

From: [James O'Connell](#)
To: [Tina Berger](#)
Subject: [New] [External] Re: ASMFC 2026 Summer Meeting Final Agenda and Materials Now Available
Date: Friday, July 24, 2026 11:39:19 AM

Hi Tina

My registration for the three days has been accepted. I am not sure where to send my comment

I have what I believe is a vitally important idea for a regulation for the lobstermen assessment team, that if adopted would create exponential growth for the lobster population. I would love to be able to interact with the team and field any questions they are bound to have. I know I am a little late in sending this comment as is but could you read it and tell me what options I have and where exactly I should send my comment?

Thank you, I will copy my comment below

Jim O'Connell

Attn. ASMFC Stock Assessment Team.

Dear Lobster Stock Assessment Team

I have an idea for a regulatory change that creates exponential growth every 7th year. It should work in both the US and with Canada's Seasonal fishery. It is based on the most common sexually mature 88mm female. It will even benefit the relatively few warm water lobsters such as Gaspé and the coldest water lobsters like the Bay of Fundy. The Maine coast and Southern Nova Scotia benefit the most. It will be easy to enforce with a gauging tool set at 82.5 for males, 101 for females, which is the size the female will be after she hatches her first batch of eggs and she sheds, and 116mm max for both male and females. Since a 101mm female lobster becomes >116mm the next time it sheds there will never be a reason to notch any lobsters. An estimated 10% that become >116mm females will then become young proliferating jumbos, protected by the gauge, capable of producing 30-40,000 eggs.

The most immediate benefit to the lobstermen is the doubling of the weight of every female he was previously exploiting. That is doubling the value of half the catch. This yearly benefit becomes a reality after a 3 year transition period. This fact alone is what makes this an attractive regulation to the lobstermen. This added weight benefit will happen every year and increase exponentially every seven years. But that gain in weight benefit is hardly comparable to the mathematical reality that will take place in 7 years after the time this new regulation is set in place.

For ease of explaining the numbers look at a year where 100 Million lbs were landed. 50M males and 50M females.

If you allow all 50 M lbs of females to spawn then after 7-9 years you will net 50M keepers. This takes the initial 100M lbs to 150M lbs. The increase to the

jumbo stock adds approximately 5 M more lbs. Then, considering the weight gain on the initial 50M females as an 80% gain in weight, you must add another 40M lbs. That is an increase of nearly 90M lbs. In 7 yrs you would be rewarded with a record smashing 190 Million lbs landed and those numbers can only go up every 7 years.

The most amazing thing is, if the initial 100M lbs in 7yrs becomes 190 M lbs. What is the rate of the exponential growth every 7 years? There are more and more females added every 7 years. Does it double every 7 years? If so the numbers become absurd. Better minds are needed.

14yrs = 360 M lbs

21yrs 684 M lbs

28 yrs 1.2 Billion lbs

I was reading about the history of lobster regulations and noticed Canada in 1872 used this same 101mm, 1¾ lb minimum regulation that I am proposing to rescue the live lobster market from it's ultimate

demise due to the canning industry paying 1 penny per lobster for ½ lb lobsters. No lobsters were growing old enough to spawn. This emergency regulation ran for about 20 years and the canning business adjusted. But the live market still remained a challenge due to the lack of refrigeration until about 1926 when the refrigerated truck enabled lobsters to be shipped live to the US market. Canneries which produced an inferior product in the long run then went out of business. My grandpa got involved with the wholesale retail at this time buying lobsters from James Hook in Boston and supplying restaurants from Boston to Cape Cod. He built a retail store where me and my 8 siblings worked for my dad. It stood for over 80 years.

My dad built possibly the first successful inland recirculating lobster pound in the world.

That said. Thank You for sharing this plan. I am writing a paper on this plan in much more detail that has many interesting and verifiable science research references. I would like to eventually send it to your team. I sincerely hope you see the logic in switching to a more sustainable stewardship operation as opposed to a questionably sustainable exploitive method.

Both Canada and the US have seen a 50% drop in landings over the past 10 years. The lower it goes the harder it will be to come back. It is time to act.

I would love to weigh the facts with anyone out there with equal concerns for the success of the lobster fishery.

Thank You for your consideration,

Jim O'Connell

Bar Harbor

3rd generation retail wholesale shellfish
bdoconnell123@gmail.com

Sent from my iPad

On Jul 22, 2026, at 2:25 PM, Tina Berger <TBerger@asmfc.org> wrote:

FOR IMMEDIATE RELEASE, JULY 22, 2026
PRESS CONTACT, TINA BERGER, 703.842.049

The Atlantic States Marine Fisheries Commission's Summer Meeting will be **August 4 – 6, 2026 at The Westin Crystal City**. This will be a hybrid meeting (both in-person and remote) to allow for participation by Commissioners and interested stakeholders. The room block is now closed; if you need assistance reserving a room, please contact Lisa Carty at lcarty@asmfc.org.

The final agenda and meeting materials for the Summer Meeting are now available at <https://asmfc.org/events/2026-summer-meeting/>; click on the relevant Board/Committee name to access the documents for that Board/Committee. For ease of access, materials for all boards have been combined into one document – <https://asmfc.org/resources/management-meeting-materials/2026-summer-meeting-materials-august-2026/>. Supplemental materials will be posted to the website on **Wednesday, July 29**.

Other resources (TA, Roster, Reimbursement Guidelines, etc.) are available near the top of the page in the Background Materials accordion under Meeting Information.

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The agenda is subject to change. The agenda reflects the current estimate of time required for scheduled Board meetings. The Commission may adjust this agenda in accordance with the actual duration of Board meetings. Interested parties should anticipate Boards starting earlier or later than indicated herein. **At these meetings, action may be taken on any agenda item, including, but not limited to, reports from staff, technical committees, stock assessment committees, peer reviews, Law Enforcement Committee, advisory panels, plan review**



Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: Winter Flounder Management Board

FROM: Tracey Bauer, ASMFC FMP Coordinator and Robin Frede, NEFMC Groundfish Plan Coordinator

DATE: July 28, 2026

SUBJECT: Winter Flounder Specifications Process

At its February 2026 meeting, the Winter Flounder Management Board requested a staff memo detailing the current specification process for winter flounder. This request was, in part, to better understand concerns raised by the Winter Flounder Technical Committee (TC). As per the TC's January 2026 memo to the Board:

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 following memo addresses this request, detailing the New England Fishery Management Council's (Council's) specification process, as well as the Atlantic States Marine Fisheries Commission's Winter Flounder Management Board's (Board's) current role.

Overview of Cooperative Management between the Commission and New England Fishery Management Council

Currently, the Council and the Board cooperatively manage two winter flounder stocks, Southern New England/Mid-Atlantic (SNE/MA) and Gulf of Maine (GOM), with complementary FMPs. Stocks with complementary FMPs differ from those managed *jointly* (e.g., summer flounder, scup, and black sea bass), where FMPs are developed together between the relevant Council(s) and the Commission, requiring both bodies to approve the same actions, ensuring close coordination and consistency between state and federal waters. Conversely, complementary FMPs are developed in coordination with the relevant Council(s), but do not require like actions for approval of management measures. This can allow for more flexibility and speed in management, but can also cause issues if one management body makes a decision that does not align with decisions previously made by the other.

M26-67

New England Council's Groundfish Specifications Process

The process for setting OFLs, ABCs, and ACLs for all stocks under the Council's Northeast Multispecies (Groundfish) FMP, which includes both SNE/MA and GOM winter flounder, was established in the Council's Amendment 16. This section details the process followed by the Council on a specification-setting year. The Council's specification setting years are based on their schedule for specifications and stock assessments for all of their species set in advance by the Council and the Northeast Fisheries Science Center (NEFSC). While Amendment 16 states it's expected OFLs, ABCs, and ACLs will be determined every two years, they are set for least three years in case of a delay in determining future values. In September 2025, the Council approved an omnibus amendment to its fishery management plans that includes an action allowing a specifications frequency of up to five years, in response to recent reductions in federal agency resources. As a result, beginning in 2025, OFLs, ABCs, and ACLs are set for up to five years, with the expectation that they will be revisited sooner (i.e., by year 3).

In June of a specification setting year, the Council initiates a framework adjustment for specifications and other management measures. From July through September, the Groundfish Plan Development Team (PDT) and Groundfish Committee, with input from the Groundfish and Recreational Advisory Panels, begin developing draft alternatives for the framework adjustment.

The Groundfish PDT's role in the process is to develop the framework adjustment and provide recommendations regarding specifications for each multispecies stock. To make their recommendations, the PDT reviews available data, including information on catch and other measures of fishing effort, the results of recent assessments, enforcement and compliance with measures, fishery independent data, and any other relevant information.

If a management track stock assessment is completed that year, peer review will occur in mid-September. The Council reviews progress on the development of the framework adjustment at their meeting in late September. Between October and November, the Groundfish Committee, PDT, and Advisory Panels meet to continue to develop draft alternatives.

OFLs and ABCs

In October, the Scientific and Statistical Committee (SSC) recommends OFLs and ABCs for all groundfish stocks under consideration in the framework adjustment. These recommendations should prevent overfishing, be consistent with the Council's groundfish ABC control rule and rebuilding plans and consider the Council's Risk Policy Statement and Concept¹. OFL estimates for the specification years should be based on the point estimates of F_{MSY} (or its proxy) and the point estimate of future stock size. ABCs should be based on the groundfish ABC control rules², which are as follows:

These ABC control rules will be used in the absence of better information that may allow a more explicit determination of scientific uncertainty for a stock or stocks. If such information is available - that is, if scientific uncertainty can be characterized in a more accurate fashion - it can be used by the SSC to determine ABCs, these ABC control rules can be modified in a future Council action (an amendment, framework, or specification package):

- A. *ABC should be determined as the catch associated with 75% of F_{MSY} .*

¹ The Council recently approved its revised Risk Policy Statement and Concept. See: <https://d23h0vhsm26o6d.cloudfront.net/Risk-Policy-Statement-and-Concept-Overview-for-posting-v1-final.pdf>

² The Council is in the process of revising its groundfish ABC control rules. See: <https://www.nefmc.org/library/northeast-multispecies-groundfish-framework-68>

- B. If fishing at 75% of FMSY does not achieve the mandated rebuilding requirements for overfished stocks, ABC should be determined as the catch associated with the fishing mortality that meets rebuilding requirements (Frebuild).*
- C. For stocks that cannot rebuild to BMSY in the specified rebuilding period, even with no fishing, the ABC should be based on incidental bycatch, including a reduction in bycatch rate (i.e., the proportion of the stock caught as bycatch).*
- D. Interim ABCs should be determined for stocks with unknown status according to case-by-case recommendations from the SSC.*

PDT recommendations for setting OFLs and ABCs, which generally follow the groundfish ABC control rules, will be provided to the SSC. Guided by TORs prepared by the Council, the SSC will review the PDT's recommendations for OFLs and ABCs and will either approve those recommendations or provide an alternative recommendation. Should the SSC recommend an ABC that differs from that originally recommended by the PDT, the PDT will revise its ACL recommendations to be consistent. In either case, the SSC will explicitly describe the elements of scientific uncertainty that were considered in developing its recommendation. If requested by the Council, the SSC may comment on the uncertainty and risk that should be considered by the Council when setting ACLs and whether the PDT has identified those elements sufficiently for Council consideration.

ACLs

Once an overall ABC is determined, the PDT and Groundfish Committee can then consider recommendations regarding the ACL (i.e., the overall available catch) and how catches are distributed to the sub-components of the fishery.

Before sub-annual catch limits (sub-ACLs) are determined, an adjustment needs to be made for 1) the catch that is expected to be harvested within state waters by vessels not subject to the federal FMP, which is referred to as the "state sub-component," and 2) the catch expected to be caught in federal non-groundfish fisheries that do not receive an allocation, which is referred to as the "other sub-component."

The PDT conducts a "sub-component review" to determine recommendations of how much catch to assign to the state and other sub-components. Generally, the PDT compares the current other fisheries or state waters sub-component percentage (and associated value) to the updated three-year average catch to develop recommendations for state and other sub-components, in the absence of other information. In its review the PDT would flag any potential concerns, such as increased utilization or a large decline in ABC for a stock that may warrant additional consideration for determining sub-components. The PDT provides its sub-component recommendations in a guidance document to the Groundfish Committee for their consideration.

The Committee, with input from the Groundfish and Recreational Advisory Panels, will either accept the PDT's sub-component recommendations or may request additional analysis or information to consider alternative approaches for determining state or other sub-components on a stock-by-stock basis. For example, in a case where state waters catches are increasing for a highly utilized stock or for a stock expecting a large decline in ABC, the Committee may recommend maintaining the sub-component percentage amount, to signal to the states a request for their cooperation in aligning management measures to help prevent the ACL from being exceeded.

After the state and other sub-components are deducted, the remaining portion of the U.S. ABC is divided into sub-ACLs for specific fisheries, calculations for which are described in the specifications package or management action adopting the ACLs and accompanying PDT guidance document. Allocation is made first to non-groundfish fisheries (e.g., scallop, midwater trawl, small-mesh fisheries)

and recreational groundfish fisheries, and the portion of the U.S. ABC remaining is the commercial groundfish allocation. These allocations of catch to the different fisheries facilitate management of the catch of a stock so that if catches are excessive, measures can be designed for the portions of the fishery that are responsible for the excessive catch.

Once the U.S. ABC is distributed to the various fishery components, sub-ACLs are set by reducing the amount of the ABC distributed to each component to account for management uncertainty (i.e., the likelihood that management measures will result in a level of catch greater than the catch target). For each stock, management uncertainty is estimated using the following criteria: enforceability and precision of management measures, adequacy of catch monitoring, latent effort, and catch of groundfish in non-groundfish fisheries.

The PDT will consider management uncertainty by developing an informal document that describes the issues that will be considered, the risks, and uncertainties. When evaluating management uncertainty, the PDT will consider uncertainty that may be different for different sub-components of the ACL. The current default adjustment for management uncertainty for groundfish stocks is 5 percent of the ABC. For stocks with less management uncertainty, the buffer is set at 3 percent of the ABC; for stocks with more uncertainty, the buffer is set at 7 percent of the ABC. Stocks not caught in state waters have a lower management uncertainty buffer of 3 percent of the ABC; zero possession, discard-only stocks, and recreational fisheries have a higher management uncertainty buffer of 7 percent of the ABC. The PDT recommendations will specifically comment on the evaluation of the uncertainty for different sub-components in its review of management uncertainty.

Once development of the draft alternatives and specifications is complete, the Groundfish Committee, with input from the Groundfish and Recreational Advisory Panels, considers the PDT's recommendations for ACLs in the specifications included in the draft framework adjustment and any public comment received, and makes recommendations to the Council.

Final action and approval of specifications

The Council will consider the draft framework adjustment, including the OFLs and ABCs established by the SSC and ACL recommendations of the PDT, and take final action at the December Council meeting, typically occurring either the first or second week in December. If the Council questions the SSC recommendation, it can ask for a more detailed explanation from the SSC, but the Council must establish ACLs that are equal to or lower than the ABC established by the SSC. When setting ACLs, the Council will consider the advice of the SSC and the PDT, and will provide the rationale used for setting the ACLs.

Once the Council has approved its recommended ACLs, they will be submitted to NMFS for approval and implementation. ACLs can be implemented in several ways. If the Council submits a management action as part of the periodic adjustment process, the ACLs can be included in that document along with any necessary analysis required by applicable law. Alternatively, the ACLs can be submitted as part of a specification package supported by the appropriate NEPA document, if necessary.

After receipt of the Council recommendations for ACLs, either as part of a new management action or specification package, NMFS will review the Council's recommendations, and if consistent with applicable law, will implement the ACLs consistent with the Administrative Procedure Act, with a target implementation of May 1 for the start of the fishing year.

Accountability Measures

Accountability measures are required for sub-ACLs. There are no accountability measures if the state sub-component or other sub-component is exceeded, and no management uncertainty buffer is applied, since these are expected catches. These sub-components are not subject to specific catch controls by the Groundfish FMP, although in many instances states do adjust their measures accordingly.

It should be noted that for stocks that are highly utilized by the federal groundfish fishery, there is increased potential that catches in the state waters or other federal fisheries could result in an overage of the total ACL. In the event of an ACL overage, accountability measures apply to the fisheries that have an allocation. For both GOM and SNE/MA winter flounder, the only allocation is to the federal commercial groundfish fishery. In this case, the commercial groundfish fishery could incur accountability measures (pound-for-pound payback), even if the overage resulted from state or other sub-component catches. However, utilization by the federal groundfish fishery for both stocks has been low and so this has not been an issue to date.

ASMFC Specification Process for SNE/MA and GOM Winter Flounder

As per the Commission's [Addendum III](#) to the Winter Flounder FMP, the Board may set specifications for up to three years based on the federally established state waters sub-component using the following procedure:

The Winter Flounder Technical Committee (TC) reviews the best available data including, but not limited to, the Council-approved specifications, commercial and recreational catch/landing statistics, current estimates of fishing mortality, stock status, survey indices, assessment modeling results, and target mortality levels. Based on their data review, the TC makes recommendations for changes to commercial and recreational specifications to the Board. The Winter Flounder AP also meets to review similar information as provided to the TC, as well as to make their own recommendation(s). The Board will review TC and AP recommendations before setting commercial and recreational specifications for up to three years through Board action. The Board has the option to review the trip limit if new information is released within the 3-year period. States may provide an opportunity for public input before the Board sets the specifications.

Proposed Modifications to Process

Following the Board's February 2026 meeting, Commission and Council staff met to discuss concerns raised by the Board and TC on the disconnect between the Council's specification process and any actions the Board may consider taking.

Commission and Council staff do not think any formal changes are needed to the FMP at this time. Instead, the Council and Commission staff agreed to focus on improving communication and collaboration between the Council and Board in the future. For example, Commission staff will keep the Board informed of all of the various meetings the Council is holding during a Council specifications-setting year. This will allow the Board to determine if changes to management measures are needed prior to the Council setting the state sub-component of the catch. In addition, Commission and Council staff will also inform the TC of meetings of the Groundfish PDT, particularly when they meet to discuss the winter flounder state sub-component. This would enable the TC to participate in discussions related to GOM and SNE/MA winter flounder.

Atlantic States Marine Fisheries Commission

DRAFT ADDENDUM I TO AMENDMENT 1 OF THE TAUTOG INTERSTATE FISHERY MANAGEMENT PLAN FOR BOARD REVIEW

Regional Response to 2025 Stock Assessment Update



August 2026

This draft document was developed for Management Board review and discussion at the August 2026 meeting week. This document is not intended to solicit public comment as part of the Commission/State formal public input process. However, comments on this draft document may be given at the appropriate time on the agenda during the scheduled meeting. Also, if approved, a public comment period will be established to solicit input on the issues contained in the document.



Sustainably Managing Atlantic Coastal Fisheries

**Atlantic States Marine Fisheries Commission
Seeks Your Input on Tautog Management**

The public is encouraged to submit comments regarding this document during the public comment period. Comments will be accepted until **TBD**. Regardless of when they were sent, comments received after that time will not be included in the official record.

You may submit public comment in one or more of the following ways:

1. Attend public hearings held in your state or jurisdiction.
2. Refer comments to your state's members on the Tautog Management Board or Tautog Advisory Panel, if applicable.
3. Mail, fax, or email written comments to the following address:

James Boyle
Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, Virginia 22201
comments@asmfc.org (subject line: Tautog Draft Addendum I)

If you have any questions please call James Boyle at 703.842.0740.

Commission's Process and Timeline

Date	Action
October 2025	Tautog Board Tasks Staff to Develop Draft Addendum I
November 2025 – July 2026	Staff Develops Draft Addendum I for Board Review
August 2026	Tautog Board Reviews Draft Addendum I and Considers Its Approval for Public Comment
August– October 2026	Board Solicits Public Comment and States Conduct Public Hearings
November 2026	Board Reviews Public Comment, Selects Management Options and Considers Final Approval of Addendum I
TBD	Provisions of Addendum I are Implemented

1. INTRODUCTION

The Atlantic States Marine Fisheries Commission (ASMFC) coordinates tautog (*Tautoga onitis*) management in state waters (0–3 miles from shore) under the authority of the Atlantic Coastal Fisheries Cooperative Management Act and has done so through an interstate fishery management plan (FMP) since 1996. The states of Massachusetts through Virginia have a declared interest in the fishery and are responsible for implementing management measures consistent with the FMP. Management authority in the Exclusive Economic Zone (3-200 miles from shore) lies with NOAA Fisheries.

At its October 2025 meeting, the ASMFC's Tautog Management Board (Board) approved the following motion:

Move to initiate an addendum to respond to the 2025 Stock Assessment Update for two stock regions: NJ-NY Bight and DMV. Additionally, the addendum should also allow for the MARI and LIS regions to modify management for precautionary or alignment purposes.

Since then, the Board has provided additional guidance on the range of options for inclusion in this draft addendum. The addendum proposes options to achieve a 50% probability of reaching the fishing mortality (F) target in both the New Jersey-New York Bight (NJ-NYB) and Delaware-Maryland-Virginia (DMV) regions by 2030, as well as options for alignment changes in the Long Island Sound (LIS) region.

2. OVERVIEW

2.1 Statement of the Problem

Regional Overfishing Status

The [2025 tautog stock assessment](#) estimated that the stock is experiencing overfishing in the NJ-NYB and DMV regions (Table 1). Additionally, the DMV region stock was found to be overfished. Reductions in harvest are necessary to achieve the F target and prevent the NJ-NYB stocks from becoming overfished.

Under [Amendment 1](#), if the current F exceeds the threshold level (overfishing), then the Board must initiate corrective action through a management document within one year of receiving the overfishing status and implement measures in two years based on harvest projections requested by the Board. The Board may request projections from the Technical Committee (TC) to determine the harvest reductions necessary to have at least a 50% probability of achieving the F target in a timeframe determined by the Board. From those projections, specific measures (e.g. possession limit, minimum size, seasonal closures, quotas, etc.) are developed to achieve the necessary reductions. Because the NJ-NYB and DMV regions are both experiencing overfishing, this draft addendum presents options to reach a 50% probability of achieving the F target by 2030.

Table 1. Stock status of tautog in the MARI, LIS, NJ-NYB, and DMV regions from the 2025 tautog stock assessment update.

Region	Fishing Mortality			Status
	Target	Threshold	2024	
MARI	0.27	0.46	0.26	Not overfishing
LIS	0.25	0.35	0.25	Not overfishing
NJ-NYB	0.20	0.33	0.44	Overfishing
DMV	0.18	0.29	0.36	Overfishing
<i>Retrospective adjustment applied to F for all regions.</i>				

Region	Spawning Stock Biomass			Status
	Target	Threshold	2024	
MARI	6,143 mt	4,595 mt	9,572 mt	Not overfished
LIS	9,799 mt	7,349 mt	13,718 mt	Not overfished
NJ-NYB	7,910 mt	5,929 mt	7,900	Not overfished
DMV	4,400 mt	3,236 mt	2,687 mt	Overfished
<i>Retrospective adjustment applied to SSB for all regions</i>				

New York Lobster Bag Limit

Based on the 2025 assessment update, the LIS region is not overfished and overfishing is not occurring. No harvest reduction is required for the region, and the current recreational measures would remain unchanged. New York is proposing a change to its commercial measures in the LIS region to address an inconsistency in possession limits on commercial lobster vessels fishing lobster pots where there is a reduced possession limit. Under current measures the commercial possession limit is 25 fish per vessel, per day, except vessels fishing lobster pot gear and in possession of more than 6 lobsters are limited to 10 tautog per vessel per day. Removing this restriction would apply a single, consistent possession limit of 25 fish per vessel per day to all commercial trips in the region, simplifying compliance and enforcement.

Commercial Tagging Issues

In response to concerns of significant illegal harvest of tautog, Amendment 1 implemented a commercial harvest tagging program to increase accountability in the fishery. Currently, all states must use the same single-use tag, inscribed with the year of issue, state of issue, and a unique number. Since implementation, harvesters, particularly in the live market fishery, have raised concerns about the health and appearance of fish after receiving the tag. Harvesters report lesions developing from the tag causing lost product and a decline in marketability of the fish. Since the FMP requires all states to use the same tag, if a new tag was found that alleviated the concerns of the live market fishery, the entire coast would need to convert to that tag for it to be applied, which may increase the cost burden on harvesters who are not in

the live market fishery and approve of the current tag. This draft addendum contains options that would allow the Board to use Board Action (i.e., a majority vote) to permit a state to implement a second tag if a suitable one were tested and approved by the Board.

2.2 Background

2.2.1 Stock Status

Tautog harvest is controlled through state regulations designed to restrain F at or below the F target. States implement regulations to achieve the same F target but are allowed to select seasons, bag limits, quotas, etc., to achieve the target as best meets the state's individual fishery needs.

The 2015 stock assessment proposed splitting the tautog stock into smaller, regional stock units to account for the life history of tautog and to reduce the risk of overfishing. Tautog is managed in 4 regions, MARI (Massachusetts - Rhode Island), LIS, NJ-NYB, and DMV.

From the 2021 to 2025 stock assessment updates, stock status did not change for the MARI or LIS regions but did change for the NJ-NYB and DMV regions. The NJ-NYB region went from being overfished but not experiencing overfishing in the 2021 update to not being overfished but experiencing overfishing in the 2025 update. The DMV region was previously not overfished nor experiencing overfishing but was considered overfished and experiencing overfishing in the 2025 update.

Based on the TC harvest projections, a 40% reduction is needed for the NJ-NYB region to have a 50% probability of achieving the F target in 2030. In the DMV region, maintaining status quo removals (i.e., removals equal to the 2022-2024 average) would result in a 61% probability of being at or below the F target in 2030, meaning no reduction is needed. This is likely due to the very strong year-classes in 2020-2023 that will be moving into the exploitable size classes over the next few years and that the three-year average of removals is lower than the 2021-2023 removals, which were recent highs.

Additionally, the projections indicate that if NJ-NYB removals remain at status quo levels, SSB is expected to decline below the threshold by 2030. If F is reduced to the F target by 2030, SSB will remain at or above the SSB target (Figure 1). In the DMV, if removals remain at status quo levels, SSB is expected to decline slightly from 2025-2027 and then increase as recent strong year-classes mature (Figure 1); however, by 2030, there will only be a 12% chance that SSB will be at or above the SSB target.

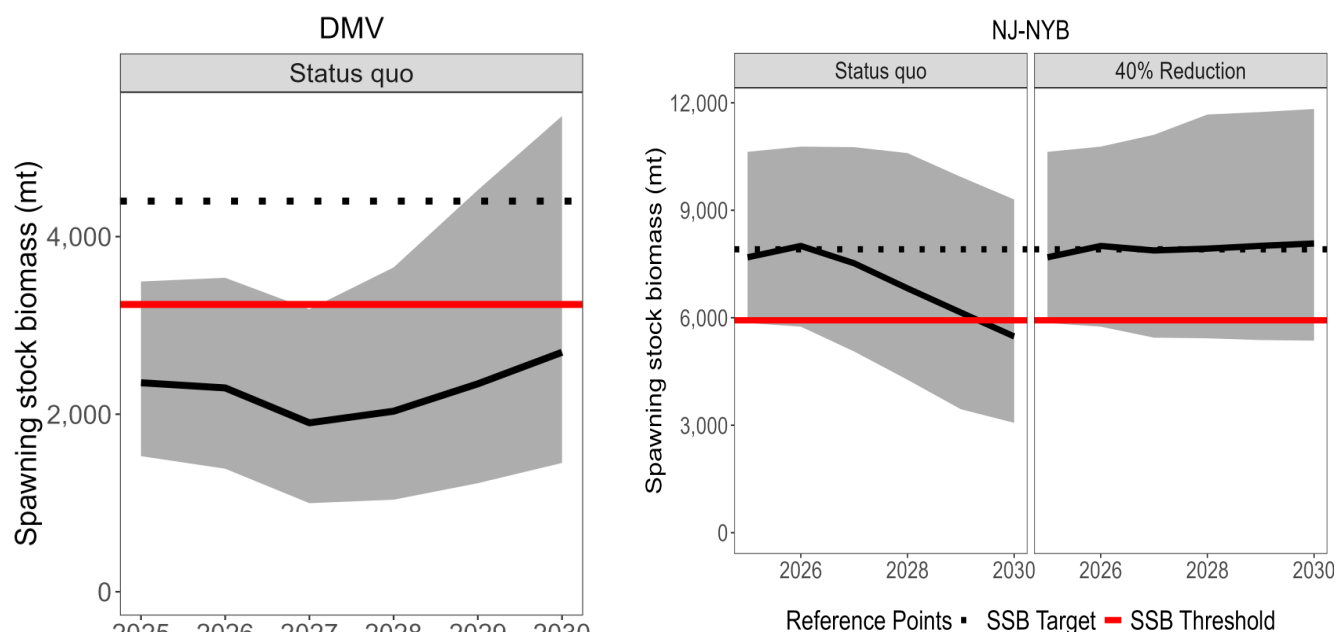


Figure 1. NJ-NYB and DMV SSB trajectory under status quo and NJ-NYB if removals are reduced by 40% from the 2022-2024 average.

2.2.2 Description of the Fishery

Massachusetts-Rhode Island

The tautog fishery in the MARI region is primarily recreational, with recreational landings accounting for an average of 93% of total removals annually. Total (commercial and recreational) removals have increased since 2020, increasing from an average of 2.4 million pounds from 2016-2020 to an average of 4.8 million pounds from 2021-2024. This was primarily driven by an increase in recreational landings and releases (2023 represents the highest percentage of recreational removals at 98% for the year) in the region.

Prior to Amendment 1, tautog management measures in the MARI region were state specific. Both states had the same minimum size (16") but varying seasons and possession limits for the recreational fishery. During the Amendment process, both states proposed to work towards regional management options for consideration, with both states adjusting their recreational seasons and possession limits to come closer to alignment. There were still small differences between the states; namely, Massachusetts has a 1-fish possession limit during the Rhode Island spawning closure (Table 2). Since Amendment 1 was implemented, both states implemented additional regulations on their recreational fisheries. In 2022, Rhode Island implemented a limited maximum size of 21", such that only 1 fish per harvester may be greater than 21". Massachusetts followed suit with a complementary regulation the following year.

Table 2. Current recreational regulations for the MARI region

State	Minimum Size	Limited Maximum Size	Season	Possession Limit*
Rhode Island	16"	Only 1 fish may be greater than 21"	April 1 - May 31	3 fish/day
			Aug 1 - Oct 14	3 fish/day
			Oct 15 - Dec 31	5 fish/day
Massachusetts	16"	Only 1 fish may be greater than 21"	April 1 - May 31	3 fish/day
			June 1 - July 31	1 fish/day
			Aug 1 - Oct 14	3 fish/day
			Oct 15 - Dec 31	5 fish/day

*Vessel limit of 10 fish per day, licensed party/charter vessels are not subject to the vessel limit.

Both states have continued to manage their commercial fisheries utilizing quotas; however, seasons and possession limits varied between states (Table 3). In both states, the hook and line fishery accounts for a majority of the commercial landings – 52% in Rhode Island and 78% in Massachusetts— for 2025), other gear types utilized in both states include pots/traps, trawls, and gillnets.

Table 3. Current commercial regulations for the MARI region.

State	Annual Quota	Minimum Size	Season	Possession Limit
Rhode Island	51,348	16"	April 1 - May 31 (42.5% of annual quota)	10 fish/day
			Aug 1 - Sept 15 (15% of annual quota)	
			Oct 15 - Dec 31 (42.5% of annual quota)	
Massachusetts	61,347	16"	Sept 1 - Dec 3	40 fish/day

Long Island Sound

The tautog fishery in LIS is predominantly recreational. Recreational harvest was at its peak in the mid to late 1980s. It decreased in the mid-1990s and increased again in the early 2000s, never surpassing the historical peak. Recreational harvest has been relatively stable since about 2007, with 2018 being an exceptionally low harvest year. Commercial harvest was highest in the mid-1980s and increased again in the most recent 6-7 years (2019-2024). However, commercial harvest remains modest compared to recreational harvest.

The LIS region states of Connecticut and New York have different regulations for tautog (Tables 4 and 5). Across the region, most of the recreational harvest occurs in each state's respective fall season making up 89.6% (CT) and 86.7% (NY) of the total harvest from 2022-2025.

Table 4. 2026 LIS recreational regulations.

State	Size Limit	Possession Limits	Open Seasons
		(fish/person/day)	(dates inclusive)
Connecticut	16" min	2	Apr 1 - Apr 30
		2	July 1 - Aug 31
		3	Oct 10 - Nov 28
New York	16" min	2	Apr 1 - Apr 30
		3	Oct 11 - Dec 9

Table 5. 2026 LIS commercial regulations.

State	Size Limit	Possession Limits	Open Seasons	Gear Restrictions
		(fish/person/day)	(dates inclusive)	
Connecticut	16" min	3 (restricted licenses) 10 (all others)	Apr 1 - Apr 30	Mandatory pot requirements
			July 1 - Aug 31	
			Oct 8 - Dec 24	
New York	15" min	25 (10 per vessel with lobster gear and when 6 lobsters are in possession)	May 7 - July 31 Sep 1 - Nov 23	Mandatory pot requirements. Gill or trammel nets prohibited

New Jersey-New York Bight

Recreational harvest accounts for approximately 90% of landings within the NJ-NYB region. Recreational harvest exceeded 1 million fish per year in most years between 1988 and 1993, with a peak of 1.56 million fish in 1991. Harvest declined quickly following the peak, reaching a time series low of 24,000 fish in 1998 with an average annual harvest of 415,000 fish between 1994 and 2002. Recreational landings declined again in 2003, falling below 200,000 fish before recovering slightly by 2006.

Commercial harvest during the late 1980s to mid-1990s fluctuated around 154,324 pounds (70 mt) annually but declined rapidly to 44,092 pounds (20 mt) by 1999. Landings rebounded to 132,277 pounds (60 mt) by 2007 and 2008, and since then fell to 88,185 pounds (40 mt) and below. Commercial harvest during 2013 to 2015 has shown a declining trend falling from 99,207 pounds (44 mt) in 2013 to nearly 86,000 pounds (39 mt) in 2015 with an average harvest of 90,389 pounds (41 mt) for this time period.

Total removals have increased since the last assessment, averaging 1,843 mt from 2021-2024 compared to an average of 1,029 mt for 2016-2020. The Marine Recreational Information Program (MRIP) CPUE showed an increasing trend since the last update, while the New Jersey Ocean Trawl index showed a declining trend in the most recent years. The New York Seine young-of-the-year index has been highly variable over the time-series but has shown a number of high values over the most recent years. Estimates of SSB showed that the increasing trend seen in the 2021 assessment update had been reversed, with SSB declining from a recent high

in 2022; the three-year average F showed the opposite pattern, with F increasing since 2021 after a decline from 2016. The model indicated that the stock was not overfished (SSB was above the threshold and slightly below the target) but overfishing was occurring in 2024. This was a change from the 2021 update, where the stock was overfished, but overfishing was not occurring. Short-term projections (2025-2027) based on the 3-year average of recent removals indicated there was a high probability (81%) that the stock would be above the SSB threshold in 2027 (i.e., not overfished) but a low probability that F would be below the F threshold (i.e., overfishing occurring).

Table 6. 2026 NJ-NYB recreational regulations.

State	Size Limit (inches)	Possession Limits (number of fish/person/day)	Open Seasons
New York	16"	2	Apr 1-Apr 30
		4	Oct 15-Dec 22
New Jersey	15"	4	Jan 1 – Feb 28
		4	Apr 1 – Apr 30
		1	Aug 1 – Nov 15
		5	Nov 16 – Dec 31

Table 7. 2026 NJ-NYB commercial regulations.

State	Size Limit (inches)	Possession Limits (number of fish/vessel/day)	Open Seasons	2026 Quota (pounds.)	Gear Restrictions
New York	15"	25 (10 per vessel with lobster gear and 6 lobsters in possession)	Apr 16-Jan 25	-	Mandatory pot requirements. Gill or trammel nets prohibited.
New Jersey	15"	> 100 pounds requires directed fishery permit	Jan 1 - May 15 Sept 19 - Dec 31	103,000	Mandatory pot requirements.

Delaware-Maryland-Virginia

Recreational harvest in DMV peaked in 1995 at more than 1 million fish. Following implementation of the FMP, harvest levels decreased by half. Average recreational harvest declined from 366,997 fish during 2006-2015 to 117,704 fish during 2016-2025. Recreational harvest in DMV decreased from 795,449 fish in 2010 to 66,134 fish in 2015. The decline coincided with the regulatory measures (minimum size increase and seasonal closures)

implemented in 2012 to reduce fishing mortality.

Following the implementation of Amendment 1 in 2018, recreational landings increased beginning in 2020 and exceeded 100,000 fish every year until 2025 excluding 2024 when they declined to 41,705 fish. Recreational discards have also increased from 426,143 released fish in 2015 to 1,544,074 released fish in 2025.

Commercial landings have increased in the most recent years, primarily due to an increase in Virginia landings, which account for the majority of commercial effort. However, average commercial landings for 2006-2015 were approximately 14,017 pounds. Average commercial landings for 2016-2025 were 4,314 pounds, with 2025 being higher at 5,960 pounds . Data on commercial discards were not available, but discards are believed to be minimal.

Table 8. 2026 DMV recreational regulations.

State	Size Limit	Possession Limits	Open Seasons
		(fish/person/day)	(dates inclusive)
Delaware	16" min	4	Jan 1 – May 15
			Jul 1 – Dec 31
Maryland	16" min	4	Jan 1- May 15
		2	Jul 1 – Oct 31
		4	Nov 1 – Dec 31
Virginia	16" min	4	Jan 1 – May 15
			July 1 – Dec 31

Table 9. 2026 DMV commercial regulations.

State	Size Limit	Possession Limits	Open Seasons	Gear Restrictions
		(fish/person/day)	(dates inclusive)	
Delaware	16" min	4	Jan 1 – May 15	Mandatory pot requirements.
			Jul 1 – Dec 31	
Maryland	16" min	4	Jan 1- May 15	Mandatory pot requirements.
		2	Jul 1 – Oct 31	
		4	Nov 1 – Dec 31	
Virginia	15" min	-	Jan 1 – Jan 21	Mandatory pot requirements. Pots prohibited in tidal waters.
			Mar 1 - May 15	
			Nov 1 – Dec 31	

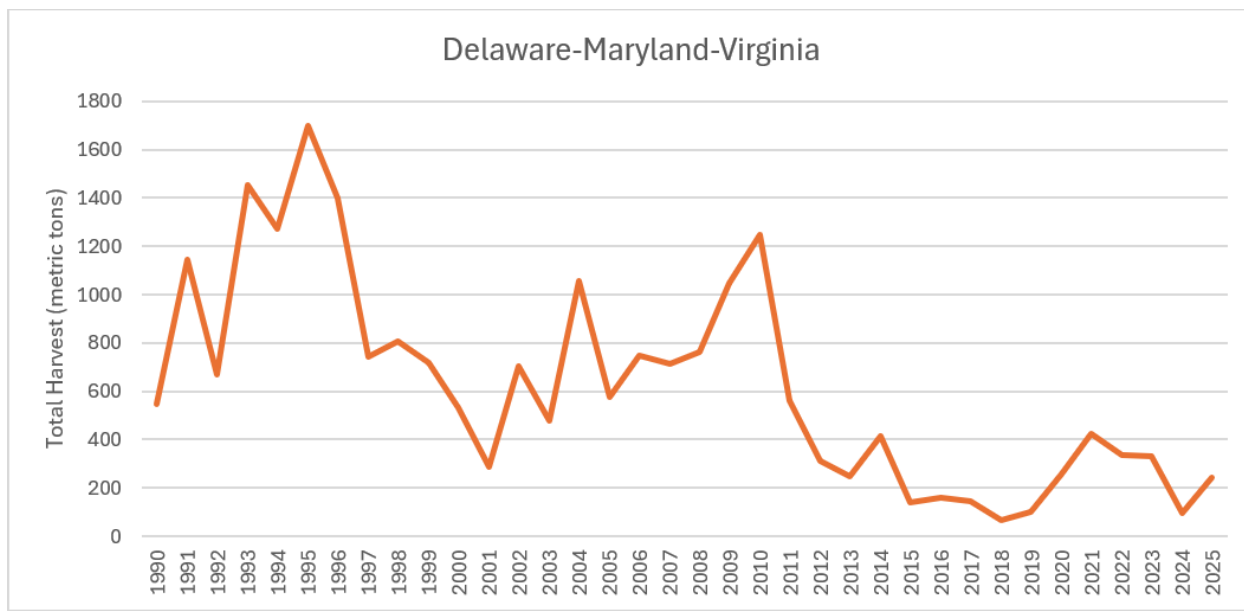


Figure 2. Total (recreational and commercial) tautog harvest in DMV region from 1990-2025.

2.2.3 History of Commercial Tagging Program

The commercial tautog fishery has a subset of harvesters that sell fish in live markets, with steady demand increasing the price for live tautog. Increased prices for live market fish led to reports from law enforcement of significant illegal harvest, and a commercial tagging program was recommended to increase accountability in the fishery. The objectives of the program included using a single-use tag for both the live and dead markets that had minimal to no impact on the appearance or condition of live fish for the amount of time the fish are kept alive until consumption.

Since implementation in 2021, harvesters began reporting varying issues with the application of the tag. In April 2023, the [TC surveyed](#) harvesters and dealers to assess the extent of the issues coastwide, and while the most concerning problems were associated with the live market in New York, stakeholders in other states reported similar issues. Tagging injuries were reported to cause external wounds that manifest over time, reducing the value of the fish or sometimes resulting in mortality. The severity of the wounds was associated with longer holding time periods in captivity, mainly greater than two weeks. Subsequently, [New York State DEC performed a study](#) of three alternative tags but did not identify a viable alternative.

If a viable alternative tag were identified, the options in the draft addendum would allow any state, with Board approval, to implement a second commercial tag in their fishery to provide relief to the live market harvesters while still allowing harvesters who prefer the current tag to continue using it.

2.3 Social and Economic Impacts

To assess the social and economic impacts of hypothetical reductions to the NYB-NJ tautog stock, the CESS consulted Dr. Andrew Carr-Harris, an economist and contractor for the Northeast Fisheries Science Center. Dr. Carr-Harris' analysis models hypothetical 10%, 20%, and 40% reductions in recreational trips and commercial harvest based on 2021–2025 baseline averages (Figure 3). In this economic analysis, the output is defined in “exposure” or the total gross dollar amount tied to affected fishing trips or commercial landings that could be disrupted by a policy change. Using average trip expenditures (\$50 in NJ; \$67 in NY Bight), the analysis shows annual recreational trip expenditure exposure ranging from \$7.28M (10% reduction) to \$29.11M (40% reduction) in NJ, compared to \$2.02M (10%) to \$8.09M (40%) in the NY Bight, with peak exposure in April and November. On the commercial side, applying the same reduction percentages to average ex-vessel revenues results in NJ commercial gross revenue that has minimal exposure, ranging from \$720 to \$2,881. However, New York faces vastly higher exposure, ranging from \$105,144 to \$420,574. It's important to note that these figures represent gross dollars at risk rather than net economic loss. Actual financial losses will likely be lower because anglers and commercial fishers adapt by rescheduling trips, targeting alternative species, or benefiting from supply-driven price increases.

3. PROPOSED MANAGEMENT PROGRAM

When the Board considers final action on the addendum, there is the opportunity to select any measure within the range of options that went out for public comment, including combining options across issues. Additionally, for each state or region, the Board may approve multiple options or the full suite of options to allow the state(s) to select final measures from among the approved options. This would allow states to select final management measures following public comment and consultation with the state's recreational and commercial fishing constituents without the need for further Board action.

3.1 LIS and NJ-NY Bight Proposed Commercial Management Measures

If adopted, this would modify section 4.2.3 of Amendment 1

Option A (Status Quo): Maintain current commercial measures for LIS (See Table 10).

Option B: The possession limit for all New York permitted commercial vessels (LIS and NJ-NYB) would be 25 fish. All other LIS measures would remain the same (see Table 10). The maximum potential effect of this change (increasing the possession limit for lobster vessels) is estimated to be a 5% increase to the LIS commercial landings as compared to the 2022-2024 average, which has a negligible impact on the probability of achieving the *F* target (Appendix A.1.1).

The estimated increase in NYB commercial landings associated with this change was only slightly greater than 0% and is considered negligible; it does not measurably affect the reductions presented in Table 13.

Table 10. Options for LIS and NJ-NYB possession limit for New York permitted vessels for trips fishing lobster pot gear.

Option	Minimum Size	Possession Limit (number of fish/vessel/day)	Open Season	Estimated Change in Harvest
A. Status Quo	15"	25 (except, 10 per vessel when fishing lobster pot gear and more than six lobsters are in possession)	LIS: May 7 – Jul 31, Sep 1 – Nov 23 NJ-NYB: Apr 16 – Jan 25	No change
B. Remove Lobster Pot Gear Possession Limit	15"	25	May 7 – Jul 31, Sep 1 – Nov 23 NJ-NYB: Apr 16 – Jan 25	+5% LIS commercial harvest Negligible for NJ-NY Bight

3.2 NJ-NYB Proposed Management Measures

If adopted, this would modify section 4.2.4 of Amendment 1

3.2.1 New Jersey

Seven options (A-G) (see table 11) are proposed for New Jersey-specific reductions using a 50% probability of achieving the *F* target, which is associated with a minimum harvest reduction of 40% by 2030. Each option proposes a minimum size limit, a bag limit and season.

New Jersey's options are for the recreational fishery; no commercial reduction was considered at this time. Commercial reductions can be considered if deemed necessary for the region.

Table 11. New Jersey Proposed Recreational Management Options

Option	Minimum Size	Open Season	Possession Limit	% Harvest Reduction
A. Status Quo	15"	Jan 1 – Feb 28	4	0%
		Apr 1 – Apr 30	4	
		Aug 1 – Nov 15	1	
		Nov 16 – Dec 31	5	
B.	15"	Jan 1- Feb 28	4	-40.12%
		April 1- April 30	3	
		Aug 1 - Nov 15 (closed)	0	
		Nov 16 - Dec 31	5	
C.	16"	Jan 1- Feb 28	4	-40.89%
		April 1- April 30 (15 day closure)	4	
		Aug 1 - Nov 15	1	
		Nov 16 - Dec 31	5	
D.	16"	Jan 1- Feb 28	4	-40.55%
		April 1- April 30	2	
		Aug 1 - Nov 15 (50 day closure)	1	
		Nov 16 - Dec 31	4	
E.	16"	Jan 1- Feb 28	4	-40.31%
		April 1- April 30	4	
		Aug 1 - Nov 15 (60 day closure)	1	
		Nov 16 - Dec 31	4	

Option	Minimum Size	Open Season	Possession Limit	% Harvest Reduction
F.	17"	Jan 1- Feb 28	4	-41.04%
		April 1- April 30	4	
		Aug 1- Nov 15 (40 day closure)	1	
		Nov 16 - Dec 31	5	
G.	15"	Jan 1- Feb 28	4	-41.25%
		April 1- April 30	2	
		Aug 1- Nov 15 (77 day closure)	1	
		Nov 16 - Dec 31 (15 day closure)	2	

The options from Table 11 were developed with, but not limited to, the following considerations: access to the fishery, maximizing the resource, and addressing ongoing conservation law enforcement concerns about the harvest of undersized fish and possession limit violations.

New Jersey options considered changes in minimum size, season length, and possession limits based on ASMFC methodology (see Appendix 2) and requests the Board approve the full suite of options presented in Table 11 rather than a single preferred option. If approved by the Board, New Jersey would implement a final option with input from the New Jersey Marine Fisheries Council and Advisors.

3.2.2 New York

Each NJ-NYB option in Table 13 is presented as a paired set of state-specific recreational and commercial measures that collectively achieve New York's required harvest reduction.

Six options are proposed to achieve a 40% reduction in New York's total removals from the NYB portion of the region. New York's 2022–2025 removals were 2,209,248 pounds from the recreational sector and 914,103 pounds from the commercial sector, for a total of 3,123,351 pounds; a 40% reduction corresponds to 1,249,340 pounds. Because each sector contributes to total removals in proportion to its share of the harvest, recreational and commercial measures were developed as paired options in which the combined, harvest-weighted reduction across both sectors meets the 40% requirement.

Recreational options were developed using combinations of minimum size, possession limit, and closures within the fall season, which accounts for the majority of annual harvest. Where practicable, options were constructed to align NYB seasons with the seasons currently in place in the LIS region in order to improve parity between the north shore, south shore, and east end of Long Island. Each option in Table 13 achieves the required 40% reduction and is presented as a paired recreational and commercial package; the 2 sets of measures within an option are not interchangeable across options. See Appendix 2 for the methods to estimate the impact of recreational measures and Appendix A.1.2 for methods to estimate the impact of commercial measures.

Option A: Status Quo: The current commercial and recreational measures would remain the same (See Table 12)

Table 12. 2026 NJ-NYB Recreational and Commercial Regulations (Status Quo Measures)

Option	SIZE LIMIT (inches)	POSSESSION LIMITS (number of fish/person/day)	OPEN SEASONS
Recreational Status Quo	16"	2 4	Apr 1 – Apr 30 Oct 15 – Dec 22
Option	SIZE LIMIT (inches)	POSSESSION LIMITS (number of fish/vessel/day)	OPEN SEASONS
Commercial Status Quo	15"	25 (except, 10 per vessel when fishing lobster pot gear and more than six lobsters are in possession)	Apr 16 – Jan 25

Options B-G: Proposed Changes to commercial and recreational measures to achieve a 40% reduction in New York's total removals from the NYB portion of the region (See Table 13). Each option proposes a recreational minimum size limit, bag limit, and season closure as well as a commercial season closure. The recreational fall season closure is the number of days that would be removed from the current recreational fall season (Oct 15 – Dec 22). Commercial closure is the number of days that would be removed from the current commercial open season (Apr 16 – Jan 25). Total reduction is the harvest-weighted combination of recreational and commercial reductions. Under Options D and G, the NYB commercial season would align with the current LIS commercial season; under Option C the NYB recreational season would align with the current LIS recreational season.

Option	Recreational				Commercial			Total Reduction
	Minimum Size	Possession Limit	Fall Season Closure	% Reduction	Open Season	Closure	% Reduction	
B.	16"	2	-20 days	40.4%	May 7 – Jul 31, Sep 1 – Nov 15	125 days	39.4%	40.1%
C.	16"	2	21 days	41.5%	May 7 – Jul 31, Sep 1 – Nov 19	121 days	36.4%	40.0%
D.	16"	2	22 days	42.6%	May 7 – Jul 31, Sep 1 – Nov 23	117 days	34.1%	40.1%
E.	17"	2	10 days	46.9%	May 1 – Jul 8, Sep 1 – Dec 31	69 days	23.5%	40.1%
F.	17"	3	12 days	40.4%	May 7 – Jul 31, Sep 1 – Nov 15	125 days	39.4%	40.1%
G.	17"	3	14 days	42.4%	May 7 – Jul 31, Sep 1 – Nov 23	117 days	34.1%	40.0%

With the exception of the proposed commercial possession limit changes (Section 3.1), the options B-G were brought forward as a complete suite for Board approval by New York. New York requests the Board approve the full suite of options presented in Table 13 rather than a single preferred option. If approved by the Board, New York would implement a final option with input from its stakeholders.

3.3 DMV Proposed Management Measures

If adopted, this would modify section 4.2.5 of Amendment 1

Tautog management measures in the DMV region are state-specific. Stock projections conducted by the TC and Stock Assessment Subcommittee show that fishery removals at the average 2022-2024 level are sufficient to achieve the *F* target with 61% probability by 2030, greater than the 50% threshold requested by the board, therefore Status Quo commercial and recreational measures meet the Board and FMP guidance.

Options B -E (See Table 15) address Board direction to consider options to shorten seasons, better aligning the differing bag limits between states, and incorporating a separate trophy bag limit. Since there is no specific harvest reduction needed to achieve the *F* target, these options are motivated by other benefits to the fishery. However, a range of predictions for the effect of these options on the change in total removals is provided (see Appendix 2 for methods). Options include shortening seasons to protect more of the breeding season or to reduce discard mortality at problematic times of year, changing the seasonal bag limits to align measures between states, and incorporating a trophy bag limit.

NOTE: Delaware and Maryland match commercial and recreational regulations. If an Option B-E is selected, then the regulations in Table 15 will apply to both the commercial and recreational fisheries in those states. Virginia commercial regulations will remain status quo (Table 9).

Table 15. DMV Recreational Measures Options. State and Regional Changes in total removals are estimated under a range of assumptions (see Appendix 2).

Option	State	Minimum Size	Possession Limit	Open Season	State Change	Regional Change
A. Status Quo	DE	16"	4	Jan 1-May 15	0%	0%
				Jul 1-Dec 31		
	MD		4	Jan 1-May 15	0%	
			2	Jul 1-Oct 31		
			4	Nov 1-Dec 31		
	VA		4	Jan 1-May 15	0%	
				Jul 1-Dec 31		
B1. Shorten Jan 1 - May 15 season by 15 days	DE	16"	4	B.1 Jan 1-Apr 30	-0.6% to -0.9%	-1.7% to -2.0%
				Jul 1-Dec 31		
	MD		4	B.1 Jan 1-Apr 30	-0.8% to -1.0%	
			2	Jul 1-Oct 31		
			4	Nov 1-Dec 31		
	VA		4	B.1 Jan 1-Apr 30	-3.7% to -4.1%	
				Jul 1-Dec 31		
B2. Shorten Jan 1 - May 15 season by 15 days	DE	16"	4	B.2 Jan 16-May 15	-0.6% to -0.9%	-1.7% to -2.0%
				Jul 1-Dec 31		
	MD		4	B.2 Jan 16-May 15	-0.8% to -1.0%	
			2	Jul 1-Oct 31		
			4	Nov 1-Dec 31		
	VA		4	B.2 Jan 16-May 15	-3.7% to -4.1%	
				Jul 1-Dec 31		
C. Shorten season in July by 15 days	DE	16"	4	Jan 1-May 15	-4.0% to -5.8%	-2.7% to -4.0%
				Jul 16-Dec 31		
	MD		4	Jan 1-May 15	-1.7% to -3.6%	
			2	Jul 16-Oct 31		
			4	Nov 1-Dec 31		
	VA		4	Jan 1-May 15	-1.5% to -1.6%	
				Jul 16-Dec 31		

D. Raise MD bag to 4 in July 1 - Oct 31	DE		4	Jan 1-May 15	0%	+0.7% to +4.2%
				Jul 1-Dec 31		
	MD			Jan 1-May 15	+3.4% to +21.9%	
				Jul 1-Dec 31		
	VA			Jan 1-May 15	0%	
				Jul 1-Dec 31		
E. Trophy Bag	DE	16" (max 1 fish > Trophy Size)	4	Jan 1-May 15	-0.00% to -0.01%	-0.00% to -0.01%
				Jul 16-Dec 31		
	MD		4	Jan 1-May 15	-0.00% to -0.03%	
			2	Jul 16-Oct 31		
			4	Nov 1-Dec 31		
	VA		4	Jan 1-May 15	-0.00%	
				Jul 16-Dec 31		

Discussion of Options B-E

Season Changes (Options B and C)

The current breeding season closure does not cover the entire the spawning season, which in Virginia, runs from April through June (Hostetter and Munroe 1993, White *et al.* 2003). Extending the closure could protect more fish from harvest during the spawning season. Option B.1 extends the current spawning season closure throughout the month of May, while Option C extends it further into July.

Additionally, there is anecdotal evidence that during Wave 1 (January-February), fishing effort shifts to deeper reefs where tautog remain active, and that barotrauma-related release mortality might be higher under those circumstances than other times and places. Therefore, Option B.2 institutes a short new closure during this window in order to reduce that release mortality. It is uncertain when during Wave 2 (March-April) this closure would be most impactful. Additional uncertainty for Option B.2 comes from the fact that there is no MRIP intercept data for Wave 1, therefore the estimate relies on data from the portion of the current season (Jan 1 - May 15) for which there is MRIP Data (March 1 - May 15).

Aligning Seasonal Bag Limit Differences (Option D)

All three states agree there is value in aligning recreational measures across the region. Option D promotes alignment by raising the Maryland bag limit in Jul 1-Oct 31 from 2 to 4 fish, which would match Delaware and Virginia. This change only increases the regional total removals by 0.7% to 4.2% depending on the assumptions of angler behavior (see Appendix 2.2.4). Since the original projections showed a 61% chance of achieving the *F* target, greater than the board requested 50% probability, additional projections were conducted to show that options with a regional increase in total removals of up to 8% would still be compatible with the 50%

probability of reaching the *F*-target by 2030 (see Appendix 3). Therefore, option D, while a small liberalization, would be compatible with achieving the *F*-target by 2030.

Trophy Bag Limits (Option E)

Female fecundity (a measure of reproductivity) increases dramatically as a function of size in tautog (LaPlante and Schultz 2007, White *et al.* 2003), such that larger individuals can disproportionately contribute to the next generation. Therefore, extra protections for the largest breeding fish may disproportionately improve recruitment. Option E would implement a trophy bag limit. Under this option, within the 4-fish (or 2-fish) bag limit, only one fish above a trophy size limit may be harvested, others must be released. Relatively few trips harvest more than 1 trophy sized fish, so the reduction in total removals is small, just -0.01% at a trophy size limit of 21", which matches current regulation in the MARI region, and less than that at a trophy size limit of 25".

3.4 Commercial Harvest Tagging Program Proposed Measures

If adopted, this would modify Section 4.4.2 of Amendment 1

Option A. Status Quo. All states must use the same single-use tag.

Option B. Alternative tag can be approved through Board Action (i.e., Management Document Not Required). A state can request permission to implement an alternative commercial tag, either to replace or in conjunction with the current tag, if the state can show to the Board's satisfaction that the alternative tag will meet the objectives of the Commercial Harvest Tagging Program in Section 4.4.1 of Amendment 1. States may submit alternative region/state proposals following the procedures outlined in the Commission's Conservation Equivalency Policy and Technical Guidance Document.

Under Option 2 and through the ASMFC Conservation Equivalency Process, if a state were to propose the use of a suitable alternative tag, then following review by the TC, Law Enforcement Committee, and Advisory Panel, the Board could approve the use of the alternative tag through Board Action.

4. COMPLIANCE SCHEDULE

The Tautog Management Board will determine a compliance schedule upon approval of Addendum I.

5. LITERATURE CITED

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LaPlante, L.H. and E.T. Schultz. 2007. Annual Fecundity of Tautog in Long Island Sound: Size Effects and Long-Term Changes in a Harvested Population. Transactions of the American Fisheries Society 136:1520-1533.

White, G.G, T.A. Munroe, and H.M. Austin. 2003. Reproductive seasonality, fecundity, and spawning frequency of tautog (*Tautoga onitis*) in the lower Chesapeake Bay and coastal waters of Virginia. U.S. National Marine Fisheries Service Fishery Bulletin 101:424-442.

APPENDIX 1. REGIONAL COMMERCIAL OPTION DEVELOPMENT

A.1.1 LIS

New York estimated the maximum potential effect of this change by assuming that every trip carrying lobster gear that had previously landed tautog would land the new possession limit. That assumption yields an increase in LIS commercial landings of approximately 5% of the 2022–2024 average New York commercial harvest in the LIS management region. The stock assessment status quo projections were re-run with this increase included, using 2022–2024 average removals for 2025–2026 and assuming the change would take effect for 2027–2030, with removals increasing from 1,428 mt to 1,443 mt for 2027–2030. The change had a negligible effect on the population: under both the status quo scenario and the increased harvest scenario, the probability of being above the F target in 2030 and the probability of being below the SSB target in 2030 were both 0%.

Projections including the estimated 5% increase in commercial harvest resulted in a 0% probability of being above the F target and a 0% probability of being below the SSB target in 2030, unchanged from the status quo projections.

A.1.2 NJ/NYB

In New York commercial options were developed using seasonal closures only, reflecting the structure of New York’s commercial fishery, which is managed under a possession and size limit rather than a quota. Total reported harvest from trip level reporting in 2022–2025 was calculated for each month and converted to a percent of total annual harvest. This was divided by the number of days in the month to provide an average daily percent of total annual harvest. It was then possible to look at seasonal closures that would reduce cumulative harvest by the required amount.

In addition, New York proposed to remove the stricter possession limit for vessels fishing lobster pot gear with more than 6 lobsters in possession. The estimated increase in NY Bight commercial landings associated with this change was only slightly greater than 0% and is considered negligible; it does not measurably affect the reductions presented in Table 13.

A.1.3 DMV

While no commercial options were developed for the DMV region, recreational options apply to commercial harvesters in Delaware and Maryland.

APPENDIX 2. REGIONAL RECREATIONAL OPTION DEVELOPMENT

The TC and Plan Development Team (PDT) developed a consistent methodology and dataset for the NJ-NYB and DMV regions to use to achieve the management objectives for each region. The data, methods, and sources of uncertainty for each type of option are described in this document.

A.2.1 DATA USED

The TC recommended using pooled MRIP data from 2022-2025. The terminal year of the assessment was 2024, with 2022-2024 used for the 3-year average F to determine overfishing status and for the status quo removals in the projections. Final 2025 MRIP data were available during the option development process. MRIP data for New York were split into LIS and NJ-NYB data based on the uncollapsed area fished field in the intercept data as was done for the assessment update.

A.2.2 METHODS

A.2.2.1 Minimum Size Increases

Pooled length frequencies for 2022-2025 were developed for each state in each region using 1-inch length bins. Total removals under a new, smaller size limit was calculated by converting the harvest that occurred in previously legal bins to live releases; total harvest would be reduced and total dead releases would increase. Noncompliance was estimated as the percent of total harvest in length bins that were smaller than the minimum size for each state. It was assumed that the non-compliant harvest that occurred under the current size limit would continue to occur under a new size limit. In addition, the observed non-compliance rate under the current size limit was applied to the fish that would be illegal to retain under the new size limit.

A.2.2.2 Season Reduction

For each state, individual intercepts that caught tautog were assigned to the state's current seasons based on the date of the intercept and assigned a target category based on whether they reported targeting only tautog, tautog and another species, or only other species/no species (except for Delaware and Virginia, which were assigned the three seasons that Maryland uses, rather than the two that they currently use, in order assess options for better alignment across the region). Total harvest, total live releases, and total trips were summed by season and target category, and harvest and releases per day were calculated based on the length of the current seasons. Noncompliance (i.e., harvest of tautog during closed seasons) was negligible to zero for both regions; existing non-compliant harvest was included in the annual total removals, but no additional non-compliance with season changes was assumed.

The TC explored two assumptions about how effort would be affected by shortening the season. One assumption was that all trips that had previously landed tautog would still occur

during a new closure, but all harvested tautog would be converted into releases. In addition, all previously released tautog would still be released at the same rate.

The other assumption was that trips that targeted only tautog would no longer occur, so both the harvest and releases from those trips would be reduced to zero. Trips that reported targeting tautog and another species and trips that did not report targeting tautog at all would still occur, but they would not harvest tautog, and both types of trips would release tautog at the rate of trips that did not target tautog. This assumption resulted in a higher overall reduction compared to the assumption that the number of trips would not change.

A.2.2.3 Bag Limit Reduction

Each record in the MRIP public intercept data represents one angler-trip. In some cases, the harvested fish that are available to be inspected and measured (type A fish) are a mix of fish from multiple anglers and cannot be assigned to individual anglers during the interview. In this case, one angler is identified as the “group catch leader” and the total number of type A fish of each species is entered for that intercept, along with the total number of anglers who contributed to that catch, while the others in the party who contributed to that catch are recorded as trips with no type A fish and are assigned a “leader” code to link their interview with the interview of the catch they contributed to.

To deal with grouped catch trips, code was developed to loop over each unique LEADER code to sum the total harvest (type A plus type B1 tautog) for each set of grouped catch interviews. The total was divided by the number of contributors to the grouped catch to calculate the catch-per-angler for each angler-trip. If total harvest divided by contributors was not a whole number (e.g., five tautog were caught by a party of two anglers), the remaining fish were distributed over the contributors’ interviews until they were all accounted for. In the example with five tautog and two anglers, each angler would get two fish and the remaining fish would be assigned to the first angler, so that one angler-trip would have a bag of three tautog and one angler-trip would have a bag of two tautog.

The total number of trips was calculated by season and bag (i.e., how many trips caught one tautog, how many caught two, etc.) for each state. If the observed bag was less than or equal to the new, lower bag limit, that harvest continued to occur. If the observed bag was greater than the new, lower bag limit but less than or equal to the current bag limit, the harvest of those trips would be reduced by the number of tautog that would have to be thrown back. For example, if the current bag limit was four tautog per angler and the new bag limit was three tautog per angler, then the total tautog harvest for that season would be reduced by one fish times the number of angler-trips that caught four tautog. A non-compliance rate was applied based on the percent of trips that caught more than the current bag limit for that season. It was assumed that all harvest from trips that exceeded the current bag limit would still occur under a new bag limit. Total removals for each season under the new bag limit were calculated as the new, lower harvest plus the old dead releases plus 2.5% of the fish released under the new bag limit.

A.2.2.4 Bag Limit Increase

A method was developed to calculate the potential increase in removals that would occur if Maryland increased its bag limit from 2 fish to better align with other states in the region during the July 1 – October 31 season. The fish distribution approach described in the Bag Limit Reduction section was extended to include distribution of live releases as well, so that each record had information on the number of tautog harvested per angler-trip and the number of tautog released per angler-trip. However, not all fish that are released are of legal size and eligible to be kept under a higher bag limit. For each angler-trip record, a sample equal to the number of released fish for that trip was drawn from the pooled 2022-2024 live release length frequency data for MD. The number of legal fish in that sample was recorded for each angler-trip as an estimate of the number of fish available to that trip to retain under a higher bag limit.

The total number of trips was calculated for the MD summer season by the number of fish harvested and the number of legal releases (e.g., how many trips harvested one tautog and released no legal fish, harvested one tautog and released one legal tautog, harvested one tautog and released two legal tautog, etc.). Two assumptions about which trips would retain more fish under a liberalized bag limit were explored for this scenario. In one scenario, only trips that met the current bag limit would retain additional fish if they had released legal fish under the existing rules. Trips that only harvested one tautog were assumed to remain at one tautog, even if they released fish, under the assumption that those anglers were unable or unwilling to retain more than one legal tautog. Trips that caught the current bag limit would retain additional fish if they had released one or more legal tautog under the current rules, with the additional number of tautog retained being either the number of legally-sized fish that had previously been releases or the new bag limit, whichever was lower.

The other scenario assumed that all trips that harvested at least one tautog would retain additional fish under a liberalized bag limit if they had released at least one legal size fish. This assumption resulted in a higher increase in removals, since a large number of trips during MD's summer season harvested only one fish.

Trips that released tautog but did not harvest tautog were assumed to be intentionally catch and release only or trips that were not interested in retaining any tautog and therefore would not liberalize in either scenario. Non-compliance for MD's summer season was 0%, so no non-compliance with the increased bag was assumed.

The new total removals for the summer season under both assumptions was calculated as the current total removals plus the new expected harvest from trips that were able to liberalize, minus 2.5% of the new harvest (to account for dead releases that were converted to harvest).

This analysis was bootstrapped by repeating the drawing of live release size data for the angler-trip dataset 500 times. For each replicate, the expected increase was calculated, and the median of the replicates was used as the estimate of the expected increase in removals for each scenario.

A.2.2.5 Trophy Limit

The size data were used to calculate how many fish greater than or equal to a proposed trophy limit (e.g., 21") were caught on each trip; grouped catch records were excluded for this analysis, so only trips where all catch was attributed to the angler being interviewed were used. The total number of trips was calculated for each combination of total harvested tautog and tautog greater than or equal to the trophy limit. Under a trophy limit, anglers could only retain one fish equal to or greater than the trophy limit. Trips that harvested zero or one trophy-size fish would not be affected by this regulation. Trips that harvested two or more trophy-size fish would have the total number of tautog harvested per trip reduced by the number of excess trophy-size fish on that trip (e.g., trips that caught two trophy-size fish would release one fish per trip, trips that caught three trophy-size fish would release two fish per trip, etc.). A non-compliance rate based on the overall noncompliance with the existing bag limit was assumed, and all trips that exceeded the current bag limit were assumed to harvest the same number of tautog regardless of the number of trophy-size fish that they harvested. This analysis also assumed that none of the trophy-size fish would be replaced by a fish that had been released on that trip. Total annual removals under the new trophy limit were calculated as the new, lower harvest plus the old dead releases from non-grouped catch trips plus 2.5% of the fish released under the new trophy limit. The percent change was calculated relative to the removals from non-grouped catch trips and assumed to apply to the fishery as a whole.

A.2.2.6 Combining Reductions

The impact of regulatory changes that do not overlap in space and time were added together to calculate a total reduction for the year. For example, if a 15-day closure in the January-May season results in a 5% reduction in annual removals and a 15-day closure in the July-December season results in a 10% reduction in annual removals, then the total reduction from implementing both closures would be $5\% + 10\% = 15\%$ for the year.

However, when combining regulations that overlap (for example, combining a bag limit change with a season change or a size limit change), a different equation was used in order to avoid "double-counting" saved fish. In this case, the annual reduction expected from implementing regulatory changes A and B would be:

$$\text{Annual reduction} = A + B - A \times B$$

For example, if we expect a 20% reduction from a size limit increase and a 10% reduction from a 15-day closure in the July-December season, then the expected reduction from implementing both measures would be $0.2 + 0.1 - (0.2 \times 0.1) = 0.28$, or 28%.

A.2.2.7 Source of Uncertainty

While the TC and PDT have tried to capture some uncertainty by evaluating different assumptions and bootstrapping the data for some analyses, there remain large sources of uncertainty that are unaccounted for with these calculations.

All of these analyses rely on the MRIP intercept data, which has a low overall sample size for tautog, especially at the state level. Pooling data over multiple years helps mitigate this issue, but it remains a source of uncertainty, particularly when the data are partitioned by other factors like season or target species.

All of these analyses, with the exception of one part of the season change analysis, rely on the assumption that effort will not change in the future. When we calculate the catch-per-trip and how that changes under a new bag or size limit, we assume that the same number of trips will occur under the new regulations. If the number of trips increases or decreases, then the realized total removals will be larger or smaller than predicted. The season change analysis did evaluate the assumption that trips that targeted only tautog will not occur during closed days, which leads to an overall decrease in effort. If effort shifts instead, with anglers targeting other species and potentially encountering tautog, or if effort increases, then the overall reduction may not be as large as calculated. Angler behavior is a function not just of regulations and abundance of tautog, but also regulations and availability of other species like black sea bass (which tautog is often caught with) or bluefin tuna (which tautog is not caught with), along with other socioeconomic factors. As a result, it is difficult to predict what effort will be in the near future.

Similarly, the size limit, trophy limit, and bag increase analyses rely on recent information on the length structure of harvested and released alive fish. If the length structure of the catch changes in the future, for example due to strong or weak year-classes moving into the exploitable population, then the realized changes in removals may be different from what is estimated based on current length information. The length information for released alive fish is also less robust than the information for harvested fish, since the sample size is smaller and relies either on volunteer information or information from a small component of the fishery (for-hire trips).

APPENDIX 3. ADDITIONAL PROJECTION METHODS AND RESULTS FOR DMV REGION

In April 2026, the TC and SAS provided stock projections to the Board to determine the amount of reduction in removals necessary to achieve the F target with a probability of 50% as set forth in the FMP. The results of those analyses showed that removals at the average level from 2022-2024 would result in a 61% chance of achieving the F target by 2030. Currently Maryland has a stricter 2-fish bag limit from July 1 – October 31, while Delaware and Maryland have a 4-fish bag limit. One of the objectives of the FMP is to “Adopt compatible management measures among states within a regional management unit.” This could be achieved either by decreasing the bag limit in Delaware and Virginia or increasing the bag limit in Maryland during the July 1 - October 31 season. To understand if liberalizing Maryland regulations was compatible with achieving the F target by 2030, the TC/SAS re-ran the previous projections while iteratively increasing the rate of removal until the F target was achieved by 2030 with a 50%, rather than the 61% probability predicted by continuing average 2022-2024 removals. A regional increase in removals by 8% above the average 2022-2024 removals results in a 50% chance of achieving the F target by 2030 (Figure A.3.1). Therefore, liberalizations predicted to increase regional removals by up to 8% are compatible with that goal.

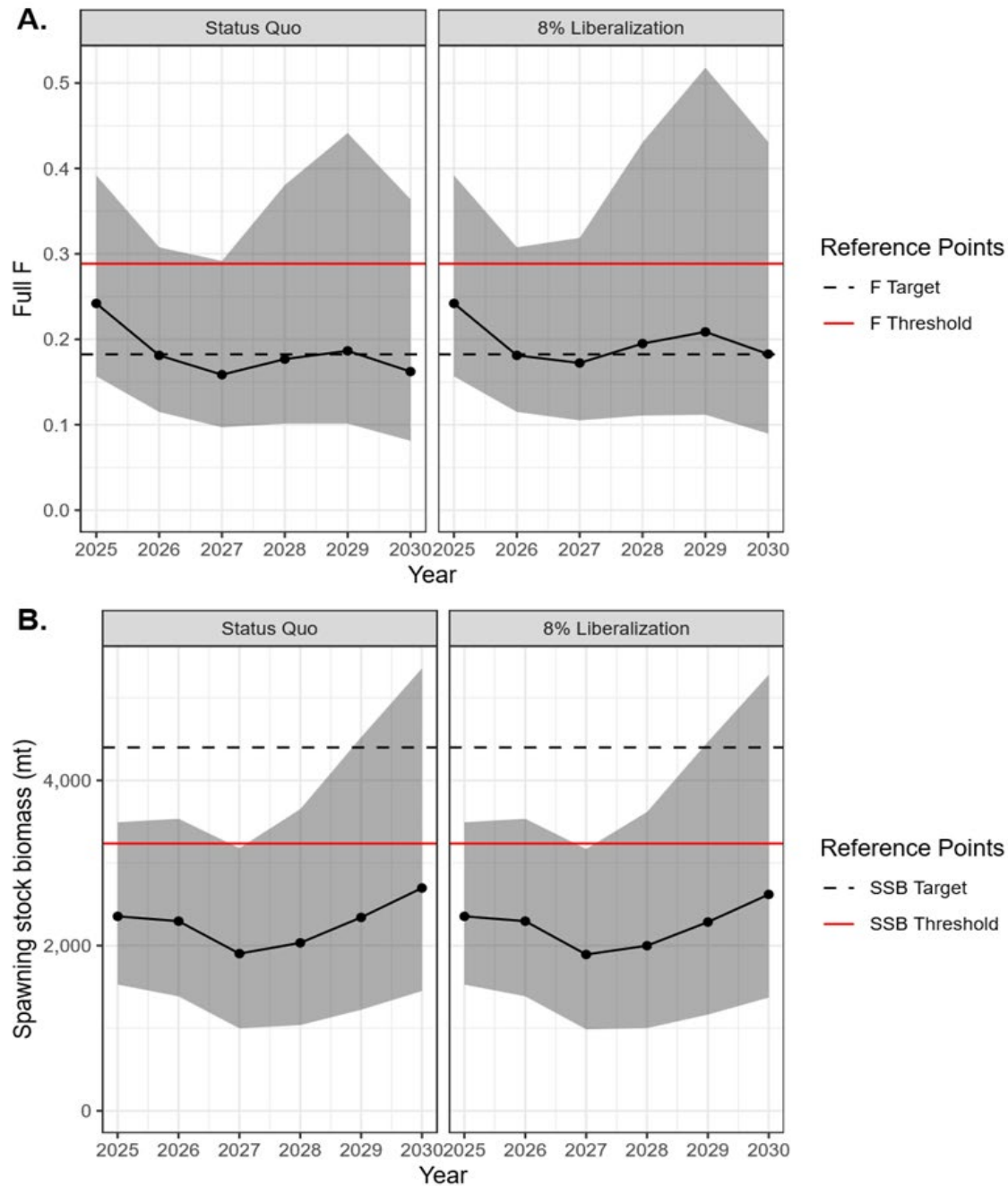


Figure A.3.1. Results of projections of the DMV stock. (A.) shows fully selected fishing mortality (F), and (B.) shows spawning stock biomass in metric tons. On the left are plots for the simulations using removals at current levels (the average removals from 2022-2024), on the right are plots. The black lines show the median (50% probability) outcome of multiple simulations, the gray shaded area shows the 90% confidence interval around that median, the horizontal red lines show the threshold reference points, and the dashed black horizontal lines show the target reference points.

APPENDIX 4. SOCIOECONOMIC ANALYSIS

Analysis Summary

The analysis conducted by Dr. Andrew Carr-Harris evaluates the relationship between historical recreational tautog harvest and regulations as a tool to consider the impacts of new regulations. MRIP data from 2010–2025 were used to estimate monthly recreational fishing effort and harvest within each management area: NJ-NYB. Management documents were used to reconstruct the corresponding recreational regulations in effect during each month.

The analysis proceeds in 3 steps. First, monthly datasets of recreational trips, tautog catch and harvest, and recreational regulations were assembled and merged into a single management-area-by-month panel. Second, reduced-form regression models were estimated to quantify the relationship between recreational harvest, fishing effort (trips), and the regulations in effect during each month, while controlling for seasonal and annual variation using month and year fixed-effects. Finally, the estimated regression models were used to predict harvest under alternative combinations of bag limits, minimum size limits, and season lengths. Management scenarios were evaluated relative to a predicted 2025 baseline to estimate the percentage reduction in harvest expected under each regulatory alternative.

The resulting framework provides a transparent and computationally efficient approach for comparing a range of management options. Rather than attempting to explicitly model angler behavior or fish population dynamics, the analysis uses historical relationships between regulations, fishing effort, and observed harvest to estimate how changes in regulations have historically affected recreational harvest. The results are intended to help identify combinations of regulations capable of achieving target harvest reductions and to compare the relative effectiveness of alternative management strategies.

Because the reduced-form harvest model estimates changes in harvest rather than broader socioeconomic outcomes, the analysis also includes illustrative commercial and recreational exposure analyses. For the commercial fishery, historical landings, ex-vessel revenues, and prices are summarized, and hypothetical 10%, 20%, and 40% reductions in commercial harvest are applied to average 2021–2025 ex-vessel revenues to illustrate the magnitude of gross revenue exposure. For the recreational fishery, hypothetical 10%, 20%, and 40% reductions in directed tautog trips are applied to average 2021–2025 fishing effort to estimate the number of trips and associated trip expenditures potentially affected under a range of behavioral responses. These exposure analyses are intended to provide context for the potential scale of socioeconomic effects and should not be interpreted as predictions of changes in regional economic activity or angler welfare associated with any regulatory shift.

Data

The analysis combines three monthly datasets covering 2010–2025: estimated recreational tautog trips, estimated tautog catch and harvest, and historical recreational fishing regulations. Each dataset is constructed at the management-area, year, and month level and then merged into a common panel. The underlying processing and analysis code is available in a public GitHub repository (https://github.com/acarrharris/tautog_rec_analysis).

Recreational fishing trips and harvest

Recreational fishing trip and harvest estimates were developed from MRIP Access Point Angler Intercept Survey data for New York and New Jersey. A tautog trip was defined as an intercepted fishing trip on which tautog were either reported as the primary target species or caught.

Trips were assigned to one of three management areas:

1. New Jersey (includes all New Jersey observations)
2. LIS, identified for New York observations using the MRIP fishing area codes 2 (“Sound”), 4 (“Bay”), and C (“Long Island Estuary”)
3. NYB, which includes all New York observations outside the Long Island Sound area.

Although trip and harvest estimates were developed for all three areas, the final reduced-form policy analysis focuses on NJ-NYB. The resulting dataset contains estimated monthly numbers of tautog trips by management area from 2010 through 2025 (Figures A.4.1 and A.4.2). The MRIP trip and harvest estimation processes are contained in `code/mrip_trips.do` and `code/tautog_monthly_catch_totals.do`

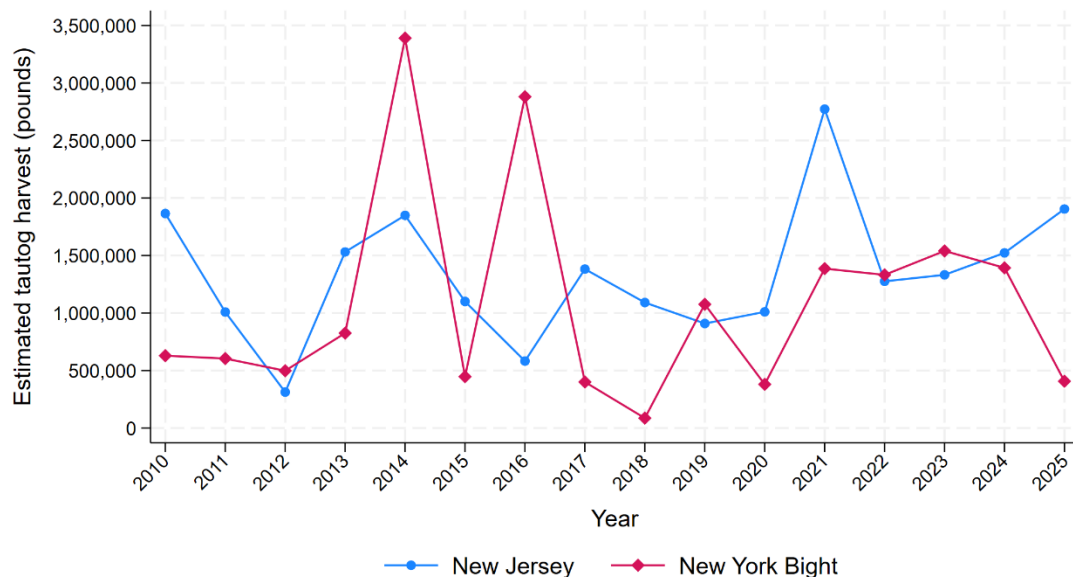


Figure A.4.1. MRIP-based estimates of tautog harvest in New Jersey and New York Bight.

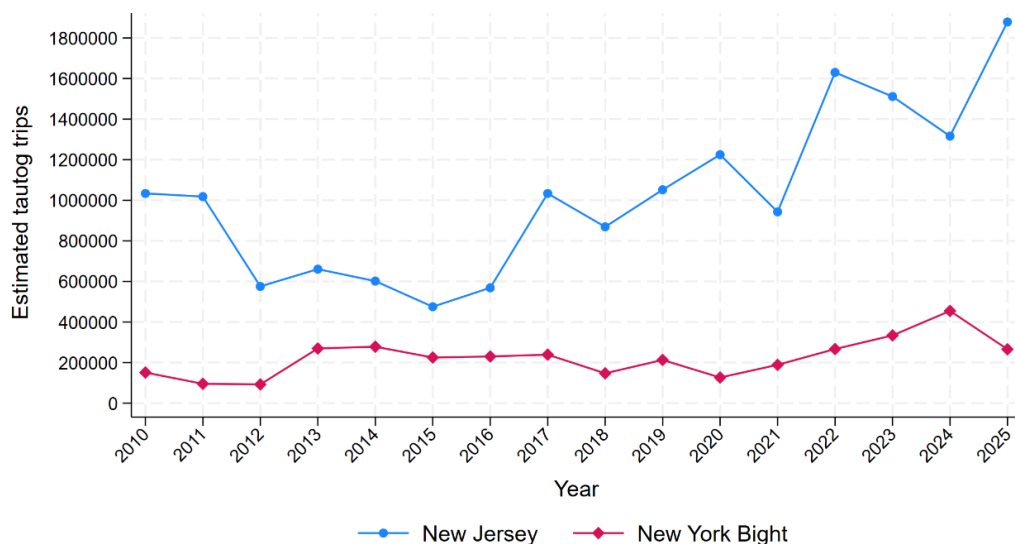


Figure A.4.2. MRIP-based estimates of directed tautog trips in New Jersey and New York Bight.

Recreational fishing regulations

Historical recreational tautog regulations were compiled for New Jersey, the New York Bight, and LIS for 2010–2025. Regulations were obtained from Atlantic States Marine Fisheries Commission annual Fishery Management Plan Review documents. Regulations were directly documented in the available reviews for 2010, 2012, 2015, 2017, 2018, and 2021. Regulations for intervening years were carried forward when consecutive reviews indicated that no change had occurred. Regulations after 2021 were carried forward through 2025 based on guidance that the New Jersey and New York regulations had remained unchanged. The regulations were initially coded at the daily level. For every calendar day and management area, the dataset identifies whether recreational tautog harvest was open, the daily possession limit, and the minimum total-length requirement.

Daily regulations were then aggregated to the monthly level. A month was classified as open when recreational harvest was permitted for at least 10 calendar days during that month. This rule allows months with meaningful partial openings to enter the analysis as open while treating very short openings as closed.

For months containing more than one possession limit, such as November in New Jersey, the principal monthly bag-limit variable was defined as the bag limit applying for the greatest number of open days. If two limits applied for the same number of days, the lower and more conservative limit was selected. The dataset also retains the open-day-weighted average bag limit, the maximum bag limit, and the exact number of open days in each month. The corresponding processing is contained in code/tautog_monthly_regulations.do and summaries of regulations across the two management areas and time series are shown in Figures A.4.3 and A.4.4.

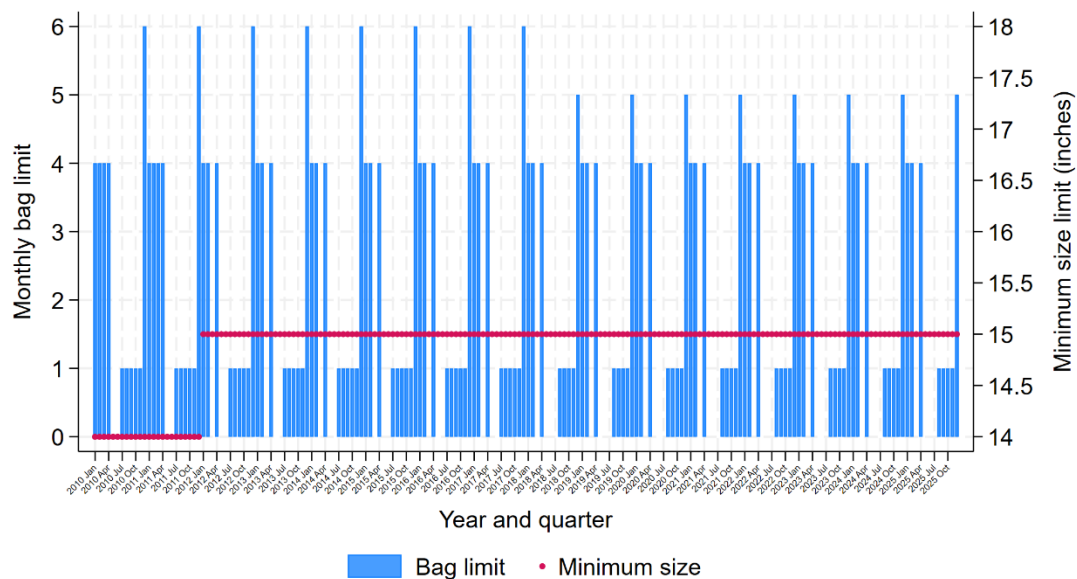


Figure A.4.3. New Jersey recreational tautog regulations.

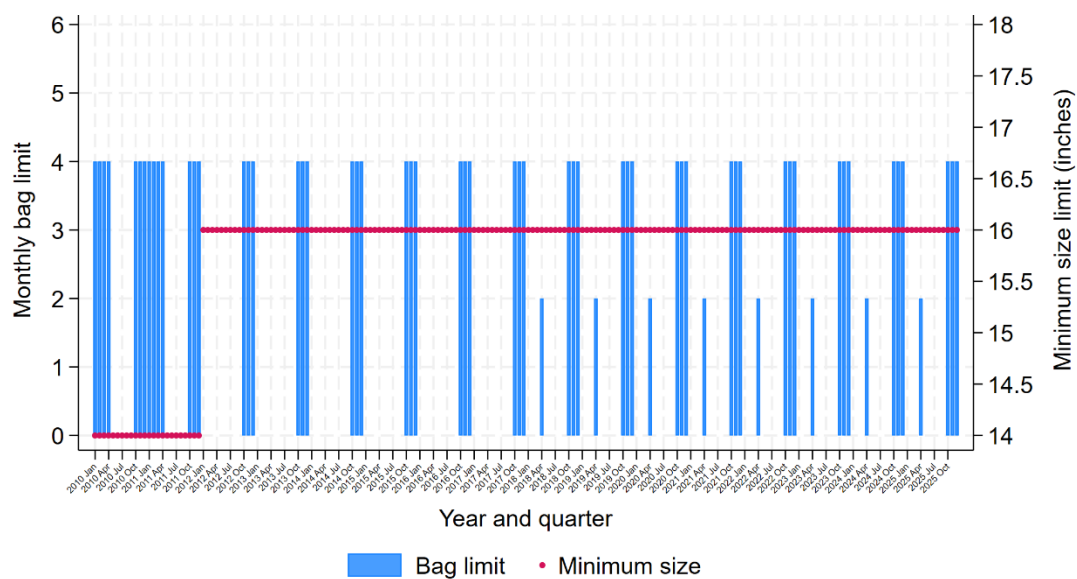


Figure A.4.4. New York Bight recreational tautog regulations.

Methods

Reduced-form harvest model

The trip, catch, and regulation datasets were merged by management area, year, and month to create a monthly panel covering 2010–2025. The analysis was restricted to New Jersey and the New York Bight because these areas are the focus of the proposed management alternatives. Separate regression models were estimated for monthly recreational tautog harvest measured in (1) numbers of fish harvested and (2) pounds harvested.

Monthly harvest was modeled as a function of fishing effort, recreational regulations, and fixed effects for management area, year, and month:

$$H_{aym} = \beta_0 + \beta_T T_{aym} + \beta_B (Bag_{aym} \times Open_{aym}) + \beta_S (Size_{aym} \times Open_{aym}) + \alpha_a + \gamma_y + \delta_m + \varepsilon_{aym}$$

where H_{aym} is monthly recreational harvest in management area a , year y , and month m ; T_{aym} is the estimated number of recreational tautog trips; Bag_{aym} is the monthly bag limit; $Size_{aym}$ is the monthly minimum size limit; and $Open_{aym}$ is an indicator equal to one when the fishery was open for at least ten days during the month and zero otherwise. Management-area fixed effects (α_a) account for persistent differences between New Jersey and the New York Bight, year fixed effects (γ) account for annual changes common to all months (e.g., stock abundance, environmental conditions, or other annual influences), and month fixed effects (δ) account for recurring seasonal patterns in recreational fishing activity. The interaction terms between regulations and the open indicator ensure that bag and size limits influence predicted harvest only during months in which the fishery was open. The models were estimated using ordinary least squares with heteroskedasticity-robust standard errors. The corresponding code is contained in `code/regression_and_heatmap_plots.do`.

Baseline prediction

The estimated regression models were used to predict harvest under a hypothetical continuation of the 2025 fishery into 2027. Because future fishing effort and stock conditions are unknown, the observed monthly conditions from 2025 were used as the baseline. Specifically, monthly trip estimates, regulations, and seasonal patterns from 2025 were retained, while the estimated 2025 year fixed effect was used during prediction. Consequently, the baseline represents the harvest expected if 2025 conditions continued into the following year. Predicted monthly harvest under the baseline was calculated as:

$$\widehat{H_{aym}^0} = \widehat{\beta}_0 + \widehat{\beta}_T T_{aym} + \widehat{\beta}_B (Bag_{aym} \times Open_{aym}) + \widehat{\beta}_S (Size_{aym} \times Open_{aym}) + \widehat{\alpha}_a + \widehat{\gamma}_{2025} + \widehat{\delta}_m$$

Monthly predictions were summed to obtain predicted annual harvest for each management area. Because harvest cannot be negative, any negative monthly predictions from the linear regression were truncated to zero before annual totals were calculated.

Policy simulations

Alternative management scenarios were evaluated by modifying one or more regulations while holding the remaining baseline conditions constant. Policy scenarios included changes in daily bag limits, minimum size limits, season length, and combinations of these measures.

For each proposed regulation, the modified regulations and (when applicable) modified trip totals were substituted into the estimated regression model to predict monthly harvest:

$$\widehat{H_{aym}^p} = \widehat{\beta}_0 + \widehat{\beta}_T T_{aym}^p + \widehat{\beta}_B (Bag_{aym}^p \times Open_{aym}^p) + \widehat{\beta}_S (Size_{aym}^p \times Open_{aym}^p) + \widehat{\alpha}_a + \widehat{\gamma}_{2025} + \widehat{\delta}_m,$$

where the superscript p denotes the proposed management scenario.

Season reductions were implemented by removing fishing days from the end of the fall season, beginning with the latest open month and proceeding backward as necessary. Monthly trips were assumed to decline in proportion to the fraction of open fishing days remaining. Months with fewer than ten remaining open days were treated as closed. This approach assumes that trips lost because of shorter seasons disappear rather than being redistributed to other months or remaining open days. Consequently, the estimated effects of season-length changes should be interpreted as conditional on that behavioral assumption. Predictions were generated over a range of alternative bag limits, minimum size limits, and season lengths to evaluate a broad set of potential management strategies.

Predicted harvest reductions

Predicted monthly harvest under each management scenario was summed to obtain predicted annual harvest. The effect of each proposed regulation was expressed as the percentage reduction relative to the predicted baseline harvest:

$$R_a^p = 100 \times \left(\frac{\widehat{H}_a^0 - \widehat{H}_a^p}{\widehat{H}_a^0} \right),$$

where $\widehat{H}_a^0$ is the predicted annual harvest under the baseline (2025) regulations and $\widehat{H}_a^p$ is the predicted annual harvest under the proposed regulation. Positive values indicate reductions in recreational harvest relative to continuation of the 2025 regulations. Results are summarized using heat maps that compare the predicted effects of alternative combinations of bag limits, minimum size limits, and season lengths.

Results

Table A.4.1 reports the estimated reduced-form harvest models. As expected, monthly harvest increased significantly with the estimated number of recreational trips. Higher daily bag limits were associated with higher harvest, while more restrictive minimum size limits tended to reduce harvest. The average differences in harvest in NYB compared to NJ was not statistically significant.

Table A.4.1. Reduced form model estimates.

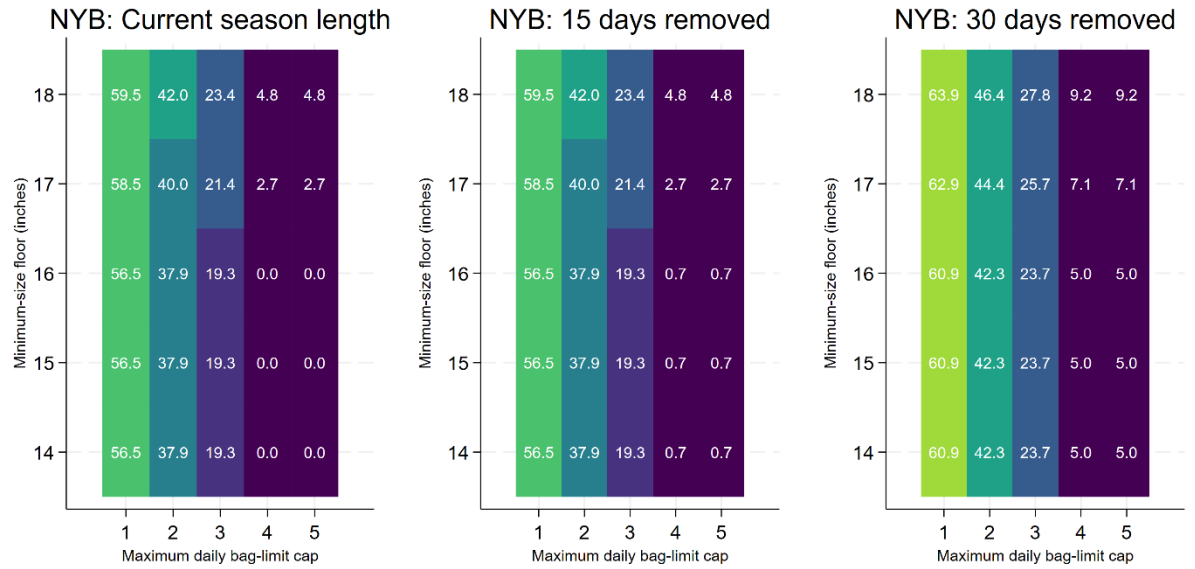
	harvest numbers	harvest pounds
trips	0.358*** (0.095)	1.061*** (0.322)
bag_open	22196.2*** (6072.7)	83119.5*** (24029.1)
min_open	-2475.8*** (683.3)	-7167.4*** (2289.2)
NYB	6167.5 (10763.8)	55860.6 (48957.6)
constant	-7476.38 (18453.4)	-75611.8 (63084.3)
Observations	268	268
R-squared	0.56	0.505
Year fixed-effects	Y	Y
Month fixed-effects	Y	Y

Notes: Standard errors in parentheses. *, **, *** indicate statistical significance at the 10%, 5%, and 1% level of significance, respectively.

The estimated regression models were used to predict recreational harvest under a range of alternative management scenarios. Simulations considered combinations of daily bag limits, minimum size limits, and season lengths while holding all other 2025 fishing conditions constant. Predicted harvest under each policy was compared with the predicted harvest under continuation of the 2025 regulations.

Figures A.4.5 through A.4.8 summarize the predicted percentage reduction in annual harvest across combinations of bag limits and minimum size limits under alternative season-length assumptions. Several consistent patterns emerge across both management areas. First, reducing the daily bag limit produces the largest reductions in recreational harvest. Second, increasing the minimum size limit produces additional but generally smaller reductions in harvest. Finally, shortening the fall season shifts the predicted harvest reductions upward, particularly for the more restrictive bag-limit scenarios.

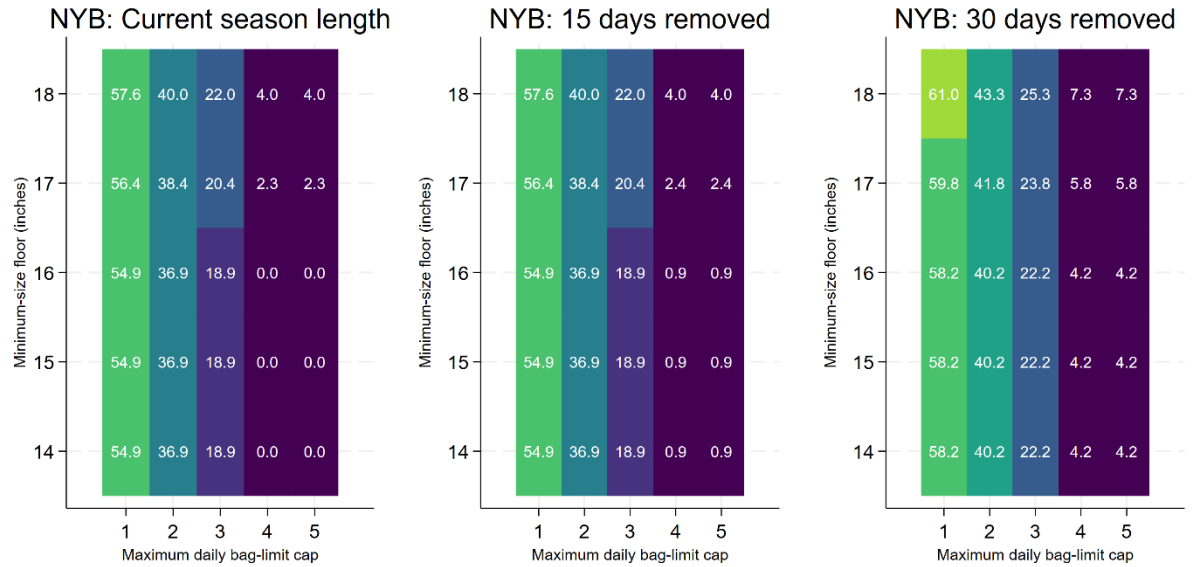
Predicted reduction in annual harvest numbers



Relative to predicted 2025 baseline harvest; 2025 year effect used.

Figure A.4.5. Predicted reductions in harvest numbers, New York Bight.

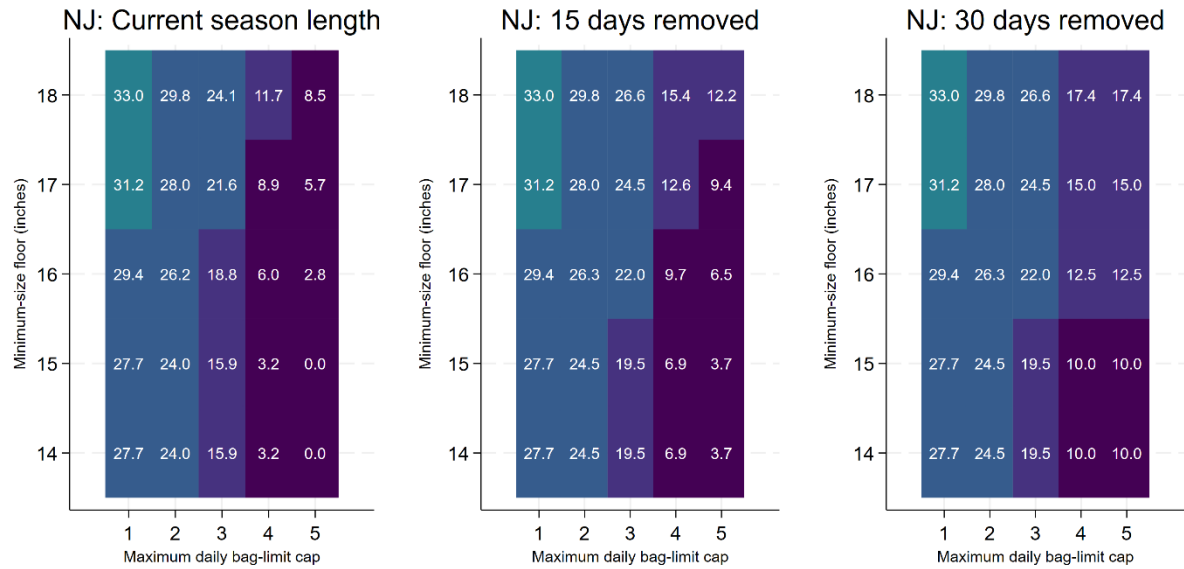
Predicted reduction in annual harvest weight



Relative to predicted 2025 baseline harvest; 2025 year effect used.

Figure A.4.6. Predicted reductions in harvest weight, New York Bight.

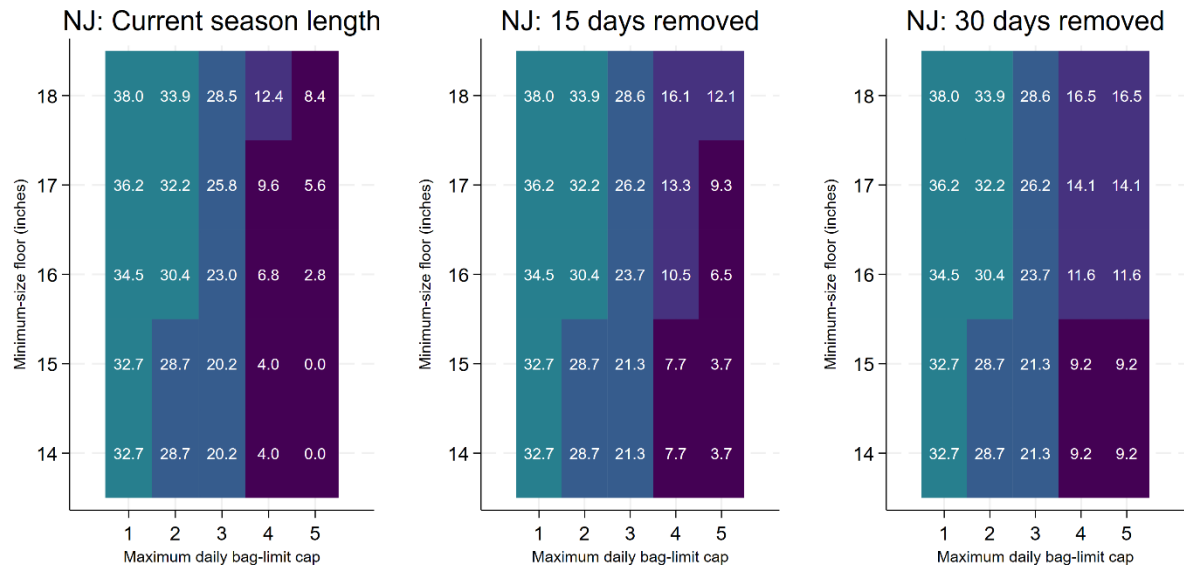
Predicted reduction in annual harvest numbers



Relative to predicted 2025 baseline harvest; 2025 year effect used.

Figure A.4.7. Predicted reductions in harvest numbers, New Jersey.

Predicted reduction in annual harvest weight



Relative to predicted 2025 baseline harvest; 2025 year effect used.

Figure A.4.8. Predicted reductions in harvest weight, New Jersey.

Management implications

The analysis suggests that daily bag limits are the primary driver of recreational harvest reductions in both management areas, while increases in the minimum size limit provide additional but generally smaller reductions. Season-length reductions can further reduce harvest, although these results depend on the assumption that trips lost because of shortened seasons are not redistributed to other months or remaining open days. The heat maps demonstrate that multiple combinations of bag limits, minimum size limits, and season lengths may achieve harvest reductions within the management target range.

Because the analysis is based on historical empirical relationships rather than a structural model of angler behavior or fish population dynamics, the predictions should be interpreted as approximate policy guidance rather than precise forecasts. Nevertheless, the framework provides a transparent and computationally efficient method for comparing a broad range of recreational management alternatives using historical fishery data.

Limitations

Several simplifying assumptions should be considered when interpreting the results. First, the regression models estimate historical associations between regulations and harvest rather than causal behavioral responses. Second, future harvest was predicted assuming that fishing effort, stock conditions, and annual effects remain similar to those observed in 2025. Third, season-length reductions assume that trips removed from shortened seasons disappear rather than being redistributed to other open periods. Finally, the models do not account for future changes in fish abundance, recruitment, or angler preferences that could alter recreational harvest under future regulations.

Social and economic impacts

Recreational fishery

Constraining recreational harvest through more restrictive recreational regulations will affect the angling community through channels not measured by the reduced from harvest model. Lower bag limits, higher size limits, and season reductions reduce opportunities to retain tautog and may increase recreational discarding. If the average angler places a higher value on harvesting rather than catching-and-releasing tautog, this will reduce the value or satisfaction of fishing trips and may affect for-hire and other fishing dependent businesses if anglers take fewer trips due to reduced harvest opportunities. The magnitude of these effects depends on anglers' behavioral responses. Anglers may continue to take tautog trips under more restrictive regulations, shift trips to other open periods, target other species, change fishing locations or modes, or discontinue some trips entirely. Because the present analysis does not estimate these behavioral adjustments, changes in recreational expenditures, business activity, or angler welfare cannot be quantified from the predicted harvest reductions.

To provide context for the potential scale of recreational economic effects, the analysis below illustrates exposure scenarios based on the distribution of trips that caught or primarily targeted tautog during 2021–2025. These scenarios assume that 10%, 20%, or 40% of directed trips are affected under more restrictive management measures. The percentages are not predictions from the harvest model and should not be interpreted as expected reductions in

fishing effort. Instead, they show the number of trips that would be affected under a range of hypothetical behavioral responses.

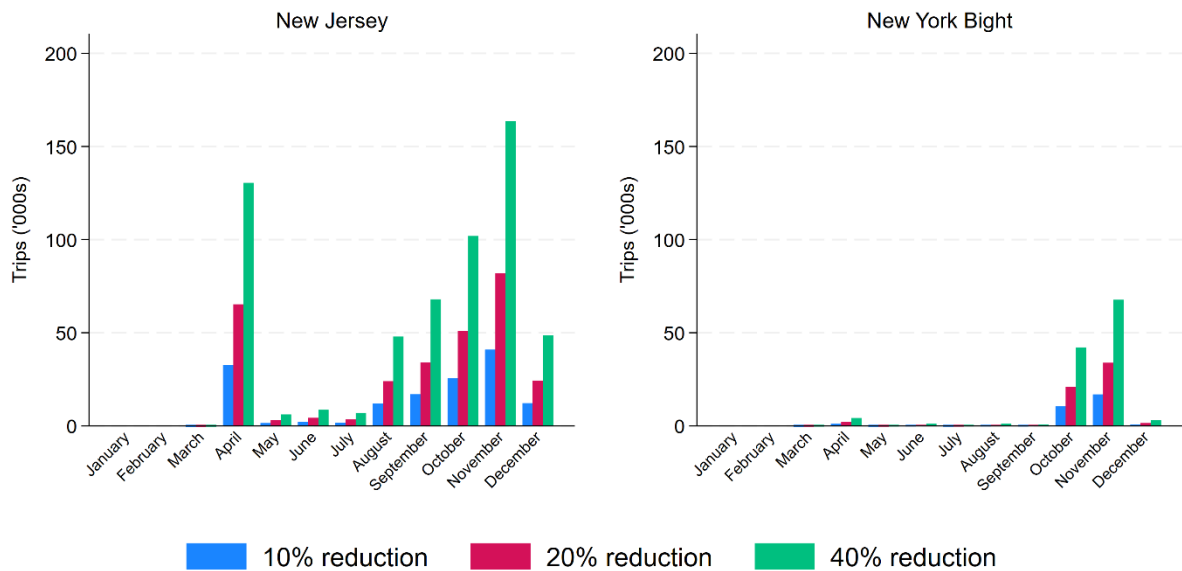
Monthly exposure estimates are calculated by applying each percentage to average directed tautog trips in each month (Figures A.4.9 and A.4.10). These estimates illustrate how the timing of potential trip reductions affects the angling community. Months with greater baseline tautog activity have correspondingly greater exposure, while months with relatively few directed trips contribute less to the annual total. The monthly figures are therefore useful for identifying periods in which restrictions or changes in angler behavior could affect the greatest number of trips.

Annual exposure (Figure A.4.11) is calculated by summing the monthly estimates within each management area. The resulting values represent 10%, 20%, and 40% of average annual directed tautog trips in New Jersey and the New York Bight. These aggregated scenarios provide a simple comparison of the scale of potential recreational effects across the two areas and are presented in parallel with the commercial revenue-exposure analysis below.

Potential expenditure exposure is calculated by multiplying the number of affected trips by estimated mean expenditures per directed tautog trip. Mean trip expenditures are assumed to be \$50 for New Jersey and \$67 for the New York Bight (based on NOAA's 2022 expenditure survey data for trips whose primary or secondary target was tautog in New York or New Jersey). The monthly and annual expenditure estimates therefore represent spending associated with the hypothetical number of affected trips under each scenario. These values should be interpreted as trip-expenditure exposure, rather than predicted losses in business revenue. The estimates do not account for substitution behavior. For example, anglers may reschedule trips, target another species, fish in a different area, or spend money on other recreational activities. Some expenditures may also occur outside the affected management area or may not accrue directly to fishing-dependent businesses. Consequently, the expenditure estimates indicate the scale of economic activity associated with potentially affected trips, but they do not measure net economic losses, regional economic impacts, or changes in angler welfare from changes in trip outcomes relative to a baseline of more liberal recreational regulations.

The monthly and annual scenarios provide a range of recreational exposure without assuming a specific behavioral response to the proposed regulations. The actual effect of more restrictive regulations could fall outside this range and would depend on the specific management measures adopted, the timing of those measures, fishing conditions, and anglers' behavioral responses and ability/willingness to substitute trips among dates, locations, modes, and target species.

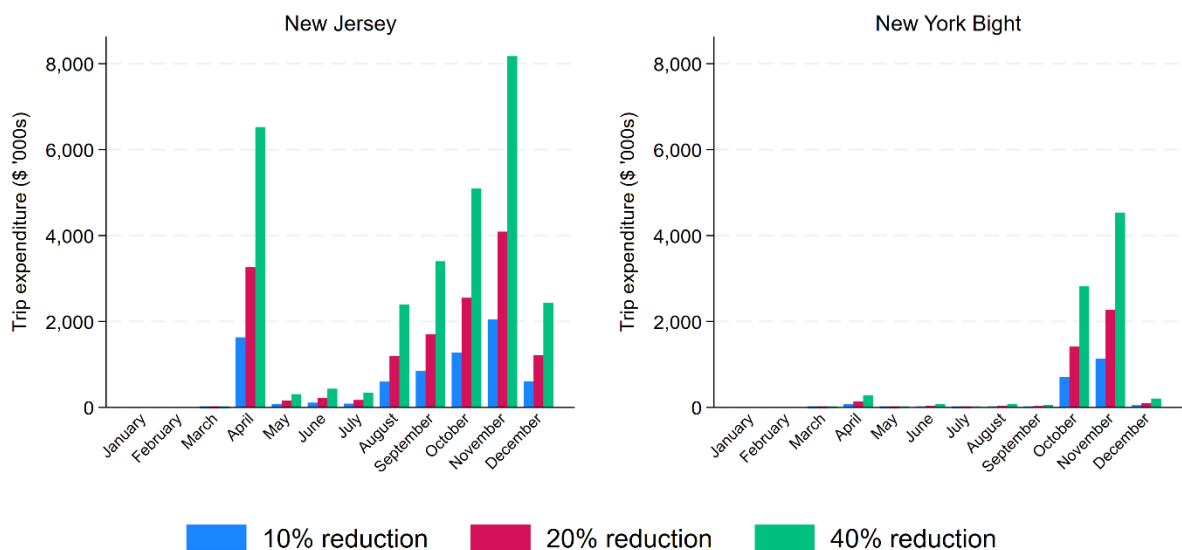
Illustrative monthly reductions in directed tautog trips Based on 2021–2025 average monthly trips



Each scenario represents a separate hypothetical reduction in directed trips.

Figure A.4.9. Monthly directed trips under alternative trip reduction scenarios.

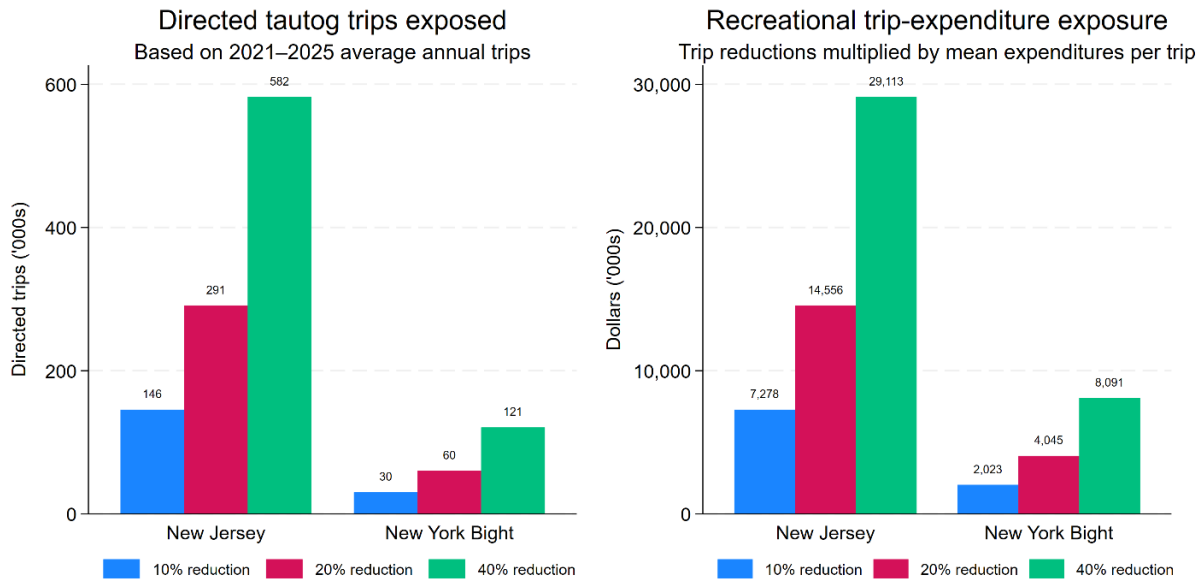
Illustrative monthly recreational trip-expenditure exposure Based on 2021–2025 average trips and mean expenditures per trip



Mean trip expenditure is on trips where tautog was primary or secondary \$50 in NJ and \$67 in NYB.
Each scenario is based on a hypothetical reduction in trips.

Figure A.4.10. Monthly recreational trip-expenditure exposure under alternative trip reduction scenarios.

Illustrative recreational exposure



Mean trip expenditure is on trips where tautog was primary or secondary \$50 in NJ and \$67 in NYB.

Figure A.4.11. Annual recreational trip and trip trip-expenditure exposure under alternative trip reduction scenarios.

Commercial fishery

Commercial landings, ex-vessel revenues, and ex-vessel prices provide historical context for the economic importance of the tautog fishery in New Jersey and New York (Figure A.4.12). However, historical trends alone do not indicate how future management actions may affect commercial fishing businesses because the relationship between harvest reductions and fishing revenues depends on fishermen's behavioral responses, market conditions, and changes in ex-vessel prices.

To illustrate the potential scale of commercial exposure, this analysis presents a series of hypothetical gross revenue exposure scenarios based on average annual ex-vessel revenues during 2021–2025 based on non-confidential landings and revenue from the ACCSP Data Warehouse (Figure A.4.13). Three illustrative scenarios are considered in which commercial harvest, and therefore gross ex-vessel revenue, is reduced by 10%, 20%, or 40%. These scenarios are intended only to provide context for the magnitude of revenues associated with different levels of harvest reduction and should not be interpreted as predictions of the effects of any specific management alternative.

Gross revenue exposure is calculated by applying each hypothetical percentage reduction to the average annual ex-vessel revenue observed during 2021–2025. The resulting estimates represent the portion of recent commercial revenues associated with the specified reduction scenarios. Because the calculations are based on recent average revenues, they provide a simple benchmark for comparing the relative scale of potential commercial exposure between New Jersey and New York.

The exposure estimates should not be interpreted as net economic losses. Commercial fishermen may adjust to more restrictive regulations by modifying fishing effort, changing the timing or location of fishing activity, targeting alternative species, or responding to changes in market prices. In addition, reductions in harvest may be partially offset if lower landings increase ex-vessel prices, while changes in operating costs or substitution among fisheries may further influence net economic outcomes. These behavioral and market responses are not captured in the present analysis.

Accordingly, the commercial exposure scenarios are intended only to illustrate the scale of gross ex-vessel revenues associated with hypothetical reductions in commercial harvest. Together with the historical trends in landings, revenues, and prices, these scenarios provide a benchmark for evaluating the relative economic importance of different levels of commercial harvest reduction without attempting to predict realized economic impacts.

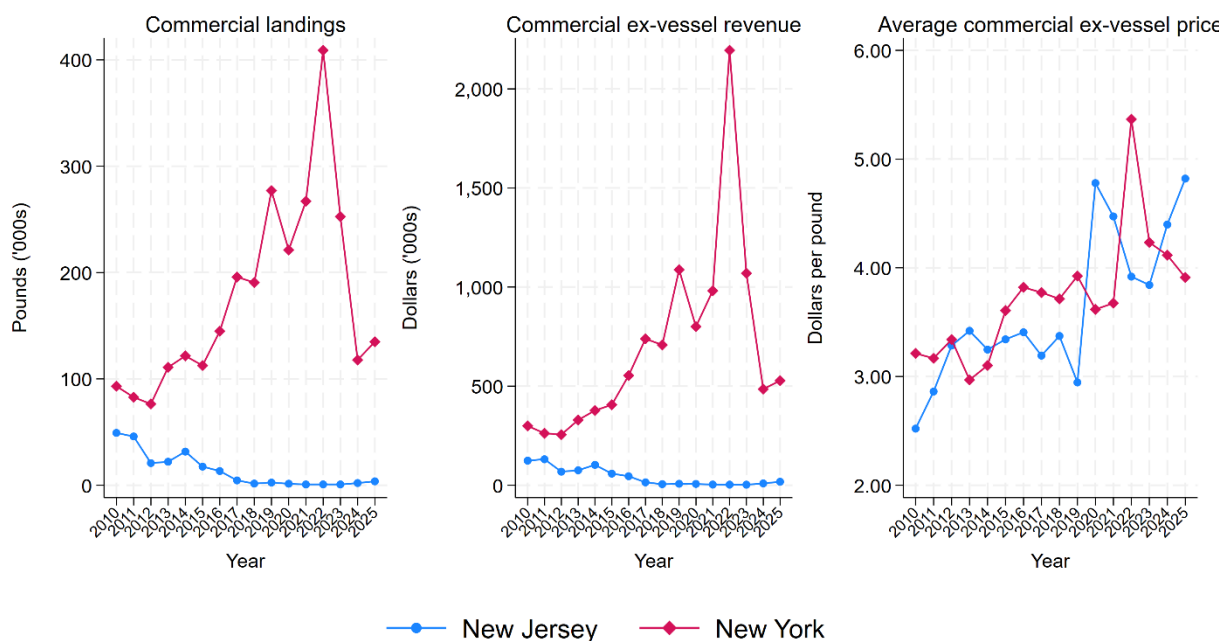


Figure A.4.12. Trends in commercial tautog landings, ex-vessel revenue, and price by year and state.

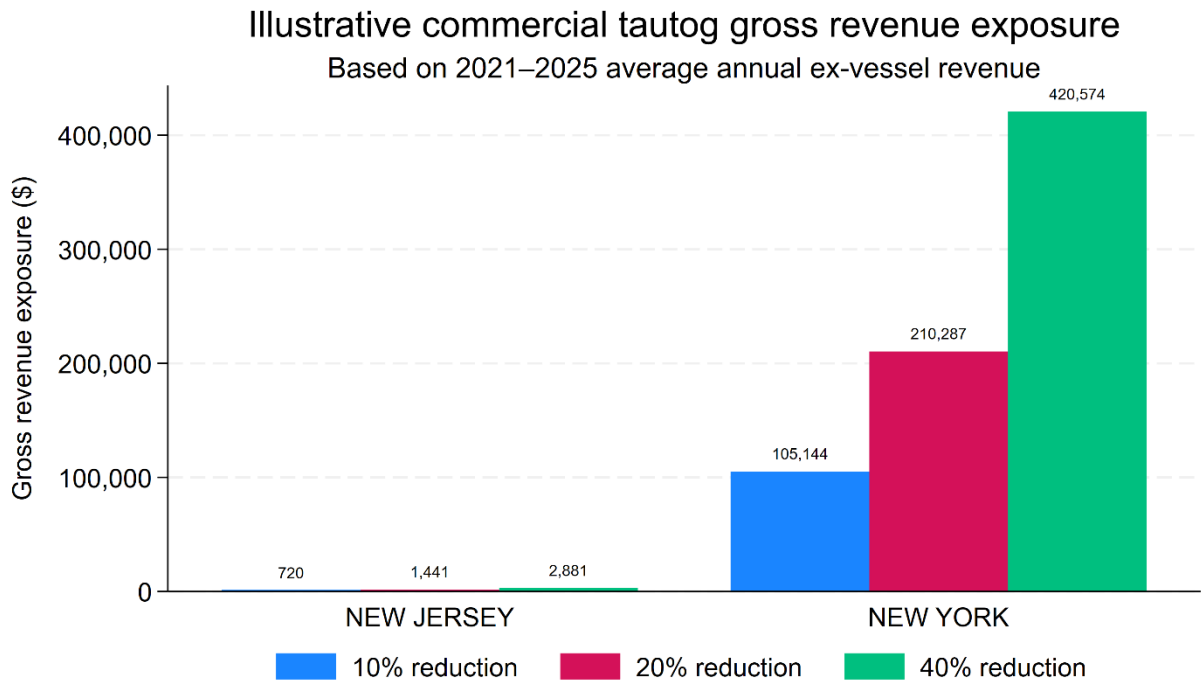


Figure A.4.13. Commercial ex-vessel revenue exposure under alternative harvest reduction scenarios.

**DRAFT MEETING SUMMARY OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
EXECUTIVE COMMITTEE**

**Westin Crystal City
Arlington, Virginia
May 6, 2026**

INDEX OF MOTIONS

1. Approval of Agenda by Consent (Page 1)
2. Move to approve the FY27 Budget. Motion by Joe Cimino; seconded by Joe Grist; passed by unanimous consent. (Page 1)

ATTENDANCE

Committee Members

Carl Wilson, ME
Renee Zobel, NH
Dan McKiernan, MA, Chair
Jason McNamee, RI
Bill Hyatt, CT
Marty Gary, NY
Joe Cimino, NJ
Kris Kuhn, PA

Roy Miller, DE (GA Chair)
John Clark, DE
Michael Luisi, MD
Joe Grist, VA
Kathy Rawls, NC
Ben Dyar, SC
Doug Haymans, GA, Vice Chair
Erika Burgess, FL

Other Commissioners/Proxies

Phil Edwards, RI DEM
Doug Grout, NH GA
Jesse Hornstein, NY DEC
Gary Jennings, FL GA
Raymond Kane, MA GA
Carrie Kennedy, MD DNR

Loren Lustig, PA GA
Sarah Peake, MA LA Proxy
Eric Reid, RI LA Proxy
Malcolm Rhodes, SC GA
Spud Woodward, GA GA

Staff

Bob Beal
Toni Kerns

Laura Leach
Madeline Musante

Guests

Sam Duggan, NOAA
Chip Lynch, NOAA
Will Poston, CBF

CALL TO ORDER

The Executive Committee (EC) of the Atlantic States Marine Fisheries Commission convened May 6, 2026, in the Jefferson Ballroom at the Westin Crystal City in Arlington, Virginia. The meeting was called to order at 8:05 a.m. by Chair Dan McKiernan.

APPROVAL OF AGENDA

The agenda was approved as presented and approved by consent.

APPROVAL OF SUMMARY MINUTES

The summary minutes from the February 4, 2026 meeting were approved as presented.

PUBLIC COMMENT

There was no public comment.

FY27 BUDGET

Ms. Leach presented the proposed FY27 Commission budget which was reviewed by the Administrative Oversight Committee (AOC). Mr. Cimino moved approval of the budget; Mr. Grist seconded the motion. This motion passed unanimously.

REPORT OF THE DECLARED INTERESTS AND VOTING PRIVILEGES WORK GROUP

Mr. Beal suggested the Declared Interests and Voting Privileges work group discussion be held at the Policy Board meeting rather than the Executive Committee.

LEGISLATIVE COMMITTEE UPDATE

Mr. Beal presented an update on recent legislative activity, including a summary of the State Boating Act and reauthorization of the Sport Fish Restoration Act.

CARES UPDATE

The Commission received an extension through 12.4.26 on the CARES cooperative agreement to continue to collect funds from those who received funds deemed ineligible. Mr. Clark asked if the federal government would agree to decisions made in state court, since seven individuals/businesses requested adjudicatory hearings to review their CARES payments that were deemed to be “unallowed”. Staff responded that it is unclear if NOAA would accept the outcomes of the state court cases.

FUTURE ANNUAL MEETING LOCATIONS

Mrs. Leach provided an update on future Annual Meeting locations. November 8 -12, 2026 Rhode Island DEM Marine Fisheries will host the Annual Meeting at the Viking Hotel in Newport, Rhode Island. Future Annual Meeting locations are: 2027 South Carolina; 2028 Massachusetts; 2029 Pennsylvania; 2030 Georgia and 2031 Connecticut.

OTHER BUSINESS

There was no other business.

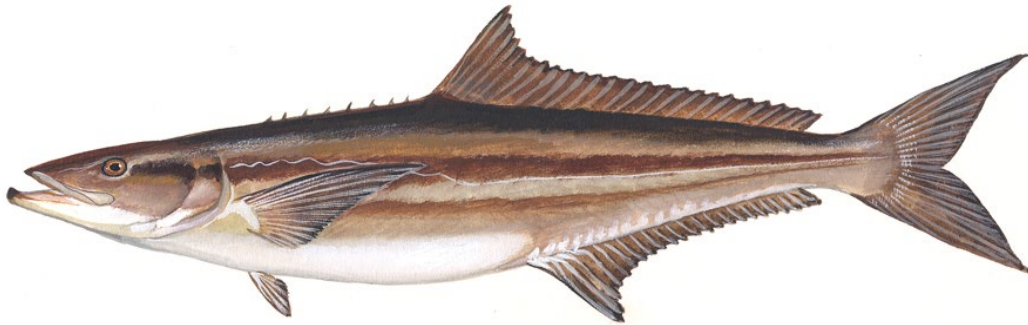
ADJOURN

The Executive Committee went into a closed session at 8:35 a.m. for the Executive Director’s annual review. The Executive Committee adjourned at 9:00 a.m.

ATLANTIC STATES MARINE FISHERIES COMMISSION
REVIEW OF THE INTERSTATE FISHERY MANAGEMENT PLAN

FOR ATLANTIC COBIA
(*Rachycentron canadum*)

2025 FISHING YEAR



Draft for Board Review
July 2026



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

Table of Contents

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I. Status of the Fishery Management Plan

<u>Date of FMP Approval:</u>	Original FMP – November 2017
<u>Amendments & Addenda:</u>	Amendment 1 – August 2019 Addendum I – October 2020 Addendum II – August 2024
<u>Management Areas:</u>	The distribution of the Atlantic stock of cobia from Georgia through Rhode Island
<u>Active Boards/Committees:</u>	Coastal Pelagics Management Board; Cobia Technical Committee, Stock Assessment Subcommittee, 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. Since the 2021 fishing season, this quota amount has been allocated to the recreational and commercial fisheries using the allocations defined in Addendum I (96% recreational and 4% commercial), resulting in a recreational quota of 76,908 fish and a commercial quota of 73,116 pounds (3,204 fish).

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 to Amendment 1](#). 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 with those states implementing a higher 43" minimum size limit, a 2-fish vessel limit, 1-fish bag limit, and a MD-PRFC-VA season of June 15-September 20. The Southern Region average harvest was below its target so states in that region maintained status quo measures in each state (Table 1).

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 $SSB_{F_{40\%}}$ 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 ($F_{2015-2017}/F_{40\%} = 0.29$).

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 as SEDAR 95. However, the assessment was paused in September 2024 due to no lead analyst being available. A new lead analyst was available in 2026 so the assessment

has been re-started as SEDAR 107 and transitioned to the Commission process to conduct the assessment with the peer review coordinated by SEDAR.

A Stock Assessment Subcommittee (SAS) was formed through the Commission process and the SAS, along with the TC, conducted Data Workshops in March and April 2026. The SAS will conduct the Methods Workshop in September 2026 followed by the Assessment Workshop in late 2026/early 2027. SEDAR has scheduled a peer review for May 2027.

III. Status of the Fishery

Regulations, by state, for the 2025 fishing year are presented in Table 1. Total Atlantic cobia landings (commercial and recreational) are estimated at 942,292 pounds in 2025, which is a 44% decrease from 2024 (Figure 6, Tables 2 and 3). This decrease was driven by large decreases in both commercial and recreational landings. The commercial and recreational fisheries harvested 5% and 95% of the 2025 total, respectively.

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. Since 2021, the coastwide commercial quota has been 73,116 pounds per year. From 2019-2024, commercial landings stayed between 64,000 and 75,000 pounds each year. In 2025, commercial landings decreased to 43,678 pounds, which is well below the commercial quota and a 38% decrease from 2024 landings. Virginia (54%) and North Carolina (41%) harvested the majority of the commercial landings in 2025 (Table 2).

The total non-*de minimis* commercial landings did not reach the commercial closure trigger in 2025, so the commercial fishery remained open through the end of the year.

Recreational harvests have fluctuated widely throughout the time series, often through rapid increases and declines. Average annual recreational harvest for the time series is 40,652 fish (1.1 million pounds) (Figures 6-7, Table 3-4). This fishery has grown noticeably over the time series, with average annual harvests from 2015-2024 of 79,789 fish (2.4 million pounds). 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.

The 2025 harvest is an exception to this trend with a harvest of 31,073 fish (898,614 pounds), which is the lowest harvest since 2011 and a -43% decrease by number from 2024. 2025 harvest was well below the coastwide recreational harvest target of 76,908 fish.

From 2018-2024, Virginia comprised an average of 72% of coastwide recreational harvest by number each year and North Carolina comprised an average of 13%. In 2025, Virginia comprised 53% and North Carolina comprised 42%. Virginia's 2025 harvest was the state's lowest harvest since 2017, while North Carolina's harvest was back up to 2019-2022 levels after being very low in 2023-2024. North Carolina has continued to note 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.

From 2018-2024, South Carolina and Georgia averaged 6.5% and 5.5% of the coastwide recreational harvest annually. In 2025, Georgia comprised 2% of coastwide harvest and South Carolina's MRIP harvest estimate was 0 fish. South Carolina noted this was an unusual year with no harvest intercepts through MRIP. There were documented 2025 landings, however, through the state's charter logbook program which did indicate a decrease in landings in 2025 compared to prior years.

Maryland's MRIP harvest estimate was also 0 fish for 2025, as it was in 2022-2023. Maryland has also noted issues in past years with no harvest intercepts being captured by MRIP. However, for 2025, the state's charter logbook data also indicated very low catch compared to previous years.

For recreational effort, MRIP estimates 556,613 directed cobia angler trips in 2025 (cobia as primary or secondary target), which is only a 2% decrease from 2024. This differs from the much larger 44% decrease in recreational harvest.

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. For the low 2025 landings specifically, the Technical Committee (TC) noted the significant underage in recreational quota in 2025 seems anomalous compared to recent years under the same total harvest quota. Acknowledging that the Northern Region recreational management measures were restricted in 2025, the TC expressed interest in continuing to monitor recreational landings to observe if this significant underage is due to an abundance of undersized fish, lack of availability, or influenced by uncertainties in the MRIP information for this species. The PRT noted that the very low commercial landings paired with the low MRIP landings seems to indicate a low landings year in general; although cobia MRIP estimates have high PSEs, the estimates seem to be picking up the low landings trend, whether that was due to lack of available fish in general or prevalence of undersize fish. Notably, Virginia recreational landings decreased by 63%, which could have been due in part to the increased minimum size limit of 43" TL.

Recreational releases of live fish have generally increased throughout the time series (Figure 7, Table 5). In 2025, 175,297 recreationally-caught fish were released alive which represents about 85% of the total recreational catch. This is the highest proportion of released fish since 2017, which was also a low harvest year due to the federal closure.

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 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 depending on the data collection program. Fishery-independent monitoring programs conducted by states that may encounter cobia are conducted in New Jersey, Delaware, Maryland, North Carolina, 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 2025.

The Marine Sportfish Population and Health 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 2025.

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 3,814 to 15,638 lbs. with a long term mean of 9,984 lbs. for 2005-2025. 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 5,640 lbs. in subsequent years (2018-2025). 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 an uptick in charterboat catch effort in the last several years with a catch effort level above the long-term mean (0.002 fish/trip/angler) in all but one year since 2018. The relative catch effort in 2025 was the second highest value in the series. However, this is not necessarily an indication of an increasing cobia population but increasing effort (i.e. number of annual trips).

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 (CCP). In 2025, four cobia were measured in the CCP. The minimum length recorded was 39 inches FL and the maximum was 48 inches FL. The number of commercially and recreationally sampled cobia was lower in 2025 likely due to fewer fish being available.

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 the 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 gill nets with varying net sizes. A total of 306 cobia have been captured in the North Carolina Independent Gill Net Survey from 2001 to 2025. Catches predominantly occur in the Eastern Pamlico Sound from June through September. Cobia from this survey ranged from 6 to 38 inches FL with a mean size of 18 inches FL. 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 10 release lengths were submitted through the new voluntary program in 2025. This program will continue in 2026. Age data will continue to be collected from the preexisting carcass collection program that began in 2007. In this program, recreational anglers can donate a filleted carcass to one of the 6 freezer locations found in the state.

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 2025, 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 1982-2025, 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 2021-2025.

New Jersey: New Jersey does not conduct cobia-specific fishery-independent monitoring. 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. The 2025 Ocean Trawl Survey was not conducted due to extensive maintenance being performed on the R/V Seawolf from Stonybrook University. New Jersey also encountered 1 juvenile cobia during the River Herring Survey in the Great Egg River in 2018.

VI. Status of Management Measures and Issues

Fishery Management Plan

States in the Northern Region (RI-VA) were required to implement recreational measures starting in 2025 to achieve a 15.9% reduction. The Northern Region implemented region-wide measures of a 43" minimum size limit, 2-fish vessel limit, 1-fish bag limit, and a MD-PRFC-VA season of June 15-September 20. The PRT notes there was some confusion regarding the vessel limit increasing to two fish but the bag limit remaining at 1 fish per person for some previously *de minimis* states in the

northern region (previously at a 1-fish vessel limit). The states addressed this issue quickly after it was clarified early in the season.

No recreational management changes were required for the states in the Southern Region (NC-GA), and there were no required changes to commercial measures for any states.

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, and Maryland 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, Potomac River Fisheries Commission, and Georgia requested *de minimis* status for commercial fisheries through the annual reporting process. All of these states except for New Jersey meet the commercial *de minimis* qualifications.

In its compliance report, New Jersey acknowledges that its commercial cobia landings exceeded the 2% threshold in 2023 and 2025 but is requesting a waiver from the in-season commercial reporting requirements (i.e., requesting *de minimis* status). The commercial landings in 2023 and 2025 are considered to be anomalously high compared to the past decade of landings which have qualified New Jersey for *de minimis* status for the commercial fishery. Also, the coastwide landings were exceptionally low in 2025 so New Jersey going over the 2% threshold may be a result of having a higher percentage of the coastwide landings rather than higher than normal landings in 2025. New Jersey will reevaluate its *de minimis* request in the next compliance report based on the finalized 2026 commercial landings. Additionally, New Jersey will continue to work towards implementing mandatory in season reporting of commercial cobia landings so that, should New Jersey's commercial cobia landings continue to consistently exceed the 2% threshold, the mechanism will be in place to maintain compliance with the FMP requirements.

The PRT does not have a strong opinion on New Jersey's request. The PRT notes New Jersey was in a similar situation two years ago and the Board granted their request at the time. The PRT notes coastwide commercial landings last year were far below the quota so there may be less concern about this type of request currently. The PRT also notes that one percentage point of 2025 landings is only 437 pounds which is a small number of cobia (only 19 fish if using the commercial average weight of 22.8 pounds from the last assessment). So, only a small number of fish would push a state over the *de minimis* threshold of two percent for 2025.

VII. Implementation of FMP Compliance Requirements for 2025

The PRT finds no inconsistencies among states in regard to the Fishery Management Plan.

VIII. Recommendations of the Plan Review Team

Management

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 107) 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](#) and are being discussed in the current SEDAR 107 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:
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X. Figures

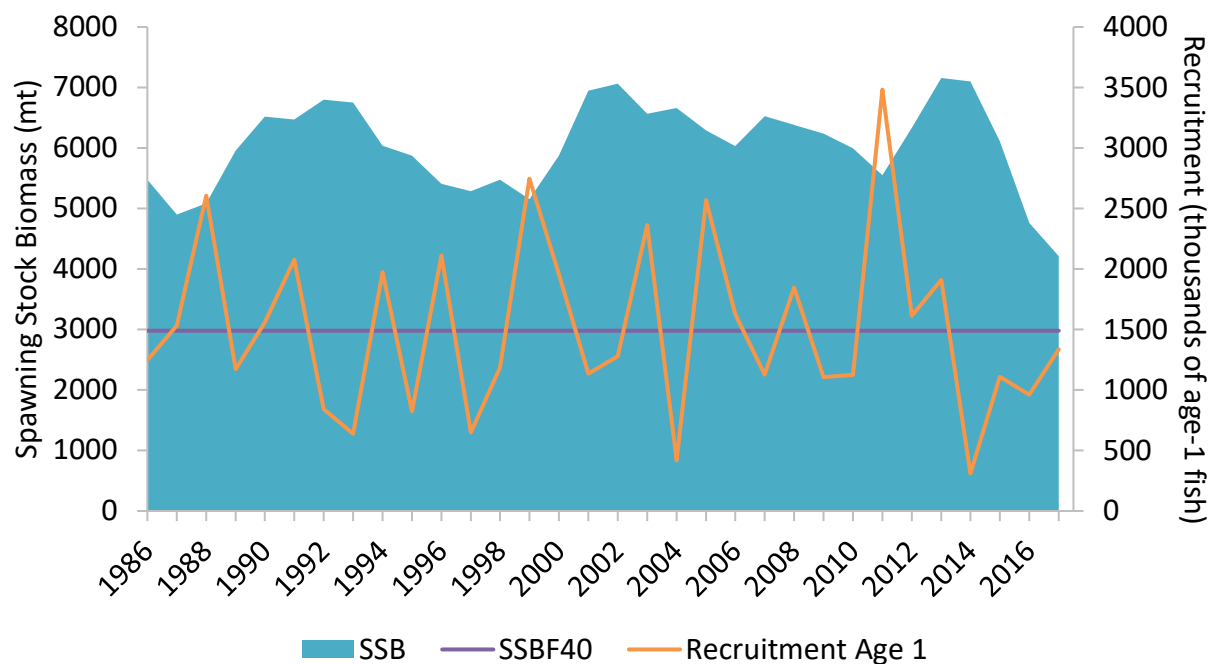


Figure 1. Atlantic Cobia spawning stock biomass (SSB) and recruitment of year 1 fish. (SEDAR, 2020)

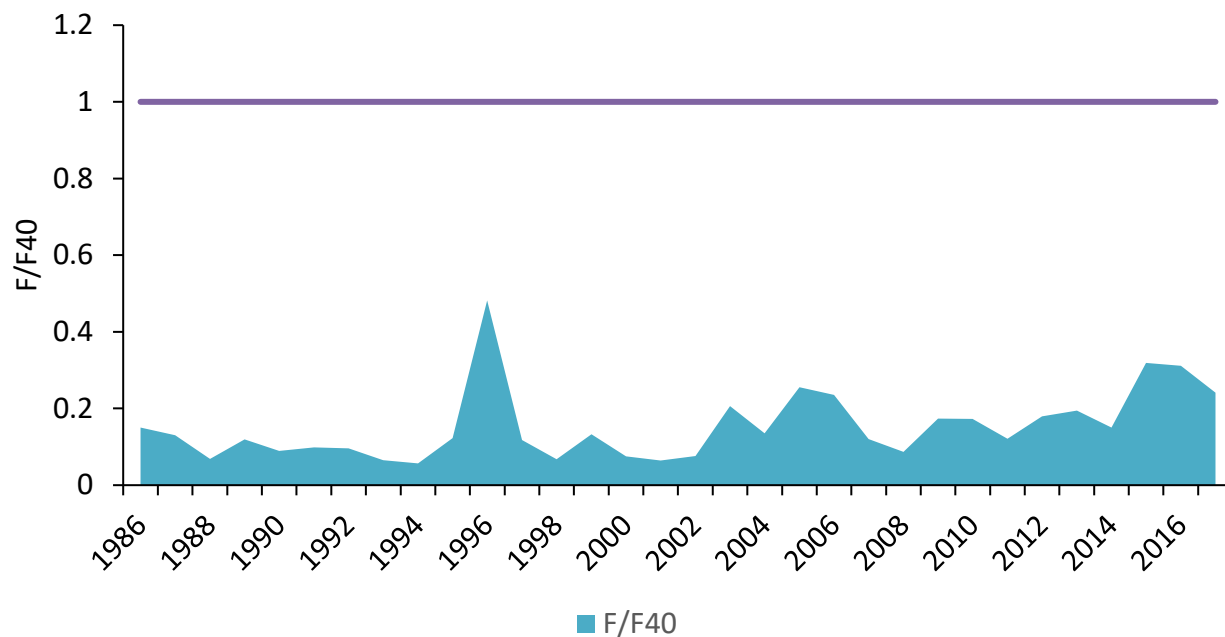


Figure 2. Atlantic Cobia fishing mortality (F) relative to the F40 reference point from 1986-2017. (SEDAR, 2020)

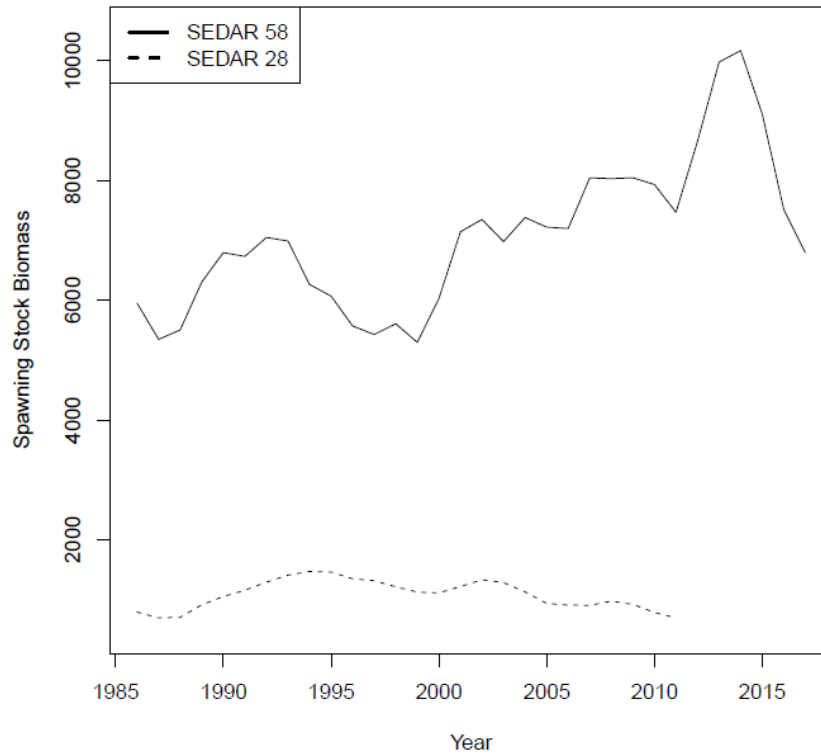


Figure 3. Comparing spawning stock biomass from the current assessment (SEDAR 58) to the previous assessment (SEDAR 28). (SEDAR, 2020)

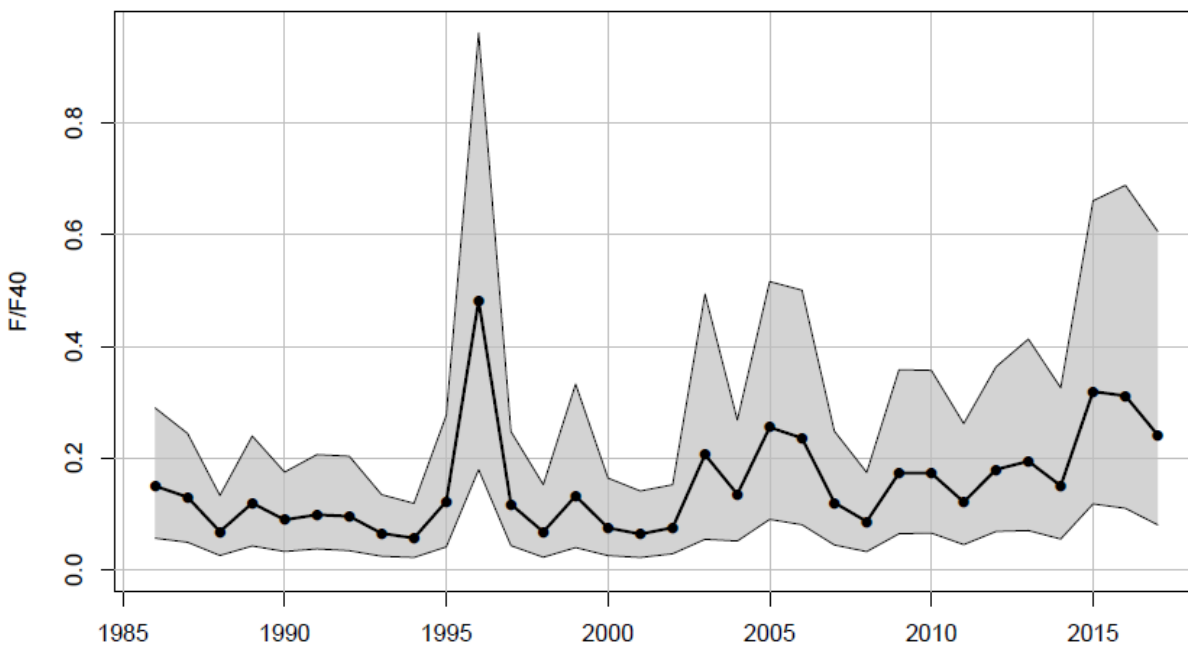


Figure 4. Estimated time series of Fishing Mortality (F) relative to F at Maximum Sustainable Yield ($F_{40\%}$) (SEDAR, 2020).

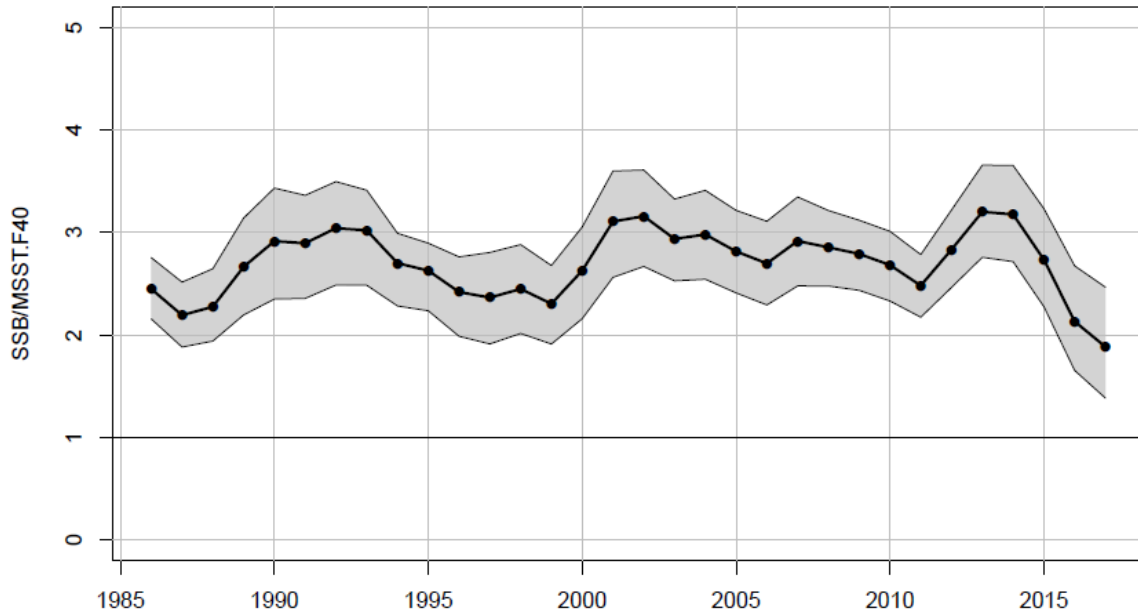


Figure 5. Estimated time series of Spawning Stock Biomass (SSB) relative to the Minimum Stock Size Threshold (MSST) (SEDAR, 2020).

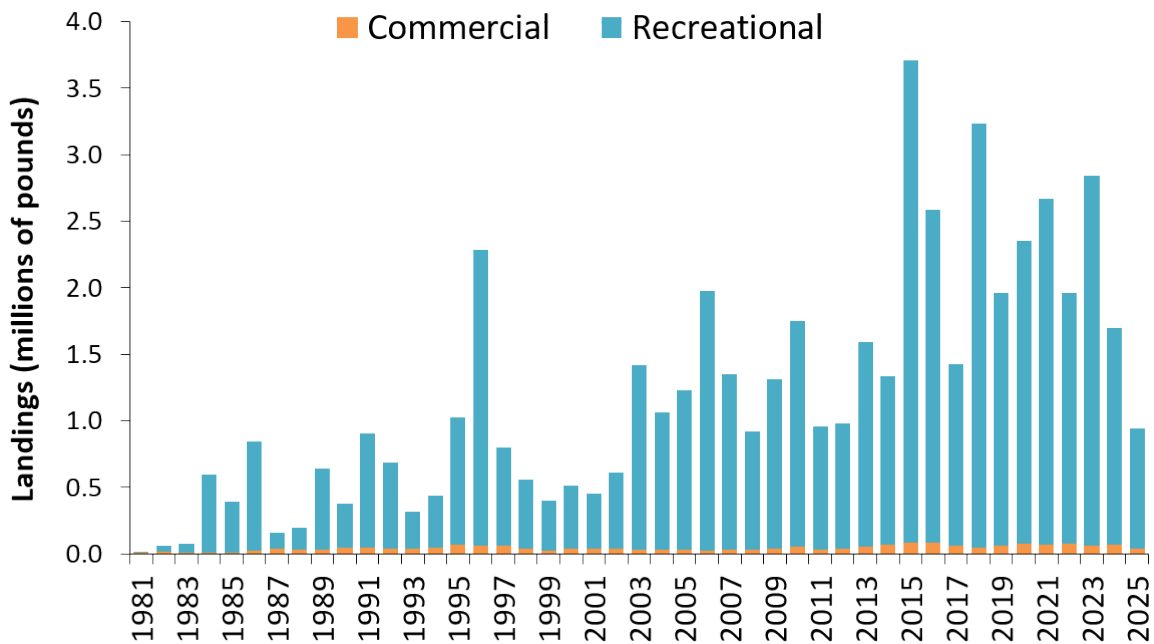


Figure 6. Commercial and recreational landings (pounds) of Atlantic cobia. Recreational data not available prior to 1981. See Tables 2 and 3 for data sources and values from the last ten years.

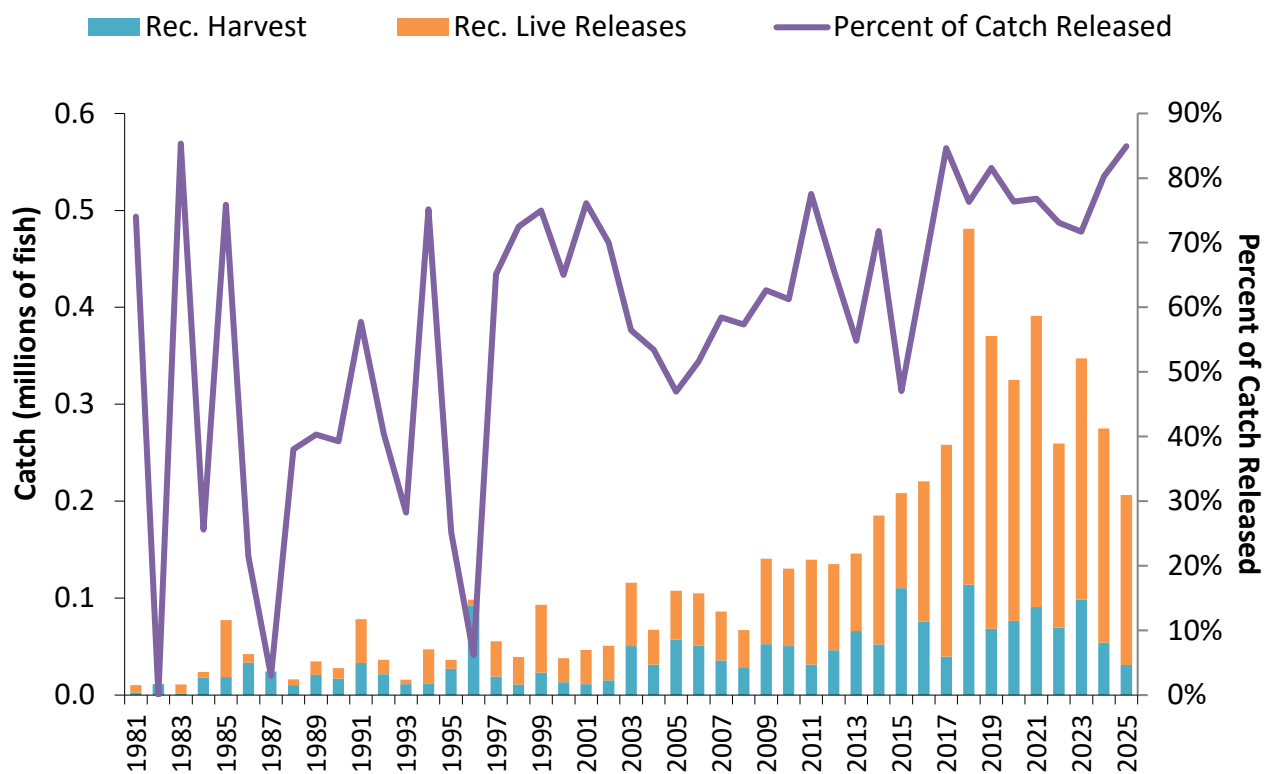


Figure 7. Recreational catch (harvest and live releases) of Atlantic cobia (numbers) and the proportion of catch that is released. See Tables 4 and 5 for data sources and values from the last ten years.

XI. Tables

Table 1. Atlantic cobia regulations for 2025.

State	Recreational Measures	Commercial Measures
RI	Minimum Size: 43 inches total length Bag Limit: 1 fish per person Vessel Limit: 2 fish per vessel Season: year-round	<u>Coastwide</u> Possession Limit: 2 fish per person Minimum Size: 33 inches fork length or 37 inches 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 inches 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 inches fork length -Georgia and Maryland state waters close to commercial fishing when federal waters close
NY		
NJ		
DE		
MD	Minimum Size: 43 inches total length Bag Limit: 1 fish per person Vessel Limit: 2 fish per vessel Season: June 15-September 20	
PRFC		
VA		
NC	Minimum Size: 36 inches 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 inches fork length Vessel Limit: 6 fish Season: Open year-round <u>Southern Cobia Management Zone:</u> Minimum Size: 36 inches fork length 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.	

State	Recreational Measures	Commercial Measures
GA	Bag Limit: 1 fish per person Minimum Size: 36 inches 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, 2015-2025. Sources: 2026 state compliance reports for 2025 fishing year; for years prior to 2025, personal communication with Atlantic Coastal Cooperative Statistics Program [ACCSP]. Note: Confidential values are shown as “C”. Coastwide 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	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
2025	C		C	1,296		C		23,678	17,871	586		43,678

C: confidential landings.

*CT does not have a declared interest in Atlantic migratory cobia.

Note: There were confidential landings in Massachusetts four times since 2000, including in 2022 and 2025.

Table 3. Recreational harvest (pounds) of Atlantic cobia by state, 2015-2025. Source: Personal communication with MRIP queried July 2026.

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
2025				29,740			467,208	379,830		21,836	898,614

*CT does not have a declared interest in Atlantic migratory cobia.

+2023 RI recreational harvest of cobia in pounds is unavailable through MRIP as intercepts did not contain size information to estimate the total pounds. In number of fish, 2023 RI recreational harvest of cobia was 361 fish (see Table 4).

Table 4. Recreational harvest (numbers of fish) of Atlantic cobia by state, 2015-2025.
Coastwide harvest shaded in red if coastwide harvest target of 76,908 fish for 2020-2025 was exceeded. Source: Personal communication with MRIP queried July 2026.

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
2025				927			16,459	12,950		737	31,073

*CT does not have a declared interest in Atlantic migratory cobia.

Table 5. Recreational live releases (numbers of fish) of Atlantic cobia by state, 2015-2025.

Source: Personal communication with MRIP queried July 2026.

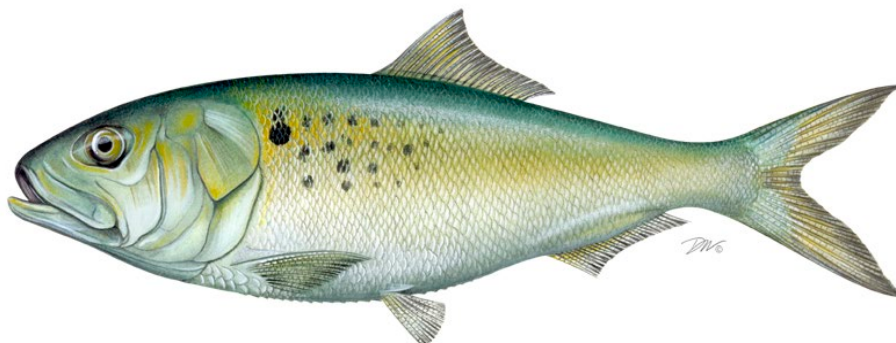
Year	MA*	RI	CT*	NY	NJ	DE	MD	VA	NC	SC	GA	Total
2015					416			40,689	44,254	12,369	283	98,011
2016							1,075	81,482	39,237	20,255	2,917	144,966
2017								77,184	125,251	11,359	4,830	218,624
2018					2,879		12,090	194,865	68,219	71,020	18,056	367,129
2019					10,166	30	251	184,716	38,285	59,724	9,080	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
2025			292	4,119			631	82,599	49,799	35,308	6,960	175,297

*MA and CT do not have a declared interest in Atlantic migratory cobia.

Atlantic States Marine Fisheries Commission

DRAFT ADDENDUM II TO AMENDMENT 3 OF THE ATLANTIC MENHADEN INTERSTATE FISHERY MANAGEMENT PLAN FOR PUBLIC COMMENT

Chesapeake Bay Reduction Fishery



This draft document was developed for Board review and discussion at the August 2026 meeting week. This document is not intended to solicit public comment as part of the Commission/State formal public input process. However, comments on this draft document may be given at the appropriate time on the agenda during the scheduled meeting. Also, if approved, a public comment period will be established to solicit input on the issues contained in the document.



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

August 2026

**Document revised on July 23, 2026
with addition of socioeconomic section**

Draft Document for Board Review. Not for Public Comment

**Atlantic States Marine Fisheries Commission Seeks Your Input on
Atlantic Menhaden Management**

The public is encouraged to submit comments regarding this document during the public comment period. Comments will be accepted until 5:00 p.m. EST on **DAY, MONTH 2026**. Regardless of when they were sent, comments received after that time will not be included in the official record.

You may submit public comment in one or more of the following ways:

1. Attend public hearings pertinent to your state or jurisdiction.
2. Refer comments to your state's members on the [Atlantic Menhaden Board](#) or [Atlantic Menhaden Advisory Panel](#), if applicable.
3. Mail, fax, or email written comments to the following address:

James Boyle
Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
1050 North Highland St., Suite 200 A-N
Arlington, Virginia 22201
Fax: (703) 842-0741
comments@asmfc.org (subject line: Atlantic Menhaden Draft Addendum II to Amendment 3)

If you have any questions please contact James Boyle at jboyle@asmfc.org or 703.842.0740.

Commission's Process and Timeline

Date	Action
October 2025	Atlantic Menhaden Board Initiates Draft Addendum II
November 2025 – July 2026	Plan Development Team Develops Draft Addendum II for Board Review
August 2026	Atlantic Menhaden Board Reviews Draft Addendum II and Considers Its Approval for Public Comment
August– October 2026	Public Comment Period, including Public Hearings
November 2026	Board Reviews Public Comment, Selects Management Options and Considers Final Approval of Addendum II
TBD	Provisions of Addendum II are Implemented

1. INTRODUCTION

The Atlantic States Marine Fisheries Commission (ASMFC) coordinates Atlantic menhaden (*Brevoortia tyrannus*) management in state waters (0–3 miles from shore) under the authority of the Atlantic Coastal Fisheries Cooperative Management Act and has done so through an Interstate Fishery Management Plan (FMP) since 1981. The states of Maine through Florida have a declared interest in the fishery and are responsible for implementing management measures consistent with the FMP. For the purposes of this draft addendum, the term “state” or “states” also includes the Potomac River Fisheries Commission (PRFC). Management authority in the Exclusive Economic Zone (3-200 miles from shore) lies with NOAA Fisheries.

At its October 2025 meeting, the ASMFC’s Atlantic Menhaden Management Board (Board) approved the following 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%.

Since then, the Board has provided additional guidance on the purpose and range of options for inclusion in this draft addendum.

2. OVERVIEW

2.1 Statement of the Problem

The availability of menhaden in Chesapeake Bay may be affected by changes in total abundance, size distribution of the population, and timing of spatial distribution in the Bay, which can be caused by fishing pressure, environmental conditions, habitat suitability, and/or changing predation pressures on a limited spatial and temporal scale. Such changes in menhaden availability may affect the species’ ability to fulfill its ecological and/or economic functions. Recent observations of below average commercial fisheries landings and concerning population trends in several species that use menhaden as prey within Chesapeake Bay suggest that availability of menhaden in Chesapeake Bay may be changing due to one or more of the above drivers. Of the predator species included in the ecological reference point (ERP) assessment, which accounts for menhaden’s role as a forage fish, the latest coastwide assessments indicate striped bass is overfished, bluefish are presently rebuilding, weakfish are depleted due to high levels of natural mortality, and spiny dogfish reproductive output is declining but stabilizing (ASMFC, 2024).

Although there are currently not sufficient scientific data available to comprehensively characterize the abundance and distribution of menhaden throughout Chesapeake Bay and the influence of fishing pressure on menhaden, the Commission has been using proactive measures to manage this species in the face of uncertainty and to support both ecological and fishery objectives. Specifically, since 2006, the Chesapeake Bay Reduction Fishery Cap (Bay Cap) has limited harvest of menhaden by the reduction fishery (henceforth, “reduction harvest”) within

Chesapeake Bay. This draft addendum responds to concerns that the Bay Cap does not control how harvest is distributed throughout the fishing season and that the amount of the Bay Cap does not reflect changes to the coastwide total allowable catch (TAC).

Chesapeake Bay Reduction Fishery Cap

The first issue addressed in the draft addendum is that the Bay Cap is not linked to the overall TAC. Large changes to the TAC without a corresponding change to the Bay Cap significantly alter the percent of the reduction landings (and total landings) that can be taken from Chesapeake Bay, a critical nursery area for menhaden. For example, because Virginia is currently allocated 75.21% of the coastwide TAC, and Virginia allocates 90.04% of their quota to the reduction sector, the current Bay Cap (51,000 mt) paired with a 100,000 mt TAC would allow 75% of the reduction fishery quota to be taken in Chesapeake Bay, but with a 300,000 mt TAC would allow 25% of the reduction fishery quota to be taken in Chesapeake Bay. Such variable outcomes may be inconsistent with the intent of the Bay Cap. The 20% reduction applied to the TAC in 2026, without a corresponding change to the Bay Cap, increased the percentage of possible reduction fishery quota taken in the Chesapeake Bay from 32% to 40%, a larger percentage than has been possible since 2017. The Board is concerned that without a change to the Bay Cap, future changes to the TAC could further shift that percentage. Additionally, changes to the Bay Cap can only be made through an amendment or addendum, meaning the Management Board is often unable to align the timeline for changes to the Bay Cap, if desired, with changes to the TAC. Therefore, this draft addendum considers a one-time reduction in the Bay Cap in consideration of recent or upcoming changes to the TAC and setting the Bay Cap as a proportion of the TAC so that it changes automatically with future changes to the TAC.

Timing of Menhaden Harvest

The second issue this draft addendum aims to address is that the Bay Cap is an annual measure without any associated controls on how reduction harvest is distributed throughout the fishing season. This leaves the potential for a concentration of reduction fishery landings in a short time period, as seen in 2023 and 2024, when over 50% of the Bay reduction fishery landings were taken in a 6-week period in mid-summer. When this occurs, it is possible that these higher-than-normal catch rates could affect availability of menhaden to other fisheries or predators, which is what the Bay Cap was intended to prevent. Consequently, this draft addendum considers establishing quota periods for the Bay Cap to redistribute reduction fishery landings across the reduction fishery season, rather than concentrating them in the beginning and middle of the season.

Revisiting the Bay Cap

Lastly, given the breadth of changes proposed to the Bay Cap in this draft addendum, the uncertainties about whether recent trends in Chesapeake Bay menhaden landings and availability will continue, plus planned research intended to help design a scientifically-based Bay Cap setting process, this draft addendum includes an option that would require a revisit of the Bay Cap provisions every three years at a minimum. Currently, there is no set timeframe for revisiting the Bay Cap.

2.2 Background

2.2.1 The Reduction Fishery

The commercial menhaden fishery is divided into the reduction fishery, in which menhaden are reduced into fish meal and fish oil, and the bait fishery, in which menhaden are harvested as a bait source for other commercial and recreational fisheries. Harvesting of menhaden for reduction purposes dates back to the early 1800s (fish oil) and the early 1900s (fish meal). The reduction fishery uses purse seine gear exclusively (also the dominant gear in the bait fishery). Reduction landings peaked in the mid-20th century (712,100 mt in 1956) and averaged approximately 129,000 mt from 2020-2024 (Figure 1). Participation in the Atlantic coast reduction fishery has declined to include roughly 10 vessels and one processing plant located in Virginia; as many as 147 vessels and 25 processing plants operated along the Atlantic coast from Maine to Florida historically.

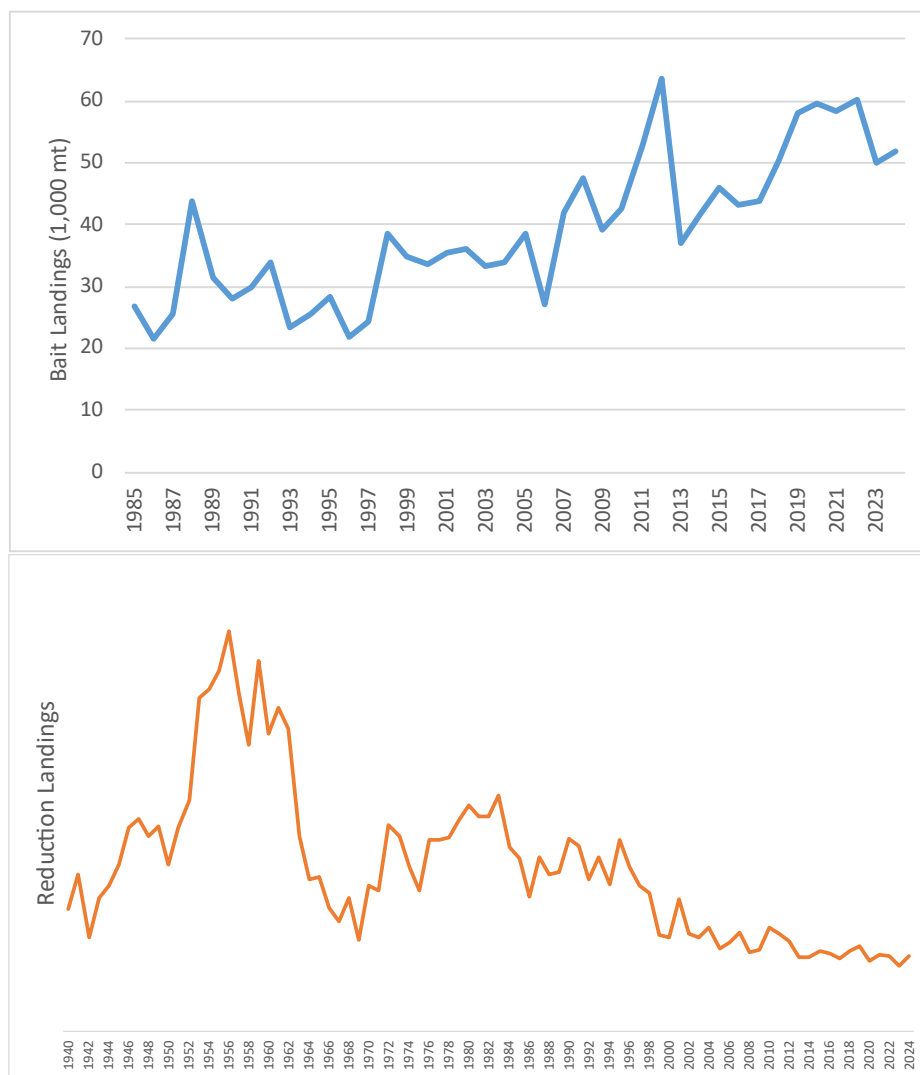


Figure 1. Coastwide reduction fishery landings (1940-2024) and coastwide bait fishery landings (1985-2024) for Atlantic menhaden (Note reduction landings values removed for confidentiality but are approximately an order of magnitude greater than bait landings).

Since 2013, total reduction fishery landings have been determined by the annual coastwide Total Allowable Catch (TAC) specified by the Management Board, the percent of the TAC allocated to Virginia by the Interstate FMP, Virginia's internal allocation of its quota among its fishery sectors, and the Virginia reduction fishery's performance with regards to its quota. Currently, Virginia's allocation of the TAC is 75.21%¹ based on landings from 2018, 2019, and 2021, and the purse seine reduction fishery's allocation of the Virginia quota is 90.04% based on 2002-2011 average landings. Accordingly, the Virginia reduction fishery has the potential to harvest 67.04% of the TAC.

Reduction fishery vessel effort occurs both inside Chesapeake Bay and outside in the Atlantic Ocean. In the last five years (2021-2025), about 50% of all reduction fishery effort (i.e., purse seine net sets) has occurred within Chesapeake Bay, down from about 75% in 2005, the year preceding the setting of the first Chesapeake Bay Reduction Fishery Cap (Figure 2). The Bay Cap prohibits additional reduction harvest within the Chesapeake Bay when 100% of the Bay Cap is harvested from Chesapeake Bay, which is defined as areas shoreward of the Chesapeake Bay Bridge Tunnel.

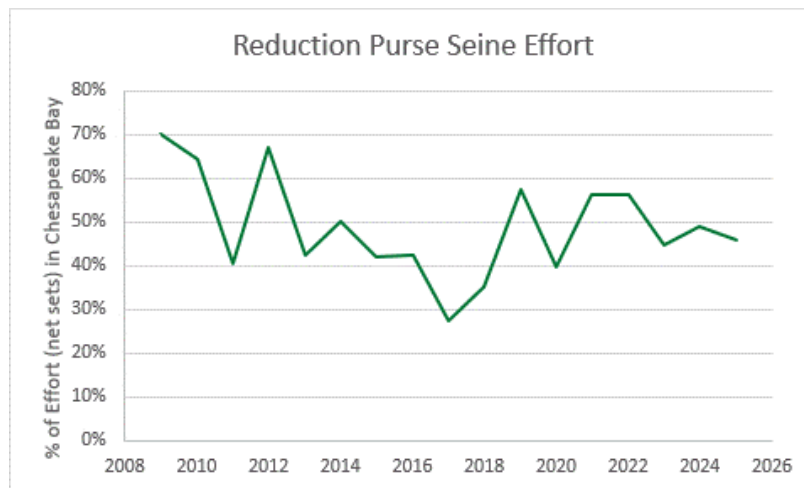


Figure 2. Proportion of Virginia purse seine reduction effort in Chesapeake Bay.

2.2.2 Bay Cap History

The Chesapeake Bay Reduction Fishery Cap was first established in 2006 as a precautionary measure in response to an increasing proportion of the total reduction fishery landings being harvested from Chesapeake Bay and concerns about the possibility of localized depletion. Through Addendum III to Amendment 1, the Bay Cap was set at the average landings from 2001-2005 (109,020 mt) to prevent the expansion of the reduction fishery in Chesapeake Bay while the necessary scientific studies were conducted to explore the potential for localized depletion and set a more scientifically quantified harvest threshold if needed. Additional Bay Cap management measures included mandatory payback of any overage in the subsequent

¹ The state-by-state allocations exclude 1% of the TAC that is reserved for the Episodic Event Set-aside.

year and an allowance to rollover unused quota to the following year up to a specified maximum. Notably, the adoption of the Bay Cap preceded the adoption of a coastwide TAC for menhaden, which did not occur until 2013 through Amendment 2.

Amendment 2 reduced the Bay Cap by 20% to 87,216 mt beginning in 2013. This 20% reduction mirrored the 20% reduction applied to the average coastwide catch from 2009-2011 that was used to set the first-ever TAC. (This was an ad hoc approach to set the TAC based on recent landings due to uncertainty in the 2012 stock assessment's projections; all subsequent TACs have been set using a stock assessment-based projection methodology). Amendment 2 also reduced the Bay Cap underage rollover maximum by 20%.

The next change to the Bay Cap occurred in 2018, when it was reduced to 51,000 mt in Amendment 3. Similar to how the Bay Cap was initially set, this amount represented an approximation of the average Bay reduction fishery landings from 2012-2016. This action again capped landings at recent levels as a precautionary management approach. Unlike the change to the Bay Cap in Amendment 2, this ~41.5% reduction in the Bay Cap did not correspond to the change made to the TAC in the same year (8% increase). Amendment 3 also removed the allowance for any rollover of unused Bay Cap (as well as any unused TAC) and established that unused quota from a region or state cannot be transferred to the Bay Cap to reduce an overage.

The Bay Cap has remained at 51,000 mt since 2018 (except in 2020 when it was reduced to account for an overage in 2019; reduction fishery landings from the Chesapeake Bay have always otherwise been below the Bay Cap). Since that time, the TAC has been adjusted three times, including a 10% reduction in 2021, a 20.1% increase in 2023, and a 20% reduction in 2026, all without any change to the Bay Cap (Table 1).

The history, intent, and setting process for the Bay Cap and TAC differ in notable ways. First, the Management Board sets the TAC through Board action based on coastwide stock assessment projections in comparison to target and threshold reference points. Since 2021, ecosystem-based stock assessments and reference points have been used, meaning the TAC is set to account for menhaden's role as a critical forage species on a coastwide basis. No similar approach exists to set the Bay Cap at a level scientifically determined to support forage needs in Chesapeake Bay; rather, recent landing levels have typically been used to set the Bay Cap, thereby preventing further expansion. Second, the TAC limits the total removals of menhaden coastwide by all fishery participants, in contrast to the Bay Cap, which limits only reduction fishery landings in Chesapeake Bay. Additional reduction harvest can take place outside of Chesapeake Bay, and additional bait harvest can take place inside of Chesapeake Bay. Third, the Bay Cap management measures can only be revised through an addendum or amendment to the FMP, whereas the TAC can be set by the Board through specifications (i.e., a Board vote) on an annual or multi-year basis. The result is that the TAC has changed with greater frequency, and changes to TAC and Bay Cap that do co-occur have not always been in the same direction.

Consequently, the amount of the Bay Cap as a proportion of the total TAC is variable over time (Table 1).

Table 1. History of coastwide TACs and Bay Caps.

Year	TAC (mt)	Bay Cap (mt)	Bay Cap as Percent of TAC
2006	-	109,020	-
2007	-	109,020	-
2008	-	109,020	-
2009	-	109,020	-
2010	-	109,020	-
2011	-	109,020	-
2012	-	109,020	-
2013	170,800	87,216	51.06%
2014	170,800	87,216	51.06%
2015	187,880	87,216	46.42%
2016	187,880	87,216	46.42%
2017	200,000	87,216	43.61%
2018	216,000	51,000	23.61%
2019	216,000	51,000	23.61%
2020	216,000	51,000*	23.61%
2021	194,400	51,000	26.23%
2022	194,400	51,000	26.23%
2023	233,550	51,000	21.84%
2024	233,550	51,000	21.84%
2025	233,550	51,000	21.84%
2026	186,840	51,000	27.30%

*2020 Bay Cap was reduced from 51,000 mt due to 2019 overage.

2.2.3 Seasonality of Chesapeake Bay Reduction Fishery

By Virginia law, the Chesapeake Bay purse seine reduction fishery is permitted to begin on the first Monday in May and ends on the third Friday in November. However, realized effort is based on resource availability as informed by the use of spotter aircraft to locate schools of menhaden. Consequently, the onset and magnitude of effort by week of the year is variable across years (Figure 3) as is the trend in cumulative percent of annual landings (Figure 4). For example, 2018 saw heavier effort and a steeper rate of landings earlier in the season than the years following; whereas 2023 and 2024 experienced delayed season starts but higher mid-season rates of landing compared to the years prior.

Chesapeake Bay Menhaden Reduction Fishery

Weekly Effort (percent of annual net sets)

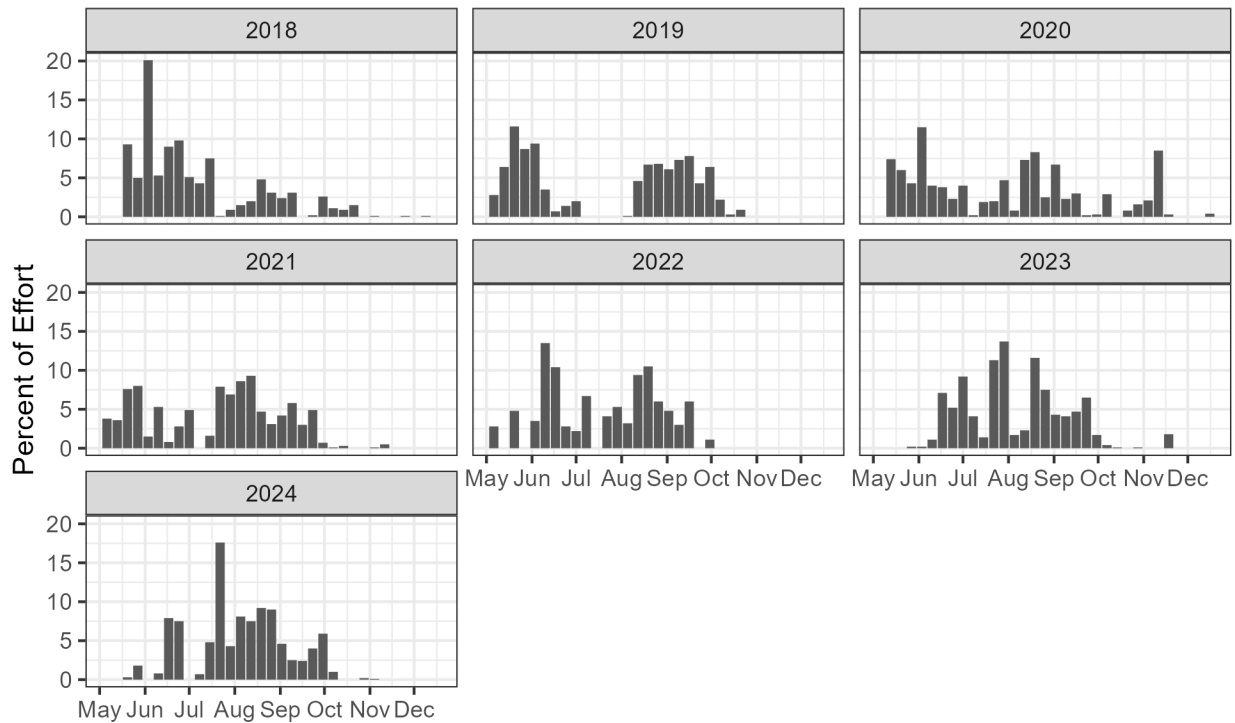


Figure 3. Percent of annual effort (number of net sets) by week for the menhaden purse seine reduction fishery in the Chesapeake Bay 2018-2024.

Chesapeake Bay Menhaden Reduction Fishery

Daily Cumulative Landings

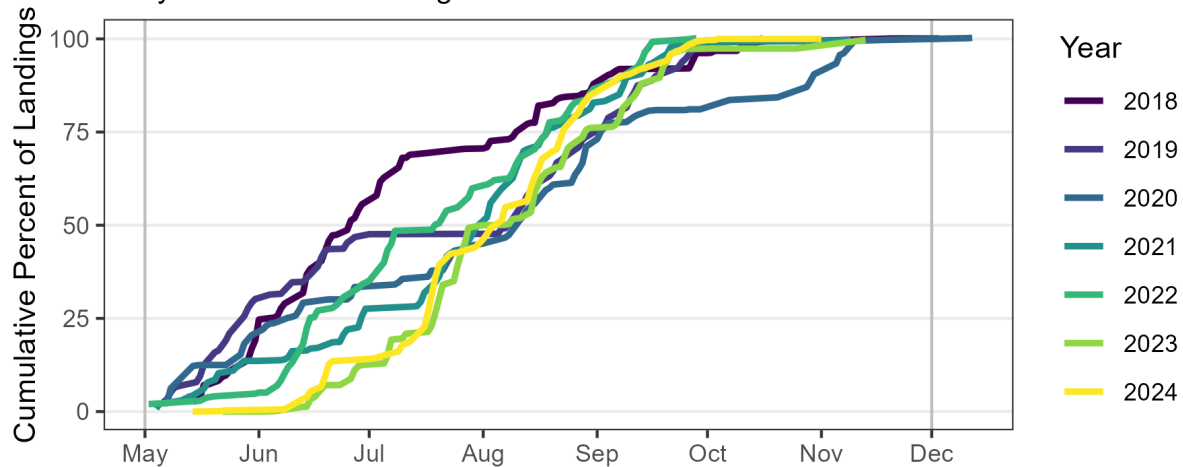


Figure 4. Cumulative percent of annual landings in the Chesapeake Bay menhaden reduction fishery 2018-2024.

2.2.4 Chesapeake Bay Pound Net Catch

The shift in Chesapeake Bay reduction fishery harvest later in the season in 2023 and 2024 corresponded with declines in Chesapeake Bay pound net fishery harvest (Figure 5), which typically peak during the summer months. For example, the Maryland Chesapeake Bay pound net harvest declined by 60% in 2024 from the 2018-2022 average. This co-occurrence raised concerns among Chesapeake Bay pound net harvesters, about a potential user group conflict with the reduction fishery and about an overall trend towards reduced menhaden presence, spatial distribution, and abundance within the Bay.

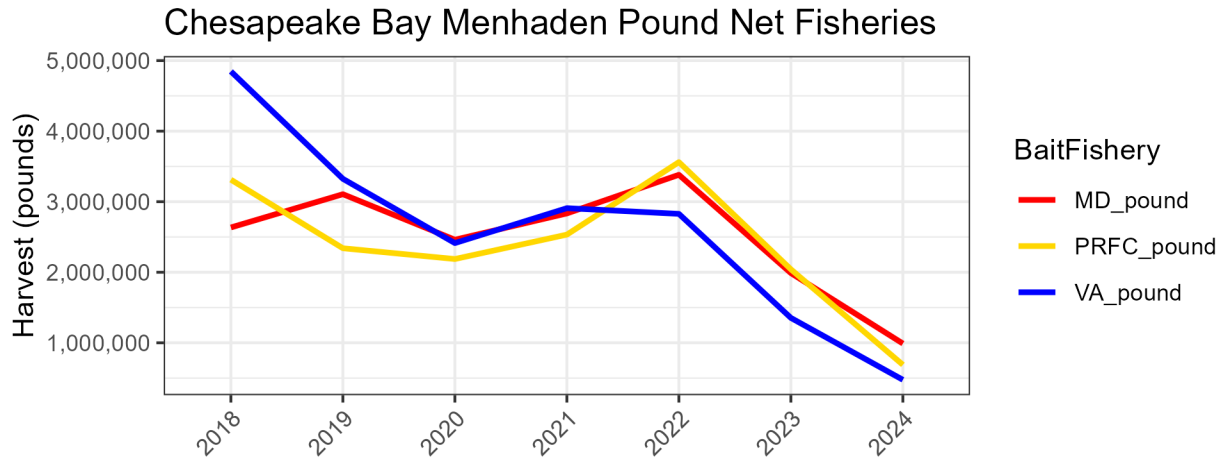


Figure 5. Total menhaden harvest in Maryland, PRFC, and Virginia pound net fisheries, 2018-2024.

The Plan Development Team (PDT) and Technical Committee (TC) investigated variability in fishery effort and/or menhaden availability as potential causes for the decline in pound net harvest. While true abundance (or availability) is not known, catch per unit effort (CPUE) can be used as a proxy if it is assumed there are no major changes to how the fishery operated between years.

Overall, the TC found notable declines in CPUE in the pound net fisheries of Maryland, Virginia, and PRFC in 2024 (Figure 6). As harvest declined, PRFC found a slight increasing trend in the time it takes to reach 50% of the annual cumulative harvest where 2024 was approximately 7 weeks later than the 2018-2023 average. PRFC and Maryland also discovered that the number of trips that caught 5,000 pounds or more of menhaden have declined to their lowest levels since 2018.

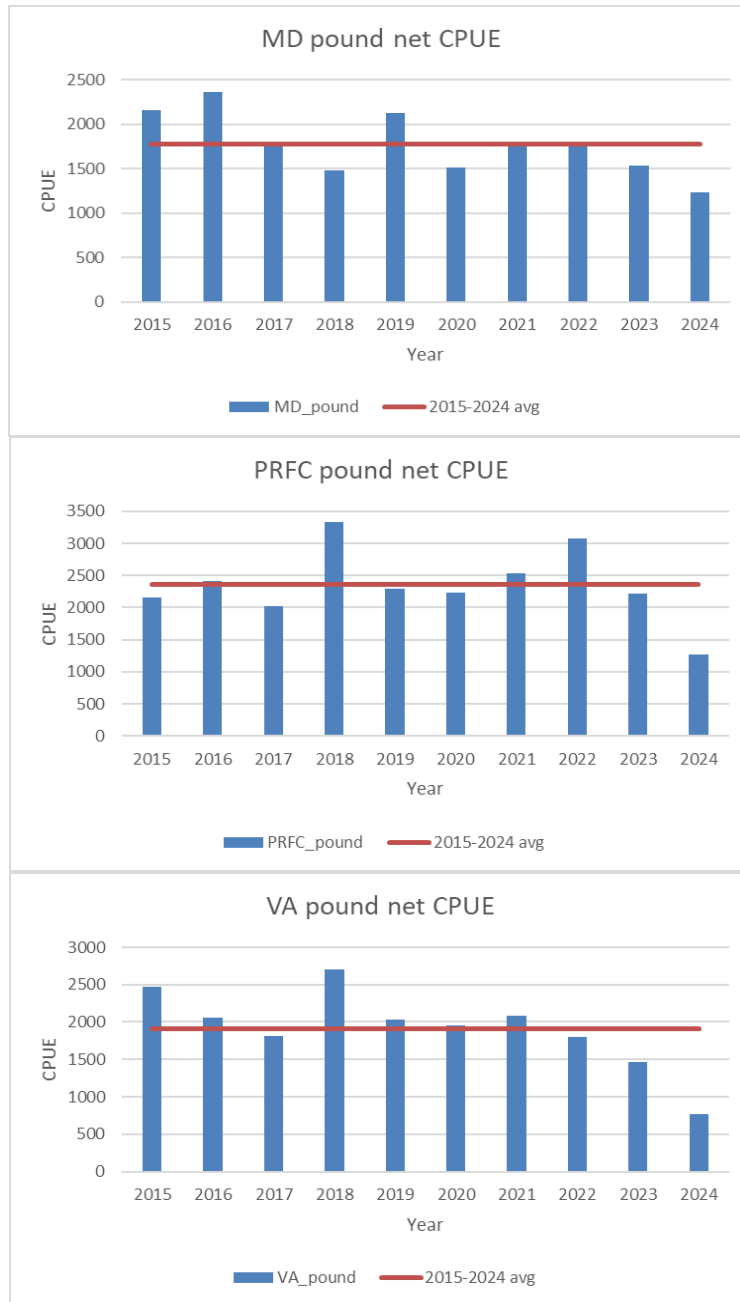


Figure 6. Annual menhaden Pound Net CPUE from Maryland, Potomac River, and Virginia. CPUE is in pounds per net day. Sources: Maryland DNR, PRFC, and VMRC.

Looking more closely at Maryland, during the second half of the year (weeks 27+), weekly CPUE in 2023 is generally equal to or greater than the 2018-2022 average (Figure 7), suggesting little influence of the reduction fishery on pound net catches. However, weekly pound net CPUE in 2024 shows a different pattern. Beginning in week 31 and continuing through the end of the year, CPUE in 2024 is generally below the 2018-2022 average (Figure 7). Just prior to this time period, the reduction fishery was experiencing higher than normal catch rates (Figure 8). The reduction fishery began in week 23, approximately five weeks later than 2018-2022, but by

week 33 had caught approximately 60% of the annual catch, which is in line with earlier years. It is possible that these higher than normal catch rates may have affected availability of fish in the upper bay, thereby affecting pound net catches. Although catch rates were higher than normal, total catch was equivalent among years. Any link between reduction harvest and availability in the upper bay would be a joint function of fishery dynamics and migratory patterns (*e.g.* timing and location) at a finer scale than could be considered in the PDT analysis.

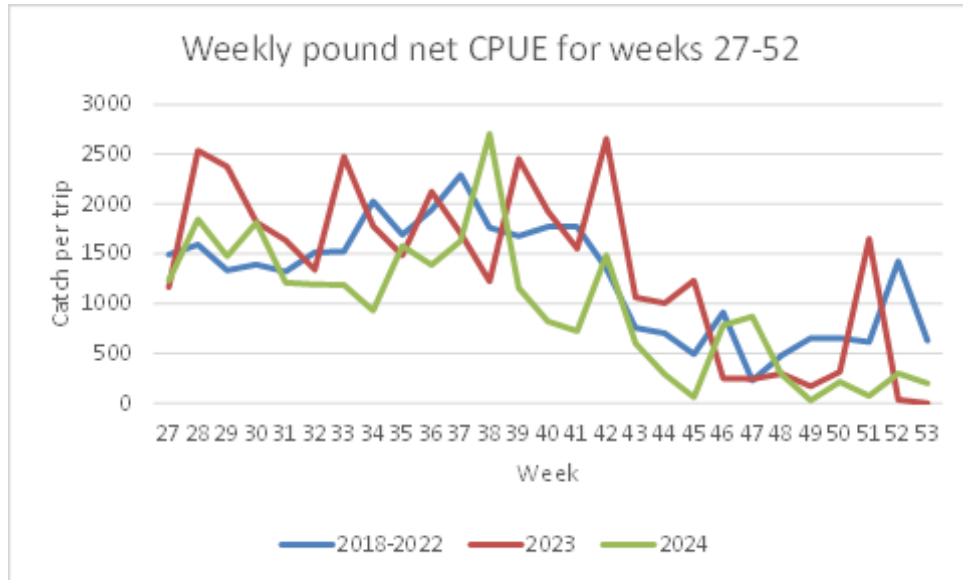


Figure 7. Weekly CPUE in MD pound net fishery for weeks 27-52.

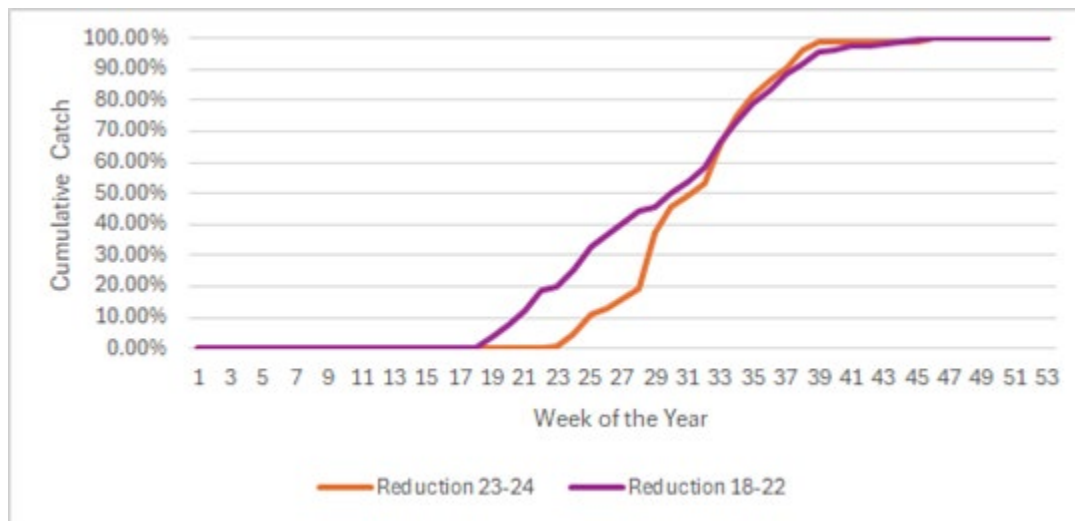


Figure 8. Timing of the Chesapeake Bay reduction fishery showing a delayed start with higher than average catch rates in weeks 23-33 in 2023-2024.

The PDT notes that the effort values used to calculate CPUE for all three pound net jurisdictions only includes nets catching menhaden. Menhaden account for a high proportion of some pound net harvesters' catch, which could lead to reduced effort if menhaden availability dropped to a

point where fishing was no longer profitable. Nets that remain profitable catching other species, but that no longer are catching menhaden would also not be included in the effort used in these calculations. These two factors could lead to more stability in the pound net CPUE as menhaden abundance declines, since only nets set in the best location to catch menhaden would be included in the effort used to calculate CPUE during a reduction in menhaden availability.

2.2.5 Chesapeake Bay Adult Fishery Independent Indices

The TC also looked at recent fishery independent indices included in the 2025 stock assessment for a trend in relative abundance, although noted that 2023 was the most recent year available in the assessment and that temporal and spatial differences between the surveys and fisheries make it difficult to compare the different trends.

For more recent data, the PDT reviewed the adult index from the fishery independent survey conducted in the Choptank River in Maryland (Figure 9). The survey has been conducted by Maryland DNR using gillnet gear during June-August since 2013. Between 2018 and 2023, the abundance appears to have been relatively stable with moderate interannual variability. In 2024, abundance dropped dramatically and remained low in 2025. While limited to a single tidal river system, the index does indicate lower relative abundance of adult Atlantic menhaden in 2024, as also indicated by the fishery dependent Pound Net CPUEs.

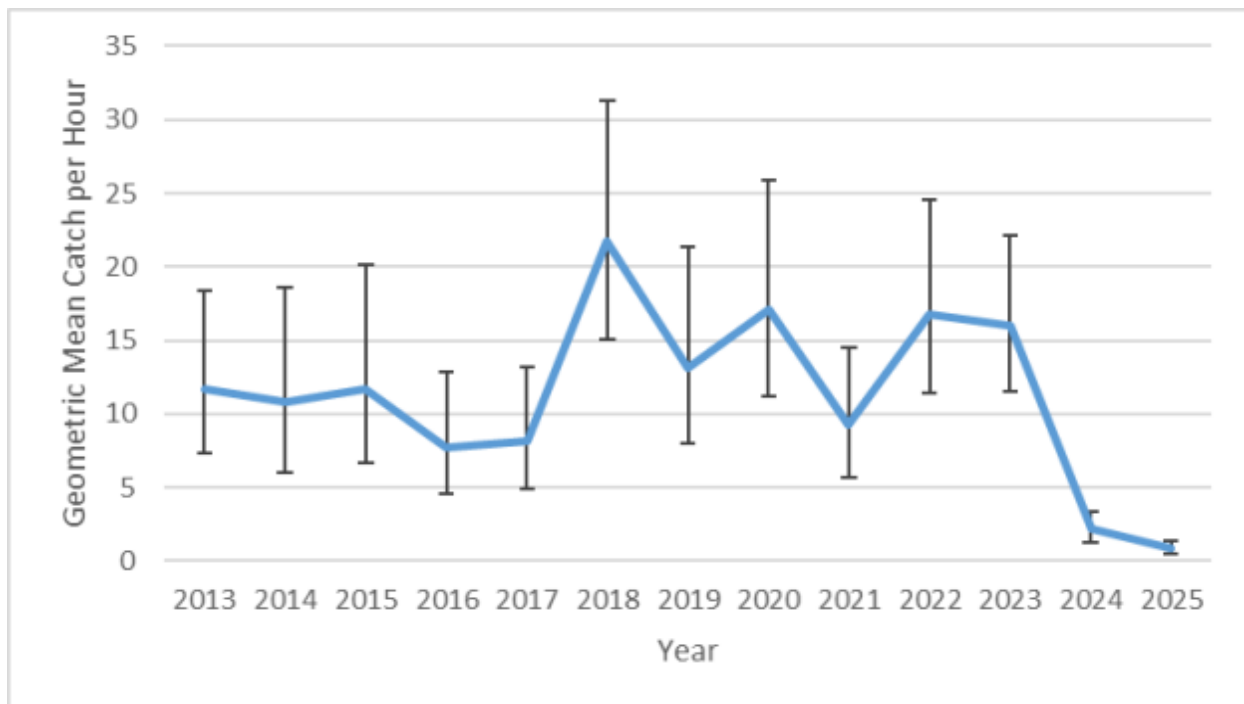


Figure 9. Maryland DNR Choptank River Gillnet Survey geometric mean catch per gill net hour and 95% confidence limits, 2013-2025.

2.3 Social and Economic Impacts

This Addendum includes measures that could influence the size of the Chesapeake Bay Reduction Fishery Cap and introduce quota periods to distribute removals more evenly over the course of the year. These measures may produce socioeconomic impacts to the commercial reduction fishery and dependent communities as they could limit harvest within the Chesapeake Bay and affect seasonal operations. Additionally, the measures are intended to provide increased ecosystem benefits through enhanced forage opportunities, which could impact individuals who derive value from species that prey upon menhaden.

Two prior socioeconomic studies on the commercial menhaden fisheries provide important context: Kirkely et al. (2011), who assess the economic importance of the reduction sector under alternative harvest scenarios in the Chesapeake Bay, and Whitehead and Harrison (2017), who conducted a socioeconomic study of the commercial bait and reduction fisheries to inform development of Amendment 3. Kirkley et al. (2011) estimated that the reduction sector supported approximately 519 full- and part-time jobs in Maryland and Virginia, including 347 in Northumberland County, Virginia, associated with total landings of about 141,000 metric tons, of which roughly 85,000 metric tons were harvested from the Chesapeake Bay. Under an extreme scenario in which no harvest was allowed in the Bay and effort could not be shifted to coastal waters, employment losses in Northumberland County were estimated at up to 176 jobs, including 98 direct losses in the reduction sector. The analysis also indicated that a reduction of 1,000 metric tons in Chesapeake Bay quota corresponded to an estimated loss of approximately \$630,000 in regional economic output (~\$940,000 in 2025) and 3.7 total jobs, including 2.1 direct jobs in the reduction sector. Whitehead and Harrison (2017) applied a similar modeling framework to evaluate economic impacts associated with coastwide quota changes and found a 6.45% increase in total quota (~12,100 metric tons) would result in combined impacts from the bait and reduction sectors of approximately \$6.3 million in economic output and 99 jobs, corresponding to about \$520,000 in regional economic output (~\$680,000 in 2025) and 8.2 jobs per 1,000 metric tons. Both studies use Leontief input-output models, which do not account for market adjustments or adaptive industry behavior and may overstate long-term employment effects of quota changes.

While neither Kirkley et al. (2011) nor Whitehead and Harrison (2017) explicitly evaluate seasonal harvest restrictions within Chesapeake Bay, both studies suggest that economic impacts are driven primarily by total landings rather than the timing of harvest. Evidence that effort and harvest respond flexibly to economic and regulatory conditions implies that seasonal limits may reallocate fishing activity across the season with limited overall economic impact, provided that total allowable harvest is not substantially reduced. However, impacts may arise if seasonal restrictions constrain periods of high catch efficiency or limit the ability of the reduction sector to maintain consistent processing throughput.

3. PROPOSED MANAGEMENT PROGRAM

This draft addendum considers modifying the Chesapeake Bay Reduction Fishery Cap component of the management program. The intent of the Bay Cap is to limit the amount of reduction fishery harvest that occurs in Chesapeake Bay, a critical nursery area for Atlantic menhaden. Harvest for reduction purposes shall be prohibited within Chesapeake Bay when 100% of the Bay Cap is harvested from Chesapeake Bay, which is defined as areas shoreward of the Chesapeake Bay Bridge Tunnel. Harvest above the Bay Cap in any given year will be deducted from the next year's Bay Cap. Furthermore, unused quota from a region or state cannot be transferred to the Bay Cap to reduce an overage. If the Bay Cap is underharvested, the un-landed fish under the Bay Cap cannot be rolled over into the subsequent year.

An objective is listed for each component to guide evaluation of proposed options in addressing the issues identified for each component in the statement of the problem. **When the Board takes final action on the addendum, there will be the opportunity to select any measure within the range of options that went out for public comment, including combining options across issues, unless otherwise specified.**

3.1 Chesapeake Bay Reduction Fishery Cap Amount

These options consider reducing the amount of the Chesapeake Bay Reduction Fishery Cap as a precautionary measure in response to concerns about reduced menhaden availability in Chesapeake Bay and consider changes to the manner in which the Bay Cap is set to be more responsive to changes in the TAC. Only one option among Option A, B, and C can be selected. In Options B and C, the Board may select any measure within the range of options. In Option C, a sub-option must be selected from both C1 and C2. Additionally, changes to the Bay Cap do not affect state allocations. Landings that apply to the Bay Cap also apply to Virginia's state allocation.

Option A. Status Quo. The Chesapeake Bay Reduction Fishery Cap is maintained at 51,000 mt. This value represents an approximation of the five-year average of reduction harvest from Chesapeake Bay between 2012 and 2016. An approximate value is used because reduction landings in Chesapeake Bay are confidential. Future changes to the Bay Cap may only be made through adaptive management (i.e., an amendment or addendum).

Option B. One-time Reduction in the Bay Cap. The Chesapeake Bay Reduction Fishery Cap is reduced by a percentage. The Board may select to phase-in the reduction over multiple years. Future changes to the Bay Cap may only be made through adaptive management (i.e., an amendment or addendum).

Sub Option B1: 10% reduction, resulting in a Bay Cap of 45,900 mt

Sub Option B2: 20% reduction, resulting in a Bay Cap of 40,800 mt

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Sub Option B3: 30% reduction, resulting in a Bay Cap of 35,700 mt

Sub Option B4: 50% reduction, resulting in a Bay Cap of 25,500 mt

Option B2 applies the same percent reduction to the Bay Cap as was adopted by the Atlantic Menhaden Board for the 2026 TAC. Option B1 applies a smaller percent reduction to the Bay Cap than adopted for the 2026 TAC while Options B3 and B4 apply greater percent reductions; this range accounts for uncertainty in how the abundance in the Chesapeake Bay correlates to abundance of the coastwide stock. The range of options also provides flexibility for the Board to adjust the Bay Cap in response to how it sets the TAC for the next two to three years, as is scheduled to occur at the November 2026 ASMFC Meeting before taking final action on this addendum.

Option C. Linking the Bay Cap to Coastwide TAC

The Chesapeake Bay Reduction Fishery Cap would be set as a proportion of the TAC. In addition, an upper and lower limit would control how low and high the Bay Cap could shift with changing TACs. Setting the Bay Cap as a proportion of the TAC means that any future change to the TAC is also applied to the Bay Cap as the same percent reduction or increase (unless restricted by an upper or lower limit), thus establishing a direct link between the Bay Cap and the TAC. Adaptive management would be required to modify or depart from the automatic Bay Cap setting process selected under this option.

The option considers a range of Bay Cap:TAC proportions, from the current (2026) proportion to the proportions that would result if the Bay Cap were reduced by 10 to 50% relative to the 2026 TAC (Table 2). This range effectively allows the Board to apply a reduction to the Bay Cap similar to that in Option B before locking in the proportion that would maintain the relationship between the Bay Cap and TAC moving forward. Table 2 provides the Bay Cap that would result in 2027 under a status quo TAC scenario; if the TAC were adjusted for 2027, the Bay Cap would change by the same percent (as the TAC from 2026) from the amount shown. For example, the proportion in Option C1c is the same as if the Bay Cap had been reduced by 20% with the 2026 TAC. For a full history of Bay Caps and TACs see Table 1 in Section 2.2.2. Option C also considers upper and lower limits for the Bay Cap (Table 3). The upper limit options range from the highest to the lowest Bay Cap implemented by management. The lower limits range from none to the lower 95% confidence interval of the mean harvest from 2012-2016. This time period is the one used to calculate the current Bay Cap and incorporates the variability around the harvest when the Bay Cap was set at a higher level than the current Bay Cap.

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Table 2. Sub-Options C1a-e for setting the Bay Cap as a Proportion of the TAC. Note: Proportions shown here are rounded for clarity; the Bay Cap would be based on unrounded values.

Option	Proportion	Basis	Cap in 2027 under status quo TAC (186,840 mt)
C1a	27.3%	2026 Bay Cap : 2026 TAC	51,000 mt
C1b	24.6%	10% reduction to 2026 Bay Cap : 2026 TAC	45,900 mt
C1c	21.8%	20% reduction to 2026 Bay Cap : 2026 TAC	40,800 mt
C1d	19.1%	30% reduction to 2026 Bay Cap : 2026 TAC	35,700 mt
C1e	13.6%	50% reduction to 2026 Bay Cap : 2026 TAC	25,500 mt

Table 3. Sub-Options C2a-e for setting an Upper and Lower limit for the Bay Cap.

Option	Upper Limit	Lower Limit	Basis
C2a.	51,000 mt	None	Upper: Current Bay Cap Lower: n/a
C2b	51,000 mt	25,500 mt	Upper: Current Bay Cap Lower: Maximum Reduction Under Consideration
C2c.	87,216 mt	None	Upper: Highest Cap since management with TAC Lower: n/a
C2d.	87,216 mt	25,500 mt	Upper: Highest Cap since management with TAC Lower: Maximum Reduction Under Consideration
C2e.	75,000 mt	29,000 mt	Upper/Lower: Approximate 95% confidence intervals around the approximate 2012-2016 mean Chesapeake Bay reduction harvest. Note: if Sub-Option C1e is selected, the lower limit for this option will be 25,500 mt.

3.2 Chesapeake Bay Cap Distribution

3.2.1. Quota Periods

These options consider dividing the Bay Cap into quota periods to moderate reduction fishery landings in the beginning and middle of the reduction fishery season as a precautionary measure to support the availability of menhaden to other fisheries and predators.

Option A. Status Quo

The Bay Cap remains an annual measure only with no division into quota periods.

Option B. Three Quota Periods

The Bay Cap would be divided into three quota periods defined by one of the sub-options in Table 4.

Table 4. Options to divide the Bay Cap into three quota periods. Note: Because the reduction fishery begins the first Monday in May and ends on the third Friday in November, depending on the year, the length of the fishing season is either 28 weeks and 5 days or 27 weeks and 5 days. The table outlines the length of each quota period for a season of 28 weeks and 5 days. For years with 27 weeks and 5 days, one week is removed from the final quota period. Example dates are given for 2027.

Option	Description	Length of Quota Periods	2027 Time of Year Example*	Percent of total Bay Cap
B1	Even Length & Even Harvest	9 weeks	May 3–Jul 4	33%
		10 weeks	Jul 5–Sep 12	33%
		9 weeks and 5 days	Sep 13–Nov 19	34%
B2	Even Length & Uneven Harvest	9 weeks	May 3–Jul 4	25%
		10 weeks	Jul 5–Sep 12	25%
		9 weeks and 5 days	Sep 13–Nov 19	50%
B3	Uneven Length & Even Harvest	11 weeks	May 3–Jul 18	33%
		6 weeks	Jul 19–Aug 29	33%
		11 weeks and 5 days	Aug 30–Nov 19	34%

Options B1 and B2 contain three quota periods of roughly equal length, with Option B1 intended to provide an equal distribution of harvest whereas Option B2 gives greater emphasis on delaying harvest until later in the season. Option B3 presents three periods of unequal length, with the extended first period intended to delay some reduction harvest until later in the year compared to recent performance and the short middle period intended to allow the fishery to continue to operate as it has been during what has been the peak period in recent years.

To help understand how Options B1-B3 may alter the reduction fishery's operation, Table 5 provides the 2018–2024 average percent of reduction fishery effort and landings that occurred

in the proposed quota periods. Furthermore, Figure 10 contrasts the options' projected reduction fishery cumulative harvest by week with the 2018–2024 average cumulative harvest by week for the reduction fishery and the Maryland, Virginia, and PRFC pound net fisheries.

Table 5. Approximate average percent purse seine reduction landings and effort in the Chesapeake Bay 2018-2024 corresponding to the quota periods as presented in Options B1-B3.

Option	Length of Quota Period	2027 Dates	Average % Landings (2018-2024)	Average % Effort (2018-2024)
B1/B2	9 weeks	May 3 - July 4	30%	39%
	10 weeks	July 5 - Sept 12	54%	48%
	9 weeks + 5 days	Sept 13 - Nov 19	16%	13%
B3	11 weeks	May 3 - July 18	38%	44%
	6 weeks	July 19 - Aug 29	36%	34%
	11 weeks + 5 days	Aug 30 - Nov 19	26%	22%

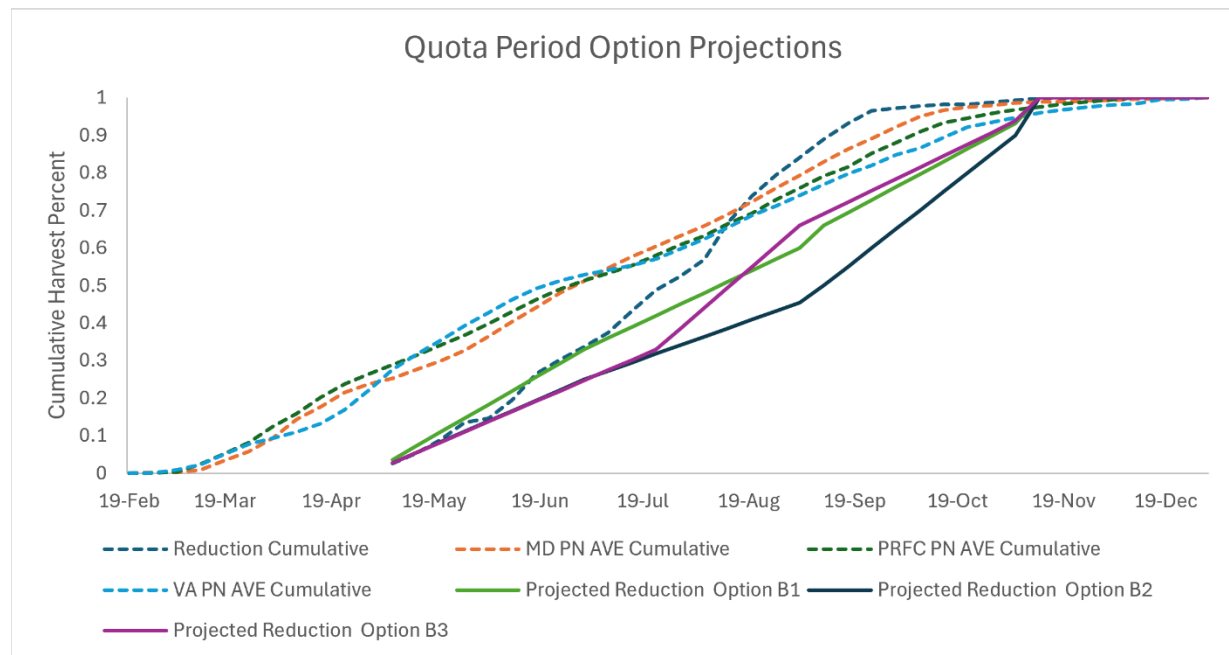


Figure 10. Historical average cumulative harvest by week (2018 - 2024) for the reduction fishery and the Maryland, Virginia, and PRFC pounds net, and a projection of the reduction fishery cumulative harvest under Options B1-B3.

3.2.2 Quota Period Overages and Underages

Note: This section is only required if Option B is selected above in section 3.2.1 to implement quota periods.

The following options outline how overages and underages within quota periods would be addressed. Without any overage payback provision, there would be little incentive for industry to abide by the in-year quota periods. Without any underage rollover provision, the quota periods may inhibit industry's ability to harvest the Bay Cap.

Option A. No payback for quota period overages with rollover of unused quota within a fishing year.

There would be no payback for exceeding the allocation of a quota period unless it causes the Bay Cap to be exceeded. An overage of the total Bay Cap would be deducted from the following year's total Bay Cap before it is allocated into the quota periods. Any underage of Quota Period 1 or 2 can be used in any subsequent quota period within the year.

Example: A three-quota period split was selected with allocations of 25%/25%/50%. The total Bay Cap is set at a fixed 20,000 pounds, resulting in period allocations of 5,000/5,000/10,000 pounds.

- If the fishery catches 7,000/3,000/10,000 pounds (i.e., a Period 1 overage with no Bay Cap overage), then the following year allocations will remain 5,000/5,000/10,000 pounds.
- If the fishery catches 7,000/5,000/10,000 pounds (i.e., a Period 1 overage and Bay Cap overage of 2,000 pounds), then the following year the Bay Cap would be reduced by 2,000 pounds and then allocated to the periods as 4,500/4,500/9,000 pounds.
- If the fishery catches 5,000/3,000/12,000 pounds (i.e., a Period 2 underage rolled into and harvested in Period 3 without exceeding the total Bay Cap), then the following year allocations will remain the same. A Period 2 underage could only be harvested in Period 3 whereas a Period 1 underage could be harvested in Period 2 and/or 3.

Option B. Quota period overage payback with rollover of unused quota within a fishing year.

Any underage of Quota Periods 1 or 2 would be rolled into Period 3 of the same fishing year. Any underage in Quota Period 3 would not be reallocated.

Quota Period 1 or 2 overages would be deducted from the same quota period in the following year and that poundage would be redistributed to Quota Period 3. If a Quota Period 1 or 2 overage also results in a Bay Cap overage, the Bay Cap overage would be accounted for prior to the Quota Period overage. A Quota Period 3 overage would always also result in a Bay Cap overage (due to the underage rollover provision); when this occurs, the Bay Cap overage would be deducted from the Bay Cap in the following year.

If an overage in Quota Period 1 or 2 cannot be paid back in full by the subsequent year's Quota Period allocation, the remainder of the overage will be subtracted from the next earliest quota period (if available). If that quota period allocation is insufficient, the remaining balance would be deducted from the subsequent quota period. Quota period overages that cannot be paid back in full by one quota period will be accounted for last should there be overages of multiple quota periods.

Underage Sub Option 1. Rather than an underage in Quota Period 1 being rolled over entirely to Quota Period 3, an underage in Quota Period 1 would be rolled over in equal halves to Quota Periods 2 and 3. (An underage in Quota Period 2 would still be rolled over entirely to Quota Period 3.)

Example: A three-quota period split was selected with allocations of 25%/25%/50%. The total Bay Cap is set at a fixed 20,000 pounds, resulting in period allocations of 5,000/5,000/10,000 pounds.

- If the fishery catches 7,000/3,000/10,000 pounds (i.e., a Period 1 overage with no Bay Cap overage), then the following year, Period 1 would be reduced by 2,000 pounds and Period 3 would be increased by 2,000 pounds, resulting in allocations of 3,000/5,000/12,000 pounds.
- If the fishery catches 5,000/3,000/12,000 pounds (i.e., a Period 3 overage with no Bay Cap overage), then the allocations remain unchanged the following year at 5,000/5,000/10,000 pounds.
- If the fishery catches 7,000/5,000/10,000 pounds (i.e., a Period 1 overage and Bay Cap overage of 2,000 pounds), then the following year the Bay Cap would be reduced by 2,000 pounds resulting in baseline period allocations of 4,500/4,500/9,000 pounds. Then, the Period 1 overage would be deducted from Period 1 and redistributed to Period 3, resulting in final period allocations of 2,500/4,500/11,000 pounds.
- If the fishery catches 5,000/5,000/12,000 pounds (i.e., a Period 3 overage and Bay Cap overage), then the following year the Bay Cap would be reduced by 2,000 pounds resulting in baseline and final period allocations of 4,500/4,500/9,000 pounds.
- If the fishery catches 1,000/12,000/7,000 pounds (i.e., a Period 2 overage of 7,000 pounds that cannot be paid back in full by Period 2 the following year and no Bay Cap overage), then the following year Period 2 would be set at zero, 2,000 pounds would be deducted from Period 1, and 7,000 pounds would be redistributed to Period 3, resulting in period allocations of 3,000/0/17,000 pounds.
- If the fishery catches 3,000 pounds in Period 1, the 2,000-pound underage is applied entirely to Period 3 that year resulting in Period 2 and 3 allocations of 5,000 and 12,000 pounds, unless Underage Sub-option 1 is selected in which case the 2,000-pound Period 1 underage is applied in equal amounts to Periods 2 and 3 that year resulting in Period 2 and 3 allocations of 6,000 and 11,000 pounds.
- If the fishery catches 6,000/12,000/2,000 pounds (i.e. a Period 1 overage of 1,000 pounds and a Period 2 overage of 7,000 pounds that cannot be paid back in full by

Period 2 the following year and no Bay Cap overage), then the following year Period 1 would first be reduced to 4,000 pounds, then the Period 2 overage would be applied to set Period 2 to zero, the remaining 2,000 pounds would be deducted from Period 1, and 8,000 pounds would be redistributed to Period 3, resulting in allocations of 2,000/0/18,000 pounds.

3.3 Chesapeake Bay Reduction Fishery Cap Revisit Provision

These options consider setting a timeframe for the Board to revisit the Chesapeake Bay Reduction Fishery Cap periodically due to the uncertainty of menhaden's status in the Bay and ongoing work to develop a scientifically-based Bay Cap. Revisiting the Bay Cap does not require the Board to initiate an action to consider changes to the Bay Cap. In either option, the Bay Cap can be reconsidered at any time through the adaptive management process (i.e., an addendum or amendment). A similar revisit provision exists for the quota allocations (every three years).

Option A. Status Quo. There is no set timeframe for the Board to revisit the Bay Cap.

Option B. Revisit Provision. The Chesapeake Bay Cap will be revisited every three years following implementation of this draft addendum.

4. COMPLIANCE SCHEDULE

The Atlantic Menhaden Management Board would need to determine a compliance schedule when considering approval of the draft Addendum.

5. LITERATURE CITED

ASMFC. 2006. Addendum II to Amendment 1 to the Atlantic Menhaden Fishery Management Plan. ASMFC, Arlington, Virginia 31 p.

ASMFC. 2006. Addendum III to Amendment 1 to the Atlantic Menhaden Fishery Management Plan. ASMFC, Arlington, Virginia 6p.

ASMFC. 2009. Addendum IV to Amendment 1 to the Atlantic Menhaden Fishery Management Plan. ASMFC, Arlington, Virginia 5 p.

ASMFC. 2012. Amendment 2 to the Atlantic Menhaden Fishery Management Plan. ASMFC, Arlington, Virginia 114 p.

ASMFC. 2017. Amendment 3 to the Atlantic Menhaden Fishery Management Plan. ASMFC, Arlington, Virginia 111 p.

ASMFC. 2025. Work Group Report on Precautionary Management in Chesapeake Bay. ASMFC, Arlington, Virginia. 59 p.

James Boyle

From: Mary Bates <doctor.maryb@gmail.com>
Sent: Monday, July 27, 2026 9:15 PM
To: James Boyle
Subject: [New] [External] Public Input: Atlantic Menhaden Draft Addendum II

Dear Mr. Boyle,

Thank you for reading my email and for your work to manage our fisheries.

I am writing in support of a 50% reduction of the cap on the industrial harvest of Menhaden in the Chesapeake Bay. I have read about the decline of ospreys and am concerned. The improvement in the amount and variety of wildlife during my lifetime has been incredibly heartening. I hope we do not lose the progress we have made in the past decades by grasping for quick profits.

Thank you for your consideration and thank you for remembering the osprey and other animals that do not know how to use a keyboard.

Mary Braun, MD

Nottingham, NH

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James Boyle

To: Info (ASMFC)
Subject: RE: [New] [External] New website contact submission from Contact Us

From: info@asmfc.org <info@asmfc.org>
Sent: Wednesday, July 22, 2026 9:14 AM
To: Info (ASMFC) <info@ASMFC.ORG>
Subject: [New] [External] New website contact submission from Contact Us

Name

Monica Clark-McGrew

Email

mcgrewclark@gmail.com

Get in Touch

What is being done to ensure the menhaden supply is sufficient to support the Osprey? There is a sharp decline in the Osprey population here on Eastern Shore, even in Stevensville. Apparently not enough menhaden are available to feed the chick's. Please voluntarily reduce industrial fishing to allow the ecosystem to survive.

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James Boyle

From: James Freitas <james.amfreitas@gmail.com>
Sent: Monday, July 27, 2026 8:38 PM
To: James Boyle
Subject: [New] [External] Public Input: Atlantic Menhaden Draft Addendum II

Dear Mr. Boyle and Members of the Atlantic Menhaden Management Board:

As someone who values the health of the Chesapeake Bay, I am writing to speak on behalf of the wildlife that relies on a thriving marine ecosystem—most notably, the Osprey.

This signature raptor of the region, the Fish Hawk, needs menhaden to feed its chicks. Colonial Beach in Virginia, North Beach in Maryland, Sandy Point too—none would be the same without the Fish Hawk, and the Fish Hawk requires fish.

These birds are emblems of the Bay. We need to think of what they need, not just what we do. This juncture calls for, as the prophetic poet Robinson Jeffers put it: “a shifting of emphasis from man to not man; the rejection of human solipsism” and acknowledgement that sometimes we must put a bird's needs before our own. We already almost lost the Osprey to DDT. Putting our needs second got it back, and now we have to do the same thing. We can't take the cosmopolitan raptor for granted.

Supreme Court Justice William O. Douglas wrote, decades ago, that people who have spent enough time learning a place “to know its values and wonders will be able to speak for the entire ecological community.” I, and others, speak for the Osprey.

To prevent localized depletion and protect the foundation of the Bay's ecosystem, I strongly urge the Board to support a 50% reduction cap on industrial menhaden harvest in the Chesapeake Bay under Draft Addendum II.

Our wildlife cannot advocate for itself. I ask that you advocate for it. Please prioritize ecological balance and pass this 50% cap.

Thank you for your time, leadership, and consideration.

Sincerely,

James Freitas

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James Freitas

james-freitas.com

[Linkedin](#) | [Rock & Hawk](#)

(617) 791-7927

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From: [Logan](#)
To: [Info \(ASMFC\)](#)
Subject: [New] [External] Concern Over Industrial Reduction Fishing in the Chesapeake Bay
Date: Saturday, July 25, 2026 1:46:28 AM

Dear Members of the Atlantic States Marine Fisheries Commission,

I am writing as a concerned citizen and supporter of the Chesapeake Bay and its vital ecosystem. I am deeply troubled by the continued practice of industrial reduction fishing for Atlantic menhaden within the Bay. This large-scale harvest removes a crucial food source for many species, including ospreys, striped bass, and other marine life that depend on menhaden for survival.

The Chesapeake Bay is already under significant environmental stress from pollution, habitat loss, and climate change. Allowing concentrated industrial fishing in these sensitive waters places additional pressure on the entire ecosystem.

I respectfully urge you to support stronger protections for menhaden and to limit or relocate industrial reduction fishing operations outside of the Chesapeake Bay. Doing so would help restore ecological balance, support the recovery of native species, and sustain the economic and recreational benefits that a healthy Bay provides.

Until a study of menhaden stock can be completed in the Bay, a pause in industrial fishing would seem a viable short-term solution.

Thank you for your attention to this important issue and for working to protect the natural heritage of the Chesapeake Bay for future generations.

Sincerely,
Logan William Garner
4919 Cherokee Hills Drive
Salem, Virginia, 24153
Logan.Garner.Civic@gmail.com

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James Boyle

From: kim@thelibertyfootnote.com
Sent: Monday, July 27, 2026 10:54 PM
To: James Boyle
Subject: [New] [External] Public Input: Atlantic Menhaden Draft Addendum II

Dear James Boyle and Atlantic Menhaden Management Board,

I am a concerned citizen writing in response to online petitions and requests for comment regarding the dwindling Osprey population in the Chesapeake Bay. I support a 50% reduction in the Bay's industrial menhaden harvest to preserve the Osprey and restore balance to the local ecosystem.

I also support and encourage your organization initiating or partnering with a neighboring organization to research the effect of this practice not only on the Bay's Osprey, but also on the nearby Potomac River Osprey. If you are aware of how to do this, or if you know it is currently being investigated, I would appreciate being pointed in the right direction so I can offer my comment and support there as well.

Please feel free to reach out if I can assist as a citizen in any further way.

Sincerely,
Kim

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From: [ASMFC](#)
To: [Comments](#)
Subject: [New] [External] New public comment for 2026 Summer Meeting
Date: Wednesday, July 29, 2026 6:39:09 AM

2026 Summer Meeting

Action Title

2026 Summer Meeting

Action URL

<https://asmfc.org/events/2026-summer-meeting/>

Name

Bruce Kindseth

Email

bkindseth@cox.net

State

Rhode Island

Comment

Good morning,

Summary:

The Atlantic ecosystem is very complicated, so it is best to start with a summary of the high points of this email.

Under 50 years of NOAA management, the production from the Atlantic fishery, once one of the most productive fisheries in the world, has shrunk by about 90%, and continues to shrink, (LINK) and now the US imports over 70% of its seafood. But this is not about finding someone to blame. We want to look at the bright side. There is a potential for a 10-fold increase in production if we just fix the problem, and we need strong support from everyone to get it done.

The solution is biology, and the importance of lipids and nutrition. Lipids are fats, oils and waxes found in certain fish, including menhaden, mackerel, Atlantic and river herring and capelin. These high lipid fish contain twice as many calories of other forage such as invertebrates, crustaceans and juveniles of other fish. With a diet of high lipid forage, a fish will show better growth, produce more eggs per individual and per pound of weight. (LINK) The eggs will be larger and contain more lipids, which will lead to healthier larvae and juveniles, and the juveniles will have a better chance of surviving to adulthood. (LINK) (LINK) (LINK) In addition, a healthy population is better able to tolerate warming waters. (LINK) This is basic biology taught in colleges and utilized by the aquaculture industry to develop feeds for their fish farms, but not by NOAA. Key sources of lipids, Atlantic menhaden and mackerel, continued to be harvested as their populations declined right up until the mid 2020's when the mackerel population had dropped to 9% of its historical population and Atlantic herring to 5%. (LINK) (LINK)

The main purpose of this email is to make people aware of this science, so please help us get it out before it's too late.

Lipids, in the form of fish oil, have been produced from menhaden in reduction factories since the mid-1800's as a replacement for whale oil. Now, about 186,840 metric tons of menhaden are harvested each year and the majority of that goes to the reduction factory to produce fish oil and fish meal, which in turn is used to produce feed for the aquaculture industry for fish farms all over the world.

But, there is a light at the end of tunnel, we just provide the fish in fish farms a vegetarian diet. The

aquaculture industry has found ways to obtain lipids from algae grown in ponds and to produce lipids from genetically modified canola and soybeans. (Lipids are a broad term, a sub-group is called polyunsaturated fatty acids (PUFA) and within them is a group called Omega 3 fatty acids.) There will be an opportunity to make a big step towards fixing this problem this November at the ASMFC Menhaden board meeting. A proposal was submitted in the public comments at last October's meeting by Paul Eidman to set the menhaden TAC (Total Annual Catch) at 75,616 metric tons with 100% allocated to the bait industry, 0% for the reduction industry and ban harvesting of menhaden for reduction purposes. This will be a giant step towards rebuilding the Atlantic fishery as it will allow over 110,000 metric tons of menhaden to remain in the water to lead the rebuilding. This number will grow every year. This will also provide the aquaculture industry with an incentive to ramp up their efforts to develop vegetarian fish feed.

Finally, I have a website, <https://nraf2076.org/>, that discusses these matters. I have been using Grok AI to do my research, and I am buried in information. I am in the process of storing all the questions and answers in a Grok Library which is a part of my website. I am encouraging others to try AI, it's amazing how much information that you can find.

Discussion:

A very long time ago, like over 500 million years ago, most of the carbon that is now in coal, oil and other fossil fuels was in the earth's atmosphere in the form of carbon dioxide. Around 530 million years ago, in a miracle of evolution, leafy plants with chlorophyll appeared. Chlorophyll has the ability, using energy from the sun, to convert CO₂ and water into carbohydrates, proteins and fats. Since there was an abundance of CO₂ and the earth's temperature was about 5 degrees warmer at that time, the growth of plants exploded, leading to the evolution of plant consuming life and then carnivorous life.

Food has been the driving force of life on earth for over 500 million years. Growing up on a farm, I was aware of the importance of food. When I first got involved with fishery issues, I couldn't believe how food issues were almost completely ignored. The first place that I saw food mentioned was in the ASMFC's document, Guide to Fisheries Science and Stock Assessments (LINK). This shows a Beverton-Holt model, which is a graph of fish recruitment vs stock size. This is a classic Law of Diminishing Returns relationship, in which the rate of increase in recruitment declines as the stock size increases. The driving factor that causes the decline is the carrying capacity of the ecosystem, and the primary factor in the ecosystem is food. The Beverton-Holt model, published in 1957, is the underlying basis in stock assessment models to determine optimum yield. (LINK)

Around 1980, the Atlantic herring population collapsed. In the 1990's the Cod population and capelin populations also collapsed, and menhaden disappeared from the Gulf of Maine. Along the way, the river herring and mackerel populations also collapsed. In a recent stock assessment, it was found that cod are low in weight and length at age, have low fecundity and low recruitment. In addition, the population has become truncated, with less older fish. On top of that, cod are affected by climate change, which raises their metabolism. This sounds like a hopeless case.

I have been using Grok AI recently and when I asked, "Atlantic cod fish, according to the NEFSC status of the ecosystem report, show low weight at age, low length at age, low fecundity and low recruitment. What could be the cause of that?" The response (LINK) was primarily from NOAA sources and this was what they were focused on: 1. Sea surface and bottom temperature anomalies, 2. Gulf Stream Index, 3. Zooplankton abundance anomalies for *Calanus finmarchicus* and *Pseudocalanus* spp, 4. Mean cumulative marine heatwave index, 5. Ecosystem and Socioeconomic Profile (PDF, 30 pages), 6. Environmental Influences on Stock Dynamics (PDF, 33 pages), 7. Development of Ecosystem Indicators (PDF, 21 pages), and 8. Summary Peer Review Report (PDF, 45 pages)"

I find this information upsetting. The whole issue of food and nutrition and fish biology is being ignored, and the focus is on climate. Warming waters increase a fish's metabolism, which means the fish is burning more energy, so its nutritional needs are increased. Both issues result in a nutrition issue, and to me it appears that the diet-related issue has been proven to be the underlying issue while the climate-related issue is a moot issue. What is going to happen is going to happen, and there's not much we can do about it. Some species. Like cod, may move further north, but will be replaced with more southern species. With the incorporation of the Paul Eidman solution, the entire fishery will improve, and there is a real possibility that a healthy cod population will be able to tolerate warmer waters. (LINK) The striped bass population is sure to rebuild, as will the recreational fishery, and the resulting economic impact will dwarf the loss from the menhaden fishery.

MSA requires that the best available science be used. Biology is a science and is being totally ignored. There is one biological factor that ties all the things that I mentioned above together. Low weight at age

and length at age is obviously poor nutrition, so let's look at the food supply. Atlantic herring, river herring, capelin, mackerel and menhaden are much more than just baitfish. These fish have one thing in common, they are high in lipids, which are fats, oils and waxes, which makes them very nutritious. They have about twice as many calories per pound as the other available forage, and without them, the forage is basically junk food, unable to sustain the fishery. One study (LINK), found that in 1965, a large cod's diet could contain as much as 70% Atlantic herring. Historically, The striped bass diet was about 60% menhaden. To be healthy, a fishery must have an abundance of high energy forage fish, which includes all of the 5 mentioned above. Currently, the combined populations of the 5 high-lipid forage fish are around 16% of historical highs.

In addition to improving the growth rate of fish, an abundance of high calorie food will increase the number of eggs laid per fish and per pound of the fish's weight, the eggs will be larger and contain more lipids leading to healthier larvae and juveniles with a greater chance of surviving to adulthood. The increased metabolism from warmer waters increases the fish's need for more food, so an abundance of nutrients will also make the fish more able to satisfy that need and tolerate the warmer water. In addition, a large healthy population will have a greater probability of genetic adaptation over time to warmer waters. Finally, spawning takes a lot of energy, and they need high calorie fish. The current lack of high calorie forage makes it difficult to survive and leads to the decrease of older fish. This is important because the older fish can lay more eggs, and some, like cod can lay 6 million to 9 million eggs each year.

Most of the biological science that I found in the above 2 paragraphs did not come from NOAA Fisheries, but from the private sector - the aquaculture industry. This led me to believe that Grok had uncovered some science that was not known to the scientists in NOAA fisheries. However, a fisheries biologist confirmed that this information is taught to fishery biologists and is pretty basic science.

The NEFSC annually puts out a State of the Ecosystem Report for New England and Mid-Atlantic regions. In it are graphs of forage index of available biomass and a chart of energy density of a few forage species. The forage index shows that the forage biomass has been relatively constant since the 1980's, but that is meaningless as the collapse of the Atlantic herring bottomed in 1980. I searched using AI and could not find any case where the energy density was combined with the forage biomass to get the energy density of the forage biomass. In fact, AI could not find any place where this information was used for anything else than data for their population assessment models.

A study (LINK) done in 2007 is very interesting. The Gulf of Maine is deeper and cooler, and the forage is low to medium quality. George's Bank is shallower, warmer (near the upper limit of cod than GB. For GB, the study found that the fish consumed more food, their efficiency was lower, but their productivity was higher than the GOM. This suggests that with a better food supply the GB cod population can tolerate the warming waters or may have even adapted to the warmer waters.

Cod are probably the worst-case scenario in the Atlantic fishery as the GOM and GB populations are on the southern edge of their range. Other species may not be as bad off as cod, but if we continue on the current path, more will be. We may not be able to save the cod from moving north, but it doesn't cost us anything to set high goals. With the Paul Eidman solution, there is a 100% probability that it will lead to major growth in the fishery populations. It's simple thermodynamics, the energy from 110,000 metric tons of menhaden has to go somewhere. We might not meet the 10-fold increase in fishery production, but 8-fold would be much better than where we are now.

Nearly 50% of the US produced menhaden products are exported, primarily for feed for the aquaculture industry. These products are exported to China, Norway, Canada, Saudi Arabia, Japan and Taiwan. The aquaculture industry has seen a decline in the menhaden fishery and has been working to find alternatives to fish meal and fish oil. Forage fish do not create lipids in their bodies. Algae creates the lipids and when fish consume the algae, they store lipids in their tissues. One species of algae that is a high producer of lipids is *nannochloropsis oculata*, and related *Nannochloropsis* species. These are cultivated (farm-raised) in controlled systems and used for production of PUFA (poly unsaturated fatty acids-a sub-group of lipids) that can be used in farmed fish feeds. Genetically modified soybeans and canola plants have been developed that can produce soybean oil and canola oil containing PUFA.

NOAA's aquaculture division has gotten involved with the aquaculture industry to support this effort. This is big, as aquaculture is rapidly expanding, and has seen a rapid increase in prices of menhaden oil and fish meal. Companies in Denmark, Netherlands, US, China, Scotland and Australia are now producing PUFA and feed for the Aquaculture that is competitive with menhaden-based fish feed. What we need is an incentive for the aquaculture industry to eliminate fish-based feed and convert to PUFA sourced from farm-raised algae and high-PUFA soybeans and canola. The Paul Eidman solution to set the 2027 TAC

for menhaden at 75,616 MT with 100% allocated to the bait fishery and ban the harvesting of menhaden for reduction purposes is the perfect solution for the fishery, but in addition, it would provide incentive for developing alternatives. The aquaculture industry would be highly motivated to switch to an alternate source of PUFA for their feed.

Now that we know the importance of high-lipid forage fish, Atlantic and river herring, menhaden, mackerel, and capelin, to the Atlantic fishery the solution is obvious, restore their populations to their former level of abundance. This is necessary because fish are opportunistic feeders, currently there is an abundance of junk food and fish will fill up on junk food and will not get the calories that they need. There is an interesting article in *The Fisherman* ([link](#)) where a review of feeding studies found that for striped bass "their diet is comprised of over 65 species of fish and more than 45 invertebrates". When there was an abundance of menhaden, they would comprise 60% of a striped bass diet. When there was an abundance of herring, they could comprise up to 70% of a large cod's diet. There must be an abundance of high lipid forage fish for the predatory fish, who are opportunistic feeders, to randomly fill up on the needed nutrients instead of junk food. When they are full, they stop feeding, even if the junk food that they filled up on does not have the necessary nutrition to sustain them.

Since the collapse of the herring population around 1980, 45 years ago, the Atlantic fishery has been dysfunctional because the forage base was missing the lipids that are essential to the marine ecosystem, while at the same time there was an abundance of low calorie junk food. As a result, the fish would fill up on junk food, and would not get the energy to sustain the fishery. Because of this disfunction in the fishery, the models were useless in maintaining a sustainable fishery, and no one recognized the problem. The process was even peer-reviewed and approved. Ecological reference points were used with menhaden to account for their role as a forage fish, and the catch was reduced by 10%. The catch of Atlantic herring was reduced by 20% to account for their role as a forage fish. These were doomed to failure because there was such a large abundance of junk food available that the target fish didn't get the nutrition they needed. In 45 years, no one recognized that they were trying to work with a dysfunctional fishery ecosystem. In the words of Casey Stengel, "Doesn't anybody here know how to play this game?" Well, maybe somebody does. In a paper, Willis et al, 2013, "Tracking cod diet preference over a century in the northern Gulf of Maine: historic data and modern analysis" ([link](#)), the final paragraph says it all. "Historical data provide insights into the structure and function of ecosystems that, today, are impaired in their function. The results from our analysis comparing modern survey data with data from 1896 and 1965 point to significant, long-term changes in the coastal GOM marine food web with important implications for the recovery of cod and other groundfish, and the resilience of an ecosystem now dominated by invertebrates. Restoring alewives, menhaden, and Atlantic herring may be essential in bringing back coastal cod populations and rebuilding complexity in an impoverished ecosystem. Finally, this historical perspective challenges notions of sustainability by reminding us what a truly productive, diverse, and resilient ecosystem looked like and how the public perspective has drifted to accept remnant populations as the new normal."

Our goal should be to work towards, in the words of the Willis et al paper, "a truly productive, diverse, and resilient ecosystem". It is unbelievable that the Atlantic Fishery, for 100's of years one of the most productive fisheries in the world, is now producing at historical low levels, while our country has to import over 70% of its seafood. Since this is our country's 250th anniversary, it is only fitting that we set a goal for our tricentennial year to 'Rebuild our Atlantic Fishery to its Historic Population Levels.' This can be accomplished by restoring the foundation of the food web, the forage fish. The biggest contribution to this effort will be the Paul Eidman solution mentioned above, to set the ASMFC 2027 menhaden TAC at 75,616 MT, with 100% allocated to the bait fishery, 0% for the reduction fishery, and ban harvesting of menhaden for reduction purposes. We have work in process to rebuild the river herring & shad fishery using time and area closures in the Atlantic herring fishery to reduce rh/s bycatch. A similar thing needs to be done in the mackerel fishery. Something like the Paul Eidman solution should be applied to the Atlantic herring and mackerel fishery to aid in rebuilding their populations. This is where everybody, including NOAA, USF&W (anadromous fish), the 3 Atlantic Councils, the ASMFC, and even the department of Agriculture (vegetarian feed for aquaculture), need to get involved.

Going forward, the only management metric should be continuous growth, until the maximum population level that can be sustained by the Atlantic fishery can be determined. By that time, and after studying 50 +/- years of real fish biology and population dynamics, implementing a successful method of managing the fishery should be a piece of cake.

From: [Tom Lilly](#)
To: [James Boyle](#); [Tina Berger](#)
Cc: [Allison Colden](#); [Mike Luisi](#); [Russel Dize](#)
Subject: [External] Chesapeake bay's ecological disaster you can start to correct at your meeting, or not.
Date: Monday, July 27, 2026 9:38:01 AM

James and Tina Please put this correspondence in the materials for the menhaden board's meeting and let me know that you received it. Thanks, Tom.

To the menhaden board

If you are interested, I can give you an update on our Chesapeake Bay ecological disaster that we hope you will begin to reverse by taking meaningful action at your meeting.

Yesterday my grandson , an experienced fisherman , spent the day live lining spot at the Annapolis Bay Bridge . They caught a total of three skates.. no striped bass. Almost no boats fishing where there used to be hundreds.

Also, yesterday I was fishing with friends at the south end of our bay . We left Crisfield Maryland around 7:30 am and spent eight hours fishing the areas which were once productive in the Crisfield area and then traveled through Smith Island and then to the sunken wreck about a mile south of Tangier, Island, Virginia, and from there back to Crisfield. We had a near perfect bait supply with soft crabs, peelers, and fiddler crabs. Our entire days catch consisted of three skates, the same bad experience my grandson had fishing the Chesapeake Bay Bridge with almost 90 miles of bay between us. We did not see one school of bait or observe any birds working in the entire lower Maryland and Virginia bay area. We saw only one boat fishing and no head boats or charter boats. Period. As I have told you many times over the last eight years, our charter boat fishing on the lower shore out of Wenona and Crisfield has gone about 30 to 2 boats that are active now and they are trying to keep their clients happy catching 8 inch hardheads and a few catfish. There are still a few guides, but they are returning to the dock empty on most days and even their best long-term clients have lost interest.

So this is the situation you have created over the last 20 years where you have allowed probably 98% of the menhaden forage supply Chesapeake Bay to be taken from our wildlife and given to a foreign owned fishing company whose economic activity probably equals a fraction of 1% of the economic activity that has been destroyed. The social effect of that company is probably less than 500 people while the pleasure of Chesapeake Bay has been taken away for millions and tens of thousands of businesses and American jobs impacted as "collateral damage". For at least 10 years there has been peer reviewed scientific research from William and Mary, proving beyond any scientific doubt that the lack of food is causing the starvation death of thousands of ospreys on the bay each year, ospreys that are your ERP indicator of the harvest. I could not imagine anything crueller than that but it goes on and on! The daily catch reports summarizing the activity of the reduction fishery on the little fish big deal site on Facebook are showing that they are zooming in on the very few schools left in Chesapeake Bay on a daily basis. Probably catching every one of them. Have you ever heard the term "willful blindness"? What do you think that means?

The report from your former protective options work group, and the osprey subgroup showed the best option for reversing this situation is to close the reduction fishery in May and June, so the few schools migrating in can be saved for our wildlife. When the time to act on that at the board level came almost a year ago, you once again failed to act to the dismay of those who care about this situation. It will do little or no good to reduce the bay cap to even 10 or 15,000 tons unless you prevent them from catching the fish in May and June when they are needed the most and do something to prevent them from catching the breeding stock exiting the bay in the fall.

Therefore, we are hopeful that you will seize this opportunity and close all purse seine fishing in May and June, reduce the cap substantially, perhaps to zero and prevent the industry from catching thousands of schools of pre-spawn fish when they begin the migration out of the bay in the fall.

Thank you Tom Lilly

Sent from my iPhone

Sent from my iPhone

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

From: [ASMFC](#)
To: [Comments](#)
Subject: [New] [External] New public comment for 2026 Summer Meeting
Date: Wednesday, July 29, 2026 12:55:22 PM

2026 Summer Meeting

Action Title
2026 Summer Meeting
Action URL
https://asmfc.org/events/2026-summer-meeting/
Name
Stephen Pieper
Email
Pipeoff@hotmail.com
State
Massachusetts
Comment
The fishing industry is killing off the Osprey's. I am sick of seeing them starve to death and other fledglings fly on other nests and attack the ones who can't fly yet, looking for food because of starvation. This needs to change FAST. This was a horrible season and if it doesn't change it will only get worse.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.



CHESAPEAKE BAY FOUNDATION
Saving a National Treasure

July 23, 2026

James Boyle
Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
1050 N. Highland Street
Suite 200 A-N
Arlington, VA 22201

Re: CBF Comments on Menhaden Draft Addendum II

Dear Mr. Boyle and members of the Menhaden Management Board:

On behalf of our 200,000 members, the Chesapeake Bay Foundation (CBF) appreciates the opportunity to provide public comment on Draft Addendum II. Atlantic menhaden are foundational to a thriving Chesapeake Bay and broader Atlantic coast ecosystem. Unfortunately, as warning signs surrounding Chesapeake Bay and its menhaden resource continue to intensify, Chesapeake Bay menhaden science remains “woefully inadequate,”¹ according to the Virginia Institute of Marine Science, and new data and insights are years away. CBF and our members commend the Board for responding to these real concerns and urge the Board to advance Draft Addendum II to public comment.

Chesapeake Bay Menhaden Science

For years, CBF has gone to great lengths to operationalize Chesapeake Bay menhaden science, a persistent and concerning deficiency given the volume of menhaden removals concentrated in and around the nation’s largest estuary. Those efforts were repeatedly stymied in the Virginia General Assembly.

Fortunately, just a couple of weeks ago, Governor Spanberger and the Virginia Legislature approved a budget that included \$2 million for Chesapeake Bay menhaden research. The hope is that these funds will kickstart menhaden research and eventually complement the \$2.5 million in federal research funding, which has, to our knowledge, not yet been transferred to the Atlantic States Marine Fisheries Commission. CBF is encouraged that there are state and federal funds to finally undertake Bay menhaden research and address longstanding uncertainties, but this work will take years to complete, and even longer to implement into management.

¹ Mark Luckenbach, VIMS. April 2025. VIMS Menhaden Petition Comment to VMRC. https://www.cbf.org/wp-content/uploads/2025/10/vims_menhaden-correspondence.pdf

All the while, the warning signs facing the Bay and woefully inadequate science underscore the need for immediate action to implement additional conservation-minded management strategies in this struggling estuary.

Sustainably managing this critical forage fish in the nation's largest estuary that provides essential nursery habitats for key ASMFC managed species should be a universally supported objective. This Commission has prided itself in managing fisheries according to the best available science. In the absence of science, risk-averse strategies must be employed, particularly in sensitive ecosystems such as the Chesapeake Bay.

Draft Addendum II Comments

CBF supported the initiation and development of Draft Addendum II for nearly a year because of the intensifying indicators of problems with the menhaden resource in Chesapeake Bay. The Chesapeake Bay is showing clear signs of stress due to compounding impacts of climate change, development, habitat loss, and impaired water quality. One of the few ways natural resource managers can mitigate these stressors and support the productivity of the Chesapeake Bay ecosystem, coastal communities, fisheries, and struggling predators is by advancing conservation-minded menhaden management strategies within this estuary.

While CBF preferred to see Draft Addendum II approved at the Spring Meeting, members of the ASMFC Plan Development Team and Board Member workgroup Draft Addendum II have simplified and refined the document, affording this Board and public an effective range of alternatives to respond to the Bay's intensifying ecologic stressors and data limitations. This document must now be approved for public comment without further delay.

Thank you for consideration of these comments, and CBF looks forward to continuing to engage on Draft Addendum II and supporting conservation-minded strategies to mitigate ecologic and economic challenges within the struggling Chesapeake Bay estuary.

Respectfully,

A handwritten signature in black ink, appearing to read 'Will Poston', is written over a light gray rectangular background.

Will Poston
Forage Campaign Manager
Chesapeake Bay Foundation

cc: Alison Prost, Senior Vice President for Programs, CBF

Chris Moore, Virginia Executive Director, CBF

July 27, 2026

James Boyle
Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
1050 N. Highland St., Suite 200 A-N
Arlington, VA 22201

Dear Mr. Boyle and Members of the Menhaden Management Board,

As organizations representing hundreds of thousands of stakeholders from the recreational fishing, boating, and conservation community in Chesapeake Bay and along the Atlantic, we urge the Menhaden Management Board to approve Atlantic Menhaden Draft Addendum II for public comment. We strongly support the updated alternatives in the draft addendum that would reduce the Bay Cap to more precautionary levels and better distribute seasonal harvest. These options would better align management of the fishery with the Board's coastwide ecosystem-based management goals and help ensure sufficient forage availability for iconic species within Chesapeake Bay. We also support the changes made to the addendum's problem statement, which now more precisely addresses both the ecological and economic issues facing the region and associated stakeholders, while clearly reflecting the Board's intent.

Atlantic menhaden are a critical forage species, and nowhere is their ecological importance more evident than in Chesapeake Bay. However, the current Chesapeake Bay Reduction Fishery Cap does not adequately account for the localized impacts of the fishery on predators that rely on menhaden during key spawning, breeding, and nursery periods. In following with the Commission's commitment to coastwide ecosystem-based management, it is now time to revisit the Bay Cap to better distribute harvest throughout the season to benefit menhaden predators during times of peak biological demand.

From our perspective, there is strong justification for considering more precautionary harvest measures in the Bay from an economic standpoint, until we have better science to understand Bay menhaden population dynamics and localized impacts from industrial fishing. Recreational and commercial fisheries in the Bay depend on menhaden availability throughout the season, and the economic contributions of these fisheries are substantial and widely distributed across coastal communities, making them an important consideration for the Board, when discussing future Bay-specific menhaden management options. Notably, recreational Atlantic fishing trips involving menhaden generated approximately \$804 million in angler spending and supported more than 7,200 jobs nationwide in 2025.¹

¹ The Economic Contribution of Recreational Fishing with Atlantic Menhaden, Southwick Associates, June 2026, available at: <https://www.trcp.org/wp-content/uploads/2026/06/Atlantic-Menhaden-Fishing-Report-FINAL-6-22-26.pdf>

The two categorical management options proposed in Draft Addendum II – addressing the Bay Cap and establishing quota periods – are not mutually exclusive and may be evaluated together as part of a comprehensive strategy to better align menhaden management with the needs of the broader ecosystem. **Importantly, advancing these updated options for public comment does not predetermine their adoption, but ensures that stakeholders have the opportunity to weigh in on various approaches that reflect both the science and community interest in this public resource.**

By advancing Draft Addendum II into the public comment period, the Board will take an important step toward fulfilling its responsibility to manage Atlantic menhaden for the benefit of the entire ecosystem and all user groups. Given the ecological and economic importance of Atlantic menhaden, it is essential that this process move forward without delay.

We appreciate the Board’s continued commitment to science-based management and stakeholder engagement, and the Work Group and PDT’s efforts to update the options and problem statement within the document. We strongly encourage you to approve Draft Addendum II for public comment in August 2026. Thank you for your consideration.

Sincerely,

American Bird Conservancy

American Sportfishing Association

Angler Action Foundation

BoatU.S.

Bonefish & Tarpon Trust

Coastal Conservation Association

Guy Harvey Ocean Fund

International Game Fish Association

Marine Retailers Association of the Americas

National Audubon Society

National Wildlife Federation

Rhode Island Mobile Sportsfishermen

Rhode Island Saltwater Anglers Association

Sportsmen’s Alliance Foundation

Theodore Roosevelt Conservation Partnership

Virginia Saltwater Sportfishing Association

Wild Oceans



Chesapeake Bay Foundation Peddles a False Menhaden Crisis-Not Science

Wednesday, 13 May 2026 08:25 PM

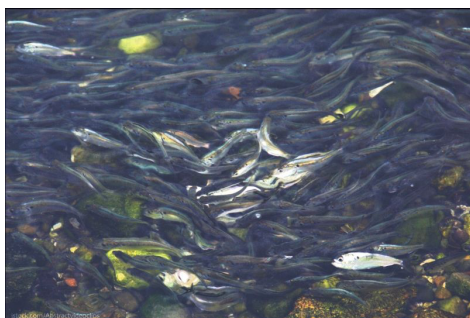
Topic:

Environmental, Social and Governance

ASMFC decision to return Draft Addendum II for further development is responsible due diligence

WASHINGTON, DC / [ACCESS Newswire](#) / May 13, 2026 / A [May 5 statement](#) by [David Sherfinski](#) of the Chesapeake Bay Foundation (CBF) misleadingly portrays the Atlantic States Marine Fisheries Commission (ASMFC) as ignoring "dire warning signs" in the Chesapeake Bay by delaying action on Draft Addendum II for menhaden. But the Commission's decision is basic due diligence: the draft addendum is technically complex, and the Board acted responsibly by choosing to refine the proposal before launching public comment.

CBF's statement, however, leans on alarmist language, including "dire warning signs," "starving osprey chicks," and "plummeting bait catches," and implies those outcomes are caused by the commercial menhaden fishery. But the available evidence does not support this, and presenting these issues as settled cause-and-effect is exactly how public confidence in fisheries governance gets undermined.



1) CBF is spinning a responsible pause as a crisis

CBF suggests the Board "delayed protections" for menhaden. But the Board's

decision to pause and form a work group reflects the reality that [Draft Addendum II involves complicated design choices and real-world implementation questions](#) that should be addressed *before* a public process begins.

CBF Forage Campaign Manager [Will Poston](#) called the Board's action a "frustrating delay," but that's exactly backwards. Sending a complicated draft back for further development is what responsible management looks like—especially when the addendum's mechanics and underlying assumptions are still being debated. Treating due diligence as a failure castigates the Board for doing the careful work the public expects.

2) "Dire warning signs" is hyperbole, especially when CBF treats uncertainty as a verdict

Osprey reproduction and local bait availability deserve careful attention. But referring to "dire warning signs" while implying the menhaden fishery is operating irresponsibly is not supported by the record.

On ospreys: The **U.S. Geological Survey** and other agencies [have emphasized](#) that multiple stressors can affect osprey productivity, and that food availability is only one factor among others such as disease, climate conditions, and water quality.

On bait: Declines in local catch cannot, by themselves, be used to diagnose a stock. Catch trends can reflect many different factors, including participation and fishing effort, costs and labor constraints, weather, shifting fish distribution, and conditions that affect where fish can live and how catchable they are.

3) Maryland Commissioner H. Russell Dize rejected scapegoating

During the May 5 Board discussion, Maryland ASMFC Commissioner **H. Russell Dize** warned the Board against exactly the kind of one-cause narrative CBF is pushing.

He said the Board had "taken the reduction fishery and set them out like a white elephant," and made clear: "You can't tell me that that's the only problem we got with menhaden not coming into Maryland, coming up the Bay."

Commissioner Dize continued: "You're still not going to find the problem until we look further into what's causing it... It's our responsibility to find that and not just... blame this one group."

Reflecting on his own personal history in the menhaden industry, he concluded: "I just don't think they're the culprit... We got other problems."

4) CBF's "mismanagement" insinuation clashes with the oversight record and the fishery's MSC sustainability recertification

CBF's statement insinuates that the fishery is being managed recklessly and must be curbed immediately. But the ASMFC's management framework for menhaden is already precautionary and incorporates the species' forage role through ecosystem-based reference points and oversight.

In March, the Atlantic menhaden fishery was [recertified as sustainable](#) under the **Marine Stewardship Council (MSC)** program. MSC is an international nonprofit that operates the widely recognized **blue MSC ecolabel** for wild-capture fisheries. MSC certification is based on an assessment against the MSC Fisheries Standard and carried out by independent third-party auditors. Certified fisheries have demonstrated that their fish stocks are sustainable, that they have minimized their environmental impact, and that they are managed effectively.

5) A serious policy debate requires a testable problem statement, not slogans

If the ASMFC is going to consider seasonal quota periods, rollovers, closures, or cap changes, the public deserves more than CBF's headlines. At minimum, the proposal should clearly state:

1. **What exact problem is being measured** (where, when, with what data)
2. **What evidence links that problem to fishery activity**, as opposed to Bay-wide environmental conditions
3. **What mechanism the rule is intended to change**, and how success will be measured
4. **How monitoring and enforcement will work** in practice

That is what the work group should do, and what CBF's statement does not do.

6) Advocacy shouldn't substitute for evidence

Like too many CBF alarmist releases on this issue, the May 5 statement uses hyperbolic language to rile up its readers.

Chesapeake Bay challenges are real. But regulation-by-campaign, especially when it treats correlation as causation and elevates rhetoric over evidence, does not protect the Bay. It distorts public understanding and pressures regulators toward decisions that may be politically satisfying, but scientifically unmoored.

About the Menhaden Fisheries Coalition

The [Menhaden Fisheries Coalition](http://www.menhaden.org) (MFC) is a collective of menhaden fishermen, related businesses, and supporting industries. Comprised of businesses along the Atlantic and Gulf coasts, the Menhaden Fisheries Coalition conducts media and public outreach on behalf of the menhaden industry to ensure that members of the public, media, and government are informed of important issues, events, and facts about the fishery.

Press Contact

Menhaden Fisheries Coalition

(202) 595-1212

www.menhaden.org

SOURCE: Menhaden Fisheries Coalition



Osprey Paper Fails to Prove Menhaden Fishery Caused Chesapeake Bay Nesting Problems

Thursday, 11 June 2026 08:40 PM

Topic:

Environmental, Social and Governance

Study catalogs legitimate osprey concerns but does not establish fishery causation

REEDVILLE, VA / [ACCESS Newswire](#) / June 11, 2026 / A [new paper by Dr. Bryan Watts](#) and coauthors reports poor osprey reproduction in high-salinity areas of the Chesapeake Bay and suggests reduced availability of Atlantic menhaden may be a primary driver. While osprey nesting success deserves serious attention, the paper does not prove that Virginia's commercial menhaden fishery caused the problem. The paper, "Widespread Reproductive Deficits in Chesapeake Bay Ospreys," was published in *Frontiers in Marine Science* this week.

"The study documents osprey concerns, but it does not prove that our fishery caused it," said Monty Deihl, CEO of Ocean Harvesters. "Many of the study areas discussed are not places where our vessels fish, and the paper appears to accuse commercial harvest without showing a clear connection between actual fishing activity and the nesting problems it describes. Before this paper is used to call for new restrictions, the public deserves a careful look at timing, geography, local environmental conditions, and what the data actually prove."

The paper's central inference rests on a chain of assumptions: poor osprey reproduction may indicate food stress; food stress may reflect reduced menhaden availability; reduced availability may indicate broader menhaden scarcity; and that scarcity may be related to commercial fishing. Each step requires evidence. The paper does not carry the argument all the way to fishery causation.

"This paper is likely to draw attention because it reads, at least up front, like an indictment of menhaden availability in the Chesapeake Bay," said Peter Himchak, Senior Fisheries Scientist at Omega Protein. "But the paper also details numerous other possible mechanisms that may affect osprey productivity, and those caveats are critical considerations in evaluating this issue."

Several issues require closer scrutiny:

Timing: Ospreys return to the Chesapeake Bay and begin nesting before the menhaden reduction fishery begins (there is some pound-net fishing at this time). Egg laying occurs in early April, and the earliest and heaviest brood-reduction period occurs in May, before the reduction fleet is on the water. Data presented to the Atlantic Menhaden Plan Development Team show only a handful of Bay sets between the weeks of May 12 and June 9, 2024, with roughly ten percent of annual Bay landings occurring by June 30. If the key osprey reproductive failures occurred before meaningful menhaden harvest, the explanation points to the ospreys returning to the region in poor condition over winter, menhaden migration timing, environmental conditions, or other local factors - not fishery removals.

"Egg laying and the earliest chick losses occur before our vessels start to fish in the Bay," Deihl said. "A fishery that has taken little or nothing from the Bay during the key early nesting window cannot be blamed for reproductive failures."

Geography and fishery operations: Several study areas discussed in the paper are not areas where the reduction fleet fishes or fishes meaningfully. Poor osprey productivity in areas with little or no nearby fishing cannot be attributed to the fishery without evidence connecting actual fishing activity to those local outcomes. The geography problem is especially clear at the Maryland sites, including the Choptank and Patuxent, where the reduction fishery does not operate. Poor performance at sites where the fleet cannot and does not fish undercuts any simple claim that reduction harvest explains the pattern.

Availability versus abundance: The paper does not provide a direct adult menhaden abundance index for the Chesapeake Bay. In fact, the paper acknowledges that there is no fisheries-independent monitoring of adult menhaden in the Chesapeake Bay that would allow a direct assessment of the relationship between osprey reproduction and local menhaden abundance. Menhaden availability to ospreys can be affected by salinity, temperature, dissolved oxygen, freshwater flow, plankton, fish movement, water clarity, and seasonal timing. A fish can be present in the larger system

but unavailable to a predator at a particular time, place, depth, or water condition.

Food stress and dietary flexibility: Food stress is not menhaden-specific. Osprey reproductive problems may reflect changes in the broader prey field, including striped bass, spotted seatrout, bay anchovy, gizzard shad, catfish, or other forage species. Ospreys are opportunistic fish-eaters, and their diet varies by location, salinity, and prey availability. The paper's emphasis on menhaden as especially energy-rich prey also requires seasonal context: menhaden caught or available in May are not the larger, higher-oil fish present later in the year. That weakens any claim that early nestling success depends uniquely on May menhaden because of oil content.

Striped bass: The paper's discussion of other prey species should not treat striped bass availability as simply a menhaden issue. Striped bass have their own well-documented stock-status and recruitment challenges and are managed separately. Overfishing occurred for more than a decade, and the stock remains overfished and depleted. If striped bass availability affects osprey productivity, it must be evaluated on its own terms.

Low-salinity comparisons: The paper compares high-salinity osprey sites with low-salinity sites in the James and Rappahannock systems, but those areas have different prey communities. Low-salinity areas with abundant catfish and gizzard shad may not be direct comparisons for high-salinity areas where prey conditions differ.

Environmental and local stressors: The Chesapeake Bay is not a controlled laboratory. Shoreline development, runoff, pollution, water quality changes, hypoxia, weather, predators, nest competition, disease, and broader changes in the fish community can all affect osprey productivity and prey availability. The paper discusses some alternative mechanisms, but discussion is not the same as ruling them out.

Mobjack Bay extrapolation: The paper builds on earlier Mobjack Bay work, but broader observations do not automatically prove that the same cause is operating across the Chesapeake Bay. Any Bay-wide conclusion requires evidence that accounts for local conditions, prey communities, and actual fishery activity.

Landings and effort: Landings are not abundance. The Potomac landing figure cited in the paper is a bait-fishery number from one tributary, not a Bay-wide adult abundance index and not the reduction fishery. Harvest data cannot be treated as a clean measure of how many fish were present unless

evaluated alongside fishing effort, weather, regulations, market conditions, gear, participation, location, and catchability.

Stock status and management: The Watts paper should not be mistaken for a menhaden stock assessment. Atlantic menhaden are managed by the Atlantic States Marine Fisheries Commission. The coastwide stock is not overfished, overfishing is not occurring, and the fishery is managed with ecological reference points that account for predator needs. The Chesapeake Bay fishery is also subject to a Bay cap. Available juvenile recruitment data also caution against portraying the paper as evidence of a Bay-wide menhaden collapse. Maryland's 2025 survey found high juvenile Atlantic menhaden abundance in the Bay for the third consecutive year, with the 2025 menhaden result the third highest since 1991, although juvenile indices do not measure adult menhaden availability in the areas used by ospreys.

The more accurate conclusion is this: Dr. Watts' paper documents poor osprey productivity in some high-salinity Chesapeake Bay areas and advances a menhaden-availability hypothesis. It does not prove that commercial menhaden fishing caused the problem.

"Ospreys matter, and so does scientific accuracy. Any fair assessment has to account for where the fleet actually fishes, and whether other prey and local environmental conditions are being considered," Deihl said. "The Bay needs good science, not an oversimplified and irresponsible blame campaign. The people who work in this fishery deserve a fair assessment of what the paper actually proves."



About Ocean Harvesters

Ocean Harvesters owns and operates a fleet of more than 30 fishing vessels in the Atlantic Ocean and Gulf of America. The company's purse-seine fishing operation is exclusively engaged in the harvest of menhaden, a small, nutrient-dense fish used to produce fish meal, fish oil, and fish solubles. Both its Atlantic and Gulf Menhaden fisheries are certified sustainable by the Marine Stewardship Council. Committed to responsible fishing operations, Ocean Harvesters is proud to be heir to a fishing legacy that extends nearly 150 years.

Press Contact

Stove Boat Communications

(202) 595-1212

contact@stoveboat.com

SOURCE: Ocean Harvesters



Response to Dr. Bryan Watts: Repeating Misinformation Should Not Happen - Including in the Menhaden Debate

Monday, 20 July 2026 07:00 PM

Topic:

Environmental, Social and Governance

REEDVILLE, VA / [ACCESS Newswire](#) / July 20, 2026 / We thank *The Virginian-Pilot* and *Daily Press* for respectfully providing the opportunity for both sides of an Atlantic menhaden debate to appear in their pages. In a June 30 [guest column, Ocean Harvesters CEO Monty Deihl](#) questioned whether [an academic paper recently published with Dr. Bryan Watts as the lead author](#) is appropriate to use in arguments against menhaden fishing in the Chesapeake Bay. On July 6, [Dr. Watts responded](#).

We wholeheartedly agree, as Dr. Watts said in his response, that repeating misinformation should not happen. But repeating misinformation is precisely what Dr. Watts and others have done. In the interest of producing the fairest and most open response, we are including a bibliography of all scientific, regulatory, and other sources referenced.

1. Dr. Watts has now publicly confirmed the central point: his paper does not link poor osprey reproduction to menhaden harvest.

Dr. Watts writes: "Deihl is incorrect in suggesting that our paper attempts to link poor osprey reproduction to menhaden harvest. We do not."

But Mr. Deihl did not say the paper itself makes that link. What he said was that the paper "will almost certainly be used to argue for harsh restrictions on this well-regulated fishery."

The Chesapeake Bay Foundation has already [issued a press release](#) explicitly using Dr. Watts' study under the headline "New Study Links Starving Chesapeake Bay Osprey to Menhaden Woes." In that release, CBF stated that

the report "adds urgency for pausing menhaden reduction fishery in the Bay" and quoted Forage Campaign Manager Will Poston as saying: "Ultimately, decision makers must pause reduction fishing inside the Bay until menhaden research is completed."

That is exactly what Mr. Deihl warned would happen. The paper is being used to argue for harsh restrictions on the well-regulated Chesapeake Bay menhaden fishery. And given Dr. Watts' own public statement that his paper does not link poor osprey reproduction to menhaden harvest, CBF and Mr. Poston are wrong to use his paper as the basis for pausing reduction fishing in the Bay.

An academic paper may raise important ecological questions. It may identify food stress in osprey nests and support further research into prey availability, environmental conditions, and other factors. But unless it demonstrates a causal connection to menhaden harvest, it cannot be presented to the public or regulators as though that causal connection has been established.

When a paper that expressly does not link osprey reproduction to harvest is nevertheless used to demand fishery-specific restrictions, the public is no longer being given science. It is being given advocacy dressed in scientific language.

2. The "intercept fishery" or "gauntlet" theory is not supported by the available evidence.

Dr. Watts repeats the claim that Ocean Harvesters is operating an "intercept fishery," catching menhaden at the mouth of the Bay and preventing fish from reaching the rest of the Chesapeake. That theory is contradicted by the analyses now before managers.

The theory ignores basic menhaden life history. Menhaden are not a static Bay-resident population. [NOAA Fisheries explains](#) that mature menhaden spawn in coastal waters, and juveniles remain in estuaries such as the Chesapeake Bay for about a year before joining adult schools. Many menhaden are migratory, and others remain resident in their area. NOAA also notes that menhaden are common in all Chesapeake Bay salinities and swim in large surface schools during spring, summer, and fall. That life history is hard to square with a simple "intercept" story that assumes one lower-Bay fishery is blocking a single, predictable flow of fish to the rest of the Bay. Equally important, Virginia law does not allow the menhaden reduction fishery to begin before the first Monday in May, and actual fishing activity often starts later.

A January 2026 [analysis conducted by Georgetown Economic Services](#) of Washington, D.C. and [submitted to the Atlantic States Marine Fisheries Commission](#) directly addressed the so-called "gauntlet" theory. It explained that if the purse seine fleet were preventing menhaden from traveling into the upper Bay, pound-net catch rates should show a corresponding steep decline during the relevant weeks. Instead, the submitted analysis found that pound-net catch rates remained on a relatively steady increase through the season. The same submission reported that, in months when Virginia reduction purse-seine net sets exceeded their 10-year average, Maryland pound-net harvest also tended to be above its 10-year average; the converse was also true. The submission concluded that the relationship did not support the "gauntlet" claim.

A second analysis by estuarine scientist Dr. Arnaldo Valle-Levinson focused on Chesapeake Bay physics and environmental conditions. Rather than assuming an "intercept" mechanism, it examined how summer Bay conditions can compress livable habitat and affect where fish concentrate and how catchable they are. The same public summary reports that Maryland catches and trips both declined together, while catch per unit effort did not show the steady collapse one would expect if the upper Bay were being systematically starved of fish.

Dr. Watts compares the issue to water withdrawals on the Rio Grande affecting downstream farmers, but fish are not water. Water flows downstream in one direction; menhaden are migratory schooling fish whose movement and availability depend on season, age, salinity, temperature, dissolved oxygen, plankton, predator pressure, and other Bay conditions. The analogy assumes a simple one-way flow that does not exist in a dynamic fishery. That is why the "intercept" or "gauntlet" theory must be tested against actual fishery data, timing, catch rates, effort, and Bay conditions.

3. Food stress in osprey nests is not proof that one fishery caused reduced prey availability.

We do not dismiss osprey observations. We do not dismiss food stress. We do not dismiss the ecological importance of menhaden. Menhaden are an important forage fish, and ospreys are important indicators of aquatic ecosystem conditions.

But an indicator is not a cause.

Earlier Chesapeake Bay osprey diet studies show why food stress cannot be evaluated through menhaden alone. Glass & Watts reported that Atlantic menhaden and seatrouts/weakfish were dominant prey in lower-estuarine nests - meaning nests in the saltier lower Bay, closer to where the

Chesapeake meets the Atlantic Ocean and freshwater mixes with seawater - while gizzard shad and catfish dominated upper-estuarine diets (Glass & Watts 2009). Their Table 1 shows that spotted seatrout were more frequent than menhaden by number in lower-estuarine nests, 28.8% versus 24.2% (Glass & Watts 2009, Table 1). Lazarus et al. later reported that Poplar Island ospreys fed predominantly on striped bass, 47.8% of diet, and Atlantic menhaden, 44.3% of diet, while ospreys on the Susquehanna, Anacostia/middle Potomac, and James Rivers fed predominantly on catfish and gizzard shad (Lazarus et al. 2016).

That broader prey-base context matters because one of those prey species, striped bass, remains overfished. ASMFC says Atlantic striped bass was declared overfished in 2019 and remains overfished under the 2024 stock assessment update (ASMFC 2024 Atlantic Striped Bass Stock Assessment Update; ASMFC Atlantic Striped Bass Species Page). ASMFC also reports that in 2024 the recreational sector accounted for about 85% of total striped bass removals by number of fish, and that from 2022-2023 recreational harvest and recreational release mortality together accounted for roughly 89% of total removals (ASMFC Atlantic Striped Bass Species Page; ASMFC 2024 Atlantic Striped Bass Stock Assessment Update). Watts' own research shows that deliveries of other prey species declined at a steeper rate than menhaden between 2006-07 and 2021 (Watts et al. 2024, Table 2). If osprey food delivery is now insufficient, the more relevant question is whether availability of the full prey base - including striped bass, seatrout/weakfish, gizzard shad, catfish, and menhaden - has changed, and why.

In his response, Watts states that "[w]hile it is true that ospreys have a varied diet, all fish are not the same," claiming that menhaden are more nutritious because they are "rich in oils." Dr. Watts is correct that menhaden are generally an oily forage fish, but "oily" is not a fixed condition throughout the year. A NOAA/NMFS study of Atlantic menhaden from the Chesapeake Bay area found strong seasonal variation in oil content, with early-season fish averaging roughly 8-10% lipid content, compared with about 20% at the October peak (Dubrow et al. 1976). Resident forage species also matter: Maryland DNR describes gizzard shad as present across Maryland's Chesapeake river systems and spawning during the same spring period when osprey nesting begins, which reinforces the need to evaluate the full prey base rather than assume menhaden alone explain spring food stress. Because osprey breeding begins in spring, before menhaden reach peak oil content, the question is not whether menhaden are nutritious in general. The question is whether spring menhaden are uniquely more valuable than other prey actually available to nesting ospreys at that time, including resident forage species such as gizzard shad.

Timing is important. The [Watts et al. paper](#) states that Chesapeake Bay osprey pairs return to breeding territories from late February through late March and lay clutches in early April. Virginia [law identifies](#) the relevant menhaden purse-net season in certain waters as running from the first Monday in May through the third Friday in November. If nest initiation, egg-laying, or non-laying behavior is already being set before the reduction fishery is active, those early reproductive outcomes cannot be attributed to harvest later in the season.

USGS [describes the Chesapeake osprey question](#) as one involving menhaden and other fish prey, while stating that ongoing work is intended to help determine whether prey delivery or other environmental factors are affecting reproductive success.

The 2026 Watts et al. paper itself [lists multiple factors](#) that may influence menhaden abundance in the Chesapeake Bay, including commercial harvest, predation, competition, recruitment, plankton availability, larval transport, temperature, salinity, water quality, and other environmental conditions.

The 1980s comparison also needs context. Dr. Watts points to a period when menhaden made up a higher percentage of osprey deliveries, but Chesapeake striped bass were then at historic lows. The University of Maryland Center for Environmental Science [reports](#) that by the mid-1980s striped bass had fallen to the lowest numbers in decades. A [peer-reviewed study](#) of Chesapeake Bay striped bass management likewise reported that commercial landings reached a record high in 1973 and then declined by almost 90 percent during the following decade, with depressed juvenile production during the 1970s. A period when a major menhaden predator was severely depleted is not a neutral baseline for judging today's osprey diet composition. Furthermore, there were only 3,500 osprey breeding pairs in the mid-1990s (fewer in the 1980s). There are 10,000 breeding pairs today (Watts et al. 2026).

The timeline also undercuts the blame-the-fishery narrative. Chesapeake ospreys rebounded during decades when Bay menhaden harvests were much higher than they are today. The Bay reduction fishery is now capped at 51,000 metric tons - roughly one-third of levels seen during portions of the osprey rebound from the 1970s through the early 2000s. Ospreys recovered while the Bay menhaden fishery was far larger.

It is also important to understand why this debate exists in the first place. While Dr. Watts now says his 2026 paper does not link poor osprey reproduction to menhaden harvest, prior work by Dr. Watts and colleagues went much further. In their 2023 Mobjack Bay osprey food-supplementation study, Academia & Watts acknowledged that "local levels of menhaden

abundance were not available," but nevertheless concluded that "the menhaden population within Mobjack Bay is not currently adequate to sustain the osprey breeding population" and recommended that "industrial purse seine fishing occur outside Chesapeake Bay" (Academia & Watts 2023). A later Watts et al. paper likewise acknowledged that "no menhaden stock index has been developed that is specific to the Mobjack Bay study area," yet argued that osprey viability required menhaden to be restored to 1980s levels (Watts et al. 2024). That is the leap at the heart of the dispute: food limitation may be real, and menhaden may be important prey, but those facts do not prove that the menhaden fishery caused the condition observed in Mobjack Bay.

A *Frontiers in Marine Science* commentary on the Mobjack Bay osprey paper [raised related scientific concerns](#). The commentary noted that Watts et al. relied on coastwide juvenile menhaden abundance indices as a proxy for menhaden availability to ospreys in Mobjack Bay. Those indices are model-based estimates drawn from surveys spanning a large portion of the Atlantic coast, from Rhode Island to South Carolina. The concern is straightforward: a coastwide juvenile index is not the same thing as measuring the local abundance, size, timing, and availability of menhaden to nesting ospreys in one Chesapeake Bay sub-estuary. As the commentary explained, the analysis assumed that those broad indices represented the menhaden actually available to ospreys in Mobjack Bay - an assumption that had not been directly tested (Latour, Gartland, and Ralph, 2024). That distinction matters because a study may show that ospreys benefit from more menhaden without proving that the menhaden fishery caused the local prey conditions observed at those nests.

That is why Latour et al. concluded that Watts et al.'s analyses "do not establish a clear relationship with menhaden abundance and availability" and encouraged concurrent osprey nest and menhaden sampling to directly assess the ecological linkage (Latour et al. 2024). That is also why Ocean Harvesters has supported new Bay-specific menhaden research rather than policy decisions based on inference, proxy indices, or advocacy claims that go beyond the available data.

The relevant question is not simply whether some osprey nests show food stress. The relevant question is what caused the food stress, whether it is connected to adult menhaden abundance, whether adult menhaden abundance is connected to harvest, and whether any proposed fishery restriction would actually address the cause.

Those links have not been demonstrated.

4. Coastwide stock science is not a distraction; it is the official management foundation.

Dr. Watts argues that Ocean Harvesters has used the Atlantic States Marine Fisheries Commission's coastwide stock assessment to suggest, "without evidence," that Chesapeake Bay menhaden conditions remain healthy. That framing is misleading.

No one should pretend that coastwide stock status answers every Bay-specific question. Bay-specific abundance, movement, predator availability, and localized ecological conditions are legitimate research questions. But it is equally wrong to dismiss the official coastwide assessment as irrelevant. Atlantic menhaden are a migratory species managed through a coastwide interstate process because the stock moves across state boundaries and in and out of estuarine systems.

The ASMFC's [2025 stock assessment update](#) states that, using the current ecological reference point benchmarks, "the Atlantic menhaden population is [not overfished and overfishing is not occurring](#)."

Coastwide science does not prove every Bay-specific claim, but it does provide the official management baseline. Meanwhile, Bay-specific claims require Bay-specific evidence.

The absence of a validated Bay-specific adult abundance index does not license advocates to substitute osprey diet observations, bait landings, or anecdotes for proof of fishery-caused depletion. It means the Bay-specific science needs to be done.

And that is exactly the work the industry has supported. Through the Science Center for Marine Fisheries, industry members have supported a [Chesapeake Bay menhaden research roadmap](#) to identify the data and methods needed to develop a scientifically defensible and ecologically meaningful Bay harvest cap. That project brings together researchers from the Chesapeake Biological Laboratory, the Virginia Institute of Marine Science, and NOAA to evaluate the research needed to answer Bay-specific management questions.

More recently, with [support from Ocean Harvesters](#) and Omega Protein, Virginia approved \$2 million for menhaden research in the Chesapeake Bay. The [funding will go](#) to William & Mary's Virginia Institute of Marine Science for research over the next two years, in collaboration with the Virginia Marine Resources Commission. That is the proper path forward: identify the data gaps, fund the science, and let the results guide management - rather than using a paper that does not link osprey reproduction to harvest as a

justification for fishery-specific restrictions.

5. Certification and independent review also matter.

The U.S. Atlantic menhaden purse-seine fishery has been certified by the Marine Stewardship Council since 2019.

MSC certification is an independent third-party assessment process that represents a global gold standard for sustainability. Reasonable people can debate management choices, but the public should know that this fishery has passed rigorous sustainability review beyond being managed by the ASMFC.

6. Bait landings are not adult menhaden abundance indices.

Dr. Watts points to bait fishermen and homeowners watching osprey nests as evidence that menhaden abundance has changed. These observations may be worth investigating, but they are not substitutes for a validated adult abundance index.

Bait landings can change because fish are less abundant. They can also change because effort changes, markets change, labor availability changes, gear use changes, weather changes, fish distribution changes, or environmental conditions affect catchability. That is why the "gauntlet" analyses matter: they look at catch rates, effort, timing, and environmental conditions rather than assuming that lower landings equal fishery-caused depletion.

The right path is Bay-specific science, not Bay-specific blame.

Ocean Harvesters and the broader menhaden industry support better Chesapeake Bay science. We support research that can answer the questions regulators actually need answered: adult menhaden abundance in the Bay, movement between coastal and Bay waters, local availability to predators, fishery interactions, environmental drivers, and the real effects of any proposed management measure.

The wrong approach is to begin with blame and then look for facts to support it.

Dr. Watts' column asks the public to view Ocean Harvesters as the source of misinformation. But the public record shows a different story.

- The "gauntlet" theory he cites is contradicted by analyses submitted to ASMFC.
- USGS frames the osprey question as a multi-factor ecological investigation.
- ASMFC says menhaden are not overfished and overfishing is not occurring.
- ASMFC manages menhaden with ecological reference points specifically designed to account for predator needs.
- Earlier Chesapeake Bay osprey diet studies, including Watts' own (Glass & Watts 2009), found that ospreys relied on a broader prey base than menhaden alone, including seatrouts/weakfish, striped bass, gizzard shad, and catfish, during periods when Bay osprey populations were growing.
- Chesapeake Bay ospreys rebounded when menhaden harvests were much higher than they are today. The Bay reduction fishery is now capped at roughly one-third of levels seen during portions of that rebound period.

That is the scientific and regulatory record.

We invite readers to review it for themselves.

Source Links

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- Atlantic States Marine Fisheries Commission - Atlantic Striped Bass Species Page: <https://asmfc.org/species/atlantic-striped-bass/>
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About Ocean Harvesters

Ocean Harvesters owns and operates a fleet of more than 30 fishing vessels in the Atlantic Ocean and Gulf of America. The company's purse-seine fishing operation is exclusively engaged in the harvest of menhaden, a small, nutrient-dense fish used to produce fish meal, fish oil, and fish solubles. Both its Atlantic and Gulf Menhaden fisheries are certified sustainable by the Marine Stewardship Council. Committed to responsible fishing operations, Ocean Harvesters is proud to be heir to a fishing legacy that extends nearly 150 years.

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SOURCE: Ocean Harvesters



Two Independent Reviews Find No Evidence that Virginia's Menhaden Season Is 'Blocking' Fish from Reaching Maryland Pound Nets

Monday, 04 May 2026 11:30 PM

Topic:

Environmental, Social and Governance

WASHINGTON, DC / [ACCESS Newswire](#) / May 4, 2026 / A proposed Atlantic menhaden management addendum aimed at Virginia's Chesapeake purse seine fishery is being driven by a simple claim: that a shift in the timing of the reduction fishery has reduced menhaden availability farther north, contributing to lower Maryland pound net harvests.

[Two separate analyses](#), one statistical and one oceanographic, reach the same conclusion: the available evidence does not support the "gauntlet" theory. Instead, both studies suggest Maryland pound net results are better explained by (1) changes in fishing effort and (2) Bay conditions that affect where fish can live and how catchable they are.



The analyses were submitted to the Atlantic States Marine Fisheries Commission's Atlantic Menhaden Management Board in a [comment letter](#) from Ocean Harvesters.

The ASMFC Atlantic Menhaden Management Board's Plan Development Team (PDT), the staff group tasked with drafting the proposed addendum, has already signaled that the addendum's core premise warrants deeper

scientific review. In a memo to the Board, the PDT recommended referring the proposal to the menhaden Technical Committee (TC) as "a more appropriate avenue to conduct a detailed analysis" of the central claim driving the addendum: that a recent shift in timing of the Chesapeake Bay reduction fishery has reduced fish availability in the upper Bay and, in turn, reduced Maryland pound net harvests.

These two studies support that recommendation by challenging the "blocking" narrative and highlighting alternative explanations rooted in measurable environmental conditions.

1) What the numbers say: when Virginia sets are high, Maryland catch-per-trip tends to be high too

The first study was conducted by Georgetown Economic Services (GES) using commonly referenced data sources: Virginia purse-seine "net sets" and Maryland pound net landings and trips.

If the Virginia reduction fishery is preventing menhaden from reaching Maryland, then Maryland's catch-per-trip should fall when Virginia activity rises.

That's not what the data show.

GES calculated Maryland "harvest per trip" (a common way to express catch rate) and compared it month by month against the number of Virginia purse-seine sets, while accounting for normal seasonal patterns.

Result: the relationship was positive and statistically meaningful. The "net sets" coefficient was 2.4063 with a p-value of 0.0289, meaning the relationship is unlikely to be random noise.

Put plainly:

- When Virginia set activity is higher, Maryland's menhaden catch per trip tends to be higher.
- When Virginia set activity is lower, Maryland's menhaden catch per trip tends to be lower.

GES notes it's "highly unlikely" that one fishery is impacting the other; the more reasonable interpretation is that both fisheries are responding to the same underlying condition: how many fish are present and available in the Bay at a given time.

This is the opposite of what you'd expect if a lower-Bay "gauntlet" were systematically starving the upper Bay of fish.

2) What the Bay's physics say: water conditions can change where menhaden concentrate, without any "interception"

The second study was prepared by Dr. Arnolando Valle-Levinson, a University of Florida professor who specializes in how water moves through estuaries and how that movement shapes conditions in places like the Chesapeake.

Rather than starting with fishing narratives, this analysis starts with a basic reality of the Chesapeake Bay: summer conditions can squeeze fish into smaller "livable" layers of water, and those shifts can make fish easier or harder to catch depending on location and gear.

A simple but critical point: catches fell, but effort fell too; catch rate did not steadily collapse

Dr. Valle-Levinson first looked at Maryland pound net time-series patterns:

- Maryland menhaden catches show a decreasing trend over the last 12 years.
- Maryland trips (effort) also show a decreasing trend.
- The two "go hand in hand."
- Importantly, catch per unit of effort (catch/trip) "has not changed over time," despite a marked dip in 2024.

That matters for public understanding: lower landings do not automatically mean fewer fish are available. Sometimes, it means fewer trips are being made.

The "hypoxia" effect: when oxygen drops, fish habitat compresses, and catches can rise

The report then evaluates how hypoxia (low oxygen levels in the water) relates to catch patterns. It tracks hypoxic depth, essentially, how far down you have to go before oxygen becomes too low for many fish.

Dr. Valle-Levinson finds that Maryland catches and catch rates show a consistent linkage with hypoxia depth over annual cycles. In practical terms, the analysis indicates that catches increase when the low-oxygen zone rises (when hypoxic depth becomes shallower), a pattern consistent with fish being pushed into a smaller oxygenated layer, making them more concentrated and more catchable.

Stratification and river flow: the upstream "push" that can set the stage

The report also finds that:

- River discharge in the upper Bay relates to water-column stratification in the mid-Bay (how strongly the Bay separates into layers).
- River discharge relates to hypoxic depth.
- Stratification is linked to Maryland catches and catch rates, especially at deeper mid-Bay stations.
- There is also evidence that increased discharge is linked to increased Maryland catch with a time lag (months).

The submission summarizes this chain in a way that's easy to visualize: **more freshwater flow → stronger layering → stronger hypoxia/habitat compression → fish concentrate → catches can rise.**

The report even includes a plain-language schematic ("The estuary cascade") illustrating how high-flow seasons can contribute to stratification, expand low-oxygen conditions, compress fish habitat, and increase pound net catches, again, without invoking any "interception" mechanism.

About Dr. Arnoldo Valle-Levinson

Dr. Valle-Levinson is a Professor in the University of Florida's Department of Civil and Coastal Engineering and currently serves as a Program Officer for Physical Oceanography at the National Science Foundation.

He is the author of the textbook, *Introduction to Estuarine Hydrodynamics* (Cambridge University Press, 2022); and the Editor of *Contemporary Issues in Estuarine Physics* (Cambridge University Press, 2010).

About the Menhaden Fisheries Coalition

The [Menhaden Fisheries Coalition](http://www.menhaden.org) (MFC) is a collective of menhaden fishermen, related businesses, and supporting industries. Comprised of businesses along the Atlantic and Gulf coasts, the Menhaden Fisheries Coalition conducts media and public outreach on behalf of the menhaden industry to ensure that members of the public, media, and government are informed of important issues, events, and facts about the fishery.

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SOURCE: Menhaden Fisheries Coalition

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MEMORANDUM

TO: Members, Atlantic Menhaden Management Board
FROM: Drew Minkiewicz, Counsel to Ocean Fleet Services
DATE: July 28, 2026
RE: Draft Addendum II to Amendment 3: Consistency with ACFCMA and the ISFMP Charter Standards

I. Introduction and Interest

I represent Ocean Fleet Services, which provides services to the Chesapeake Bay reduction fishery. I submit this memorandum on its behalf as written comment on Agenda Item 4.

Charter Section Six(c)(9)(iv) directs the Commission to evaluate and consider public comments before deciding what modifications to make to a draft and before approving it, and Section Six(c)(10) makes Commission staff responsible for collating and maintaining the administrative record. I therefore ask that staff distribute this memorandum to the Board in advance of the meeting and enter it in the administrative record for this action.

This memorandum asks the Board to do two things: to measure Draft Addendum II against the standards the Commission adopted for itself, and to weigh it against the determinations the Commission has already made about a Chesapeake Bay cap of this kind.

The Commission's standards are not advisory. Charter Section Six(a) states that the Commission adopted them pursuant to Section 805 of the Atlantic Coastal Fisheries Cooperative Management Act and that they serve as the guiding principles for the conservation and management programs in Commission FMPs. They exist because ACFCMA, at 16 U.S.C. § 5104(a)(2), directed the Commission to establish standards ensuring that plans promote conservation throughout a stock's range and rest on the best scientific information available. The prior determination that the reduction in the Chesapeake Bay cap was unsupported by science is equally the Commission's own, and it made them when it last reduced this same cap. Measured against either yardstick, its current standards or its own past conclusions, this draft does not hold up.

Measured against the Commission's standards, the draft has four defects. The stated basis for this action has changed three times, and the version now leading the document rests on no biological finding at all. The supporting analyses fall short of the Charter's own definition of best scientific information available, and the document concedes on its face that the data needed to characterize the problem do not exist. The socioeconomic section gives the Board a one-sided account of its own economists' analysis, dropping the finding that a cut of this magnitude could close the single remaining reduction plant. And

the quota period provisions displace state administrative flexibility, make an allocation decision the Charter reserves to the states, and arrive without the enforceability analysis the Charter requires.

Measured against the Commission's own prior determinations, the problem is starker. The Commission has examined the premise of a Chesapeake Bay cap twice, once concluding in 2009 and again in 2025, and neither effort established it. When the Board last reduced this cap, the Commission's Leadership agreed on the record that the governing Amendment did not contain sufficient evidence to support the reduction, and recommended developing the science before acting further. That science still does not exist. It is, however, now funded, and it is coming.

Finally, I note where a record carrying these defects travels once the Commission's decision leaves this room, because the doctrines that shield the Commission's plan decisions from direct review do not shield the state and federal actions those decisions set in motion.

For those reasons, I respectfully ask the Board not to approve this document for public comment in its present form, and to recognize that the Commission has already concluded, on its own record, that a cap of this kind should follow the science rather than precede it.

II. The Applicable Standards

Seven provisions govern the analysis that follows.

ACFCMA § 5104(a)(2). The Commission must maintain standards ensuring that plans promote conservation of fish stocks throughout their ranges, rest on the best scientific information available, and provide adequate public participation.

Charter Section One(c). Commission policy requires that the ISFMP promote conservation, rest on the best scientific information available, and provide adequate opportunity for public participation.

Charter Section Five(c)(2). The Plan Development Team must prepare all documentation for an FMP, amendment, or addendum using the best scientific information available and the most current stock assessment information, in conformance with Section Six. This obligation reaches addenda by its terms.

Charter Section Six(a). Before reaching the numbered standards, this section states three governing principles. The Board must take social and economic impacts and benefits into account. Management measures should focus on conservation while allowing states to make allocation decisions. Management programs must remain practically enforceable, so far as possible with the support of the industry those programs regulate.

Charter Section Six(a)(1) through (7). The numbered standards. Five bear on this action: Standard 1 (preventing overfishing and rebuilding depleted stocks), Standard 2 (best scientific information available), Standard 3 (equivalent management results throughout the range of a stock or its subgroups), Standard 4 (minimizing waste of fishery resources), and Standard 7 (fairness and equity, including internal state flexibility).

Amendment 3, Sections 2.3 and 2.4. An addendum must serve the objectives of the plan it amends. Amendment 3 states its goal as managing the fishery in a manner that equitably allocates the resource's

ecological and economic benefits among all user groups. Among its objectives, Amendment 3 lists constructing regulations based on the best available science, developing a management program that ensures fair and equitable access for all regions and gear types, and maintaining the existing culture and social features of the fishery to the extent possible.

Charter Section Eight. These definitions operate as requirements rather than description. Section Eight(f) defines best scientific information available to require that the source describe its collection methods clearly and that those methods command general acceptance as scientifically valid, and it directs the drafter to incorporate information that emerges during preparation, to the extent practicable. Section Eight(c) defines adaptive management as an iterative process that evaluates how the managed fishery and stock respond to specific measures and adjusts those measures on that evaluation. Section Eight(z) defines minimizing waste to include promoting full and efficient utilization of the catch.

III. The Record: A Fixed Remedy and a Migrating Rationale

Standard 2 requires the Board to base measures on the best scientific information available. Assessing compliance therefore requires knowing what supports the measure. The record shows that the Board fixed the measure first and has since offered three different justifications for it.

The remedy preceded the rationale. The initiating motion of October 2025 directed the PDT to develop quota periods and a range of options reducing the Bay Cap by up to 50%. The motion states a mechanism and a magnitude. It identifies no problem, cites no finding, and references no analysis. The Board set the outer bound of the reduction before the PDT drafted a statement of the problem and before the Technical Committee completed the tasks the Board later assigned it.

First justification: osprey. The Board took up Chesapeake Bay precautionary management in August 2024 in response to public concern about menhaden fishing and ospreys, received a U.S. Geological Survey presentation on osprey abundance, dietary demand, and timing of fledge, and established the Chesapeake Bay Precautionary Management Work Group. The Work Group met nine times. The Commission's own summary of the May 2025 report states that the Work Group addressed its task without determining whether an adequate supply of menhaden exists to support predatory demand in the Bay. The Work Group did not establish a forage deficit.

The Technical Committee then reported in May 2026 that the literature contains no information on the environmental cues driving osprey arrival, nesting, and fledging in the Chesapeake Bay, and no information on whether the timing of those events has changed over time. Osprey does not appear in the statement of the problem in the current draft.

Second justification: pound net landings. The Commission's October 2025 press release announcing initiation identified concentration of reduction effort that may affect other fisheries in the Bay, and cited declining pound net harvest and catch per unit effort. Section V below explains why the PDT's own analysis does not carry this justification.

Third justification: proportionality. The current draft leads with a rationale absent from the initiating motion. Section 2.1 identifies as the first issue that the Bay Cap does not link to the coastwide TAC.

This justification is circular. In October 2025 the Board cut the 2026 TAC by 20% and left the Bay Cap unchanged. That decision raised the share of reduction quota available within the Bay from 32% to 40%, which Section 2.1 describes as the highest such share since 2017. The Board now identifies that elevated share as the condition requiring a Bay Cap reduction. No fact concerning the resource, the Bay, or the fishery changed between the two decisions. The Board altered one variable and now proposes to charge the resulting ratio against the reduction fishery.

The proportionality premise also lacks historical foundation. Table 1 of the draft shows the Bay Cap has never tracked the TAC. It stood at 51.06% of the TAC in 2013, 43.61% in 2017, and 21.84% in 2023. Section 2.2.2 states that the roughly 41.5% Bay Cap reduction in Amendment 3 did not correspond to the change the Board made to the TAC that year, which was an 8% increase. The Commission set the Bay Cap in 2006, 2013, and 2018 by reference to recent absolute landings, in order to prevent the fishery from expanding within the Bay. The draft asserts proportionality to the TAC as an intent for the first time in 2026, then applies that intent retroactively to declare the existing cap misaligned.

IV. The Commission Has Examined This Premise Twice and Come Up Empty

One part of the record deserves the Board's attention before the standards analysis, because the Commission produced it and because it answers the question this draft asks.

In 2005 the Board created the Atlantic Menhaden Research Program for the specific purpose of evaluating whether localized depletion occurs in Chesapeake Bay. Section 1.5.1.4 of Amendment 3 records the result: the 2009 peer review report could not conclude that localized depletion occurs in the Bay, and found that given the high mobility of menhaden, such depletion could occur only on a relatively small scale for a relatively short time. Amendment 3 nonetheless defends maintaining the cap on precautionary grounds. Maintaining a precautionary cap and cutting that cap in half are different propositions, and the second demands more support than the first.

The Commission returned to the question a second time, through the Precautionary Management Work Group described above, and reached no different result. Two research efforts, sixteen years apart, and neither established the predicate.

Between those two efforts, the Commission said so directly. When the Board last reduced this cap, in Amendment 3, Virginia appealed on the ground that the reduction rested on no supporting science. The Commission's own Leadership, comprising then-Chairman James J. Gilmore, Jr., Vice-Chairman Patrick Keliher, and past Chairman Doug Grout, reviewed that appeal and agreed with Virginia on the science. In its January 17, 2018 response, Leadership wrote that "Leadership agrees the Amendment does not provide sufficient evidence to support such claims," the claims being that lowering the Bay Cap was necessary to protect the Bay as a nursery area for menhaden and for other species. Leadership found that claim substantial enough to send to the full Policy Board, the one issue among several in Virginia's appeal that cleared that bar. The same letter recounts that the Bay Cap had never rested on "a scientifically quantified harvest threshold, fishery health index, or fishery population level study," and originated instead as "a compromise reached by managers, fishery stakeholders, and environmental NGOs."

Leadership did not stop at the concession. It recommended forming a Fact Finding Committee to investigate the science surrounding the Bay Cap, and framed that committee's charge as five questions: the impact on menhaden reproduction or other species in the Bay at a given harvest level; whether Bay menhaden harvest affects nursery grounds or other species; whether it affects menhaden reproduction in the Bay; what environmental factors affect that reproduction; and whether any current science would guide the Board in setting an appropriate Bay harvest level.

Those are, almost verbatim, the questions the Board still cannot answer. The current draft concedes as much in Section 2.1. Eight years after its own Leadership said the Commission lacked the science to support the existing cap and should go find it, the Board proposes not to await that science but to cut the same cap by as much as half again. On this question, the most authoritative statement in the Commission's record is the Commission's own, and it runs against the action now before the Board.

V. The Draft Does Not Satisfy Standard 2

Standard 2 requires that conservation programs and management measures rest on the best scientific information available. Section Five(c)(2) places that obligation on the PDT for addenda. Section Eight(f) supplies the definition. Three features of the draft fall short of it.

The document concedes the absence of a scientific basis. Section 2.1 states that sufficient scientific data do not currently exist to comprehensively characterize the abundance and distribution of menhaden throughout Chesapeake Bay and the influence of fishing pressure on menhaden. Section 2.1 then justifies the proposed three-year revisit provision in part by pointing to planned research that would help design a scientifically based Bay Cap setting process. The draft therefore acknowledges two things: that the current Bay Cap setting process does not rest on science, and that the Commission has not yet completed the research that would change this. A measure cannot rest on the best scientific information available when the document proposing it states that the necessary information does not yet exist.

The pound net analysis does not carry the inference the draft draws from it. Section 2.2.4 contains four findings that undercut any causal link between reduction fishery timing and pound net performance:

- For 2023, one of the two years of concentrated mid-summer harvest, weekly Maryland pound net CPUE equaled or exceeded the 2018 to 2022 average, which the draft says suggests little influence of the reduction fishery on pound net catches.
- For 2024, the draft states that although catch rates ran higher than normal, total catch matched other years. The reduction fishery removed no additional fish.
- The draft states that any link between reduction harvest and upper Bay availability would turn jointly on fishery dynamics and migratory patterns at a finer scale than the PDT analysis could reach.
- The PDT discloses that the effort denominator for CPUE counts only nets catching menhaden, which the PDT explains would hold pound net CPUE artificially stable as menhaden abundance declines.

The fourth point bears directly on Section Eight(f). A metric whose denominator the analyst identifies as biased toward stability during the very decline the metric exists to detect does not command general

acceptance as scientifically valid for the purpose the PDT assigns it. The PDT deserves credit for disclosing the limitation. The Board should give that disclosure effect.

The strongest abundance signal in the record points away from the reduction fishery. Section 2.2.5 presents the Maryland DNR Choptank River gillnet survey, which shows abundance dropping sharply in 2024 and remaining low in 2025. The Choptank is a single Maryland tidal river far from reduction fishery operations. In the 2024 season the reduction fishery began roughly five weeks later than in 2018 through 2022, a pattern that fits absent fish better than it fits fish the fleet removed. Standard 2 requires the Board to weigh the information cutting against the proposed action alongside the information supporting it.

VI. The Socioeconomic Section Presents a One-Sided Account of the Board's Own Economic Analysis

This defect warrants separate treatment, because it is the most troubling feature of the document. The Charter does not merely permit the Board to consider economic impacts; it requires the Board to do so. Section Six(a) directs that social and economic impacts and benefits be taken into account. Section Six(b)(1)(i) requires the statement of the problem to address social and economic impacts, and Section Six(b)(1)(vi) requires a summary evaluation of them. The socioeconomic section the Commission added to this draft does not satisfy that obligation. It presents the Board with one half of its own economists' analysis, and the half it presents is the half that makes the action appear less costly than the Board's economists said it may be.

The CESS memorandum contains two findings that pull in opposite directions. One reduces the apparent severity of a Bay Cap cut: the Leontief input-output models in the underlying studies assume employment scales linearly with landings and therefore may overstate long-term employment effects. The other sharply increases it. CESS explained that the linear assumption fails for the reduction sector precisely because of its cost structure. Because a single processing plant must cover the fixed costs of maintaining its shore-side facilities, its fleet, and its insurance regardless of volume, a reduction in landings does not produce a proportional reduction in employment. CESS put the point in concrete terms tied to the very magnitude at issue: where a linear model would predict that a 20% cut yields a 20% employment reduction, the reality is that if a cut pushes landings below the plant's break-even volume, the result is "not a 20 percent layoff but potentially a 100% shutdown of the facility." CESS added that job losses of that kind would fall on Reedville as structural rather than frictional unemployment, because the reduction sector anchors that local economy and offers workers few alternatives nearby.

Section 2.3 carries forward the first finding and omits the second. It reproduces the caveat that the models may overstate employment effects. It reproduces nothing of the threshold analysis, the break-even warning, the prospect of a complete shutdown, or the structural-unemployment finding. It then goes further than omission. Section 2.3 affirmatively tells the Board that seasonal limits may reallocate fishing activity across the season with limited overall economic impact, an assertion it makes two sentences after conceding that neither underlying study examined seasonal restrictions at all. The draft thus supplies the Board a reassuring conclusion its sources do not support, while withholding the alarming conclusion its sources do support.

Every one of these editorial choices runs in the same direction. Each inclusion softens the projected impact; each omission removes an aggravating finding; the one affirmative addition invents a favorable conclusion from silence. A summary that selected among its source's findings at random would not produce that pattern. The effect, whatever its intent, is to place before the Board a picture of the economic stakes that the Board's own economists did not paint and would not endorse.

This is not a quibble over editorial judgment, and noting that the omitted findings appear somewhere in the fuller briefing materials does not cure it. The socioeconomic section of the addendum is the document the Board and the public will read as the Commission's statement of the economic stakes. The omitted finding is not a peripheral one. It is the single most decision-relevant fact in the entire economic record, because it is the only finding that speaks directly to what this action does. The action on the table is a reduction of the Bay Cap by as much as 50%. The Board's own economists warned that a cut approaching that magnitude may not scale to a proportional loss but may instead cross the threshold at which the one remaining Atlantic reduction plant ceases to operate. A Board cannot take an impact into account, in any meaningful sense of the Charter's language, when the document before it has removed the impact from view. Before this document goes to the public as the Commission's account of the economic consequences, the CESS findings belong in it in full.

VII. The Draft Omits Required Contents

Section Six(b) specifies the contents an addendum must contain. The draft omits or leaves incomplete two of them, and both require the PDT to revise the document rather than the Board to edit at the table on August 5.

Section Six(b)(1)(v)(E), enforceability analysis. The Charter requires an analysis of the enforceability of the proposed measures. Section Five(l)(1) assigns the Law Enforcement Committee to advise PDTs on the enforceability of contemplated measures. I have found no enforceability analysis in the draft and no record of LEC input, even though the Board devoted substantial time in May to whether Virginia can administer short quota periods with its existing reporting systems and resources.

Section Six(b)(1)(i), statement of the problem. The Charter requires the document to state the problem it addresses and the objectives implementation will achieve, including social and economic impacts. Section III above describes a statement of the problem that the PDT has revised three times, that no longer contains the concern prompting the Board to act in August 2024, and that now leads with an arithmetic consequence of the Board's own October 2025 TAC decision. The public cannot comment meaningfully on options whose purpose the document does not stably identify.

VIII. The Quota Period Provisions Depart from Standard 7 and the Section Six(a) Principles

Section 3.2 raises issues distinct from the cap reduction.

Standard 7(i). The Charter provides that an FMP should allow internal flexibility within states to achieve its objectives while the states implement and administer the plan. Section 3.2.1 would fix the percentage of the Bay Cap the fishery may harvest in each of three defined periods. Section 3.2.2 would add cross-year overage accounting at the period level. Together these provisions strip Virginia of discretion over the administration of its own sector quota. As one Board member observed in May,

Commission plans typically specify an overall quota and leave management of it to the states. Standard 7(i) reflects that practice.

Allocation decisions. Section Six(a) provides that management measures should focus on conservation while allowing states to make allocation decisions. Dividing a state's sector quota into mandatory seasonal shares allocates that quota across the fishing year. The Board would make an allocation decision inside a single state's quota.

Practical enforceability. Section Six(a) requires management programs that the states can practically enforce, so far as possible with the support of the industry those programs regulate. The Virginia Marine Resources Commission advised the Board in May that it receives Captains Daily Fishing Reports on Thursday for the prior week, that some catches carry a lag of ten to twelve days, that plant confirmation follows weeks later, and that short quota periods would yield only a few data points before the agency must project whether the fleet will exceed a period. That agency, which enforces these measures for the Commonwealth, also told the Board that it lacks the personnel and funding to administer shorter periods and that it would need time to plan for implementation. The Charter directs the Board to weigh that testimony as a standards matter, not merely as a practical inconvenience.

Relative Burden. Section Six(b)(1)(iv)(A) provides that the relative burden of a plan's conservation program may vary from state to state relative to the importance of the fishery in that state compared with its importance elsewhere in the range. That provision permits burden to fall unevenly. It does not answer the objection here. The provision governs how a conservation program distributes its burden; it presupposes a conservation program that satisfies Standard 2. And it speaks to variation in relative burden, not to placing the entire burden of a Bay-wide forage concern on one sector while leaving every other removal from the same waters untouched.

IX. Standards 1, 3, and 4

Standard 1's predicate is absent. Standard 1 addresses preventing overfishing and rebuilding stocks that overfishing or other causes have depleted. The CESS memorandum states that the Atlantic menhaden stock is not overfished. The Board therefore does not act under a rebuilding obligation, which weakens any contention that Standard 1 compels this reduction.

Standard 3 conflicts with the measure's design. Standard 3 requires the Commission to design conservation programs that achieve equivalent management results throughout the range of a stock or its subgroups. Section 2.2.2 of the draft states that additional bait harvest can take place inside Chesapeake Bay. A bait vessel and a reduction vessel take the same fish from the same water, and a predator loses that fish on identical terms. A measure that rests on forage availability within the Bay, yet constrains one sector and exempts every other Bay removal, does not achieve equivalent management results within the area of concern. Should the Board answer that Chesapeake Bay menhaden constitute a subgroup warranting separate treatment, Section 2.1 forecloses that answer by conceding that the data do not permit the Commission to characterize abundance and distribution within the Bay.

Standard 4 and stranded quota. Standard 4 requires that measures minimize waste of fishery resources, and Section Eight(z) defines that to include promoting full and efficient utilization of the

catch. Under Section 3.2.2 Option B, the Board would not reallocate an underage in Quota Period 3. Quota lawfully available under the Bay Cap would go unharvested, and the document identifies no conservation benefit flowing from that result, since the Bay Cap already limits total removals. The Compact's own purpose, which Charter Section One(a) quotes, includes preventing physical waste of the fisheries.

A related design defect. Section 2.1 identifies concentrated harvest as the problem, citing 2023 and 2024, when the reduction fishery took more than half of Bay landings within a six-week mid-summer period. Table 5 shows that under Option B2, the 25/25/50 structure, the final period would carry 50% of the Bay Cap against a 2018 to 2024 average of 16% of landings in that period. A document that identifies concentration as the harm offers, as an option, a structure that manufactures concentration at the other end of the season. Commission staff acknowledged in May that the PDT was pursuing two objectives at once, distributing harvest more evenly and pushing harvest later, and that those objectives pull against each other. The Board should settle which objective governs before asking the public to comment on options serving both.

X. The Record Being Built Here Will Not Stay Within the Commission

I raise one further point not as a threat of litigation, which my client is not announcing, but because the Board should understand where a deficient record travels after it leaves this room.

The Commission has historically relied on the position that it is not a federal agency and that its plan decisions are not directly reviewable under the Administrative Procedure Act. See *New York v. Atlantic States Marine Fisheries Commission*, 609 F.3d 524 (2d Cir. 2010). That doctrine has provided real protection against direct APA challenge. The Board should not, however, mistake it for immunity. Regulated parties have found other routes, and they are using them now.

Harvesters are contesting the scope of that insulation now. In *Outer Cape Lobstermen's Association v. Atlantic States Marine Fisheries Commission*, No. 26-1238, the First Circuit is currently considering an appeal in which a harvesters' association has named the ASMFC and a state marine fisheries director as defendants and asks the court to hold that the Commission is a quasi-federal agency subject to the Administrative Procedure Act, and separately that the federal statutory scheme unconstitutionally commandeers the states. Whatever the outcome, the case illustrates that the reviewability of Commission action is a live and openly litigated question, not a settled shield. And the memory of the industry is long: the challenge now before the First Circuit traces to a complaint first filed in 1998, revived decades later. A Commission that leaves a vulnerable record does not control how long that record remains available to those it regulates, or in what forum they raise it.

Two features of this action make that landscape relevant. First, the Bay Cap reduction reaches the reduction fishery only when Virginia implements it by regulation, and a state implementing regulation faces constitutional and state-law challenge in a way the Commission's plan does not. Second, should Virginia decline to implement and the Commission refer the Commonwealth for non-compliance, the resulting determination by the Secretary of Commerce is federal action, and a challenger can contest the adequacy of the underlying plan record at that stage. The Commission invoked that non-compliance mechanism against Virginia as recently as 2019, so this is not a hypothetical sequence.

There is also a forum inside the Commission, and the Board has been through it before on this precise question. Under the appeals process, a state aggrieved by a Board action may seek review by the Policy Board, and Virginia used that route against the last Bay Cap reduction. Section IV describes what the Commission's Leadership concluded when it did. Virginia later withdrew the appeal, but the withdrawal did not retract the concession, which predated it and remains in the Commission's record. The Board should assume that a further reduction of the same cap would draw the same appeal, and that the 2018 statement would frame it.

The point for present purposes is narrow. A record that changes its stated rationale three times, that concedes the absence of the science its own measure requires, that omits its economists' most consequential finding, and that lacks a required enforceability analysis is precisely the record a reviewing court examines when a challenger contests a downstream state or federal action. The doctrines that keep the Commission's plan decisions out of direct APA review do not travel downstream with those decisions. The Board serves its own interest, and the durability of whatever it ultimately adopts, by building a record that withstands later scrutiny rather than one that invites it.

XI. Conclusion and Requested Action

The Commission adopted the Section Six standards to ensure that its plans rest on science, distribute burdens fairly, remain administrable for the states that must enforce them, and address problems the record establishes. This draft does not meet that test. Its stated basis has changed three times as each predecessor failed. Its supporting analyses carry limitations the PDT itself disclosed. Its central concession is that the data that would characterize the problem do not exist. Its quota period provisions displace state administrative discretion and make an allocation decision within a single state's quota. Its socioeconomic section omits the most consequential finding the Board's own economists supplied. And it appears to lack the enforceability analysis the Charter requires.

Amendment 3 itself directs the Commission to construct regulations based on the best available science, to ensure fair and equitable access across regions and gear types, and to maintain the existing culture and social features of the fishery to the extent possible. A reduction of up to half the Bay Cap, imposed on one sector supporting one plant in one county, on a record two research programs have failed to establish, does not advance those objectives.

None of this asks the Board to abandon its interest in Chesapeake Bay menhaden. The opposite is true. The Board is, right now, on the verge of finally answering the questions it has posed for two decades. Three separate funding streams, together exceeding \$4.5 million, are committed to Bay-specific menhaden research, all of them organized around the 2023 VIMS research roadmap that the Commission itself treats as the starting point for this work. The Board would take final action on a permanent cut just as that research begins to deliver.

The first stream is federal. Congress appropriated \$2.5 million for menhaden research in the Chesapeake Bay, and the Commission is developing the request for proposals now, using the 2023 VIMS roadmap as the framework.

The second stream is state, and more recent still. In late June 2026 the Virginia General Assembly adopted a budget amendment appropriating \$2 million over the biennium, \$1 million in each year, to

the Virginia Institute of Marine Science in collaboration with the Virginia Marine Resources Commission. The appropriation states that the funding “shall be used for Atlantic menhaden research necessary to inform a scientifically defensible and ecologically meaningful Chesapeake Bay harvest cap.” The research questions the Commonwealth directs VIMS to pursue are the same questions this draft addendum concedes it cannot answer: the seasonal abundance of menhaden in the Bay, the movement rates of menhaden between the coast and the Bay, predator demand and consumption, the spatial and temporal patterns of reduction fishing effort in the Bay, and the possibility of localized depletion. The appropriation also directs Virginia’s workforce and economic development agencies to analyze the workforce impacts of coastwide and Bay Cap changes, the very analysis the CESS finding discussed in Section VI shows this draft has not undertaken.

The third stream is industry, and it is the most telling of the three. Through the Science Center for Marine Fisheries, an NSF-supported industry-university cooperative research center, the reduction industry has funded the foundational Bay research directly, including two projects, one at \$55,000 and one at \$38,254, supporting the tag-and-recapture work of the kind that any biologically based Bay Cap would ultimately require. Those sums are modest next to the public appropriations, but the point is not their size. The point is their direction: the regulated industry is paying to develop the very science that would test the premise of the measure the Board is considering. An industry funding the research needed to test that premise is not the posture of an industry with something to hide from the answer.

Two features of this converging effort bear on the timing of the action before the Board. First, the Virginia appropriation does not merely fund research; it builds a mechanism to deliver that research into this Commission’s own process. Beginning with fiscal year 2028, the appropriation directs VMRC to provide the new VIMS scientific data and research products to inform the ASMFC’s annual deliberations on any proposed changes to the coastwide or Chesapeake Bay total allowable catch levels. The Commonwealth has funded, and scheduled, a pipeline of Bay-specific science aimed squarely at the decision this addendum would make. Second, all three streams follow the VIMS roadmap, which makes them a coordinated program rather than three scattered grants.

The Board proposes to make a permanent decision now, cutting the Bay Cap by as much as half, before the first deliverable of a \$4.5 million coordinated research program arrives. The prudent course, and the course the Commission’s own standards require, is to let the science that the Congress, the Commonwealth, and the industry are all paying for arrive before acting on the question it exists to answer.

I make two requests of the Board. The first is one only the Board can grant itself: to give effect to its own 2018 determination. Cutting this cap again, and more deeply, on a record that has not improved in the intervening eight years, is not consistent with what the Commission concluded then. The Board need not treat that conclusion as an obstacle. It can treat it as guidance the Commission itself supplied: identify the science first, then set the cap. The Commission has already told itself the right order of operations. This draft reverses it.

The second request follows from the first. I respectfully ask that the Board decline to approve Draft Addendum II for public comment on August 5, and instead direct the PDT and the Technical Committee to return with a statement of the problem the record supports, an enforceability analysis under Section Six(b)(1)(v)(E), a socioeconomic section presenting the CESS findings in full, and a defined relationship

between this action and the Bay-specific research that the Congress, the Commonwealth of Virginia, and the industry are now funding.

I appreciate the Board's consideration and the work the PDT, the Technical Committee, and Commission staff have devoted to a difficult document. I have set out my client's position in full here so that the Board has the complete argument before it, and I welcome questions from any Commissioner or from staff.

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MEMORANDUM

TO: Members, Atlantic Menhaden Management Board
FROM: Drew Minkiewicz, Counsel to Ocean Fleet Services
DATE: July 28, 2026
RE: Draft Addendum II to Amendment 3: Consistency with ACFCMA and the ISFMP Charter Standards

I. Introduction and Interest

I represent Ocean Fleet Services, which provides services to the Chesapeake Bay reduction fishery. I submit this memorandum on its behalf as written comment on Agenda Item 4.

Charter Section Six(c)(9)(iv) directs the Commission to evaluate and consider public comments before deciding what modifications to make to a draft and before approving it, and Section Six(c)(10) makes Commission staff responsible for collating and maintaining the administrative record. I therefore ask that staff distribute this memorandum to the Board in advance of the meeting and enter it in the administrative record for this action.

This memorandum asks the Board to do two things: to measure Draft Addendum II against the standards the Commission adopted for itself, and to weigh it against the determinations the Commission has already made about a Chesapeake Bay cap of this kind.

The Commission's standards are not advisory. Charter Section Six(a) states that the Commission adopted them pursuant to Section 805 of the Atlantic Coastal Fisheries Cooperative Management Act and that they serve as the guiding principles for the conservation and management programs in Commission FMPs. They exist because ACFCMA, at 16 U.S.C. § 5104(a)(2), directed the Commission to establish standards ensuring that plans promote conservation throughout a stock's range and rest on the best scientific information available. The prior determination that the reduction in the Chesapeake Bay cap was unsupported by science is equally the Commission's own, and it made them when it last reduced this same cap. Measured against either yardstick, its current standards or its own past conclusions, this draft does not hold up.

Measured against the Commission's standards, the draft has four defects. The stated basis for this action has changed three times, and the version now leading the document rests on no biological finding at all. The supporting analyses fall short of the Charter's own definition of best scientific information available, and the document concedes on its face that the data needed to characterize the problem do not exist. The socioeconomic section gives the Board a one-sided account of its own economists' analysis, dropping the finding that a cut of this magnitude could close the single remaining reduction plant. And

the quota period provisions displace state administrative flexibility, make an allocation decision the Charter reserves to the states, and arrive without the enforceability analysis the Charter requires.

Measured against the Commission's own prior determinations, the problem is starker. The Commission has examined the premise of a Chesapeake Bay cap twice, once concluding in 2009 and again in 2025, and neither effort established it. When the Board last reduced this cap, the Commission's Leadership agreed on the record that the governing Amendment did not contain sufficient evidence to support the reduction, and recommended developing the science before acting further. That science still does not exist. It is, however, now funded, and it is coming.

Finally, I note where a record carrying these defects travels once the Commission's decision leaves this room, because the doctrines that shield the Commission's plan decisions from direct review do not shield the state and federal actions those decisions set in motion.

For those reasons, I respectfully ask the Board not to approve this document for public comment in its present form, and to recognize that the Commission has already concluded, on its own record, that a cap of this kind should follow the science rather than precede it.

II. The Applicable Standards

Seven provisions govern the analysis that follows.

ACFCMA § 5104(a)(2). The Commission must maintain standards ensuring that plans promote conservation of fish stocks throughout their ranges, rest on the best scientific information available, and provide adequate public participation.

Charter Section One(c). Commission policy requires that the ISFMP promote conservation, rest on the best scientific information available, and provide adequate opportunity for public participation.

Charter Section Five(c)(2). The Plan Development Team must prepare all documentation for an FMP, amendment, or addendum using the best scientific information available and the most current stock assessment information, in conformance with Section Six. This obligation reaches addenda by its terms.

Charter Section Six(a). Before reaching the numbered standards, this section states three governing principles. The Board must take social and economic impacts and benefits into account. Management measures should focus on conservation while allowing states to make allocation decisions. Management programs must remain practically enforceable, so far as possible with the support of the industry those programs regulate.

Charter Section Six(a)(1) through (7). The numbered standards. Five bear on this action: Standard 1 (preventing overfishing and rebuilding depleted stocks), Standard 2 (best scientific information available), Standard 3 (equivalent management results throughout the range of a stock or its subgroups), Standard 4 (minimizing waste of fishery resources), and Standard 7 (fairness and equity, including internal state flexibility).

Amendment 3, Sections 2.3 and 2.4. An addendum must serve the objectives of the plan it amends. Amendment 3 states its goal as managing the fishery in a manner that equitably allocates the resource's

ecological and economic benefits among all user groups. Among its objectives, Amendment 3 lists constructing regulations based on the best available science, developing a management program that ensures fair and equitable access for all regions and gear types, and maintaining the existing culture and social features of the fishery to the extent possible.

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The remedy preceded the rationale. The initiating motion of October 2025 directed the PDT to develop quota periods and a range of options reducing the Bay Cap by up to 50%. The motion states a mechanism and a magnitude. It identifies no problem, cites no finding, and references no analysis. The Board set the outer bound of the reduction before the PDT drafted a statement of the problem and before the Technical Committee completed the tasks the Board later assigned it.

First justification: osprey. The Board took up Chesapeake Bay precautionary management in August 2024 in response to public concern about menhaden fishing and ospreys, received a U.S. Geological Survey presentation on osprey abundance, dietary demand, and timing of fledge, and established the Chesapeake Bay Precautionary Management Work Group. The Work Group met nine times. The Commission's own summary of the May 2025 report states that the Work Group addressed its task without determining whether an adequate supply of menhaden exists to support predatory demand in the Bay. The Work Group did not establish a forage deficit.

The Technical Committee then reported in May 2026 that the literature contains no information on the environmental cues driving osprey arrival, nesting, and fledging in the Chesapeake Bay, and no information on whether the timing of those events has changed over time. Osprey does not appear in the statement of the problem in the current draft.

Second justification: pound net landings. The Commission's October 2025 press release announcing initiation identified concentration of reduction effort that may affect other fisheries in the Bay, and cited declining pound net harvest and catch per unit effort. Section V below explains why the PDT's own analysis does not carry this justification.

Third justification: proportionality. The current draft leads with a rationale absent from the initiating motion. Section 2.1 identifies as the first issue that the Bay Cap does not link to the coastwide TAC.

This justification is circular. In October 2025 the Board cut the 2026 TAC by 20% and left the Bay Cap unchanged. That decision raised the share of reduction quota available within the Bay from 32% to 40%, which Section 2.1 describes as the highest such share since 2017. The Board now identifies that elevated share as the condition requiring a Bay Cap reduction. No fact concerning the resource, the Bay, or the fishery changed between the two decisions. The Board altered one variable and now proposes to charge the resulting ratio against the reduction fishery.

The proportionality premise also lacks historical foundation. Table 1 of the draft shows the Bay Cap has never tracked the TAC. It stood at 51.06% of the TAC in 2013, 43.61% in 2017, and 21.84% in 2023. Section 2.2.2 states that the roughly 41.5% Bay Cap reduction in Amendment 3 did not correspond to the change the Board made to the TAC that year, which was an 8% increase. The Commission set the Bay Cap in 2006, 2013, and 2018 by reference to recent absolute landings, in order to prevent the fishery from expanding within the Bay. The draft asserts proportionality to the TAC as an intent for the first time in 2026, then applies that intent retroactively to declare the existing cap misaligned.

IV. The Commission Has Examined This Premise Twice and Come Up Empty

One part of the record deserves the Board's attention before the standards analysis, because the Commission produced it and because it answers the question this draft asks.

In 2005 the Board created the Atlantic Menhaden Research Program for the specific purpose of evaluating whether localized depletion occurs in Chesapeake Bay. Section 1.5.1.4 of Amendment 3 records the result: the 2009 peer review report could not conclude that localized depletion occurs in the Bay, and found that given the high mobility of menhaden, such depletion could occur only on a relatively small scale for a relatively short time. Amendment 3 nonetheless defends maintaining the cap on precautionary grounds. Maintaining a precautionary cap and cutting that cap in half are different propositions, and the second demands more support than the first.

The Commission returned to the question a second time, through the Precautionary Management Work Group described above, and reached no different result. Two research efforts, sixteen years apart, and neither established the predicate.

Between those two efforts, the Commission said so directly. When the Board last reduced this cap, in Amendment 3, Virginia appealed on the ground that the reduction rested on no supporting science. The Commission's own Leadership, comprising then-Chairman James J. Gilmore, Jr., Vice-Chairman Patrick Keliher, and past Chairman Doug Grout, reviewed that appeal and agreed with Virginia on the science. In its January 17, 2018 response, Leadership wrote that "Leadership agrees the Amendment does not provide sufficient evidence to support such claims," the claims being that lowering the Bay Cap was necessary to protect the Bay as a nursery area for menhaden and for other species. Leadership found that claim substantial enough to send to the full Policy Board, the one issue among several in Virginia's appeal that cleared that bar. The same letter recounts that the Bay Cap had never rested on "a scientifically quantified harvest threshold, fishery health index, or fishery population level study," and originated instead as "a compromise reached by managers, fishery stakeholders, and environmental NGOs."

Leadership did not stop at the concession. It recommended forming a Fact Finding Committee to investigate the science surrounding the Bay Cap, and framed that committee's charge as five questions: the impact on menhaden reproduction or other species in the Bay at a given harvest level; whether Bay menhaden harvest affects nursery grounds or other species; whether it affects menhaden reproduction in the Bay; what environmental factors affect that reproduction; and whether any current science would guide the Board in setting an appropriate Bay harvest level.

Those are, almost verbatim, the questions the Board still cannot answer. The current draft concedes as much in Section 2.1. Eight years after its own Leadership said the Commission lacked the science to support the existing cap and should go find it, the Board proposes not to await that science but to cut the same cap by as much as half again. On this question, the most authoritative statement in the Commission's record is the Commission's own, and it runs against the action now before the Board.

V. The Draft Does Not Satisfy Standard 2

Standard 2 requires that conservation programs and management measures rest on the best scientific information available. Section Five(c)(2) places that obligation on the PDT for addenda. Section Eight(f) supplies the definition. Three features of the draft fall short of it.

The document concedes the absence of a scientific basis. Section 2.1 states that sufficient scientific data do not currently exist to comprehensively characterize the abundance and distribution of menhaden throughout Chesapeake Bay and the influence of fishing pressure on menhaden. Section 2.1 then justifies the proposed three-year revisit provision in part by pointing to planned research that would help design a scientifically based Bay Cap setting process. The draft therefore acknowledges two things: that the current Bay Cap setting process does not rest on science, and that the Commission has not yet completed the research that would change this. A measure cannot rest on the best scientific information available when the document proposing it states that the necessary information does not yet exist.

The pound net analysis does not carry the inference the draft draws from it. Section 2.2.4 contains four findings that undercut any causal link between reduction fishery timing and pound net performance:

- For 2023, one of the two years of concentrated mid-summer harvest, weekly Maryland pound net CPUE equaled or exceeded the 2018 to 2022 average, which the draft says suggests little influence of the reduction fishery on pound net catches.
- For 2024, the draft states that although catch rates ran higher than normal, total catch matched other years. The reduction fishery removed no additional fish.
- The draft states that any link between reduction harvest and upper Bay availability would turn jointly on fishery dynamics and migratory patterns at a finer scale than the PDT analysis could reach.
- The PDT discloses that the effort denominator for CPUE counts only nets catching menhaden, which the PDT explains would hold pound net CPUE artificially stable as menhaden abundance declines.

The fourth point bears directly on Section Eight(f). A metric whose denominator the analyst identifies as biased toward stability during the very decline the metric exists to detect does not command general

acceptance as scientifically valid for the purpose the PDT assigns it. The PDT deserves credit for disclosing the limitation. The Board should give that disclosure effect.

The strongest abundance signal in the record points away from the reduction fishery. Section 2.2.5 presents the Maryland DNR Choptank River gillnet survey, which shows abundance dropping sharply in 2024 and remaining low in 2025. The Choptank is a single Maryland tidal river far from reduction fishery operations. In the 2024 season the reduction fishery began roughly five weeks later than in 2018 through 2022, a pattern that fits absent fish better than it fits fish the fleet removed. Standard 2 requires the Board to weigh the information cutting against the proposed action alongside the information supporting it.

VI. The Socioeconomic Section Presents a One-Sided Account of the Board's Own Economic Analysis

This defect warrants separate treatment, because it is the most troubling feature of the document. The Charter does not merely permit the Board to consider economic impacts; it requires the Board to do so. Section Six(a) directs that social and economic impacts and benefits be taken into account. Section Six(b)(1)(i) requires the statement of the problem to address social and economic impacts, and Section Six(b)(1)(vi) requires a summary evaluation of them. The socioeconomic section the Commission added to this draft does not satisfy that obligation. It presents the Board with one half of its own economists' analysis, and the half it presents is the half that makes the action appear less costly than the Board's economists said it may be.

The CESS memorandum contains two findings that pull in opposite directions. One reduces the apparent severity of a Bay Cap cut: the Leontief input-output models in the underlying studies assume employment scales linearly with landings and therefore may overstate long-term employment effects. The other sharply increases it. CESS explained that the linear assumption fails for the reduction sector precisely because of its cost structure. Because a single processing plant must cover the fixed costs of maintaining its shore-side facilities, its fleet, and its insurance regardless of volume, a reduction in landings does not produce a proportional reduction in employment. CESS put the point in concrete terms tied to the very magnitude at issue: where a linear model would predict that a 20% cut yields a 20% employment reduction, the reality is that if a cut pushes landings below the plant's break-even volume, the result is "not a 20 percent layoff but potentially a 100% shutdown of the facility." CESS added that job losses of that kind would fall on Reedville as structural rather than frictional unemployment, because the reduction sector anchors that local economy and offers workers few alternatives nearby.

Section 2.3 carries forward the first finding and omits the second. It reproduces the caveat that the models may overstate employment effects. It reproduces nothing of the threshold analysis, the break-even warning, the prospect of a complete shutdown, or the structural-unemployment finding. It then goes further than omission. Section 2.3 affirmatively tells the Board that seasonal limits may reallocate fishing activity across the season with limited overall economic impact, an assertion it makes two sentences after conceding that neither underlying study examined seasonal restrictions at all. The draft thus supplies the Board a reassuring conclusion its sources do not support, while withholding the alarming conclusion its sources do support.

Every one of these editorial choices runs in the same direction. Each inclusion softens the projected impact; each omission removes an aggravating finding; the one affirmative addition invents a favorable conclusion from silence. A summary that selected among its source's findings at random would not produce that pattern. The effect, whatever its intent, is to place before the Board a picture of the economic stakes that the Board's own economists did not paint and would not endorse.

This is not a quibble over editorial judgment, and noting that the omitted findings appear somewhere in the fuller briefing materials does not cure it. The socioeconomic section of the addendum is the document the Board and the public will read as the Commission's statement of the economic stakes. The omitted finding is not a peripheral one. It is the single most decision-relevant fact in the entire economic record, because it is the only finding that speaks directly to what this action does. The action on the table is a reduction of the Bay Cap by as much as 50%. The Board's own economists warned that a cut approaching that magnitude may not scale to a proportional loss but may instead cross the threshold at which the one remaining Atlantic reduction plant ceases to operate. A Board cannot take an impact into account, in any meaningful sense of the Charter's language, when the document before it has removed the impact from view. Before this document goes to the public as the Commission's account of the economic consequences, the CESS findings belong in it in full.

VII. The Draft Omits Required Contents

Section Six(b) specifies the contents an addendum must contain. The draft omits or leaves incomplete two of them, and both require the PDT to revise the document rather than the Board to edit at the table on August 5.

Section Six(b)(1)(v)(E), enforceability analysis. The Charter requires an analysis of the enforceability of the proposed measures. Section Five(l)(1) assigns the Law Enforcement Committee to advise PDTs on the enforceability of contemplated measures. I have found no enforceability analysis in the draft and no record of LEC input, even though the Board devoted substantial time in May to whether Virginia can administer short quota periods with its existing reporting systems and resources.

Section Six(b)(1)(i), statement of the problem. The Charter requires the document to state the problem it addresses and the objectives implementation will achieve, including social and economic impacts. Section III above describes a statement of the problem that the PDT has revised three times, that no longer contains the concern prompting the Board to act in August 2024, and that now leads with an arithmetic consequence of the Board's own October 2025 TAC decision. The public cannot comment meaningfully on options whose purpose the document does not stably identify.

VIII. The Quota Period Provisions Depart from Standard 7 and the Section Six(a) Principles

Section 3.2 raises issues distinct from the cap reduction.

Standard 7(i). The Charter provides that an FMP should allow internal flexibility within states to achieve its objectives while the states implement and administer the plan. Section 3.2.1 would fix the percentage of the Bay Cap the fishery may harvest in each of three defined periods. Section 3.2.2 would add cross-year overage accounting at the period level. Together these provisions strip Virginia of discretion over the administration of its own sector quota. As one Board member observed in May,

Commission plans typically specify an overall quota and leave management of it to the states. Standard 7(i) reflects that practice.

Allocation decisions. Section Six(a) provides that management measures should focus on conservation while allowing states to make allocation decisions. Dividing a state's sector quota into mandatory seasonal shares allocates that quota across the fishing year. The Board would make an allocation decision inside a single state's quota.

Practical enforceability. Section Six(a) requires management programs that the states can practically enforce, so far as possible with the support of the industry those programs regulate. The Virginia Marine Resources Commission advised the Board in May that it receives Captains Daily Fishing Reports on Thursday for the prior week, that some catches carry a lag of ten to twelve days, that plant confirmation follows weeks later, and that short quota periods would yield only a few data points before the agency must project whether the fleet will exceed a period. That agency, which enforces these measures for the Commonwealth, also told the Board that it lacks the personnel and funding to administer shorter periods and that it would need time to plan for implementation. The Charter directs the Board to weigh that testimony as a standards matter, not merely as a practical inconvenience.

Relative Burden. Section Six(b)(1)(iv)(A) provides that the relative burden of a plan's conservation program may vary from state to state relative to the importance of the fishery in that state compared with its importance elsewhere in the range. That provision permits burden to fall unevenly. It does not answer the objection here. The provision governs how a conservation program distributes its burden; it presupposes a conservation program that satisfies Standard 2. And it speaks to variation in relative burden, not to placing the entire burden of a Bay-wide forage concern on one sector while leaving every other removal from the same waters untouched.

IX. Standards 1, 3, and 4

Standard 1's predicate is absent. Standard 1 addresses preventing overfishing and rebuilding stocks that overfishing or other causes have depleted. The CESS memorandum states that the Atlantic menhaden stock is not overfished. The Board therefore does not act under a rebuilding obligation, which weakens any contention that Standard 1 compels this reduction.

Standard 3 conflicts with the measure's design. Standard 3 requires the Commission to design conservation programs that achieve equivalent management results throughout the range of a stock or its subgroups. Section 2.2.2 of the draft states that additional bait harvest can take place inside Chesapeake Bay. A bait vessel and a reduction vessel take the same fish from the same water, and a predator loses that fish on identical terms. A measure that rests on forage availability within the Bay, yet constrains one sector and exempts every other Bay removal, does not achieve equivalent management results within the area of concern. Should the Board answer that Chesapeake Bay menhaden constitute a subgroup warranting separate treatment, Section 2.1 forecloses that answer by conceding that the data do not permit the Commission to characterize abundance and distribution within the Bay.

Standard 4 and stranded quota. Standard 4 requires that measures minimize waste of fishery resources, and Section Eight(z) defines that to include promoting full and efficient utilization of the

catch. Under Section 3.2.2 Option B, the Board would not reallocate an underage in Quota Period 3. Quota lawfully available under the Bay Cap would go unharvested, and the document identifies no conservation benefit flowing from that result, since the Bay Cap already limits total removals. The Compact's own purpose, which Charter Section One(a) quotes, includes preventing physical waste of the fisheries.

A related design defect. Section 2.1 identifies concentrated harvest as the problem, citing 2023 and 2024, when the reduction fishery took more than half of Bay landings within a six-week mid-summer period. Table 5 shows that under Option B2, the 25/25/50 structure, the final period would carry 50% of the Bay Cap against a 2018 to 2024 average of 16% of landings in that period. A document that identifies concentration as the harm offers, as an option, a structure that manufactures concentration at the other end of the season. Commission staff acknowledged in May that the PDT was pursuing two objectives at once, distributing harvest more evenly and pushing harvest later, and that those objectives pull against each other. The Board should settle which objective governs before asking the public to comment on options serving both.

X. The Record Being Built Here Will Not Stay Within the Commission

I raise one further point not as a threat of litigation, which my client is not announcing, but because the Board should understand where a deficient record travels after it leaves this room.

The Commission has historically relied on the position that it is not a federal agency and that its plan decisions are not directly reviewable under the Administrative Procedure Act. See *New York v. Atlantic States Marine Fisheries Commission*, 609 F.3d 524 (2d Cir. 2010). That doctrine has provided real protection against direct APA challenge. The Board should not, however, mistake it for immunity. Regulated parties have found other routes, and they are using them now.

Harvesters are contesting the scope of that insulation now. In *Outer Cape Lobstermen's Association v. Atlantic States Marine Fisheries Commission*, No. 26-1238, the First Circuit is currently considering an appeal in which a harvesters' association has named the ASMFC and a state marine fisheries director as defendants and asks the court to hold that the Commission is a quasi-federal agency subject to the Administrative Procedure Act, and separately that the federal statutory scheme unconstitutionally commandeers the states. Whatever the outcome, the case illustrates that the reviewability of Commission action is a live and openly litigated question, not a settled shield. And the memory of the industry is long: the challenge now before the First Circuit traces to a complaint first filed in 1998, revived decades later. A Commission that leaves a vulnerable record does not control how long that record remains available to those it regulates, or in what forum they raise it.

Two features of this action make that landscape relevant. First, the Bay Cap reduction reaches the reduction fishery only when Virginia implements it by regulation, and a state implementing regulation faces constitutional and state-law challenge in a way the Commission's plan does not. Second, should Virginia decline to implement and the Commission refer the Commonwealth for non-compliance, the resulting determination by the Secretary of Commerce is federal action, and a challenger can contest the adequacy of the underlying plan record at that stage. The Commission invoked that non-compliance mechanism against Virginia as recently as 2019, so this is not a hypothetical sequence.

There is also a forum inside the Commission, and the Board has been through it before on this precise question. Under the appeals process, a state aggrieved by a Board action may seek review by the Policy Board, and Virginia used that route against the last Bay Cap reduction. Section IV describes what the Commission's Leadership concluded when it did. Virginia later withdrew the appeal, but the withdrawal did not retract the concession, which predated it and remains in the Commission's record. The Board should assume that a further reduction of the same cap would draw the same appeal, and that the 2018 statement would frame it.

The point for present purposes is narrow. A record that changes its stated rationale three times, that concedes the absence of the science its own measure requires, that omits its economists' most consequential finding, and that lacks a required enforceability analysis is precisely the record a reviewing court examines when a challenger contests a downstream state or federal action. The doctrines that keep the Commission's plan decisions out of direct APA review do not travel downstream with those decisions. The Board serves its own interest, and the durability of whatever it ultimately adopts, by building a record that withstands later scrutiny rather than one that invites it.

XI. Conclusion and Requested Action

The Commission adopted the Section Six standards to ensure that its plans rest on science, distribute burdens fairly, remain administrable for the states that must enforce them, and address problems the record establishes. This draft does not meet that test. Its stated basis has changed three times as each predecessor failed. Its supporting analyses carry limitations the PDT itself disclosed. Its central concession is that the data that would characterize the problem do not exist. Its quota period provisions displace state administrative discretion and make an allocation decision within a single state's quota. Its socioeconomic section omits the most consequential finding the Board's own economists supplied. And it appears to lack the enforceability analysis the Charter requires.

Amendment 3 itself directs the Commission to construct regulations based on the best available science, to ensure fair and equitable access across regions and gear types, and to maintain the existing culture and social features of the fishery to the extent possible. A reduction of up to half the Bay Cap, imposed on one sector supporting one plant in one county, on a record two research programs have failed to establish, does not advance those objectives.

None of this asks the Board to abandon its interest in Chesapeake Bay menhaden. The opposite is true. The Board is, right now, on the verge of finally answering the questions it has posed for two decades. Three separate funding streams, together exceeding \$4.5 million, are committed to Bay-specific menhaden research, all of them organized around the 2023 VIMS research roadmap that the Commission itself treats as the starting point for this work. The Board would take final action on a permanent cut just as that research begins to deliver.

The first stream is federal. Congress appropriated \$2.5 million for menhaden research in the Chesapeake Bay, and the Commission is developing the request for proposals now, using the 2023 VIMS roadmap as the framework.

The second stream is state, and more recent still. In late June 2026 the Virginia General Assembly adopted a budget amendment appropriating \$2 million over the biennium, \$1 million in each year, to

the Virginia Institute of Marine Science in collaboration with the Virginia Marine Resources Commission. The appropriation states that the funding “shall be used for Atlantic menhaden research necessary to inform a scientifically defensible and ecologically meaningful Chesapeake Bay harvest cap.” The research questions the Commonwealth directs VIMS to pursue are the same questions this draft addendum concedes it cannot answer: the seasonal abundance of menhaden in the Bay, the movement rates of menhaden between the coast and the Bay, predator demand and consumption, the spatial and temporal patterns of reduction fishing effort in the Bay, and the possibility of localized depletion. The appropriation also directs Virginia’s workforce and economic development agencies to analyze the workforce impacts of coastwide and Bay Cap changes, the very analysis the CESS finding discussed in Section VI shows this draft has not undertaken.

The third stream is industry, and it is the most telling of the three. Through the Science Center for Marine Fisheries, an NSF-supported industry-university cooperative research center, the reduction industry has funded the foundational Bay research directly, including two projects, one at \$55,000 and one at \$38,254, supporting the tag-and-recapture work of the kind that any biologically based Bay Cap would ultimately require. Those sums are modest next to the public appropriations, but the point is not their size. The point is their direction: the regulated industry is paying to develop the very science that would test the premise of the measure the Board is considering. An industry funding the research needed to test that premise is not the posture of an industry with something to hide from the answer.

Two features of this converging effort bear on the timing of the action before the Board. First, the Virginia appropriation does not merely fund research; it builds a mechanism to deliver that research into this Commission’s own process. Beginning with fiscal year 2028, the appropriation directs VMRC to provide the new VIMS scientific data and research products to inform the ASMFC’s annual deliberations on any proposed changes to the coastwide or Chesapeake Bay total allowable catch levels. The Commonwealth has funded, and scheduled, a pipeline of Bay-specific science aimed squarely at the decision this addendum would make. Second, all three streams follow the VIMS roadmap, which makes them a coordinated program rather than three scattered grants.

The Board proposes to make a permanent decision now, cutting the Bay Cap by as much as half, before the first deliverable of a \$4.5 million coordinated research program arrives. The prudent course, and the course the Commission’s own standards require, is to let the science that the Congress, the Commonwealth, and the industry are all paying for arrive before acting on the question it exists to answer.

I make two requests of the Board. The first is one only the Board can grant itself: to give effect to its own 2018 determination. Cutting this cap again, and more deeply, on a record that has not improved in the intervening eight years, is not consistent with what the Commission concluded then. The Board need not treat that conclusion as an obstacle. It can treat it as guidance the Commission itself supplied: identify the science first, then set the cap. The Commission has already told itself the right order of operations. This draft reverses it.

The second request follows from the first. I respectfully ask that the Board decline to approve Draft Addendum II for public comment on August 5, and instead direct the PDT and the Technical Committee to return with a statement of the problem the record supports, an enforceability analysis under Section Six(b)(1)(v)(E), a socioeconomic section presenting the CESS findings in full, and a defined relationship

between this action and the Bay-specific research that the Congress, the Commonwealth of Virginia, and the industry are now funding.

I appreciate the Board's consideration and the work the PDT, the Technical Committee, and Commission staff have devoted to a difficult document. I have set out my client's position in full here so that the Board has the complete argument before it, and I welcome questions from any Commissioner or from staff.



July 29, 2026

Via Electronic Mail

Mr. Joseph Cimino, Chair
Atlantic Menhaden Management Board
Atlantic States Marine Fisheries Commission
1050 N. Highland St., Suite 200 A-N
Arlington, VA 22201

RE: Addendum II to Amendment 3 of the Atlantic Menhaden Interstate Fishery Management Plan

Dear Chairman Cimino,

Ocean Harvesters submits this letter in response to the draft Addendum II to Amendment 3 of the Atlantic Menhaden Interstate Fishery Management Plan. The company previously had requested a delay in action until the Menhaden Technical Committee ("TC") had an opportunity to determine if the proposed actions have any basis in science. This review is complete, and that analysis, along with the shifting justification for the action throughout its development, confirm that there is no scientific basis for this Addendum. For the reasons explained here, as well as in the Black Point Maritime Law memo, Ocean Harvesters respectfully urges the Menhaden Board not to approve Addendum II for public comment and potential implementation.

The Addendum proposes three actions: (1) reducing the Chesapeake Bay reduction fishery cap by up to 50 percent and/or linking it to changes in the total allowable catch ("TAC"); (2) instructions to the Virginia Marine Resources Commission as to how to manage that cap; and (3) establishing a regular schedule for "revisiting" the cap.

The first lacks any scientific basis, as the ASMFC Executive Board admitted when Virginia appealed the Bay cap reduction from 87,216 metric tons ("mt") to 51,000 mt in 2017. In finding that Virginia's challenge on science grounds has merit, then Chairman Jim Gilmore stated:

"There is no evidence in Amendment 3 to support the view that lowering the Bay Cap was necessary to protect the Bay as a nursery area for menhaden and there is no evidence to suggest the Bay Cap is necessary to protect the Bay as a nursery for other species. Leadership agrees the Amendment does not provide sufficient evidence to support such claims."

No new science has been presented which changes this conclusion. There is, however, \$4.5 million in research funding in the pipeline and a roadmap being developed by the Science Center

for Marine Fisheries that Ocean Harvesters is financially supporting to guide research that will provide relevant information.

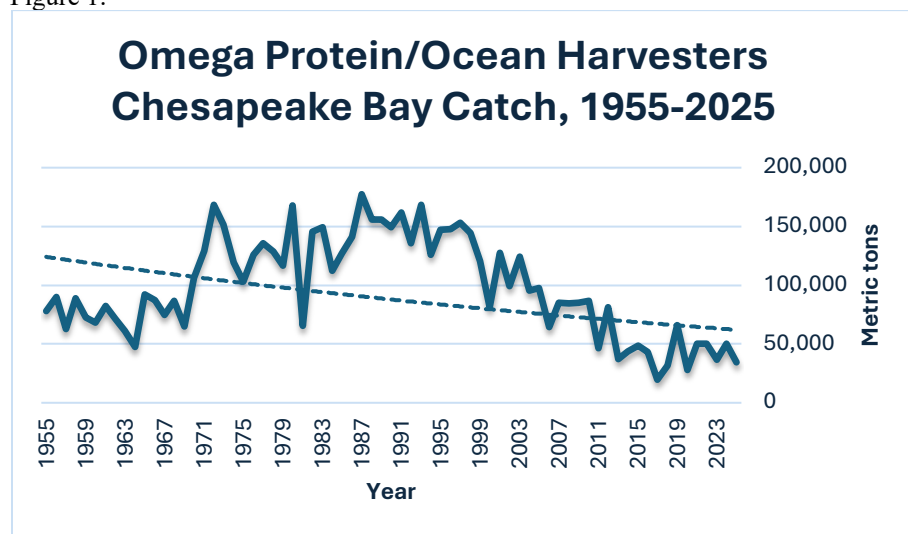
The only rationale provided to justify further cuts to the cap is that it is not linked to the coastwide TAC. This proposition is unremarkable given that the Bay reduction cap *preceded* the TAC, having been implemented as a purely precautionary measure six years before Amendment 3. Even though it was reduced by the same 20 percent as average coastwide landings in 2012, the Bay cap was never intended to be linked to the overall menhaden quota. In fact, since 2012, the TAC has **been raised four times** (lowered once), yet the only *cut* to the Bay cap – a whopping 41.5 percent – came in the same year that the TAC *increased* by 8 percent.

Just to show how conservative the current Bay reduction fishery cap is – and how thin the justification of sustaining a constant proportion – this is how the reduction fishery cap would have changed over the past thirteen seasons if the Bay Cap had been linked to the overall TAC since the original 20% cut adopted as part of Amendment 2:

- **2015 (10% increase):** 99,063 mt
- **2017 (6% increase):** 102,159 mt
- **2018 (8% increase):** 110,397 mt
- **2021 (10% decrease):** 99,063 mt
- **2023 (20% increase):** 118,875 mt
- **2025 (20% decrease):** 94,971 mt

The reason the reduction cap is not tied to the TAC is that there is no scientific linkage between the two. The reduction fishery cap is purely a precautionary measure meant to prevent expansion of the fishery in the Bay pending scientific analysis that might provide a limit that has an actual biological basis. The current level of 51,000 mt has constrained reduction harvests to their lowest level going back to at least 1955 (as the figure below demonstrates), and perhaps to 1855 given the large number of plants and vessels operating in the Chesapeake throughout that period.

Figure 1:

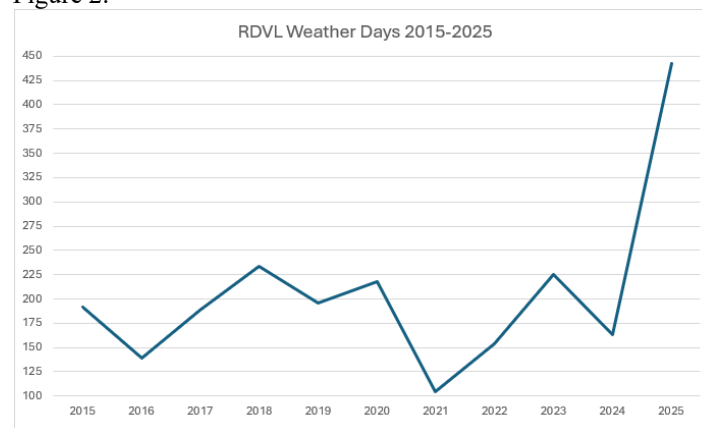


The current, extremely precautionary, Bay harvest cap is already at a level that can threaten the viability of Ocean Harvesters and Omega Protein, as explained further below.

The draft Addendum also states that a rationale for the Bay cap is to maintain some consistent ratio of Virginia’s ocean versus bay harvest (albeit while ignoring bait harvest in the Bay). This was never a topic of discussion in Addendum II to the original ISFMP which established the first cap, nor was maintaining a particular ratio a goal or objective of Amendments 2 and 3, each of which subsequently lowered it. There is a good reason for this. There is no biological or scientific significance of this ratio to the Bay or predators. Within the Bay, the important factor is absolute removals (bait plus reduction), and as shown above, those levels are historically low.

In sum, there is no justification for either lowering the Bay cap or tying it to the coastwide TAC. On the other hand, lowering it any further does threaten an objective of Menhaden ISFMP. Specifically, to “[m]aintain existing culture and social features of the fishery to the extent possible.” As the Committee on Economic and Social Sciences (“CESS”) noted in its report (though conspicuously absent from the draft Addendum), if a 20 percent cut to the Bay cap leads to a reduction in landings below Omega Protein’s break-even volume, the result is “not a 20 percent layoff but potentially a 100% shutdown of the facility.” The current TAC, coupled with increasingly unpredictable and extreme weather conditions (see Figure 2), is already putting the reduction industry perilously close to this tipping point.

Figure 2:



Total vessel fishing days lost to inclement weather for Ocean Harvesters’ Reedville, VA, fleet, by year.

Further reductions – either directly to the cap, or backdoor cuts which will occur if Ocean Harvesters is disallowed from harvesting menhaden while they are in Virginia waters due to the seasonal quotas (discussed below) – risk not only the more than 500 full- and part-time jobs directly employed by the reduction sector. As the CESS noted, “the reduction industry is a critical and central sector for the local economy around Reedville, Virginia” and that its loss “could, potentially lead to structural unemployment rather than frictional transition, as we might expect in larger or more diversified economies.” If the adverse weather conditions (which are more common in ocean waters than the Bay) that persisted in 2025 become the norm and Bay fishing opportunities are further reduced, the CESS’ extreme scenario could easily come to pass.

Thus, Ocean Harvesters urgently requests that the Board not consider any further cap reductions

The second action would tell Virginia to divide the Chesapeake Bay reduction fishery cap into sub-annual quotas. This is an extreme intrusion into the Commonwealth's sovereignty and is therefore inconsistent with the ISFMP Charter, which places such allocation decisions in the hands of ASMFC member states. *See* Sec. Six(a). It also lacks justification and amounts to a *de facto* cap cut because it prevents Ocean Harvesters' vessels from operating in the Bay when ocean conditions prevent safe harvesting and menhaden are locally available in the Bay.

The Addendum is premised on the supposed need to "reduce the concentration and volume of reduction harvest within Chesapeake Bay from recent levels to allow the ingress of menhaden to distribute throughout Chesapeake Bay." It assumes a problem rather than considering scientific evidence to determine if there is, in fact, any relationship between the reduction fishery and Maryland poundnet catches. All the evidence examined suggests that this is not the case.

The Menhaden Technical Committee found that in 2023, later reduction harvests correlated with increase catch-per-unit-of-effort ("CPUE") in the Maryland poundnet fishery, while similar late harvests in 2024 correlated with a decline in Maryland CPUE. They also found that menhaden were less abundant, at least in the Choptank River, in 2024. The only scientifically rational conclusion from the data is that **reduction fishery catches have no impact on the Maryland poundnet fishery.**

The Black Point letter provides much more detail on the lack of a justification for this measure and the administrative problems it entails. We will just note that earlier drafts of the Addendum had noted that the seasonal limitations on harvest could lead to up to a 20 percent cut in reduction harvests. That is not unrealistic, especially considering the first two options put as much as 50 percent of the quota into a period that historically accounts for only 16 percent of Ocean Harvesters' bay landings.

The Maryland poundnet and Virginia reduction fisheries have coexisted for over 150 years. One anomalous year is not a justification for intruding on a member state's sovereignty or ignoring the utter lack of either a scientific basis or rationale for such an extreme action.

The final measure is not particularly objectionable but does impose a burden on the Management Board without providing benefits. A mandatory review of the Bay cap is meaningless if there is no new information to inform a change. As things stand, the Board is free to take up the issue at any time. Ocean Harvesters believe that the Board should wait for information that will be provided through the \$4.5 million in research funding before revisiting this issue.

As a final point, Ocean Harvesters would like to register its objection to the biased and outcome-oriented nature of the analysis in the draft addendum. The omissions from the CESS report have already been noted. A fair management document would recognize and explain all potential impacts of the measures under consideration.

Another glaring misrepresentation is the inaccurate statement that the Bay cap is premised on maintaining some particular ratio of bay to ocean catches. This error is made all the worse by focusing on the relative **amount of harvest** in each area in the Statement of the Problem, but including the graphic that shows the **amount of effort** (net sets) in the Background section. The text in that section says: “In the last five years (2021-2025), **about 50%** of all reduction fishery effort (i.e., purse seine net sets) has occurred within Chesapeake Bay” In fact, the percentage of menhaden harvested in the Bay has **averaged 32 percent** every year since 2013, and has not exceeded 44 percent over that time.

As explained, the ratio is meaningless. That is not a justification for mixing the two measures, especially when the latter focus on effort appears intended to exaggerate the fishery’s impact. But a public information document should fairly and dispassionately explain the rationale, background, and best scientific, economic, and social impacts of a proposed action. This document fails this basic test.

For all these reasons, Ocean Harvesters urges the Menhaden Board not to take any further action on the Addendum.

Sincerely,



Ben Landry
Vice President of Public Affairs
Ocean Fleet Services

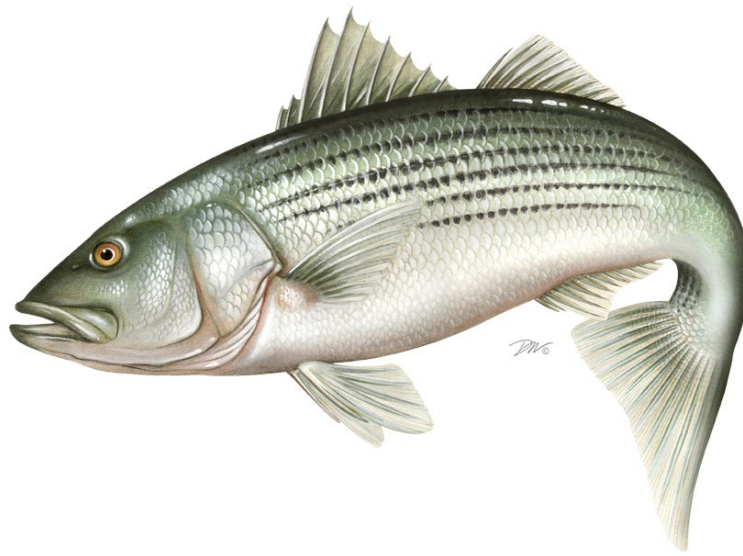
cc: Members of Atlantic Menhaden Board

ATLANTIC STATES MARINE FISHERIES COMMISSION

REVIEW OF THE INTERSTATE FISHERY MANAGEMENT PLAN

FOR ATLANTIC STRIPED BASS
(Morone saxatilis)

2025 FISHING YEAR



Prepared by the Atlantic Striped Bass Plan Review Team
For Board Review
July 2026



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

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I. Status of the Fishery Management Plan

<u>Date of FMP Approval:</u>	Original FMP – 1981
<u>Amendments:</u>	Amendment 1 – 1984 Amendment 2 – 1984 Amendment 3 – 1985 Amendment 4 – 1989; Addendum I – 1991, Addendum II – 1992, Addendum III – 1993, Addendum IV – 1994 Amendment 5 – 1995; Addendum I – 1997, Addendum II – 1997, Addendum III – 1998, Addendum IV – 1999, Addendum V – 2000 Amendment 6 – 2003; Addendum I – 2007, Addendum II – 2010, Addendum III – 2012, Addendum IV – 2014, Addendum VI -2019 Amendment 7 – 2022; Addendum I – 2023
<u>Management Unit:</u>	Migratory stocks of Atlantic striped bass from Maine through North Carolina
<u>States With Declared Interest:</u>	Maine - North Carolina, including Pennsylvania
<u>Additional Jurisdictions:</u>	District of Columbia, Potomac River Fisheries Commission, National Marine Fisheries Service, United States Fish and Wildlife Service
<u>Active Boards/Committees:</u>	Atlantic Striped Bass Management Board, Advisory Panel, Technical Committee, Stock Assessment Subcommittee, Tagging Subcommittee, Plan Review Team, and Plan Development Team

Original FMP and Amendments 1-5

The Atlantic States Marine Fisheries Commission (Commission) developed a Fisheries Management Plan (FMP) for Atlantic Striped Bass in 1981 in response to poor juvenile recruitment and declining landings. The FMP recommended increased restrictions on commercial and recreational fisheries, such as minimum size limits and harvest closures on spawning grounds. Two amendments were passed in 1984 recommending additional management measures to reduce fishing mortality. To strengthen the management response and improve compliance and enforcement, the Atlantic Striped Bass Conservation Act (P.L. 98-613) was passed in late 1984. The Striped Bass Act¹ mandated the implementation of striped bass regulations passed by the Commission and gave the Commission authority to recommend to the Secretaries of Commerce and Interior that states be found out of compliance when they failed to implement management measures consistent with the FMP.

¹ The 1997 reauthorization of the Striped Bass Act also required the Secretaries of Commerce and Interior provide a biennial report to Congress highlighting the progress and findings of studies of migratory and estuarine Striped Bass. The ninth such report was recently provided to Congress (Shepherd et al. 2017).

The first enforceable plan under the Striped Bass Act, Amendment 3, was approved in 1985, and required size regulations to protect the 1982 year-class – the first modest size cohort since the previous decade. The objective was to increase size limits to allow at least 95% of the females in the 1982 year-class to spawn at least once. Smaller size limits were permitted in producer areas than along the coast. Several states, beginning with Maryland in 1985, opted for a more conservative approach and imposed a total moratorium on striped bass landings for several years. The amendment contained a trigger mechanism to relax regulations when the 3-year moving average of the Maryland juvenile abundance index (JAI) exceeded an arithmetic mean of 8.0 – which was attained with the recruitment of the 1989 year-class. Also, in 1985, the Commission determined the Albemarle Sound-Roanoke River (A-R) stock in North Carolina contributed minimally to the coastal migratory population, and was therefore allowed to operate under an alternative management program.

Amendment 4, implemented in 1989, aimed to rebuild the resource rather than maximize yield. The amendment allowed state fisheries to reopen under a target fishing mortality (F) of 0.25, which was half the estimated F needed to achieve maximum sustainable yield (MSY). The amendment allowed an increase in the target F once spawning stock biomass (SSB) was restored to levels estimated during the late 1960s and early 1970s. The dual size limit concept was maintained (coastal versus producer areas), and a recreational trip limit and commercial season was implemented to reduce the harvest to 20% of that in the historic period of 1972-1979. A series of four addenda were implemented from 1990-1994 to maintain protection of the 1982 year-class.

In 1990, to provide additional protection to striped bass and ensure the effectiveness of state regulations, NOAA Fisheries passed a final rule (55 Federal Register 40181-02) prohibiting possession, fishing (catch and release fishing), harvest, and retention of Atlantic striped bass in the Exclusive Economic Zone (EEZ), with the exception of a defined transit zone within Block Island Sound. Atlantic striped bass may be transported through this defined area provided that the vessel is not used to fish while in the EEZ and the vessel remains in continuous transit, and that the fish were legally caught in adjoining state waters.

In 1995, the Atlantic striped bass migratory stock was declared recovered by the Commission (the A-R stock was declared recovered in 1997) and Amendment 5 was adopted to increase the target F to 0.33, midway between the existing F target (0.25) and F_{MSY} . Target F was allowed to increase again to 0.40 after two years of implementation. Regulations were developed to achieve the target F (which included measures to restore commercial harvest to 70% of the average landings during the 1972-1979 historical period) and states were allowed to submit proposals to implement alternative regulations that were deemed conservationally equivalent to the Amendment 5 measures. From 1997-2000, a series of five addenda were implemented to respond to the latest stock status information and adjust the regulatory program to achieve each change in target F .

Amendment 6

In 2003, Amendment 6 was adopted to address five limitations within the existing management program: 1) potential inability to prevent the Amendment 5 exploitation target from being exceeded; 2) perceived decrease in availability or abundance of large striped bass in the coastal migratory population; 3) a lack of management direction with respect to target and threshold biomass levels; 4)

inequitable effects of regulations on the recreational and commercial fisheries, and coastal and producer area sectors; and 5) excessively frequent changes to the management program. Accordingly, Amendment 6 completely replaced the existing FMP for Atlantic striped bass.²

The goal of Amendment 6 is “to perpetuate, through cooperative interstate management, migratory stocks of striped bass; to allow commercial and recreational fisheries consistent with the long-term maintenance of a broad age structure, a self-sustaining spawning stock; and also to provide for the restoration and maintenance of their essential habitat.” In support of this goal, the following objectives are included:

1. Manage striped bass fisheries under a control rule designed to maintain stock size at or above the target female spawning stock biomass level and a level of fishing mortality at or below the target exploitation rate.
2. Manage fishing mortality to maintain an age structure that provides adequate spawning potential to sustain long-term abundance of striped bass populations.
3. Provide a management plan that strives, to the extent practical, to maintain coastwide consistency of implemented measures, while allowing the States defined flexibility to implement alternative strategies that accomplish the objectives of the FMP.
4. Foster quality and economically viable recreational, for-hire, and commercial fisheries.
5. Maximize cost effectiveness of current information gathering and prioritize state obligations in order to minimize costs of monitoring and management.
6. Adopt a long-term management regime that minimizes or eliminates the need to make annual changes or modifications to management measures.
7. Establish a fishing mortality target that will result in a net increase in the abundance (pounds) of age 15 and older striped bass in the population, relative to the 2000 estimate.

Amendment 6 modified the *F* target and threshold, and introduced a new set of biological reference points (BRPs) based on female SSB, as well as a list of management triggers based on the BRPs. The coastal commercial quotas were restored to 100% of the states’ average landings during the 1972-1979 historical period, except for Delaware’s coastal commercial quota which remained at the level allocated in 2002³. In the recreational fisheries, all states were required to implement a two-fish bag limit with a minimum size limit of 28 inches, except for the Chesapeake Bay fisheries, North Carolina fisheries that operate in the A-R, and states with approved alternative regulations. The Chesapeake Bay and A-R regulatory programs were predicated on a more conservative *F* target than the coastal

² While NOAA Fisheries continues to implement a complete ban on the fishing and harvest of striped bass in the EEZ, Amendment 6 includes a recommendation to consider reopening the EEZ to striped bass fisheries. In September 2006, NOAA Fisheries concluded that it would be imprudent to open the EEZ to striped bass fishing because it could not be certain that opening the EEZ would not lead to increased effort and an overfishing scenario.

³ The decision to hold Delaware’s commercial quota at the 2002 level is based on tagging information that indicated *F* on the Delaware River/Bay stock is too high, and uncertainty regarding the status of the spawning stock for the Delaware River/Bay.

migratory stock, which allowed these states/jurisdictions (hereafter states) to implement separate seasons, harvest caps, and size and bag limits as long as they remain under that *F* target. No minimum size limit can be less than 18 inches under Amendment 6. The same minimum size standards regulate the commercial fisheries as the recreational fisheries, except for a minimum 20 inch size limit in the Delaware Bay spring American shad gillnet fishery.

States are permitted the flexibility to deviate from these regulations by submitting conservation equivalency proposals to the Plan Review Team (PRT). All proposals are subject to technical review and approval by the Atlantic Striped Bass Management (Board). It is the responsibility of the state to demonstrate through quantitative analysis that the proposed management program is equivalent to the standards in the FMP or will not contribute to the overfishing of the resource.

Five addenda to Amendment 6 have been implemented. Addendum I, approved in 2007, established a bycatch monitoring and research program to increase the accuracy of data on striped bass discards and recommended development of a web-based angler education program. Also in 2007, President George W. Bush issued an Executive Order (E.O. 13449) prohibiting the sale of striped bass (and red drum) caught within the EEZ. Addendum II was approved in 2010 and established a new definition of recruitment failure such that each index would have a fixed threshold rather than a threshold that changes annually with the addition of each year's data. Addendum III was approved in 2012 and requires all states with a commercial fishery for striped bass to implement a uniform commercial harvest tagging program. The Addendum was initiated in response to significant poaching events in the Chesapeake Bay and aims to limit illegal harvest of striped bass.

Addendum IV was triggered in response to the 2013 benchmark assessment, which indicated a steady decline in SSB since the mid-2000s. The Addendum established new *F* reference points, and changed commercial and recreational measures to reduce *F* to a level at or below the new target. Chesapeake Bay fisheries were required to implement lower reductions than coastal states (20.5% compared to 25%) since their fisheries were reduced by 14% in 2013 based on their management program. The addendum maintained the flexibility to implement alternative regulations through the conservation equivalency process. This practice has resulted in a variety of regulations among states. All states promulgated regulations prior to the start of their 2015 seasons.

Addendum VI was initiated in response to the 2018 benchmark assessment which indicated the stock is overfished and experiencing overfishing⁴. Approved in October 2019, the Addendum aimed to reduce total removals by 18% relative to 2017 levels in order to achieve *F* target in 2020. Specifically, the

⁴ In February 2017, the Board initiated development of Draft Addendum V to consider liberalizing coastwide commercial and recreational regulations. The Board's action responded to concerns raised by Chesapeake Bay jurisdictions regarding continued economic hardship endured by its stakeholders since the implementation of Addendum IV and information from the 2016 stock assessment update indicating that *F* was below target in 2015, and that total removals could increase by 10% to achieve the target *F*. However, the Board chose to not advance the draft addendum for public comment largely due to harvest estimates having increased in 2016 without changing regulations. Instead, the Board decided to wait until it reviews the results of the 2018 benchmark stock assessment before considering making changes to the management program.

Addendum reduced all state commercial quotas by 18%, and implemented a 1 fish bag limit and a 28” to less than 35” slot limit for ocean fisheries and a 1 fish bag limit and an 18” minimum size limit in Chesapeake Bay to reduce total recreational removals by 18% in both regions. The Addendum’s measures were designed to apply the needed reductions proportionally to both the commercial and recreational sectors, although states were permitted to submit alternative regulations through conservation equivalency that achieve an 18% reduction in total removals statewide. The Board reviewed and approved management options for 2020 on a state-by-state basis in February, and all states promulgated regulations by April 1.

Addendum VI also required the mandatory use of circle hooks when fishing with bait to reduce release mortality in recreational striped bass fisheries. States are encouraged to promote the use of circle hooks through various public outreach and education platforms to garner support and compliance with this important conservation measure. In October 2020, the Board approved state implementation plans for circle hook requirements, with the caveat that no exemptions to Addendum VI mandatory circle hook requirements will be permitted. Circle hook regulations were required to be implemented no later than January 1, 2021. In March 2021, the Board approved a clarification on the definition of bait and methods of fishing⁵ that require circle hooks, which must be implemented by states as part of Addendum VI compliance. Per Commission standards, states could implement more restrictive measures. The Board also approved guidance on how to address incidental catch of striped bass when targeting other species with non-circle hooks with bait attached. This guidance was not a compliance criterion since incidental catch was not originally part of Addendum VI.

Amendment 7

Amendment 7 was approved in May 2022, and consolidates Amendment 6 and its associated addenda into a single document. The purpose of Amendment 7 is to update the management program to align with current fishery needs and priorities given the status and understanding of the resource and fishery has changed considerably since implementation of Amendment 6 in 2003. Amendment 7 builds upon the Addendum VI to Amendment 6 action to address overfishing and initiate rebuilding in response to the overfished finding from the 2018 stock assessment, requiring the Board to rebuild the stock by 2029. Amendment 7 established new requirements for the following components of the FMP: management triggers, conservation equivalency, additional measures to address recreational release mortality, and the stock rebuilding plan.

For management triggers, Amendment 7 established an updated recruitment management trigger that is more sensitive to low recruitment than the previous trigger, and it required a specific management response to low year-class strength. The response requires re-evaluation of the fishing mortality management triggers to account for low recruitment. If one of those triggers trips after reevaluation, the Board is required to take action to reduce fishing mortality. Amendment 7 also updated the spawning stock biomass triggers by establishing a deadline for implementing a rebuilding plan. The

⁵ Definition of Bait and Methods of Fishing: Circle hooks are required when fishing for striped bass with bait, which is defined as any marine or aquatic organism live or dead, whole or parts thereof. This shall not apply to any artificial lure with bait attached.

Board must implement a rebuilding plan within two years of when a spawning stock biomass trigger is tripped.

For conservation equivalency (CE), Amendment 7 does not allow CE to be used for most recreational striped bass fisheries when the stock is overfished. Amendment 7 also provided constraints around the use of Marine Recreational Information Program data for CE proposals and defines the overall percent reduction/liberalization a proposal must achieve, including required uncertainty buffers. These restrictions are intended to minimize the risks due to uncertainty when CE is used for non-quota managed striped bass fisheries.

For recreational release mortality, Amendment 7 established a new gear restriction which prohibits gaffing striped bass when fishing recreationally. This is in addition to the existing circle hook requirement when fishing recreationally with bait. Additionally, Amendment 7 required striped bass caught on any unapproved method of take (e.g., caught on a J-hook with bait) must be returned to the water immediately without unnecessary injury. This provision, which is related to incidental catch, was previously a recommendation in Addendum VI to Amendment 6.

For stock rebuilding, Amendment 7 addressed the 2022 stock assessment and how it would inform efforts to meet the 2029 stock rebuilding deadline. Given concerns about recent low recruitment and the possibility of continued low recruitment, Amendment 7 required the 2022 stock assessment's rebuilding projections to use a low recruitment assumption to conservatively account for that future possibility. Amendment 7 also established a mechanism for the Board to respond more quickly to the 2022 assessment results if action was needed to achieve stock rebuilding by 2029.

All provisions of Amendment 7 were effective May 5, 2022 except for gear restrictions. States had to implement new gear restrictions by January 1, 2023. Amendment 7 also maintained the same recreational and commercial measures specified in Addendum VI to Amendment 6, which were implemented in 2020. As such, all approved Addendum VI conservation equivalency programs and state implementation plans are maintained until such measures are changed in the future.

Addendum I to Amendment 7

Addendum I to Amendment 7 was approved in May 2023 to allow for voluntary ocean commercial quota transfers contingent on stock status. The addendum was developed to provide some, more immediate relief to states seeking a change to their commercial quota after the Board decided that changes to the commercial quota system would not be considered in the then ongoing development of Draft Amendment 7. When the stock is overfished, no quota transfers will be allowed. When the stock is not overfished, the Board can decide every one to two years whether it will allow voluntary transfers of ocean commercial quota. The Board can also set criteria for allowable transfers, including a limit on how much and when quota can be transferred in a given year, and the eligibility of a state to request a transfer based on its landings.

2023 Emergency Action

In May 2023, the Board approved an emergency action to change the recreational size limit, effective initially for 180 days from May 2, 2023 through October 28, 2023. This action responds to the extreme

magnitude of 2022 recreational harvest, which was nearly double that of 2021, and new stock rebuilding projections, which estimate the probability of the spawning stock rebuilding to its biomass target by 2029 drops from 97% under the lower 2021 fishing mortality rate to less than 15% if the higher 2022 fishing mortality rate continues each year.

The Board implemented the emergency 31-inch maximum size limit to reduce harvest of the strong 2015 year-class. The 31-inch maximum size limit applies to all existing recreational fishery regulations where a higher (or no) maximum size applies, excluding the May Chesapeake Bay trophy fisheries which already prohibit harvest of fish less than 35 inches. All bag limits, seasons, and gear restrictions will remain the same. As of July 2, 2023, all jurisdictions implemented regulations consistent with the required 31-inch maximum size limit.

In August 2023, the Board extended the emergency action through October 28, 2024 or until the implementation of Addendum II to Amendment 7 of the Interstate Fishery Management Plan, whichever comes first. The extension of the emergency action provided the Board time to develop and finalize Addendum II, which was approved in January 2024 with an implementation date of May 1, 2024. Therefore, Addendum II replaced the emergency action upon its implementation by the states by May 1, 2024.

Addendum II to Amendment 7

Addendum II to Amendment 7 was approved in January 2024 to reduce fishing mortality in 2024 and support stock rebuilding. For the ocean recreational fishery, the Addendum implements a 28" to 31" slot limit, 1-fish bag limit, and maintains 2022 season dates for all fishery participants; this maintains the same ocean recreational measures adopted under the 2023 emergency action. For the Chesapeake Bay recreational fishery, the Addendum implements a 19" to 24" slot limit, 1-fish bag limit, and maintains 2022 season dates for all fishery participants. For the commercial fishery, the Addendum reduces commercial quotas by 7% in both the ocean and Chesapeake Bay.

To address concerns about recreational filleting allowances and compliance with recreational size limits, the Addendum establishes two requirements for states that authorize filleting of striped bass: racks must be retained and possession limited to no more than two fillets per legal fish. Finally, to enable an expedited response process to upcoming stock assessments, the Addendum establishes a mechanism allowing the Board to respond to a stock assessment via Board action if the stock is not projected to rebuild by 2029 with a probability greater than or equal to 50%. All Addendum II measures were required to be implemented by the states no later than May 1, 2024.

Addendum III to Amendment 7

Addendum III to Amendment 7 was approved in October 2025 to modify requirements for commercial tagging programs, define a standard method of measuring total length for size regulations, and allow Maryland to change its Chesapeake Bay recreational season baseline if the state so chooses. For commercial tagging, the Addendum requires commercially-harvested striped bass to be tagged by the first point of landing. The three states that will need to switch their tagging program from point of sale to point of landing have until the end of 2028 to make that change. For measuring total length, the Addendum specifies that when measuring total length of a striped bass it must be a straight-line

measurement with upper and lower fork of the tail squeezed together. This definition applies to both sectors. States that do not have the new definition in place already have until January 1, 2027 to make changes to their state regulations. For Maryland's Chesapeake Bay recreational fishery, the Board approved Maryland's ability to change its recreational season baseline (i.e., the timing, type, and duration of striped bass closures throughout the year) if the state so chooses. Maryland did decide to change its recreational season to the new baseline described in the addendum and implemented the new season in 2026.

The Board considered a 12% reduction in fishery removals through Draft Addendum III. After lengthy deliberation and considering public comments that were sharply divided on the issue, the Board decided to maintain status quo and not move forward with the reduction. The Board noted the severe economic consequences of the proposed reduction, the low fishing mortality rate in 2024, and preliminary indications of lower catch in 2025. However, the Board continued to express concern about the 7 consecutive years of low recruitment in Chesapeake Bay and the impact on the stock as those weak year-classes become the majority of the spawning stock biomass after 2029. To address this, the Board approved the establishment of a Work Group to consider these upcoming stock and management challenges beyond 2029.

II. Status of the Stocks

The biological reference points (BRPs) currently used for management are based on the 1995 estimate of female spawning stock biomass (SSB). The 1995 estimate of female SSB is used as the SSB threshold because many stock characteristics (such as an expanded age structure) were reached by this year and the stock was declared recovered. The SSB target is equal to 125% of SSB threshold.

The accepted model is a forward projecting statistical catch-at-age (SCA) model which uses catch-at-age data and fishery-dependent and -independent survey indices to estimate annual population size, fishing mortality, and recruitment (NEFSC 2019a). Indices of abundance track relative changes in the population over time while catch data provide information on the scale of the population size. Age structure data (numbers of fish by age) provide additional information on recruitment (number of age-1 fish entering the population) and trends in mortality.

In November 2024, the Board reviewed the results of the 2024 Atlantic Striped Bass Stock Assessment Update (ASMFC 2024), which uses the same peer-reviewed SCA model from the last benchmark assessment. The 2024 assessment indicated the resource is still overfished but not experiencing overfishing relative to the updated reference points. Female SSB in the terminal year (2023) was estimated at 191 million pounds, which is below the SSB threshold of 197 million pounds and below the SSB target of 247 million pounds (Figure 1). F in 2023 was estimated at 0.18, which is below the F threshold of 0.21 and above the F target of 0.17 (Figure 2). The updated fishing mortality reference points take into account the period of low recruitment the stock has experienced in recent years.

The assessment also indicated a period of strong recruitment (numbers of age-1 fish entering the population) from 1994-2004, followed by a period of lower recruitment from 2005-2011 (although not as low as the early 1980s, which likely contributed to the decline in SSB in recent years) (Figure 1).

Recruitment of age-1 fish was above-average in 2012, 2015, 2016, and 2019 (corresponding to strong 2011, 2014, 2015, and 2018 year-classes), but estimates of age-1 striped bass were below the long-term average for 7 of the last 10 years. Recruitment in 2023 was estimated at 95 million age-1 fish, below the time series average of 137 million fish.

The next stock assessment for striped bass is a benchmark stock assessment—in which the assessment input data and methods are fully re-evaluated—scheduled for peer review in Spring 2027. The 2027 Benchmark Stock Assessment will include data through 2025 as well as the revised MRIP time series.

III. Status of the Fishery in the Ocean and Chesapeake Bay

Total Removals

In 2025, total Atlantic striped bass removals (including commercial harvest, commercial dead discards, recreational harvest, and recreational release mortality) were estimated at 3.0 million fish, which is a 25% decrease by number from 2024 total removals and a 55% decrease from the recent peak removals in 2022 (Table 3; Figure 5). This 2025 decrease from 2024 was driven by decreases in both sectors, with commercial harvest down 11% by number, recreational harvest down 17% by number, and recreational live releases down 39% by number. In 2025, the commercial sector accounted for about 18% of total removals in numbers of fish (18% harvest and <1% dead discards), and the recreational sector accounted for about 82% of removals in numbers of fish (47% harvest and 35% release mortality) (Table 4, Figure 5).

Commercial Fishery

The commercial fishery (ocean and Chesapeake Bay) harvested an estimated 4.2 million pounds (about 543,000 fish) in 2024, which is a 4% decrease by weight and 11% decrease by number from 2024 (Table 6, Table 7, Figure 7).

Since 1990, commercial landings from the Ocean fishery have accounted for an average 40% of total coastwide commercial landings by weight, with the other 60% coming from Chesapeake Bay. The proportion of commercial harvest coming from Chesapeake Bay is much higher in numbers of fish (roughly 80%) because fish harvested in Chesapeake Bay have a lower average weight than fish harvested in Ocean fisheries.

Of total commercial harvest (combined Ocean and Chesapeake Bay) by weight in 2024, Maryland landed 31%, Virginia landed 22%, Massachusetts landed 16%, and New York landed 13% (Figure 6). Additional harvest came from the Potomac River (11%), Delaware (3%), and Rhode Island (confidential).

In 2025, the Ocean commercial striped bass quota was 2.2 million pounds with 1.7 million pounds harvested in the Ocean region. In the Chesapeake Bay region, the 2025 commercial striped bass quota was 2.8 million pounds, and 2.5 million pounds were harvested (Table 14).

The Ocean region regularly underutilizes its cumulative commercial quota due to the lack of striped bass availability in some state waters (particularly North Carolina, which holds 13% of the Ocean quota,

yet has had zero Ocean harvest since 2013) coupled with prohibitions on commercial striped bass fishing in Maine, New Hampshire, Connecticut, and New Jersey (which collectively share about 10% of the Ocean commercial quota). The Ocean commercial quota utilization was 75% in 2025, which was about the same as Ocean quota utilization in 2021-2024. In the Ocean, most states that allow commercial harvest utilized >95% of their Ocean quota in 2025 with the exception of North Carolina which had zero Ocean harvest.

In Chesapeake Bay, quota utilization in 2025 was about 89%, which was an increase from 2021-2023 quota utilization of 84% but below the 2024 utilization of 94%.

Quota utilization is important to consider when calculating reductions in commercial removals for management actions. As quota utilization changes from year to year, the realized reduction in commercial removals will change.

The PRT notes there are several factors that contribute to changes in commercial harvest levels from year-to-year aside from changes to the quota level. Year-class availability could be a factor, particularly in the ocean. If stock abundance is increasing overall, that could also contribute to more fish being available. Availability also depends on when and how long striped bass stay within state waters (vs. offshore in the EEZ) during the season.

Looking across several years, commercial landings have generally decreased as quota has decreased, with the exception of 2024. From 2004-2014, coastwide commercial landings averaged 6.8 million pounds per year. From 2015-2019, commercial landings decreased to an average of 4.7 million pounds due to implementation of reduced quotas through Addendum IV. From 2020-2023, coastwide commercial landings decreased again to an average 4.2 million pounds due to further reduced quotas through Addendum VI to Amendment 6 and Amendment 7. In 2024-2025, commercial landings averaged 4.3 million pounds, a slight increase despite the Addendum II quota reduction.

Recreational Fishery

Total Recreational Removals

Total recreational removals (harvest and release mortality) coastwide were estimated at 2.5 million fish in 2025, which is a 28% decrease from recreational removals in 2024 (Table 8). This coastwide decrease in total recreational removals was a combination of a decrease in both harvest and live releases (Figure 8). Combined private vessel/shore modes accounted for 93% of Ocean recreational striped bass removals in 2025, while for-hire components (charter and head boats) accounted for about 7% of Ocean removals. In Chesapeake Bay, private vessels/shore modes accounted for 89% of Bay recreational removals in 2025, while for-hire modes accounted for 11%.

Live Releases

The vast majority of recreational striped bass catch (over 90%) is released alive either due to angler preference or regulation (i.e., closed season, undersized, oversized, or already caught the bag limit) (Figure 9). The stock assessment assumes, based on previous studies, that 9% of fish that are released alive die as a result of being caught. In 2025, recreational anglers caught and released an estimated 11.6 million fish, of which 1.0 million are assumed to have died. This represents a 39% decrease in live

releases coastwide from the 2024 level. By region in 2025, a reduction in live releases was observed in both the Ocean and Chesapeake Bay, 39% and 9% decrease, respectively. The decrease in the Ocean was much larger than the decrease in the Chesapeake Bay in 2025.

Recreational Harvest

Recreational harvest in 2025 decreased to 1.4 million fish (11.2 million pounds) from the 2024 level of 1.7 million fish (15.3 million pounds), which is a 17% decrease by number (Figure 8, Table 9, Table 10). Relative to 2022 when recreational harvest spiked, 2025 harvest is 59% lower. By region, recreational harvest in the Ocean decreased by 30% to the lowest harvest in the past few decades. Recreational harvest in the Chesapeake Bay increased by 54% from the time series low in 2024; however, the 2025 harvest is still the second lowest in the past few decades. The Chesapeake Bay time series low recreational harvest in 2024-2025 could be attributed, at least partly, to the implementation of a Bay-wide 19"-24" slot limit in 2024 under Addendum II, and to the lack of strong year-classes available in the Bay. In the Ocean, the size limit did not change between 2023 and 2024-2025, but most of the remaining fish from the strong 2015 year-class (age-9 in 2024) had likely grown out of the narrow 28"-31" Ocean slot limit by 2024, potentially contributing to the 2024 decrease. The 2018 year-class was expected to move through the ocean slot limit in 2025, however, large decreases in New York and New Jersey harvest (61% and 41% decreases, respectively) drove the overall 2025 decrease in ocean recreational harvest. Bad weather and high winds in 2025, particularly in early fall, likely contributed to low harvest in both states. Additionally, anecdotal information from New Jersey indicates the slot size fish (28" to 31") were not available during the peak fishing season. Effort, detailed below, also contributes to catch levels each year.

In 2025, Maryland (27%) and New Jersey (26%) landed the largest proportions of recreational harvest in number of fish, followed by Massachusetts (18%), New York (12%), Rhode Island (6%), and Maine (4%). The proportion of coastwide recreational harvest in numbers from Chesapeake Bay was 29% in 2025. This is slightly higher than the low Chesapeake Bay proportions in recent years (20% in 2022, 22% in 2023, and 16% in 2024). The decrease in the proportion of recreational harvest from Chesapeake Bay in recent years, and therefore increased proportion of Ocean recreational harvest, aligns with the availability of the strong 2015 year-class in the Ocean fishery in 2022-2023, implementation of a Chesapeake Bay-wide slot limit in 2024, decrease in Maryland's for-hire bag limit from 2-fish to 1-fish in 2024, and lack of strong year-classes in the Bay since the 2018 year-class. The increase in the proportion of Chesapeake Bay harvest in 2025 is attributed to the Bay's increased harvest in 2025 while Ocean harvest decreased.

For recreational harvest by mode, the magnitude of change from 2024 to 2025 differs between the for-hire modes and the private-shore modes by region (Table 11). Private-shore harvest in 2025 decreased by 35% in the Ocean while increasing by 109% in the Chesapeake Bay. However, as stated above, this Chesapeake Bay was an increase from low harvest in 2024; total harvest in Chesapeake Bay in 2025 is the second lowest in the past few decades. For-hire harvest in the Ocean increased by 55% to a level higher than 2023-2024 but lower than the peak in 2022. For-hire harvest in Chesapeake Bay decreased by 35% in 2025, differing from the increase in private-shore harvest in Chesapeake Bay.

Recreational Effort

Aligning with 2025 recreational harvest, the number of trips directed at striped bass (primary and secondary target) decreased in the Ocean in 2025 and increased in the Chesapeake Bay (Table 12). In 2025, the number of striped bass directed trips in the Chesapeake Bay region increased by about 52% compared to 2024, but is still the second lowest in the past decade behind only 2024. The number of striped bass directed trips in the Ocean decreased by about 12% from 2024. Overall, the total number of coastwide striped bass directed trips in 2025 decreased by 7% from 2024 and is the lowest number of directed trips in the past decade.

For directed trips by mode, private-shore directed trips in the Ocean in 2025 decreased by 13% and in the Chesapeake Bay increased by 59% (Table 13). For-hire directed trips in the Ocean in 2025 increased by 12%, while for-hire directed trips in Chesapeake Bay decreased by 30%.

Factors Contributing to Catch and Effort Trends

Overall, there are several factors that contribute to trends in recreational catch and effort, including management measures, year-class availability, overall stock abundance, nearshore availability of bait and striped bass, weather, and angler behavior. The relatively strong 2015 year-class moving into the Ocean and becoming available to the Ocean slot (i.e., surpassing 28-inches), was likely the primary driver of increased Ocean recreational catch in 2022. The subsequent emergency action in 2023 intended to reduce harvest of the 2015 year-class likely contributed to the harvest reduction observed in 2023. The 2015 year-class grew out of the Ocean slot by 2024 (i.e., surpassing 31-inches) likely contributing to the decreases in Ocean recreational harvest in 2024. In Chesapeake Bay, a combination of the five-inch recreational slot limit implemented in 2024 and the lack of strong year-classes available after the 2018 year-class moved into the Ocean likely played a role in low Bay harvest in 2024-2025. In the Ocean in 2025, bad weather and high winds, particularly in early fall, and lack of available slot size fish during peak season likely contributed to low harvest in New York and New Jersey, which drove the decrease in Ocean harvest. Angler effort and behavior are also important to consider. When more fish are available in the fishery, effort can often increase in response. When narrower size limits are in place or less fish are available in the fishery, anglers may change their behavior and level of effort.

IV. Albemarle Sound and Roanoke River Management Area

While striped bass in North Carolina's ocean waters are managed under the Interstate FMP, the Interstate FMP formally defers management of the Albemarle Sound-Roanoke River (A-R) stock to the state of North Carolina using A-R stock-specific BRPs approved by the Board (NCDMF 2013, 2014). North Carolina is required to inform the Commission of changes to striped bass management in the A-R System.

Status of the Albemarle Sound-Roanoke River Striped Bass Stock

The most recent A-R stock assessment, the 2022 Stock Assessment Update, uses a forward-projecting fully-integrated, age-structured statistical model estimating population parameters and reference points for the A-R striped bass stock for 1991-2021 (Lee et al. 2022). The 2022 stock assessment is an update of the 2020 Benchmark Stock Assessment (Lee et al. 2020). The 2020 benchmark stock

assessment model was peer reviewed by an outside panel of experts and approved for management use by the Board in May 2021. The 2022 assessment update was also peer reviewed in January 2023.

The A-R stock is managed using reference points for female spawning stock biomass (SSB) and fishing mortality (F) with threshold values based on 35% spawning potential ratio and target values based on 45% spawning potential ratio. The 2022 assessment estimated female SSB in 2021 (terminal year) was 16.1 metric tons, which is below the SSB threshold of 125 metric tons. The assessment estimated F in 2021 was 0.77, which is above the F threshold of 0.22. These results indicate the stock is overfished and overfishing is occurring (Figure 3, Figure 4). Abundance indices indicate continued stock decline, and juvenile recruitment, in particular, has been very low for several consecutive years.

	<i>Target</i>	<i>Threshold</i>	<i>Terminal Year (2021) Estimate</i>
<i>Female SSB</i>	164 metric tons	125 metric tons	16 metric tons
<i>Fishing Mortality (F)</i>	0.14	0.20	0.77

NC Estuarine Striped Bass Fishery Management Plan

Estuarine striped bass in North Carolina are currently managed under Amendment 2 to the North Carolina Estuarine Striped Bass Fishery Management Plan (FMP) and its subsequent revision and recent supplement (NCDMF & NCWRC 2022, NCDMF 2024). The plan is jointly developed between the North Carolina Marine Fisheries Commission (NCMFC) and the North Carolina Wildlife Resources Commission (NCWRC). Amendment 2, adopted in 2022, lays out separate management strategies for the A-R stock and the estuarine (non-migratory) Central and Southern striped bass stocks in the Tar-Pamlico, Neuse, and Cape Fear rivers. Management programs in Amendment 2 for the A-R stock utilize annual total allowable landings (TAL), daily possession limits, open and closed harvest seasons, gill net mesh size and yardage restrictions, seasonal small mesh gill net attendance requirements, single barbless hook requirements in some areas, minimum size limits, and a no-harvest slot limit in the Roanoke River to maintain a sustainable harvest and reduce regulatory discard mortality in all sectors.

Based on the results of the 2022 stock assessment, the resulting total allowable landings (TAL) level needed to reduce fishing mortality to its target is effectively too low to manage. For this reason and due to continued concern about stock decline and low recruitment, North Carolina implemented a harvest moratorium in the Albemarle Sound and Roanoke River Management Areas (ASMA and RRMA) effective January 2024 via the adaptive management framework under Amendment 2 of the NC Estuarine Striped Bass FMP (NCDMF 2024). In addition, the 2023 fall recreational and commercial seasons in the Albemarle Sound did not open because there is little quota remaining and because of stock status concerns.

V. Status of Research and Monitoring

Amendment 7 (approved May 2022) and its addenda, as well as the 2023 emergency action effective through April 2024, set the regulatory and monitoring measures for the coastwide striped bass fishery for 2025. Amendment 7 requires certain states to implement fishery-dependent monitoring programs

for striped bass. All states with commercial fisheries or substantial recreational fisheries are required to define the catch and effort composition of these fisheries. Additionally, all states with a commercial fishery must implement a commercial harvest tagging program.

Amendment 7 also requires certain states to monitor the striped bass population independent of the fisheries. Juvenile abundance surveys are required from Maine (Kennebec River), New York (Hudson River), New Jersey (Delaware River), Maryland (Chesapeake Bay tributaries), Virginia (Chesapeake Bay tributaries), and North Carolina (Albemarle Sound). Spawning stock sampling is mandatory for New York (Hudson River), Pennsylvania (Delaware River), Delaware (Delaware River), Maryland (Upper Chesapeake Bay and Potomac River), Virginia (Rappahannock River and James River), and North Carolina (Albemarle Sound-Roanoke River). NOAA Fisheries, USFWS, Massachusetts, New York, New Jersey, Maryland, Virginia, and North Carolina are also required to continue their tagging programs, which provide data used to determine survivorship and migration patterns.

VI. Status of Management Measures and Issues

Ocean Commercial Quota

In 2025, the ocean cumulative commercial quota was 2.2 million pounds (sum of all state quotas). There were no quota overages in 2025. Table 14 outlines 2025 quotas and harvest.

Chesapeake Bay Commercial Quota

In 2025, the Chesapeake Bay-wide quota was 2.8 million pounds and was allocated to Maryland, the PRFC, and Virginia based on historical harvest per their mutual agreement. In 2025, the Bay-wide quota was not exceeded and no individual jurisdictions exceeded their portion of the quota. Table 14 outlines 2025 quotas and harvest.

Conservation Equivalency Programs

There is one approved conservation equivalency (CE) program under Addendum II: the New Jersey Striped Bass Bonus Program (SBBP). New Jersey's approved CE plan allows the state to allocate its commercial quota to its recreational bonus program that has been in place since 1990. The SBBP currently allows participants to harvest 1 fish at 24" to less than 28" per permit. NJ calculates the total number of issuable permit/tags by converting the quota to number of fish based on mean weight; in addition, as an added conservation measure, NJ will apply a buffer by using the rounded-up mean weight of the largest fish possible under the slot. This results in a lower maximum than using the average weight alone.

In 2025, a total of 20,415 SBBP permits were issued and 2,896 were used, which is a 64% decrease from 2024. The percent of tags used (14%) is a decrease from the percent used from 2023-2024 (37% and 32%).

The PRT discussed what happens to unused NJ SBBP tags. For-hire SBBP participants must return tags, while private anglers are not required to return their unused tag. The PRT notes this is inconsistent with the strict tag return requirements for the commercial fishery. While the SBBP is not a commercial fishery, it does use the state's commercial quota. New Jersey noted ongoing discussions within the

state on how to improve reporting from private anglers related to SBBP tag use and may consider changes to the program in the future to improve overall compliance with the program.

Chesapeake Bay Spring Harvest of Migrant Striped Bass

Historically, recreational fishermen in Chesapeake Bay were permitted to take adult migrant fish during a limited seasonal fishery, commonly referred to as the Spring Trophy Fishery. From 1993 to 2007 the fishery operated under a quota. Beginning in 2008, the Board approved non-quota management until a stock assessment indicates that corrective action is necessary to reduce F on the coastal stock. Through 2023, the Spring Trophy Fishery was managed via bag limits and minimum sizes in Maryland and the Potomac River. The Commonwealth of Virginia closed the spring trophy season beginning in 2019, and Maryland and the Potomac River Fisheries Commission closed the spring trophy season beginning in 2024.

Wave-1 Recreational Harvest Estimates

Evidence suggests that North Carolina, Virginia, and possibly other states have had sizeable wave-1 (January/February) recreational striped bass fisheries beginning in 1996 (NEFSC 2019b). MRIP, formerly the Marine Recreational Fisheries Statistics Survey (MRFSS), has sampled for striped bass in North Carolina during wave-1 since 2004 (other states are not currently covered during wave-1). Virginia harvest in wave-1 is estimated for stock assessment via the ratio of landings and tag returns in wave-6 and regression analysis (refer to the methods described in NEFSC 2019a for more detail).

However, based on fishery-independent data collected by NCDMF, ASMFC and USFWS, striped bass distributions on their overwintering grounds during December through February have changed significantly since the mid-2000s. The migratory portion of the stock has been well offshore and shifted north in the EEZ (>3 miles) affecting both Virginia's and North Carolina's striped bass winter ocean fisheries in recent years. Furthermore, North Carolina has reported zero recreational striped bass harvest during wave 1 and wave 6 in the ocean for 2012-2025, and Virginia has reported zero recreational ocean harvest for eleven of the last twelve years (note MRIP sampling does not occur in Virginia during wave 1). Similarly, North Carolina's commercial fishery has reported zero striped bass landings from the ocean since 2013.

Amendment 7 Commercial Fish Tagging Program

Section 3.1.1 of Amendment 7 includes compliance requirements for monitoring commercial fishery harvest tagging programs, which have been required through the FMP since 2013. In 2025, all states implemented commercial tagging programs consistent with the tagging program requirements. Table 15 describes commercial tagging programs by state.

The PRT continues to emphasize the importance of tag accounting to account for unused tags at the end of each fishing year in all states. Due to the early deadlines for commercial tagging reports (60 days before the commercial fishery opens), tag accounting for the previous year is often preliminary or not yet available at that time. To address this, the PRT reiterates the importance of states reporting all tag accounting results in their annual state compliance reports (i.e., tags issued, tags used, tags returned, tags missing/broken/reported lost, tags not accounted for).

The PRT and state commercial tagging contacts met in July 2025 to conduct a ten-year review of the commercial tagging program as previously recommended by the PRT and as tasked by the Board in August 2024. That ten-year review of commercial tagging report is available [here](#).

Addendum II Recreational Filleting Requirements

Addendum II established two requirements for states that authorize filleting of striped bass: racks must be retained and possession limited to no more than two fillets per legal fish. All states have implemented regulations per the approved Addendum II state implementation plans.

Juvenile Abundance Index Analysis

The following states are required to conduct striped bass young-of-year juvenile abundance index (JAI) surveys on an annual basis: Maine for the Kennebec River; New York for the Hudson River; New Jersey for the Delaware River; Maryland for the Maryland Chesapeake Bay tributaries; Virginia for the Virginia Chesapeake Bay tributaries; and North Carolina for the A-R stock.

The PRT and the Striped Bass Technical Committee (TC) annually review the JAIs per the recruitment trigger specified in the FMP. As of May 2022, the new Amendment 7 recruitment trigger is effective and reads as follows:

If any of the four JAIs used in the stock assessment model to estimate recruitment (NY, NJ, MD, VA) shows an index value that is below 75% of all values (i.e., below the 25th percentile) in the respective JAI from 1992-2006* (which represents a period of high recruitment) for three consecutive years, then an interim F target and interim F threshold calculated using the low recruitment assumption will be implemented, and the F-based management triggers will be reevaluated using those interim reference points. If an F-based trigger is tripped upon reevaluation, the striped bass management program must be adjusted to reduce F to the interim F target within one year.

The 2026 review of JAIs evaluates the 2023, 2024, and 2025 JAI values (geometric mean) per the Amendment 7 recruitment trigger. All four state JAIs (New York, New Jersey, Maryland, and Virginia) met the criteria of the Amendment 7 recruitment trigger (Figure 10). New York's (Hudson River) JAI values for 2023 (4.04), 2024 (7.85), and 2025 (8.27) were below its trigger level of 11.70. New Jersey's (Delaware River) JAI values for 2023 (0.26), 2024 (0.53), and 2025 (0.78) were below its trigger level of 1.07. Maryland's JAI values for 2023 (0.57), 2024 (1.06), and 2025 (1.57) were below the Maryland JAI trigger level of 4.16. Virginia's JAI values in 2023 (4.26), 2024 (3.43), and 2025 (5.12) were below its trigger level of 8.22. These states trip the recruitment trigger, requiring F reference points using the low recruitment assumption to be calculated, which was already done for the 2024 stock assessment update and current reference points. The reference points from the 2022 stock assessment update also used the low recruitment assumption.

Maine's JAI (Kennebec River) and North Carolina's JAI (Albemarle-Roanoke) are not part of the recruitment trigger, but are still required monitoring for those states (Figure 11). Maine's JAI has been below its recruitment failure since 2019, and North Carolina's JAI was below its recruitment failure level from 2018-2023 but increased in 2024 and 2025. In 2024, North Carolina stocked 2.4 million striped bass at the fry stage, and 427,176 striped bass at the Phase-I stage into the western Albemarle

Sound nursery area. In 2025 North Carolina stocked 201,140 striped bass at the fry stage, and 68,726 striped bass at the Phase-II stage into the western Albemarle Sound nursery area. All fish are marked in the hatchery using Parentage Based Tagging (PBT) techniques that allows for future genetic analysis of fin clips to determine the percentage of wild versus hatchery reared fish collected during the sampling seasons.

Law Enforcement Reporting

States are asked to report any law enforcement issues that occurred the previous season in annual compliance reports. The most common issue noted in state compliance reports is striped bass above or below the slot limit.

The PRT noted the Massachusetts report of five commercial permits being sanctioned in 2025 through adjudicatory proceedings for commercial striped bass violations occurring in 2024. These included violations of: the closed commercial fishing days, the size or possession limits, the prohibition on high-grading, the circle hook requirement, and the prohibition on possessing fish unlawfully taken in another jurisdiction. Three individuals were ineligible to renew their commercial striped bass endorsements for one year; one individual had their commercial striped bass endorsement permanently revoked; and one individual had their commercial permit and all regulated fishery endorsements permanently revoked.

VII. Plan Review Team Comments and Recommendations

A summary of 2025 fishery regulations by state is provided in Table 1 and Table 2. Each state's commercial tag monitoring program is described in Table 15 and state compliance with fishery-independent and fishery-dependent monitoring requirements are summarized in Table 16.

Based on annual state compliance reports (ASMFC 2026), the PRT determined that all states in 2025 implemented a management and monitoring program consistent with the provisions of the FMP.

The PRT notes the following additional comments:

- The PRT notes the issue of determining quota overages based on preliminary harvest estimates. Final commercial harvest estimates may not be available to determine the full amount of a quota overage before planning for the next year's fishery, as with 2024 quota overages in New York and Maryland. New York and Maryland adjusted their 2025 quotas based on the overage amount indicted by preliminary 2024 harvest estimates. Later, after planning for the 2025 fishery was complete, final 2024 harvest estimates indicated an additional overage amount which the states planned to pay back in 2026.
 - In this year's compliance reports for 2025, New York indicated the 2025 commercial quota was reduced based on the preliminary 2024 overage amount (15,561 pounds). Final harvest data indicated an additional overage of 604 pounds. New York noted its 2025 underage was greater than the total 2024 overage (15,561+604), and so no additional quota reduction was taken in 2026.

- In this year's compliance reports for 2025, Maryland indicated the 2025 commercial quotas were reduced based on the preliminary 2024 overage amount (5,840 for the ocean and no overage for Chesapeake Bay). Its 2026 quotas were reduced based on the additional overage amount determined by the final 2024 harvest data (213 pounds for the ocean and 43,910 pounds for Chesapeake Bay). Maryland previously noted that the pre-Addendum II quotas were already allocated to permit holders when the Addendum II reductions were made, so there were more tags allocated in 2024 than the new 2024 reduced quotas.
- While the New York spawning stock monitoring program in the Hudson River does meet the FMP's fishery-independent monitoring requirements, it does not provide an index of relative abundance to characterize the Hudson River stock which was identified as a high priority research recommendation at SAW 66. A new index is being considered during the 2027 Benchmark Stock Assessment.

VIII. Research Recommendations

Research recommendations were developed by the 2018 Benchmark Stock Assessment Subcommittee and the 66th SARC and are listed in the final [stock assessment report](#) starting on report page 569 (NEFSC 2019a).

IX. References

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X. Tables

Table 1. Summary of 2025 Atlantic striped bass commercial measures. Please refer to each state's regulations for additional details. Source: 2025 State Compliance Reports. Minimum sizes and slot size limits are in total length (TL). *NJ commercial quota reallocated to recreational bonus fish program.

STATE	SIZE LIMITS (TL) and TRIP LIMITS	ADDENDUM II QUOTA	OPEN SEASON
ME	Commercial fishing prohibited		
NH	Commercial fishing prohibited		
MA	35" minimum size (measured with new TL definition); no gaffing undersized fish. 15 fish/day with commercial boat permit (only while on listed vessel); 2 fish/day with rod and reel permit.	683,773 lbs. Hook & Line only.	6.16-11.15 (or when quota reached); through Sept 30, open fishing days of Tuesday and Wednesday only, with Thursday added on August 1 if 30% quota remains; Oct 1-Nov 15, Mon-Fri open days. Closed days include July 3, July 4, and Labor Day. Cape Cod Canal closed to commercial striped bass fishing.
RI	Floating fish trap: 26" minimum size unlimited possession limit until 80% of quota reached, then 500 lbs. per licensee per day	Total: 138,467 lbs., split 39:61 between the trap and general category. Gill netting prohibited.	4.1 – 12.31
	General category (mostly rod & reel): 34" min. Five (5) fish per person per calendar day, or if fishing from a vessel, five (5) fish per vessel per calendar day.		6.10-12.31, or until quota reached. Closed Fridays, Saturdays, Sundays, and Mondays throughout.
CT	Commercial fishing prohibited; bonus program in CT suspended indefinitely in 2020.		
NY	26"-38" size; (Hudson River closed to commercial harvest)	580,307 lbs. Pound Nets, Gill Nets (6-8"stretched mesh), Hook & Line.	5.15 – 12.15, or until quota reached. Limited entry permit only.

STATE	SIZE LIMITS (TL) and TRIP LIMITS	ADDENDUM II QUOTA	OPEN SEASON
NJ	Commercial fishing prohibited; bonus program*: 1 fish/permit at 24" to <28"	200,798 lbs.*	5.15 – 12.31 (permit required)
PA	Commercial fishing prohibited		
DE	Gill Net: 20" min in DE Bay/River during spring season. 28" in all other waters/seasons. No trip limit.	132,501 lbs. Split between gill net and hook and line.	Gill net: 2.15-5.31 (2.15-3.30 for Nanticoke River) & 11.15-12.31; drift nets only 2.15-28 & 5.1-31
	Hook and Line: 28" min; 200 lbs./day trip limit	No fixed nets in DE River.	Hook and Line: 4.1–12.31,
MD	Chesapeake Bay and Rivers: 18–36"	1,344,216 lbs. (part of Bay-wide quota)	Bay Pound Net: 6.1-12.31 Bay Haul Seine: 1.1-2.28; 6.1-12.31 Bay Hook & Line: 6.1-12.31 Bay Drift Gill Net: 1.1-2.28, 12.1-12.31
	Ocean: 24" minimum	Ocean: 77,017 lbs.	1.1-5.31, 10.1-12.31
PRFC	18" min all year; 36" max 2.15–3.25	532,761 lbs. (split between gear types; part of Bay-wide quota)	Hook & Line: 1.1-3.25, 6.1-12.31 Pound Net & Other: 2.15-3.25, 6.1-12.15 Gill Net: 11.9.2021-3.25.2022 Misc. Gear: 2.15-3.25, 6.1-12.15
VA	Chesapeake Bay and Rivers: 18" min; 28" max size limit 3.15–6.15	914,555 lbs. (part of Bay-wide quota)	1.16-12.31
	Ocean: 28" min	116,282 lbs.	
NC	Ocean: 28" min	274,810 lbs. (split between gear types)	Seine fishery was not opened Gill net fishery was not opened Trawl fishery was not opened

Table 2. Summary of 2025 Atlantic striped bass recreational size limits, bag limits, and seasons under Addendum II to Amendment 7 as of May 1, 2024. Please refer to each state’s regulations for gear/fishing restrictions in that state. Source: 2026 State Compliance Reports. Minimum size and slot size limits are in total length (TL).

STATE	SIZE LIMITS (TL)/REGION	BAG LIMIT	OPEN SEASON
ME	28" to 31"	1 fish/day	All year, except spawning areas are closed 12.1-4.30 and C&R only 5.1-6.30
NH	28" to <31"	1 fish/day	All year
MA	28" to <31"	1 fish/day	All year
RI	28" to <31"	1 fish/day	All year
CT	28" to 31"	1 fish/day	All year
NY	Ocean and Delaware River: 28" to 31"	1 fish/day	Ocean: 4.15-12.15 Delaware River: All year
	Hudson River: 23" to 28"	1 fish/day	Hudson River: 4.1-11.30
NJ	28" to 31"	1 fish/day	Closed 1.1 – end of Feb in all waters except in the Atlantic Ocean, and closed 4.1-5.31 in the lower DE River and tribs
PA	Upstream from Calhoun St Bridge: 28" to <31", 1 fish/day		All year
	Downstream from Calhoun St Bridge: 28" to <31", 1 fish/day* *except from 4.1-5.31: 22" to <26", 1 fish/day		All year. 1 fish/day at 22" to <26" slot from 4.1-5.31

STATE	SIZE LIMITS (TL)/REGION	BAG LIMIT	OPEN SEASON
DE	28" to 31"	1 fish/day	All year. C&R only 4.1-5.31 in spawning grounds. 20" to 24" slot from 7.1-8.31 in DE River, Bay & tributaries
MD	Ocean: 28" to 31"	1 fish/day	All year
	Chesapeake Bay and tribs^	C&R only	1.1-2.28, 3.1-3.31, 12.11-12.31
	Chesapeake Bay and tribs^	No targeting	4.1-5.15, 7.16-7.31
	Chesapeake Bay: 19" to 24" 1 fish/day^		5.16-5.31
	Chesapeake Bay and tribs: 19" to 24", 1 fish/day^		6.1-7.15, 8.1-12.10
PRFC	Summer/Fall: 19" to 24"		1 fish/day
DC	19" to 24"		1 fish/day
VA	Ocean: 28" to 31"		1 fish/day
	Bay Spring/Summer/Fall: 19" to 24"		1 fish/day
NC	Ocean: 28" to 31"		1 fish/day

^ MD Susquehanna Flats: C&R only 1.1-3.31 and 12.11-12.31; No targeting 4.1-5.31; 1 fish at 19"-24" slot 6.1-7.15 and 8.1-12.10; No targeting 7.16-7.31

Table 3. Total removals (harvest plus discards/release mortality) of Atlantic striped bass by sector in numbers of fish, 1998-2025 calendar years. Note: Harvest is from State Compliance Reports/MRIP (Query June 2026), discards/release mortality is from ASMFC. Estimates exclude inshore harvest from NC.

Year	Commercial		Recreational		Total Removals
	Harvest	Dead Discards*	Harvest	Release Mortality	
1998	1,215,219	359,876	2,915,390	3,259,133	7,749,618
1999	1,223,572	348,807	3,123,496	3,140,905	7,836,779
2000	1,216,812	213,504	3,802,477	3,044,203	8,276,995
2001	931,412	182,703	4,052,474	2,449,599	7,616,188
2002	928,085	198,124	4,005,084	2,792,200	7,923,493
2003	854,326	129,223	4,781,402	2,848,445	8,613,396
2004	879,768	154,995	4,553,027	3,665,234	9,253,023
2005	970,403	147,004	4,480,802	3,441,928	9,040,137
2006	1,047,648	159,914	4,883,961	4,812,332	10,903,855
2007	1,015,114	158,718	3,944,679	2,944,253	8,062,765
2008	1,027,824	105,275	4,381,186	2,391,200	7,905,484
2009	1,050,055	131,583	4,700,222	1,942,061	7,823,921
2010	1,031,448	133,375	5,388,440	1,760,759	8,314,022
2011	944,777	82,175	5,006,358	1,482,029	7,515,339
2012	870,684	199,927	4,046,299	1,847,880	6,964,790
2013	784,379	116,919	5,157,760	2,393,425	8,452,483
2014	750,263	114,049	4,033,746	2,172,342	7,070,400
2015	621,952	84,840	3,085,725	2,307,133	6,099,651
2016	609,028	92,260	3,500,434	2,981,430	7,183,151
2017	592,670	100,349	2,937,911	3,421,110	7,052,041
2018	615,649	100,491	2,244,765	2,826,667	5,787,571
2019	652,777	84,827	2,150,936	2,589,045	5,477,585
2020	581,832	60,363	1,709,973	2,760,231	5,112,399
2021	644,204	89,484	1,841,902	2,583,788	5,159,378
2022	622,335	44,624	3,454,021	2,667,846	6,788,826
2023	600,631	16,965	2,624,429	2,343,556	5,585,581
2024	611,704	17,287	1,728,744	1,718,439	4,076,174
2025	543,381 ⁺	15,402	1,430,099	1,049,497	3,038,379

* Commercial discards for 2024-2025 were estimated by applying the 2023 discard-to-landings ratios for each region. The entire time series for commercial dead discards will be re-estimated as part of the 2027 stock assessment.

+ Maryland and Virginia commercial landings for 2025 are considered preliminary.

Table 4. Proportion of total removals (harvest plus discards/release mortality) of Atlantic striped bass by sector in numbers of fish, 1998-2025. Note: Harvest is from State Compliance Reports/MRIP (Query June 2026), discards/release mortality is from ASMFC. Estimates exclude inshore harvest from NC.

Year	Commercial		Recreational	
	Harvest	Dead Discards*	Harvest	Release Mortality
1998	16%	5%	38%	42%
1999	16%	4%	40%	40%
2000	15%	3%	46%	37%
2001	12%	2%	53%	32%
2002	12%	3%	51%	35%
2003	10%	2%	56%	33%
2004	10%	2%	49%	40%
2005	11%	2%	50%	38%
2006	10%	1%	45%	44%
2007	13%	2%	49%	37%
2008	13%	1%	55%	30%
2009	13%	2%	60%	25%
2010	12%	2%	65%	21%
2011	13%	1%	67%	20%
2012	13%	3%	58%	27%
2013	9%	1%	61%	28%
2014	11%	2%	57%	31%
2015	10%	1%	51%	38%
2016	8%	1%	49%	42%
2017	8%	1%	42%	49%
2018	11%	2%	39%	49%
2019	12%	2%	39%	47%
2020	11%	1%	33%	54%
2021	12%	2%	36%	50%
2022	9%	1%	51%	39%
2023	11%	0.3%	47%	42%
2024	15%	0.4%	42%	42%
2025	18%	0.5%	47%	35%

* Commercial discards for 2024-2025 were estimated by applying the 2023 discard-to-landings ratios for each region. The entire time series for commercial dead discards will be re-estimated as part of the 2027 stock assessment.

Note: Percent may not sum to 100 due to rounding.

Table 5. Total harvest of Atlantic striped bass by sector, 1998-2025 calendar years. Note: Harvest is from State Compliance Reports/MRIP (Query June 2026). Estimates exclude inshore harvest from NC.

Year	Numbers of Fish			Pounds		
	Commercial	Recreational	Total	Commercial	Recreational	Total
1998	1,215,219	2,915,390	4,130,609	6,551,623	29,603,199	36,154,822
1999	1,223,572	3,123,496	4,347,068	6,485,079	33,564,988	40,050,067
2000	1,216,812	3,802,477	5,019,289	6,715,044	34,050,817	40,765,861
2001	931,412	4,052,474	4,983,886	6,266,953	39,263,154	45,530,107
2002	928,085	4,005,084	4,933,169	6,152,583	41,840,025	47,992,608
2003	854,326	4,781,402	5,635,728	6,750,799	54,091,836	60,842,635
2004	879,768	4,553,027	5,432,795	7,340,822	53,031,074	60,371,896
2005	970,403	4,480,802	5,451,205	7,120,647	57,421,174	64,541,821
2006	1,047,648	4,883,961	5,931,609	6,780,541	50,674,431	57,454,972
2007	1,015,114	3,944,679	4,959,793	7,047,179	42,823,614	49,870,793
2008	1,027,824	4,381,186	5,409,010	7,190,800	56,665,318	63,856,118
2009	1,050,055	4,700,222	5,750,277	7,217,484	54,411,389	61,628,873
2010	1,031,448	5,388,440	6,419,888	6,996,713	61,431,360	68,428,073
2011	944,777	5,006,358	5,951,135	6,789,792	59,592,092	66,381,884
2012	870,684	4,046,299	4,916,983	6,516,761	53,256,619	59,773,380
2013	784,379	5,157,760	5,942,139	5,819,678	65,057,289	70,876,967
2014	750,263	4,033,746	4,784,009	5,937,949	47,948,610	53,886,559
2015	621,952	3,085,725	3,707,677	4,829,997	39,898,799	44,728,796
2016	609,028	3,500,434	4,109,462	4,848,772	43,671,532	48,520,304
2017	592,670	2,937,911	3,530,581	4,816,423	37,952,581	42,769,004
2018	615,649	2,244,765	2,860,414	4,795,679	23,069,028	27,864,707
2019	652,777	2,150,936	2,803,713	4,254,547	23,556,287	27,810,834
2020	581,832	1,709,973	2,291,805	3,607,681	14,858,984	18,466,665
2021	644,204	1,841,902	2,486,106	4,306,781	15,781,510	20,088,291
2022	622,335	3,454,021	4,076,356	4,323,762	35,800,246	40,124,008
2023	600,631	2,624,429	3,225,060	4,218,988	23,937,530	28,156,518
2024	611,704	1,728,744	2,340,448	4,361,830	15,322,884	19,684,714
2025	543,381 ⁺	1,430,099	1,973,480	4,170,193 ⁺	11,213,134	15,383,327

+ Maryland and Virginia commercial landings for 2025 are considered preliminary.

Table 6. Commercial harvest by region in pounds (x1000), 1999-2025 calendar years. Source: State Compliance Reports. ^Estimates exclude inshore harvest from NC.

Year	Ocean								Chesapeake Bay				Grand Total
	MA	RI	NY	DE	MD	VA	NC^	Total	MD	PRFC	VA	Total	
1999	766.2	119.7	491.8	187.1	62.6	614.8	391.5	2,633.7	2,274.8	653.3	923.4	3,851.4	6,485.1
2000	796.2	111.8	542.7	140.6	149.7	932.7	162.4	2,836.0	2,261.8	666.0	951.2	3,879.0	6,715.0
2001	815.4	129.7	633.1	198.8	113.9	782.4	381.1	3,054.3	1,660.9	658.7	893.1	3,212.6	6,267.0
2002	924.9	129.2	518.6	160.6	93.2	710.2	441.0	2,977.6	1,759.4	521.0	894.4	3,174.9	6,152.6
2003	1,055.5	190.2	753.3	191.5	103.9	166.4	201.2	2,662.1	1,721.8	676.6	1,690.4	4,088.7	6,750.8
2004	1,214.2	232.3	741.7	182.2	134.2	161.3	605.4	3,271.2	1,790.3	772.3	1,507.0	4,069.6	7,340.8
2005	1,102.2	215.6	689.8	173.1	46.9	185.2	604.5	3,017.4	2,008.7	533.6	1,561.0	4,103.3	7,120.6
2006	1,322.3	221.4	688.4	179.5	91.1	195.0	74.2	2,771.8	2,116.3	673.5	1,219.0	4,008.7	6,780.5
2007	1,039.3	240.6	731.5	188.7	96.3	162.3	379.5	2,838.1	2,240.6	599.3	1,369.2	4,209.1	7,047.2
2008	1,160.3	245.9	653.1	188.8	118.0	163.1	288.4	2,817.7	2,208.0	613.8	1,551.3	4,373.1	7,190.8
2009	1,134.3	234.8	789.9	192.4	127.3	140.4	190.0	2,809.1	2,267.3	727.8	1,413.3	4,408.4	7,217.5
2010	1,224.5	248.9	786.8	185.4	44.8	127.8	276.4	2,894.7	2,105.8	683.2	1,313.0	4,102.0	6,996.7
2011	1,163.9	228.2	855.3	188.6	21.4	158.8	246.4	2,862.5	1,955.1	694.2	1,278.1	3,927.3	6,789.8
2012	1,218.5	239.9	683.8	194.3	77.6	170.8	7.3	2,592.0	1,851.4	733.7	1,339.6	3,924.7	6,516.8
2013	1,004.5	231.3	823.8	191.4	93.5	182.4	0.0	2,526.9	1,662.2	623.8	1,006.8	3,292.8	5,819.7
2014	1,138.5	216.9	531.5	167.9	120.9	183.7	0.0	2,359.4	1,805.7	603.4	1,169.4	3,578.5	5,937.9
2015	866.0	188.3	516.3	144.1	34.6	138.1	0.0	1,887.5	1,436.9	538.0	967.6	2,942.5	4,830.0
2016	938.7	174.7	575.0	136.5	19.7	139.2	0.0	1,983.9	1,425.5	537.1	902.3	2,864.9	4,848.8
2017	823.4	175.3	701.2	141.8	80.5	133.9	0.0	2,056.1	1,439.8	492.7	827.8	2,760.3	4,816.4
2018	753.7	116.8*	731.4	155.0	79.8	134.2	0.0	1,970.9	1,424.3	449.4	951.0	2,824.7	4,795.7
2019	586.1	144.2	327.3	132.6	82.8	138.0	0.0	1,410.9	1,475.2	417.3	951.1	2,843.6	4,254.5
2020	386.9	115.9	518.2	138.0	83.6	77.2	0.0	1,319.8	1,273.8	400.3	613.8	2,287.9	3,607.7
2021	732.1	130.3	600.9	140.3	88.7	119.9	0.0	1,812.1	1,351.5	411.3	731.9	2,494.7	4,306.8
2022	770.4	100.0*	588.6	139.2	88.9	121.7	0.0	1,808.8	1,363.7	428.5	722.8	2,515.0	4,323.8
2023	677.3	80.6*	616.6	140.0	84.6	122.7	0.0	1,721.9	1,319.0	363.6	814.5	2,497.1	4,219.0
2024	662.8	86.6*	617.1	130.0	88.9	114.4	0.0	1,699.9	1,388.1	448.0	825.9	2,661.9	4,361.8
2025	683.4	100.7*	558.2	130.3	76.4+	110.6+	0.0	1,659.8	1,219.8+	477.6	813.1+	2,510.4	4,170.2

*Rhode Island general category harvest (mostly rod and reel) shown only for 2018 and 2022-2025; floating fish trap landings confidential in those years.

+ Maryland and Virginia commercial landings for 2025 are considered preliminary.

Table 7. Commercial harvest and discards by region in numbers of fish (x1000), 1999-2025 calendar years. Source: Harvest is from State Compliance Reports, discards is from ASMFC. ^Estimates exclude inshore harvest from NC.

Year	Ocean								Chesapeake Bay				Discards**			Grand Total Removals
	MA	RI	NY	DE	MD	VA	NC^	Total	MD	PRFC	VA	Total	Ocean	Bay	Total	
1999	40.9	11.6	49.9	34.8	10.2	48.7	21.1	217.2	776.0	90.6	139.8	1,006.3	316.3	32.5	348.8	1,572.4
2000	42.1	9.4	54.9	25.2	13.3	54.5	6.5	205.8	787.6	91.5	132.0	1,011.0	180.7	32.8	213.5	1,430.3
2001	45.8	10.9	58.3	34.4	11.1	42.3	25.0	227.7	538.8	87.8	77.1	703.7	139.7	43.0	182.7	1,114.1
2002	49.8	11.7	47.1	30.4	10.2	38.8	23.2	211.3	571.7	80.3	64.7	716.8	146.7	51.4	198.1	1,126.2
2003	56.4	15.5	68.4	31.5	11.6	10.5	5.8	199.6	427.9	83.1	143.7	654.7	95.6	33.6	129.2	983.5
2004	63.6	16.0	70.4	28.4	14.1	10.4	31.0	233.9	447.0	92.6	106.3	645.9	108.4	46.6	155.0	1,034.8
2005	60.5	14.9	70.6	26.3	6.1	11.3	27.3	217.1	563.9	80.6	108.9	753.3	84.6	62.4	147.0	1,117.4
2006	70.5	15.4	73.6	30.2	10.9	11.5	2.7	214.9	645.1	92.3	95.4	832.7	96.2	63.7	159.9	1,207.6
2007	54.2	13.9	78.5	31.1	11.6	10.6	16.8	216.7	587.6	86.5	124.3	798.4	93.3	65.4	158.7	1,173.8
2008	61.1	16.6	73.3	31.9	14.0	10.8	13.4	221.0	580.7	82.0	144.1	806.8	62.7	42.6	105.3	1,133.1
2009	59.4	16.8	82.6	21.8	12.5	8.9	9.0	211.1	605.6	89.6	143.8	839.0	58.8	72.8	131.6	1,181.6
2010	60.4	15.7	82.4	19.8	5.4	9.4	13.7	206.8	579.2	90.6	154.9	824.7	39.6	93.7	133.4	1,164.8
2011	58.7	14.3	87.4	20.5	2.1	12.2	10.9	206.0	488.9	96.1	153.7	738.7	34.8	47.4	82.2	1,027.0
2012	61.5	15.0	67.1	15.7	6.9	10.8	0.3	177.3	465.6	90.7	137.0	693.4	26.9	173.0	199.9	1,070.6
2013	58.6	13.8	76.2	17.7	7.6	10.0	0.0	183.8	391.5	78.0	131.0	600.5	37.3	79.6	116.9	901.3
2014	58.0	10.5	52.9	14.9	8.5	10.0	0.0	154.8	362.2	81.5	151.8	595.5	50.4	63.7	114.0	864.3
2015	42.3	11.3	45.6	11.0	2.6	7.7	0.0	120.4	298.3	71.0	132.2	501.5	34.9	49.9	84.8	706.8
2016	48.0	11.7	51.0	8.8	1.2	7.6	0.0	128.3	284.9	73.7	122.2	480.8	42.4	49.9	92.3	701.3
2017	41.2	10.1	61.6	9.5	3.5	7.6	0.0	133.5	263.6	67.5	128.0	459.2	78.1	22.3	100.3	693.0
2018	37.8	4.6*	52.2	11.4	3.5	6.9	0.0	116.4	286.4	64.4	148.4	499.3	56.6	43.9	100.5	716.1
2019	29.6	7.3	28.5	8.2	3.3	6.9	0.0	83.9	356.7	62.6	149.6	568.9	15.9	68.9	84.8	737.6
2020	19.6	5.0	48.1	8.4	3.4	4.42	0.0	89.0	299.9	66.6	126.4	492.9	19.2	41.2	60.4	642.2
2021	36.9	4.6	58.8	9.2	3.6	6.6	0.0	119.6	310.4	68.0	146.2	524.6	11.6	77.8	89.5	733.7
2022	33.0	3.9*	53.9	8.2	3.4	6.3	0.0	108.6	295.3	71.7	146.7	513.7	3.1	41.5	44.6	667.0
2023	29.9	2.6*	55.5	7.4	3.6	5.9	0.0	104.9	284.3	60.7	150.7	495.7	3.7	13.3	17.0	617.6
2024	30.1	3.5*	56.0	8.3	4.0	5.9	0.0	108.0	299.9	67.4	136.4	503.8	3.8	13.5	17.3	629.0
2025	32.4	3.3*	48.6	7.9	3.3 ⁺	5.8 ⁺	0.0	101.4	262.7 ⁺	62.8	116.4 ⁺	442.0	3.6	11.8	15.4	558.8

** Commercial discards for 2024-2025 were estimated by applying the 2023 discard-to-landings ratios for each region. The entire time series f will be re-estimated as part of the 2027 stock assessment. *RI general category harvest only for years when floating fish trap are confidential. + MD and VA landings preliminary.

Table 8. Total recreational catch, releases, and release mortality in numbers of fish by region (x1000), 1999-2025. Source: MRIP (Query June 2026). Estimates exclude inshore harvest from NC.

Year	Harvest (A+B1)			Releases (B2)			Total Catch (A+B1+B2)			Release Mortality (9% of B2)		
	Ocean	Bay	Total	Ocean	Bay	Total	Ocean	Bay	Total	Ocean	Bay	Total
1999	1,758	1,366	3,123	26,139	8,760	34,899	27,897	10,125	38,022	2,353	788	3,141
2000	2,198	1,604	3,802	25,090	8,734	33,824	27,289	10,338	37,627	2,258	786	3,044
2001	2,758	1,294	4,052	21,073	6,145	27,218	23,831	7,440	31,270	1,897	553	2,450
2002	2,756	1,249	4,005	23,653	7,371	31,024	26,409	8,620	35,030	2,129	663	2,792
2003	3,124	1,658	4,781	20,678	10,971	31,649	23,802	12,628	36,431	1,861	987	2,848
2004	3,078	1,475	4,553	27,868	12,857	40,725	30,946	14,332	45,278	2,508	1,157	3,665
2005	3,182	1,299	4,481	28,663	9,580	38,244	31,845	10,879	42,724	2,580	862	3,442
2006	2,789	2,095	4,884	41,239	12,232	53,470	44,028	14,327	58,354	3,711	1,101	4,812
2007	2,327	1,618	3,945	25,135	7,579	32,714	27,462	9,196	36,659	2,262	682	2,944
2008	3,025	1,356	4,381	21,878	4,691	26,569	24,904	6,046	30,950	1,969	422	2,391
2009	2,898	1,803	4,700	16,740	4,838	21,578	19,638	6,641	26,279	1,507	435	1,942
2010	3,906	1,483	5,388	13,606	5,957	19,564	17,512	7,440	24,952	1,225	536	1,761
2011	3,617	1,389	5,006	12,644	3,823	16,467	16,261	5,212	21,473	1,138	344	1,482
2012	3,071	975	4,046	11,242	9,290	20,532	14,314	10,265	24,578	1,012	836	1,848
2013	3,723	1,435	5,158	19,463	7,131	26,594	23,186	8,565	31,751	1,752	642	2,393
2014	2,276	1,758	4,034	15,107	9,031	24,137	17,382	10,789	28,171	1,360	813	2,172
2015	1,770	1,316	3,086	15,419	10,216	25,635	17,189	11,532	28,721	1,388	919	2,307
2016	1,817	1,683	3,500	17,794	15,333	33,127	19,611	17,016	36,627	1,601	1,380	2,981
2017	1,738	1,200	2,938	28,963	9,050	38,012	30,701	10,249	40,950	2,607	814	3,421
2018	1,195	1,050	2,245	22,739	8,669	31,407	23,933	9,719	33,652	2,046	780	2,827
2019	1,342	809	2,151	21,131	7,636	28,767	22,473	8,445	30,918	1,902	687	2,589
2020	923	787	1,710	22,710	7,959	30,669	23,633	8,746	32,379	2,044	716	2,760
2021	1,189	653	1,842	24,281	4,427	28,709	25,470	5,081	30,551	2,185	398	2,584
2022	2,756	697	3,454	26,031	3,611	29,643	28,788	4,309	33,097	2,343	325	2,668
2023	2,036	588	2,624	22,363	3,676	26,040	24,400	4,264	28,664	2,013	331	2,344
2024	1,459	270	1,729	16,486	2,608	19,094	17,945	2,878	20,823	1,484	235	1,718
2025	1,015	416	1,430	9,300	2,361	11,661	10,315	2,776	13,091	837	212	1,049

Table 9. Recreational harvest by region in pounds (x1000), 1999-2025. Source: MRIP (Query June 2026). ^Estimates exclude NC inshore harvest.

Year	Ocean												Chesapeake Bay			Grand Total
	ME	NH	MA	RI	CT	NY	NJ	DE	MD	VA	NC^	Total	MD	VA	Total	
1999	196	181	4,995	1,904	1,327	7,414	9,473	312	3.8	110	339	26,256	2,323	4,986	7,309	33,565
2000	347	109	4,863	2,008	890	7,053	9,768	925	0.0	416	277	26,656	3,503	3,892	7,395	34,051
2001	446	334	7,188	2,044	1,101	5,058	12,314	695	314	382	1,082	30,959	2,928	5,376	8,304	39,263
2002	775	322	10,261	2,708	1,251	5,975	9,621	589	0.0	1,135	998	33,634	2,643	5,563	8,206	41,840
2003	458	466	10,252	4,052	2,666	10,788	12,066	763	14	392	966	42,882	5,246	5,964	11,210	54,092
2004	554	268	9,329	2,460	2,229	6,437	13,303	870	57	1,067	6,656	43,230	4,860	4,941	9,801	53,031
2005	546	384	7,541	3,155	3,133	11,637	14,289	680	7.7	487	3,947	45,808	7,753	3,860	11,614	57,421
2006	610	244	6,787	1,569	2,854	9,845	12,716	586	2.8	921	2,975	39,109	6,494	5,071	11,565	50,674
2007	422	93	7,010	2,077	2,786	10,081	8,390	207	0.0	516	1,965	33,547	5,249	4,027	9,277	42,824
2008	607	182	8,424	970	2,273	18,000	12,407	847	0.0	1,690	750	46,150	5,639	4,877	10,515	56,665
2009	781	222	9,410	2,185	1,458	7,991	17,040	940	138	48	187	40,399	8,672	5,340	14,012	54,411
2010	218	238	9,959	2,102	2,323	18,190	17,454	895	107	206	1,198	52,891	6,482	2,059	8,541	61,431
2011	245	659	11,953	3,066	981	13,151	15,715	605	8.6	308	4,467	51,157	6,220	2,214	8,435	59,592
2012	152	432	14,941	2,096	1,835	13,096	11,551	644	21	1.7	0.0	44,768	3,819	4,670	8,488	53,257
2013	331	831	9,025	4,428	4,236	16,819	19,451	1,073	1,051	67	0.0	57,313	5,137	2,607	7,744	65,057
2014	423	203	7,965	3,402	2,665	13,998	8,886	381	159	0.0	0.0	38,083	8,877	989	9,866	47,949
2015	132	202	7,799	1,394	2,585	8,695	9,982	340	28	0.0	0.0	31,156	7,786	957	8,743	39,899
2016	189	191	3,731	1,776	912	12,053	12,790	86	7.2	0.0	0.0	31,735	10,912	1,024	11,936	43,672
2017	318	394	5,664	1,655	1,560	8,885	10,886	666	0.0	1.8	0.0	30,030	7,309	613	7,922	37,953
2018	142	130	4,925	1,121	1,165	3,453	7,012	33	0.0	0.0	0.0	17,982	4,683	404	5,087	23,069
2019	415	291	2,698	2,300	685	7,072	6,674	44	7.3	0.0	0.0	20,187	3,145	224	3,370	23,556
2020	180	29	776	483	830	2,202	6,584	16	0.0	0.0	0.0	11,100	3,480	280	3,759	14,859
2021	89	36	1,826	597	201	1,492	8,313	132	0	0	0	12,686	2,682	414	3,095	15,782
2022	590	240	5,288	779	1,294	10,695	13,508	39	0	0	0	32,434	3,083	288	3,371	35,805
2023	510	287	3,212	575	769	5,171	10,730	0	31	0	0	21,285	2,195	458	2,653	23,938
2024	318	234	2,414	360	526	4,395	6,070	12	0	0	0	14,328	833	161	995	15,323
2025	556	173	2,496	780	362	1,652	3,615	54	0	0	0	9,689	1,428	96	1,525	11,213

Table 10. Recreational harvest by region in numbers of fish (x1000), 1999-2025. Source: MRIP (Query June 2026). ^Estimates exclude NC inshore harvest.

Year	Ocean												Chesapeake Bay			Grand Total
	ME	NH	MA	RI	CT	NY	NJ	DE	MD	VA	NC^	Total	MD	VA	Total	
1999	37.5	9.9	327.1	116.6	88.2	450.9	657.1	28.3	1.6	14.1	26.4	1,757.8	530.9	834.8	1,365.7	3,123.5
2000	77.3	6.0	306.2	156.8	84.0	494.6	939.8	88.3	0.0	27.2	18.1	2,198.3	810.9	793.3	1,604.2	3,802.5
2001	91.9	23.5	551.0	149.8	78.2	364.2	1,267.5	70.6	64.1	36.7	60.7	2,758.1	513.3	781.1	1,294.4	4,052.5
2002	135.2	28.1	723.5	181.5	92.5	439.3	957.6	65.7	0.0	76.4	56.3	2,756.1	464.4	784.6	1,249.0	4,005.1
2003	99.7	41.3	797.2	226.4	181.7	678.4	942.8	75.7	0.9	29.3	50.4	3,123.8	816.0	841.6	1,657.6	4,781.4
2004	118.3	22.1	666.7	159.6	134.5	458.1	1,042.1	66.6	11.0	75.9	323.2	3,078.1	657.5	817.4	1,474.9	4,553.0
2005	118.3	35.5	536.1	195.6	202.6	854.6	958.1	48.8	3.6	34.2	194.9	3,182.2	815.5	483.1	1,298.6	4,480.8
2006	140.9	20.9	483.2	129.3	168.3	614.8	972.2	44.5	0.4	80.6	134.2	2,789.0	1,342.0	753.0	2,094.9	4,884.0
2007	95.5	8.1	471.9	135.8	163.9	602.8	722.2	17.2	0.0	28.0	81.8	2,327.1	1,127.3	490.3	1,617.6	3,944.7
2008	133.4	11.9	514.1	73.4	132.8	1,169.9	791.0	67.7	0.0	94.4	36.9	3,025.4	779.7	576.1	1,355.8	4,381.2
2009	146.5	17.3	695.0	138.4	100.3	574.2	1,141.5	64.8	10.2	3.0	6.5	2,897.7	1,094.4	708.1	1,802.5	4,700.2
2010	37.3	21.4	808.2	162.0	170.2	1,449.0	1,091.4	61.4	12.5	25.3	67.1	3,905.9	1,139.3	343.2	1,482.6	5,388.4
2011	48.5	54.2	873.5	202.2	91.1	1,005.3	1,038.9	43.7	0.8	51.2	207.6	3,617.1	1,112.1	277.2	1,389.3	5,006.4
2012	31.4	37.3	1,010.6	130.7	137.1	927.5	742.4	51.3	2.9	0.3	0.0	3,071.5	716.7	258.1	974.8	4,046.3
2013	73.3	63.2	658.7	308.3	269.6	902.5	1,324.2	70.6	48.4	4.4	0.0	3,723.2	1,136.7	297.9	1,434.5	5,157.8
2014	86.4	16.5	523.5	172.0	131.8	804.5	501.9	26.2	12.6	0.0	0.0	2,275.5	1,627.0	131.2	1,758.2	4,033.7
2015	14.4	10.0	485.3	67.0	140.8	406.8	600.3	41.9	3.5	0.0	0.0	1,770.1	1,108.0	207.7	1,315.7	3,085.7
2016	14.2	17.6	230.1	128.4	63.3	697.7	659.6	5.9	0.5	0.0	0.0	1,817.2	1,545.1	138.1	1,683.2	3,500.4
2017	22.0	37.7	392.3	59.8	94.9	477.3	626.4	27.8	0.0	0.1	0.0	1,738.3	1,091.6	108.0	1,199.6	2,937.9
2018	16.0	13.4	389.5	39.2	85.5	181.7	465.3	4.2	0.0	0.0	0.0	1,194.6	993.3	56.8	1,050.1	2,244.8
2019	38.0	14.7	195.6	104.1	67.1	498.0	412.9	10.9	1.0	0.0	0.0	1,342.2	764.1	44.6	808.7	2,150.9
2020	19.0	3.2	67.2	36.9	71.2	203.7	520.1	1.6	0.0	0.0	0.0	922.9	734.8	52.2	787.0	1,710.0
2021	12.7	4.4	179.1	57.7	21.2	137.8	766.2	9.496	0.0	0.0	0.0	1,188.6	583.7	69.6	653.3	1,842.9
2022	57.6	23.4	479.9	66.4	116.2	882.9	1,126.5	4.0	0.0	0.0	0.0	2,756.8	642.2	55.0	697.2	3,454.0
2023	62.8	36.1	343.8	51.9	78.9	500.4	959.3	0.0	3.1	0.0	0.0	2,036.1	502.3	86.0	588.3	2,624.4
2024	34.4	25.2	257.8	33.6	51.6	433.0	622.3	1.2	0.0	0.0	0.0	1,459.2	232.6	36.9	269.5	1,728.7
2025	60.5	18.4	262.4	87.2	37.8	168.1	369.7	10.4	0.0	0.0	0.0	1014.5	390.7	24.9	415.6	1430.1

Table 11. Recreational harvest and recreational release mortality by mode for 2022-2025.

Source: MRIP (Query July 2026).

Year	Private-Shore Harvest	For-Hire Harvest	Private-Shore Release Mortality	For-Hire Release Mortality
OCEAN				
2022	2,619,253	137,595	2,305,198	37,608
2023	1,967,001	69,135	1,984,532	28,172
2024	1,390,267	68,928	1,453,785	29,936
2025	907,413	107,100	810,430	26,507
CHESAPEAKE BAY				
2022	553,480	143,694	310,919	14,121
2023	416,900	171,393	319,434	11,417
2024	166,780	102,769	222,757	11,962
2025	348,744	66,842	207,948	4,612
COASTWIDE				
2022	3,172,733	281,289	2,616,117	51,729
2023	2,383,901	240,528	2,303,966	39,589
2024	1,557,047	171,967	1,676,542	41,897
2025	1,256,157	173,942	1,018,378	31,118

Table 12. Number of directed trips for Atlantic striped bass (primary and secondary target) from Maine through North Carolina (excluding inshore NC) for 2020-2025. Source: MRIP (Query July 2026).

Year	Ocean	Chesapeake Bay	Coastwide Total
2020	15,859,277	2,678,922	18,538,199
2021	16,017,420	2,183,568	18,200,988
2022	21,044,439	2,132,346	23,176,785
2023	18,358,961	2,133,807	20,492,768
2024	16,434,248	1,276,206	17,710,454
2025	14,392,108	1,942,023	16,334,131

Table 13. Number of directed trips for Atlantic striped bass (primary and secondary target) by mode from Maine through North Carolina (excluding inshore NC) for 2022-2025. Source: MRIP (Query July 2026).

Year	Private-Shore Directed Trips	For-Hire Directed Trips
OCEAN		
2022	20,814,563	229,876
2023	18,191,509	167,453
2024	16,293,296	140,952
2025	14,234,132	157,975
CHESAPEAKE BAY		
2022	2,023,852	108,494
2023	2,016,729	117,078
2024	1,174,869	101,338
2025	1,871,508	70,516

Table 14. Results of 2025 commercial quota accounting in pounds. Source: 2026 State Compliance Reports. 2025 quotas set by Addendum II to Amendment 7 with New York and Maryland quotas reduced due to 2024 overages.

State	2025 Quota	2025 Harvest	2025 Overage
Ocean			
Maine*	143	-	-
New Hampshire*	3,289	-	-
Massachusetts	683,773	683,431	0
Rhode Island	138,467	General Category: 100,737 Floating Fish Trap: Confidential	0
Connecticut*	13,585	-	-
New York	580,307	558,217	0
New Jersey**	200,798	-	-
Delaware	132,501	130,320	0
Maryland	77,017	76,418 ⁺	0
Virginia	116,282	110,644 ⁺	0
North Carolina	274,810	0	0
Ocean Total	2,220,972	1,659,767	0
Chesapeake Bay			
Maryland	1,344,216	1,219,755 ⁺	0
Virginia	914,555	813,119 ⁺	0
PRFC	532,761	452,835	0
Bay Total	2,791,532	2,485,709	0

Note: North Carolina's fishing year is December-November; PRFC's fishing year for gill nets is November-March.

* Commercial harvest/sale prohibited, with no re-allocation of quota.

** Commercial harvest/sale prohibited, with re-allocation of quota to the recreational fishery.

+ Maryland and Virginia commercial landings for 2025 are considered preliminary.

Table 15. Status of Commercial Tagging Programs by state for 2025.

State	Total Participants	Tags Issued	Tags Used	Tags Returned/ Broken	Tags Reported Lost/Not Accounted For ¹	Point of Tag (sale/ harvest)	Biological Metric ² (Y/N)	Year, State and Unique ID on Tag (Y/N)	Size Limit on Tag (Y/N)	Tag Colors	Annual Tag Color Change (Y/N)
MA	115	55,120	32,399	22,141	580	Sale	Y	Y	Y	one tag color	Y
RI GC only ³	20	4,870	3,287	974	609	Sale	Y	Y	N	two tag colors by gear	Y
NY	374	53,172	48,621	4,308	243	Harvest	Y	Y	N	one tag color	Y
DE*	241	17,280	7,895	9,385	0	Both	Y	Y	N	Harvest: two tag colors by gear Sale: one color	Y
MD AtIOc	46	7,250	3,348	3,497	405	Harvest	Y	Y	N	two tag colors by area	Y
MD Ches Bay	746	420,420	TBD ±	TBD ±	TBD ±						
PRFC	274	75,901	64,378	10,716	408	Harvest	Y	Y	N	five tag colors by gear	N
VA AtIOc	24	6,900 +	TBD+	TBD+	TBD+	Harvest	Y	Y	Y	two tag colors by area	Y
VA Bay	337	143,101 +	TBD+	TBD+	TBD+						
NC	0	0	0	NA	NA	Sale	Y	Y	Y	three tag colors by area	N

¹ Tags not accounted for refers to unused tags that are not returned/not reported as lost.

² States are required to allocate commercial tags to permit holders based on a biological metric. Most states use the average weight per fish from the previous year, or some variation thereof. Actual biological metric used is reported in Annual Commercial Tag Monitoring Reports.

³ Rhode Island tag information only listed for the general category (GC) fishery, which is mostly rod/reel. Floating fish trap harvest is confidential.

*The table notes Delaware's tags issued to and used by harvesters. Tags are also issued to weigh stations where a second tag is attached, such that each fish has two tags.

± Maryland's tag accounting for Chesapeake Bay is not yet available. Commercial licensees are required to return unused tags to the Department each year to allow a thorough audit of tag use. This audit is often delayed due to staffing issues.

+Virginia's tag allocation number does not include additional tags issued later in the season upon request to quota owners who have not achieved their quota. Virginia's tag accounting is TBD due to issues querying their database considering transfers between harvesters or tags that get issues through their additional tag process.

Table 16. Status of compliance with monitoring and reporting requirements in 2025. JAI = juvenile abundance index survey, SSB = spawning stock biomass survey, TAG = participation in coastwide tagging program, Y = compliance standards met, N = compliance standards not met, NA = not applicable, R = recreational, C = commercial.

Jurisdiction	Fishery-independent Monitoring		Fishery-dependent Monitoring		Annual reporting Status
	Requirement(s)	Status	Requirement(s)	Status	
ME	JAI	Y	-	NA	Y
NH	-	NA	-	NA	Y
MA	TAG	Y	composition, catch & effort (C&R), tag program	Y	Y
RI	-	NA	composition (C&R), catch & effort (R), tag program	Y	Y
CT	-	NA	composition, catch & effort (R)	Y	Y
NY	JAI, SSB, TAG	Y	composition, catch & effort (C&R), tag program	Y	Y
NJ	JAI, TAG	Y	composition, catch & effort (R)	Y	Y
PA	SSB	Y	-	NA	Y
DE	SSB, TAG	Y	composition, catch & effort (C), tag program	Y	Y
MD	JAI, SSB, TAG	Y	composition, catch & effort (C&R), tag program	Y	Y
PRFC	-	NA	composition, catch & effort (C&R), tag program	Y	Y
DC	-	NA	-	NA	Y
VA	JAI, SSB, TAG	Y	composition, catch & effort (C&R), tag program	Y	Y
NC	JAI, SSB, TAG	Y	composition, catch & effort (C&R), tag program	Y	Y

XI. Figures

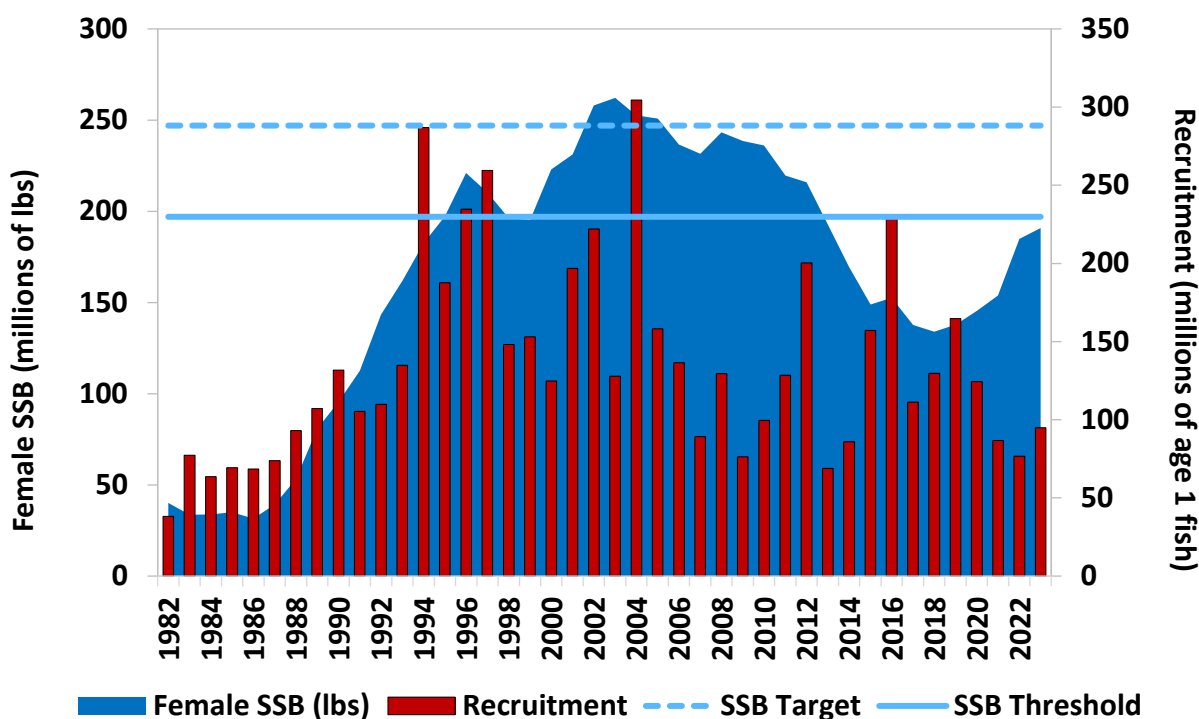


Figure 1. Atlantic striped bass female spawning stock biomass and recruitment, 1982-2023. Source: 2024 Stock Assessment Update.

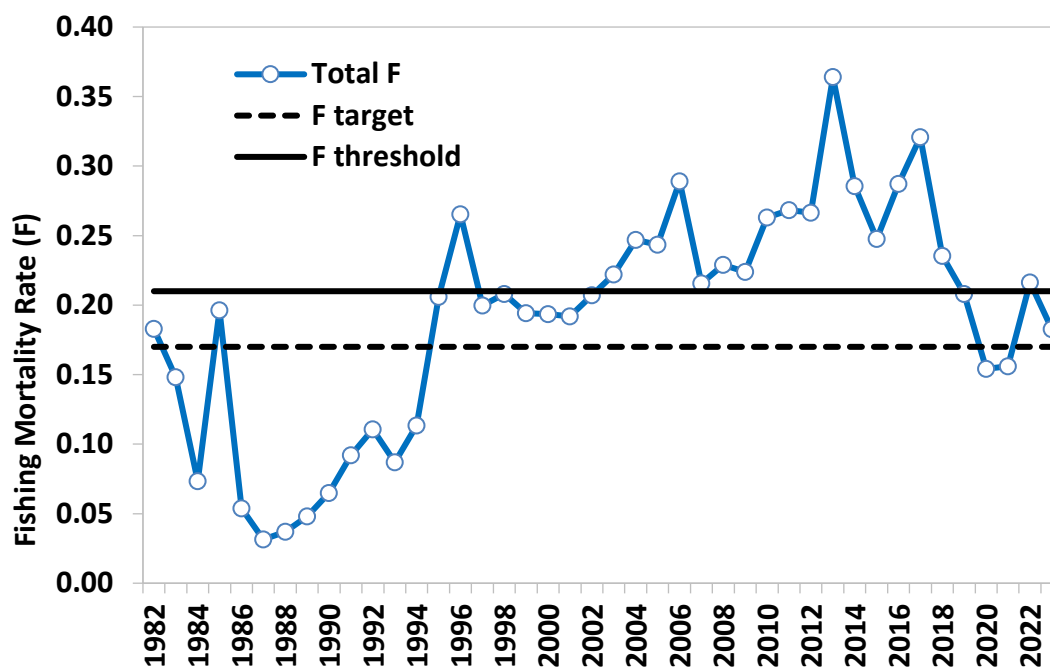


Figure 2. Atlantic striped bass fishing mortality, 1982-2023. Source: 2024 Stock Assessment Update.

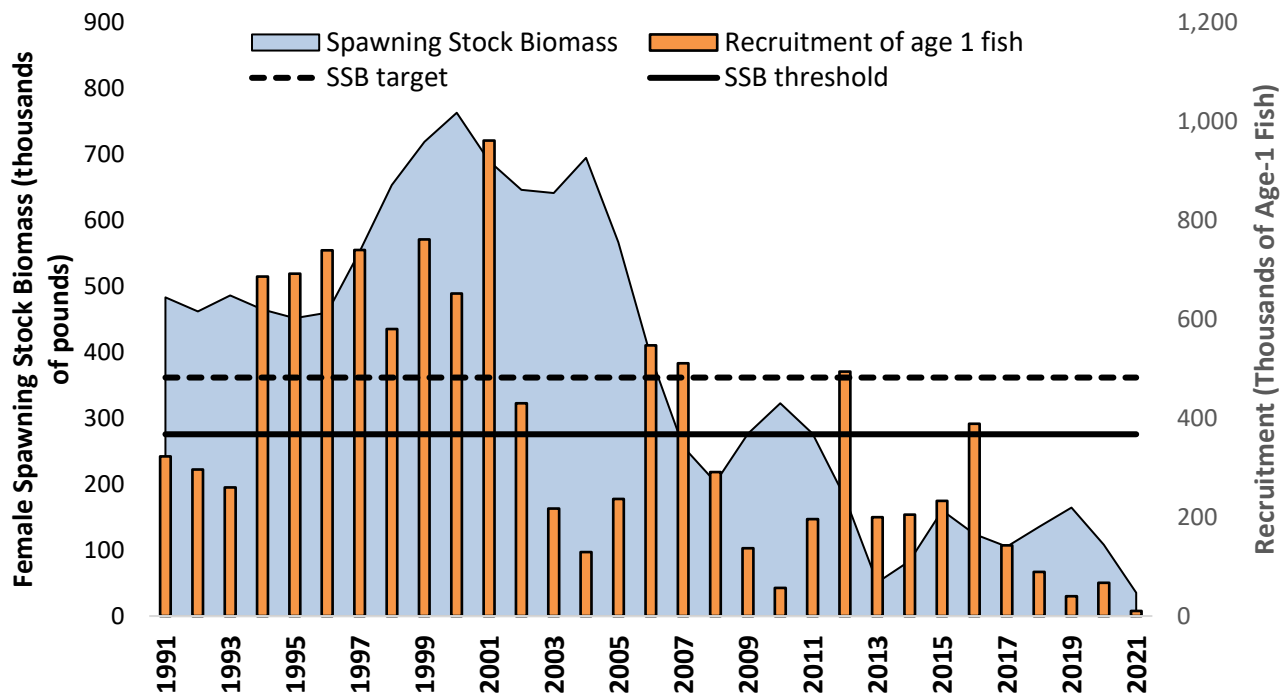


Figure 3. Albemarle Sound-Roanoke River striped bass female spawning stock biomass and recruitment (abundance of age-1), and biological reference points, 1991-2021. Source: 2022 A-R Stock Assessment (Lee et al. 2022).

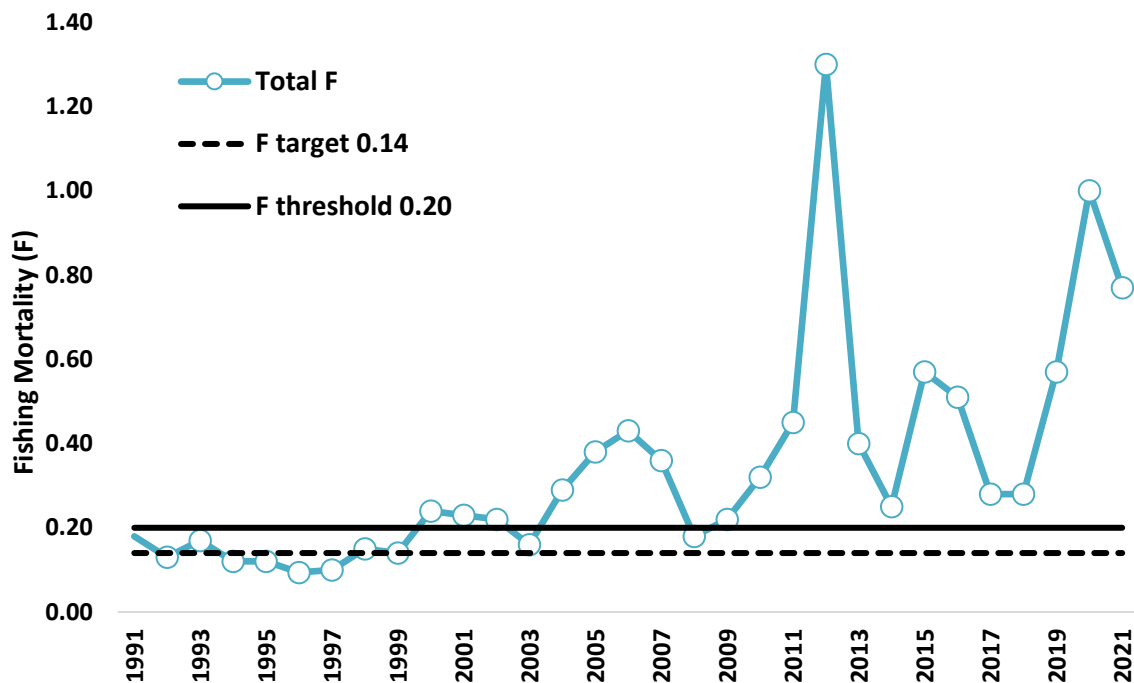


Figure 4. Albemarle Sounds-Roanoke River striped bass fishing mortality (F) estimates, and biological reference points, 1991-2021. Source: 2022 A-R Stock Assessment (Lee et al. 2022).

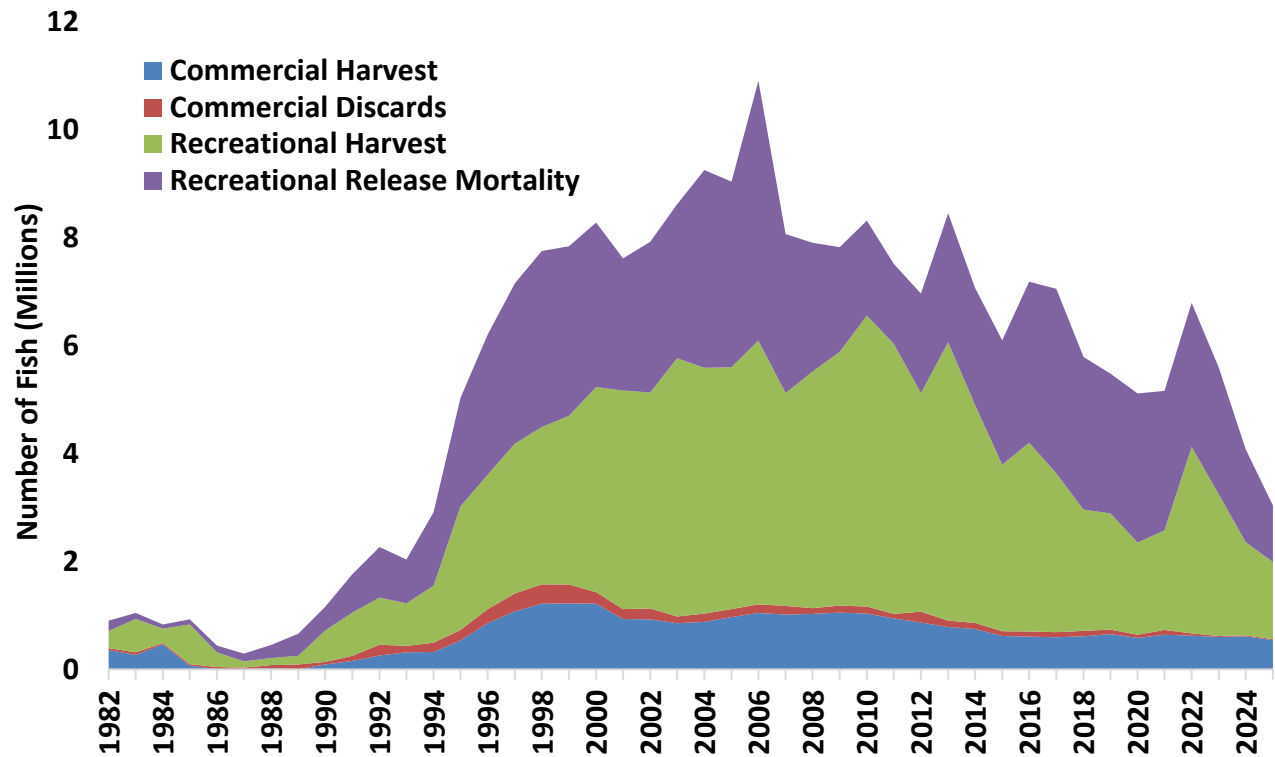


Figure 5. Total Atlantic striped bass removals by sector in numbers of fish, 1982-2025. Note: Harvest is from State Compliance Reports/MRIP, discards/release mortality is from ASMFC. Estimates exclude inshore harvest from A-R.

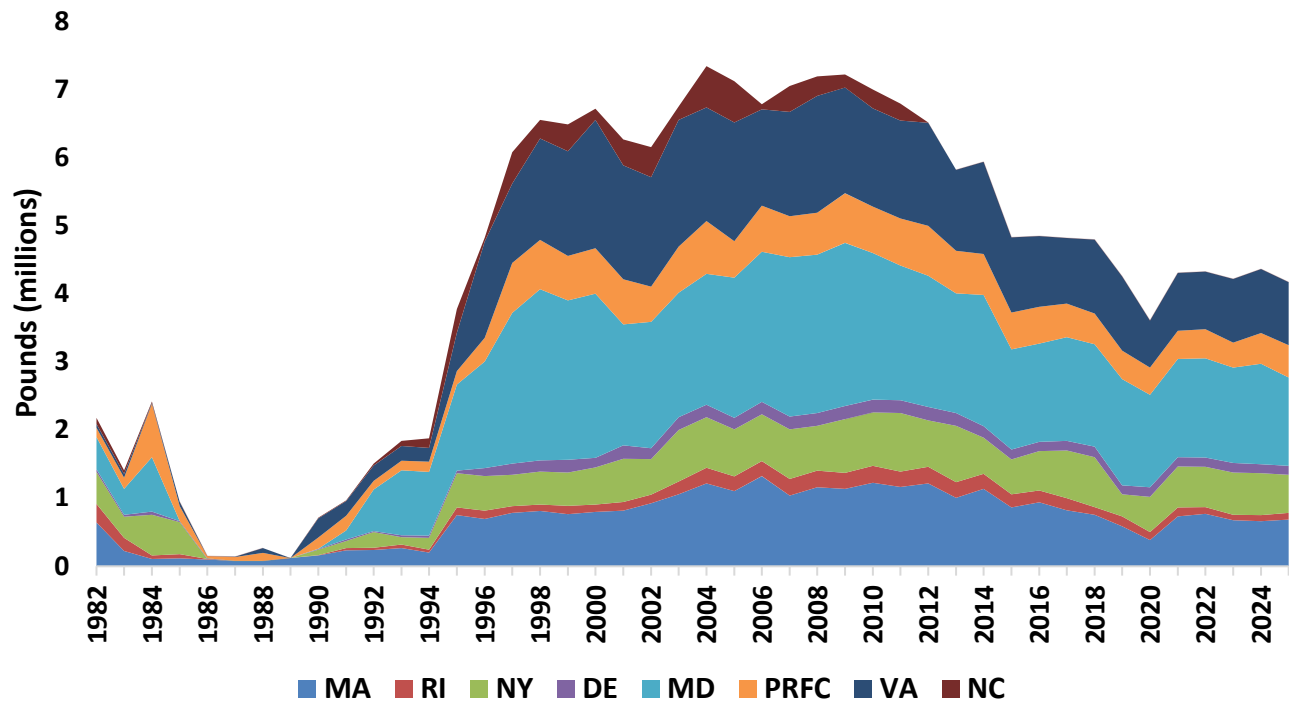


Figure 6. Commercial Atlantic striped bass landings by state in pounds, 1982-2025. Source: State compliance reports. Commercial harvest and sale prohibited in ME, NH, CT, and NJ. NC is ocean only.

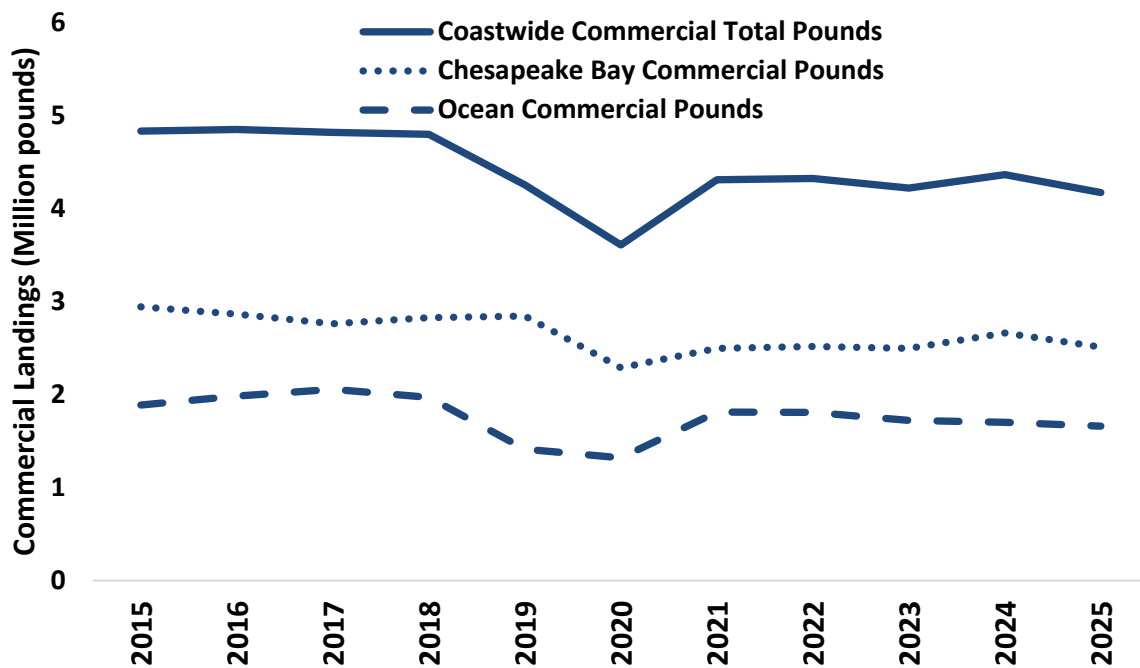


Figure 7. Commercial harvest by region for 2015-2025. Source: 2026 State Compliance Reports.

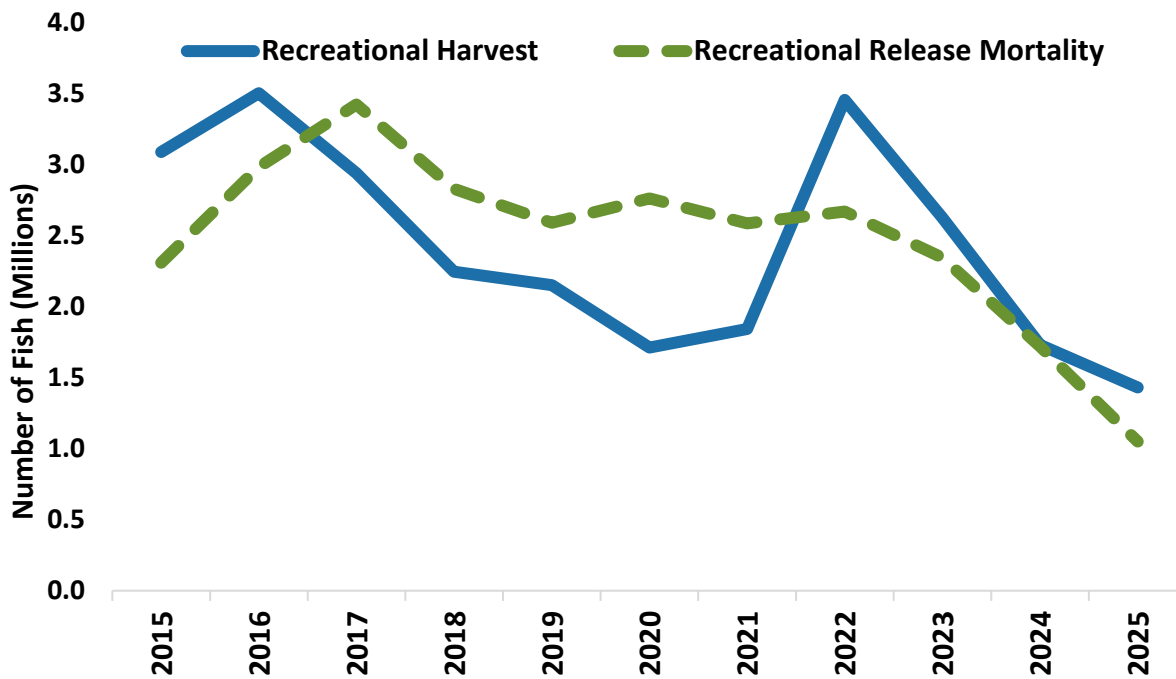


Figure 8. Coastwide recreational harvest and recreational release mortality from 2015-2025. Source: MRIP (Query June 2026).

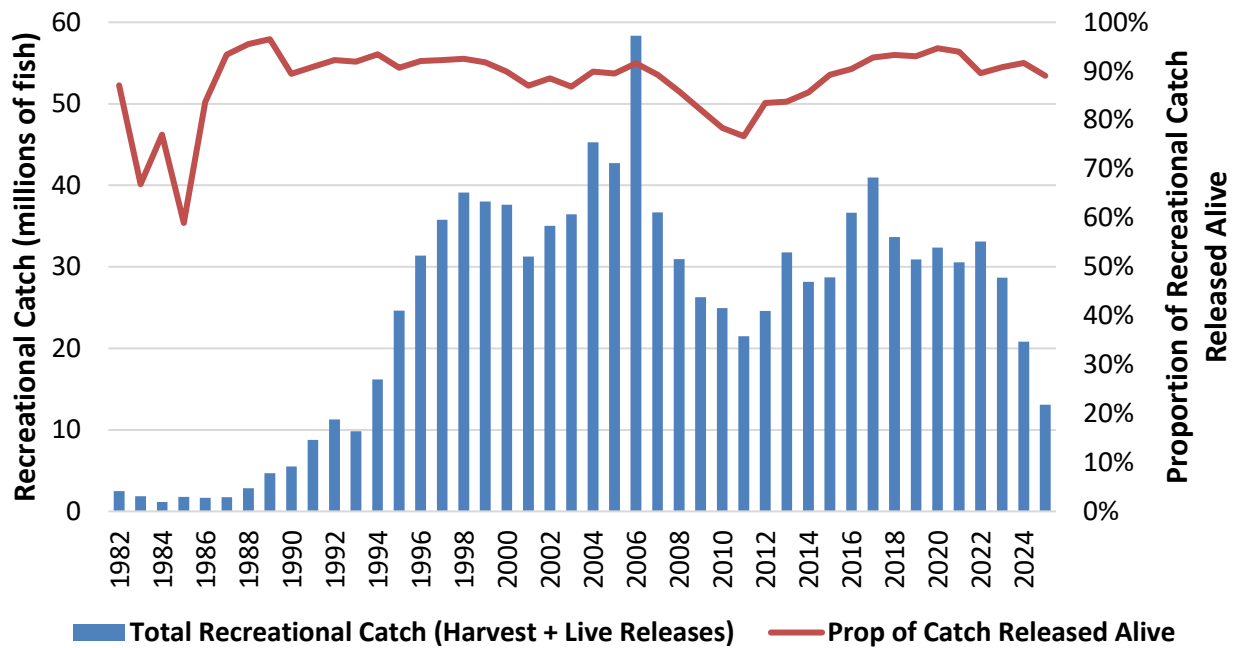


Figure 9. Total recreational catch and the proportion of fish released alive, 1982-2025. Source: MRIP (Query June 2025).

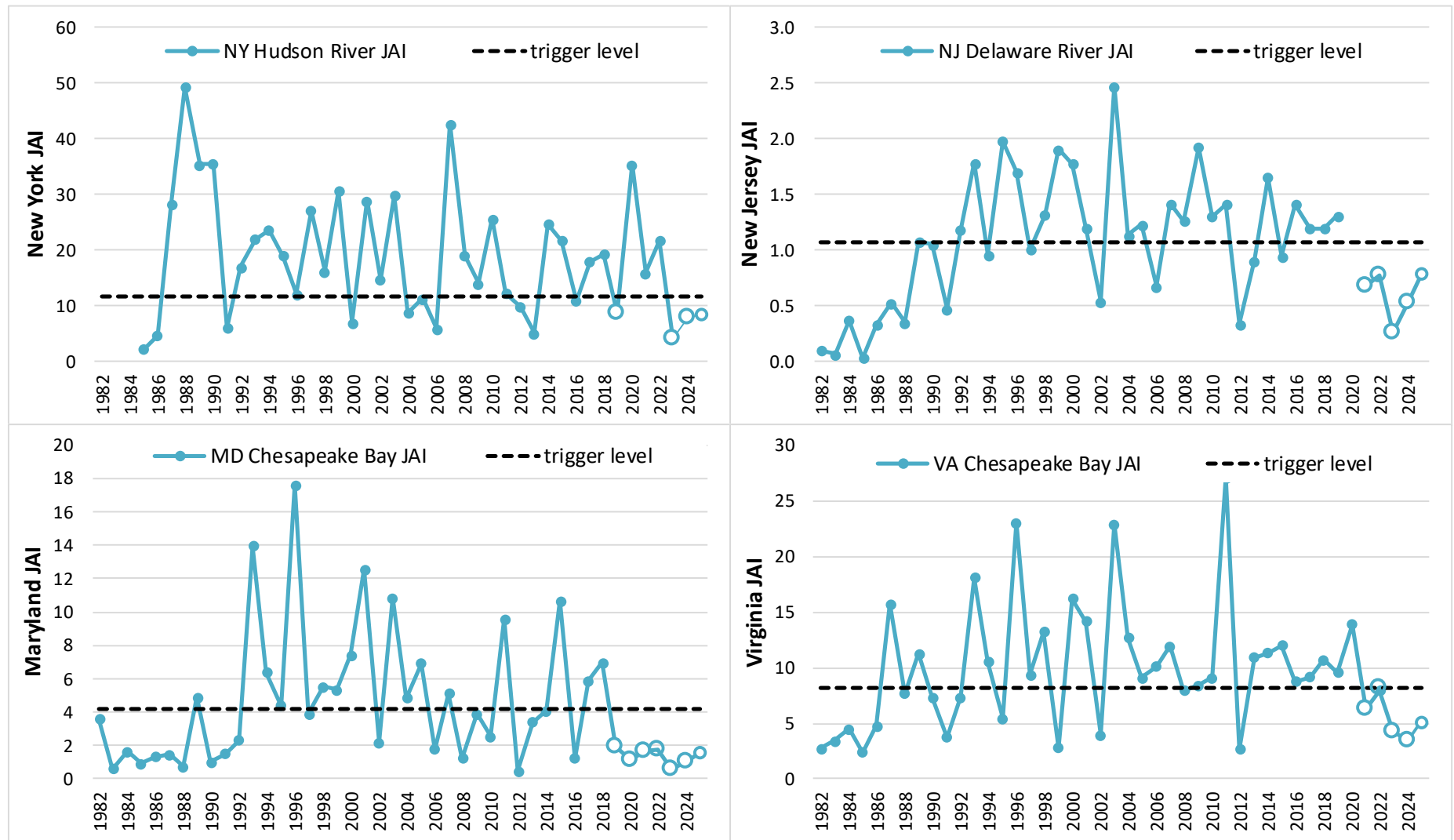


Figure 10. Juvenile abundance indices for New York, New Jersey, Maryland, and Virginia for 1982-2025 with recruitment trigger analysis for recent years. An open circle in the last three years indicates a value below the recruitment trigger level. The recruitment trigger is tripped if a JAI is below the trigger level for three consecutive years. Source: 2026 State Compliance Reports.

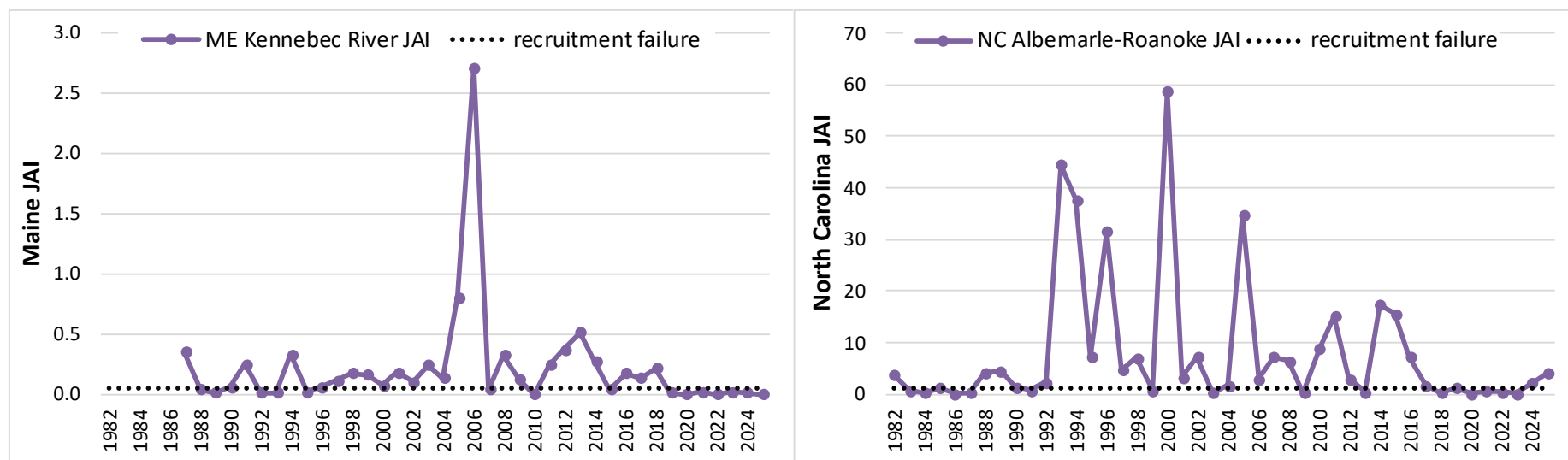


Figure 11. Juvenile abundance indices for Maine and North Carolina from 1982-2025 noting the level of recruitment failure. Source: 2026 State Compliance Reports.

From: [Rick Drew](#)
To: [Emilie Franke](#)
Subject: [New] [External] Re: ASMFC Striped Bass Board Meeting October 23, October 24 - Please distribute and Read
Date: Monday, July 27, 2026 4:19:05 PM

Hi Emilie,

I hope this email finds you well.

The current situation with Striped Bass is not acceptable. We have basically lost our recreational striped bass fishery. For years myself and many other concerned sportsmen have submitted voluminous comment and recommendations which have been met with little to no credible reply or action.

There are very few smaller striped bass and very few slot size striped bass and a fair number of large striped bass that will be aging out of peak spawning years. Why we did not protect the strong classes of 2015 and 2017 I do not know?

I work at a marina and several of our customers have put their boats up for sale due to the poor fishing for striped bass and other species. At stake is a multi-billion dollar industry around our fisheries.

I would appreciate an opportunity to peak with you in person / phone call at your soonest convenience to discuss what some realistic options our to save the Striped Bass fishery before it is too late.

Thank you for your time and consideration,

Rick
Rick Drew
East Hampton NY
631-903-0751
