the State and Federal public information officers, INE folks, either through an online or in-person workshop to discuss addressing information and engaging positive community engagement, and hosting successful virtual meetings. That is all, in addition to our standard activities that we carry out. I'm happy to answer any questions.

CHAIR CIMINO: Thank you, Tina and yes, Alexander in his most recent update I believe, sent some of his infographics up to us. Hopefully everyone had a chance to see those, I think they are fantastic, personally. I'll just open up the floor, any questions for Tina? I'm going to start with Adam and then I believe Jeff, so Adam, go ahead.

MR. NOWALSKY: Thank you, again, I appreciate your continued enthusiasm for recognizing me during this part of the meeting today. Under the bullet point of Use New Technologies to Further Improve Website Functionality and Accessibility to Management Documents.

Is the Commission required to adhere to the web content accessibility guidelines as an organization

that is going to go into effect as of next April for some organizations and the following, which would require some reformatting of PDF documents et cetera? Maybe that is completely new, maybe I've gotten way too far in the weeds here with this one. But it is a pretty big deal in one of my other lives outside of here. I thought I would bring it up here.

MS. BERGER: Thanks, Adam, I appreciate that question. So far, as far as I understand it, we are not required to follow ADA compliance issues. However, if it comes to that we will make sure that we will do so.

CHAIR CIMINO: Yes, thanks, Adam, that's a great question. Even in the stock assessment process we've seen that some of those requirements can add additional responsibilities and effort into how we present that information to the public. Important question, I thank you for that. Jeff Kaelin, you're next.

MR. JEFF KAELIN: Great work, Tina and staff on this. There are a lot of terrific initiatives here. I just wanted to make a comment up on Page 14, relative to the collaboration with the Associations of Zoos and Aquariums. Another aspect of that relationship could be learning from them about fisheries utilization. That zoo food, there is a market for zoo food.

I wouldn't be surprised if some of the species under management here, certainly the Council are utilized by that group for feeding their animals. I think if we could get some information through that relationship about their utilization, not only fisheries management, but the utilization of fisheries stocks that are under management that they're using for food would be an interesting part of that collaboration, I think.

MS. BERGER: Thanks, Jeff, we'll include that in our discussions with them.

CHAIR CIMINO: Other hands, did I see Loren? Go ahead, Loren.

MR. LOREN W. LUSTIG: I really appreciate the opportunity to speak, and thank you to Tina for her report. I've been thinking about the number of nature centers and visitor centers that would be within 20 miles of the Atlantic Coast. Almost all of them being either public or not for profit facilities, and wondering if we could try to establish a really strong working relationship with them, in terms of those centers providing our materials to the public.

MS. BERGER: I think that is a great avenue, and we will explore that this year. Thanks, Loren.

CHAIR CIMINO: John Clark.

MR. CLARK: Thanks, Tina, just want to say as somebody of a certain age that the change to the web page at first was a little frustrating at times, but now I've got the hang of it, it's really great. Just want to say that I really appreciate the news clippings you send out all the time, and I know I send it to all our staff too, they really appreciate those. Thanks.

MS. BERGER: Thanks very much, John. The other thing that I didn't put in the Action Plan but I discussed with some Commissioners is some Commissioners are still struggling with using the website to its fullest ability. We will conduct some informal webinars over the next few months to help bring people up to speed so they are more comfortable utilizing it. We also hope to launch a site-specific search engine, so that if you can't find it through the publication search you will find it through that.

EXECUTIVE DIRECTOR BEAL: Goal 7 is the Lobbying and Fiscal Priorities for the Commission, and Alexander is going to run through that goal.

MR. ALEXANDER LAW: Goal 7 is Advancing Commission and Member States Priorities for a Proactive Legislative Policy Agenda. This section is largely unchanged from last year. Many of our priorities are bipartisan or nonpartisan. A couple things have shifted with the change in administration and control of both Houses.

The most notable change is the removal of certain bills that were promoted under Democrat administrations, such as RISEE, Reinvesting in Shoreline Economies and Ecosystems, which would have relied on offshore wind energy revenue, and the Recovering American Wildlife Act, RAWA. I don't see those two bills moving forward in this Congress, it may change after another election.

But because of the new administration and the hostility towards offshore wind development, while ASMFC has supported RISEE in the past that has been removed as a top line priority. Should the prognosis on RISEE or RAWA change, you know with RAWA they need to identify a pay-for, which they failed to do in multiple years, inappropriate pay-for in multiple years.

Should that change, we will retry with those efforts. A couple of references to energy initiatives and offshore wind development and fishery compensation mitigation efforts were removed from the document. The other notable change from last year is we believe that engagement with Congress and the Executive Branch is the best past forward for resolving our New Jersey, Florida Cares Act Issue, so Bob and I have been working hard on that. Those are the main highlights, happy to take any questions.

CHAIR CIMINO: Questions for Al? I mentioned this a little bit during the Horseshoe Crab Board meeting, Alexander, but I really appreciate all the efforts that you and Bob have put forward. I think it's clear that even through D.C.'s challenges we are still seen, we are heard, we are relevant and I think that is incredibly important, so I appreciate that.

MR. LAW: Just one quick note. Yes, as I said in my last Legislative Update at the last quarterly meeting. The Senate Report language was very strong for us, so looking to maintain that is important. With staff turnover within the judicia co offices it is important to get Commissioners up there as frequently as possible. I know I have some frequent flyers and would love to get some new faces up there, develop new relationships with offices that we don't' see quite as much. Anytime anyone is willing to go up to the Hill with me, I welcome you to join me.

EXECUTIVE DIRECTOR BEAL: Moving on to last but not least, Goal 8. Laura.

MS. LAURA C. LEACH: Goal 8 is Ensuring the Fiscal Stability and Efficient Administration of the Commission. Most tasks are ongoing. I think we put some new ones in. Under the first one, manage operations and budgets. We're going to continue to refine the process for developing and tracking sub-work and contract.

The more money that we get the more sub-contract subawards we're giving out. We just want to make sure that we've got a complete handle on those. We also plan to evaluate the Commission infrastructure, because this is year 15 of being in our new office, our new office, so we want to see what we can do if we need to do anything, painting or and things like that to the office.

Then utilizing current information technology, which changes every day. We're going to continue implementation and improvement of the Commission supervision of cloud resources, hopefully that will prevent another breach, but who knows. We are going to standardize the use of electronic forms to gather data across the Commission departments.

We are going to refine email retention processes for staff that have left the Commission so we have history of communication, and we're going to develop guidelines regarding access to former employee's electronic data for the same reason. We are also going to continue improving technological security using both hardware and software to ensure against potential future breaches. Do you want to ask questions for that or just at the end?

CHAIR CIMINO: End.

MS. LEACH: Next, we're going to, in the Managing Human Resources we're going to investigate additional options and resources to improve recruitment of administrative staff. We're going to research improvements to Human Resources Management System. We're going to conduct an all-staff team building retreat, which are really well received and really help build teamwork among our staff.

We're going to establish a virtual bulletin board to share staff information, calendar events and resources. Mainly, because we're still a requirement of one day a week in the office and so we need a better way to, we're like ships passing in the night, so we want to make sure that everybody has the same information. Under engaging and supporting Commissioners we are going to reinitiate the new Commissioner orientation, so more details to come later and that is it, Mr. Chairman.

CHAIR CIMINO: I think that's a lot, quite frankly. I really do. You know we've been doing this a while and I think for Laura's report that there is a lot of new stuff in there. I think this really proves that we are staying focused and considering the needs of both the Commission, with discussions on how do we help new Commissioners come into this process. I can't imagine just jumping into menhaden, striped bass without any preparation. But also, some of the stuff on the other end of it, as you mentioned, Laura, like data breaches and stuff like that. It's constantly evolving and really appreciate that. Any questions for Laura? John Clark.

MR. CLARK: Thank you, Laura. I'm just curious you mention that all staff have to be in the office one day a week, is that correct? You were thinking how it's been working out in terms of retention, recruitment and productivity.

MS. LEACH: I'll defer to Bob for that answering that question.

EXECUTIVE DIRECTOR BEAL: It has been working well. Most staff are in more than one day a week, and with our travel schedules and everything else it is kind of hard to calibrate when people are in or out and nobody is moving around.

I think it's been working well. I think the staff is staying connected to try to bring in groups together quite frequently within their departments, and talk usually on a weekly basis. I think overall it's working out pretty well, and I know that the recruiting and retention, you know the allowance for some remote work does seem to be attractive to a lot of people.

CHAIR CIMINO: John, you good?

MR. CLARK: Yes, thanks, I was just curious, because we have like three days a week in the office. I just want to see how that was working.

CHAIR CIMINO: I will say, I wasn't expecting the question but I do want to say that when I took over as Chair I went to ASMFC and I talked to senior staff and I think, and I've said this on the mic before. I think that we have to move forward and learn lessons, right, including what happened during the pandemic.

This was one of the things, I'm looking to Dr. Drew, because I feel like this was one of the things that I will, as long as I'm here, stand up for Commission staff. But this is something that was really important. We don't live in that area. You know we're here in beautiful Dewey Beach, it's a nice kind of calm commute if you're wandering around here, or where I live in South Jersey. That's not quite true for D.C. I think it's been a really important thing to staff to have that ability. I will say personally, it is something I will defend if they have that ability.

MR. CLARK: Don't get me wrong, Joe, I wasn't against. I just wanted to hear how it was working out.

CHAIR CIMINO: I'm going to go to Eric Reid and then Adam Nowalsky.

MR. ERIC REID: Thank you all for your presentation. I just would like to complement you in recognizing in some of your new items that not only do employees have rights, and our staff does a great job, and I would never say anything bad about the staff. But you are also taking action to protect employers' rights, and I think that's really important. It's a different world now, protect the corporation not only from cyber-attack, but you have rights, and recognizing the fact that employers and employees both have rights I think is very good, thank you.

MR. NOWALSKY: John brought up a word there that I think there is a lot in this section that relates to it, but I think the document would benefit from physical inclusion of the word retention in this section. You've got a paragraph that talks a lot about the process of recruitment and selection.

Under Managing Human Resources, you have a bullet point about investigating additional options and resources to improve recruitment. I think that retention element would be something. There are certainly elements here that allude to that, but listing it specifically I think would be beneficial, and I can assure you that no member of your staff put me up to that for inclusion in the document.

CHAIR CIMINO: Yes, but it's a great point so thank you, appreciate that. There is at least one item. I'll go to Dan.

MR. DANIEL McKIERNAN: I missed this on the Goal Number 1, it had to do with black sea bass allocations for the next stanza, and I think that would begin in 2028, and I turn to Toni for those specific details, but I think that was an oversight that we meant to get into the document.

MS. KERNS: It would be to at least have initiated a discussion by the management board to look at allocations, and the first year that that allocation would be impacted, if the Board were to move forward with changes is 2028.

CHAIR CIMINO: Thanks, Toni, and any follow up on that? That is an important addition. Not seeing. We're looking for a motion and I don't want to influence anyone's decisions here, but I would say it should probably consider what counseling is for former chairs, also hugs from Tina and Laura would be great. Not that that has to go into the motion. We are looking for a motion on the 2026 Action Plan. Joe Grist.

MR. JOSEPH GRIST: **Move to approve the ASMFC 2026 Action Plan as modified today.**

CHAIR CIMINO: I see a second from Malcolm Rhodes. Anything to add, Joe, Malcolm? **Not seeing any, any discussions on the motion? Not seeing any, great.** It's a lot to do. I feel like no discussion on this does not mean that what happens in 2026 isn't incredibly important, but there isn't a lot of work there. I will **consider that approved by consent** and thank you for that.

EXECUTIVE DIRECTOR BEAL: All right, here is everybody's favorite part, who doesn't love a good old election. Everybody but Joe's favorite part.

CHAIR CIMINO: All I want is access to bother staff as much as possible with all my questions. That's all I need.

EXECUTIVE DIRECTOR BEAL: Everyone has that access. Before we get into the election of the Commission Chair and Vice-Chair, I just want to take a moment to present Joe as the outgoing Chair with a commemorative clock to remember his time as Commission Chair. It's been, from a staff perspective it's been wonderful working with Joe. He mentioned it earlier, when he took over as Chair he came down to the Commission and spent a full day in the office talking to people and just getting to know staff and see what's working, and what they liked about the Commission, what they think could be improved at the Commission.

I think it was really great to have that as a start to his Chairmanship. He's been in the Chair through a lot of difficult issues, a lot of menhaden and striped bass and the lobster issue that got sideways on us, and a number of other things. I think he exhibited just amazing leadership to the Commission and to staff, and worked really well with Dan.

Dan and Joe and I have a standing 8:30 call every Monday morning, and Spud was involved. Spud started that, I think. Those I think may be therapy sessions or planning sessions, I'm not sure which. But I think it's been a great two years working with Joe and he's got kind of put in a bit of an awkward spot with the CARES situation, trying to be the Chair of the Commission and wrestle through that difficult issue.

I think he's done a great job of staying neutral and looking out for the Commission throughout that process as well, so that's been great. The other thing that Joe sort of took on very personally, I think, was this notion of misinformation that's out there and you know Horseshoe crab and some of the other species people are kind of twisting the story around sometimes.

Joe took that on and worked with Tina and others to really polish up some of the outreach materials and sort of do what he could to squelch some of the misinformation that is out there. I think it was really impressive and really appreciated that he was defending the process and trying to make sure that as much as possible in the internet age that the information that is out there was reliable and based on the science that the Commission has. With that, Joe, on behalf of all the Commissioners and staff, thank you for the last two years, we really appreciate it. (Applause)

CHAIR CIMINO: Incredibly humbling. It's been an amazing experience. I need to say thank you to everybody. Fisheries management is tough enough. We've had nothing but intense distractions in my two years and I think it's remarkable how much staff has kept us on track, despite all of the other things that we have dealt with.
Somehow even Russia was involved, you don't expect that when you're running for Chair, I'll tell you that. I just want to say thank you to everybody and it's been an amazing experience and a little bit more tonight, unfortunately, because I have to give a speech to someone.

EXECUTIVE DIRECTOR BEAL: Yes, don't use all your good material here.

ELECT COMMISSION CHAIR AND VICE-CHAIR

EXECUTIVE BEAL: With that, that brings us to the election of the new Chair and new Vice-Chair for the Commission. For that I'm going to turn over the nominations to David Borden, who is the Chair of the Commissions Nominating Committee. David.

MR. DAVID V.D. BORDEN: Thank you, Bob. The Nominating Committee consisted of Spud Woodward and Roy Miller and myself. We solicited nominations over a period of about a month and a half from all of you. We had four individuals who were named, Dan McKiernan, Doug Haymans, Chris Batsavage and Marty Gary were all suggested for different leadership positions. After consultation with the Nominating Committee both Chris and Marty either decided to decline or withdraw from the nominating process. In terms of today, we only have, I'll remove the only, we have two nominees. One for Chair and the other one for Vice-Chair.

Our normal process as Bob can explain to you is to do written ballots. Given the fact that these are the only two candidates that have been suggested, unless someone requests a written ballot, I would say we just do it by unanimous acclimation. With that Mr. Chairman, **it is my honor and pleasure to nominate Dan McKiernan as the next Chair of the Commission. So, moved.**

EXECUTIVE DIRECTOR BEAL: Since that is from the Nominating Committee it does not need a second. The Commission's election process does say that

we'll pass around ballots and one vote per state and it will be signed by the state. But given the suggestion by the Chair of the Nominating Committee, is there any need to do that? This may be awkward, but does anyone have an interest in submitting a write in vote or changing it, or is there unanimous consent for approving Mr. McKiernan as the Commission's Chair? Seeing no hands around the table, I take that as there is no need for the balloting process and Dan is elected unanimously. Oh, Dan voted for himself, just for the record. We'll give him a frame for that and he can put it in his office.

CHAIR CIMINO: I want to say that my bag is over there, but I have all the votes from mine in my bag.

EXECUTIVE DIRECTOR BEAL: Okay, **any objection to electing Dan McKiernan as the Chairman of the ASMFC? Seeing none; congratulations, Dan**. (Applause)

MR. BORDEN: I continue, Mr. Chairman. The second nominee is for the Vice-Chairman slot and it's my honor to nominate Doug Haymans to be the Vice-Chairman of the Commission.

EXECUTIVE DIRECTOR BEAL: Again, since it's from the Nominating Committee it does not need a second. Does anyone want to go through the paper ballot process for Vice-Chair? Seeing no request for a ballot is there **any objection to electing Doug Haymans as a Vice-Chair of ASMFC? Seeing no objections, congratulations, Doug**, and I look forward to working with you. That's it for the Business Session meeting. Yes, David.

MR. BORDEN: One other item that the three of us basically carried on a discussion about the need to kind of revisit the process, the nomination process. I think there are elements of it that should be reconsidered, relative to the need for paper ballots and circumstances for paper ballots, whether or not the issue of the regional participation requirement, and how that would apply under certain circumstances.

I guess the Committee recommendation is the new leadership should reflect on that. Bob Beal is well versed on what our Subcommittee concerns were, and then the new leadership basically decides whether or not you want to have another committee do it or whether or not you set that same group, continue the discussions and kind of refine, clearly identify the problems and what some of the solutions might be. That is just a recommendation. Thank you, that concludes my report.

EXECUTIVE DIRECTOR BEAL: Great, thank you, David. If Dan and Doug are comfortable with that the three of us can discuss it and review the current process and see if any changes are needed to be made, or if we want to set up a group to talk about it. Does that sound fair to you?

CHAIR DANIEL McKIERNAN: I would like to thank, I guess I would call you guys elders, you know so much experience here at ASMFC, and you have a lot of wisdom and great guidance and thank you for all of your efforts. I look forward to working with you.

ADJOURNMENT

EXECUTIVE DIRECTOR BEAL: That concludes the business before the Commission today and we will recess the Business Session or the Commission will reconvene on Thursday afternoon for at least reading of the resolution. I don't think we'll have any other business, but this group will be recessed for a couple days.

(Whereupon the meeting adjourned at 11:58 a.m. on Tuesday, October 28, 2025)