



Atlantic Striped Bass

Draft Addendum II to Amendment 7

Public Comments, AP Report, LEC Report



Atlantic Striped Bass Management Board
January 24, 2024

Agenda



- Draft Addendum II
 - Statement of the Problem and Timeline
 - Proposed Management Options
 - Public Comment Summary
 - AP Report
 - LEC Report

Board action for consideration: Select management options and consider final approval of Addendum II.

Statement of the Problem



- Projections indicate a low probability of rebuilding by 2029 if high 2022 fishing mortality rate continues
- Concern the Amend. 7 measures combined with the strong 2015 year class will lead to high catch in 2024
- Concern that if the upcoming 2024 stock assessment indicates more management changes are needed, the Addendum process will take too long to respond

Draft Addendum II was initiated to address these concerns and support stock rebuilding.

Statement of the Problem



Draft Addendum II considers options for:

- Recreational and commercial measures to reduce removals to achieve fishing mortality target in 2024
 - 14.5% reduction from 2022 removals is needed
- Allowing the Board to respond more quickly to stock assessments via Board action (faster than addendum process)
- Establishing minimum requirements for states that allow filleting of recreationally-caught striped bass

Statement of the Problem



Draft Addendum II builds upon the 2023 Emergency Action

- Emergency action is temporary
 - 31” maximum size for recreational fisheries
 - Effective through Oct 28, 2024, OR until Addendum II is implemented, whichever comes first
- Draft Addendum II considers options to formally change the measures in the Fishery Management Plan

Timeline



Date	Action
May 2023	Board initiated Draft Addendum
May - September 2023	PDT developed Draft Addendum document; Board provided guidance on scope of options
October 2023	Board reviewed and approved Draft Addendum for public comment
November - December 2023	Public comment period through December 22, 2023
January 2024	Board reviews public comment, selects management measures, final approval of Addendum II
TBD	States implement regulations

Written Comments Overview



- Public comments accepted through December 22, 2023
- 2,832 written comments received:
 - 1,062 individual written comments
 - 1,723 comments through 13 form letters
 - 47 organizations submitted written comments

Public Hearing Overview



- 15 public hearings were held for 13 jurisdictions in November-December 2023
- 9 in-person; 4 hybrid format; 2 webinar only
- Public attendance was 693 people*
 - *Some people attended multiple hearings; not including state staff, Commissioners/Proxies, ASMFC staff
- Polls/shows of hands used at some hearings



Management Options, Public Comments, and AP Report

Management Options



- Section 3.1 Recreational Fishery Management
 - Ocean Size Limit Options
 - Chesapeake Bay Size/Bag Limit Options
 - For-Hire Clarification (if applicable)
 - Recreational Filleting Allowance Requirement Option
- Section 3.2 Commercial Fishery Management
 - Quota Reduction Options
- Section 3.3 Options for Response to Stock Assessments

Ocean Rec. Options



Size Limit Options	Bag Limit and Season	Overall Reduction	Harvest Change	Release Mortality Change
Option A. 28" to < 35" all modes (or approved CEs)	1 fish; 2017 seasons (or approved CEs)			
Option B. 28" – 31" all modes	1 fish; 2022 seasons	-14.1%	-49.9%	+2.0%
Option C. Private vessel/shore: 28" – 31" For-hire: 28" – 33"	1 fish; 2022 seasons	-14.0%	-49.5%	+2.0%
Option D. 30" – 33" all modes	1 fish; 2022 seasons	-12.8%	-45.4%	+1.8%
Option E. Private vessel/shore: 30" – 33" For-hire: 28" – 33"	1 fish; 2022 seasons	-12.8%	-45.0%	+1.8%

Any new size limit also applies to the Chesapeake Bay trophy fisheries.

Ocean Rec. Options



The following states would submit area-specific measures to achieve the same percent reduction as the selected ocean option as part of their state implementation plans:

- New York: reduction for Hudson River management area
- Pennsylvania: reduction for tidal Apr–May 21-24” slot
- Delaware: reduction for July–August 20-25” slot fishery

All state implementation plans are subject to review by the Board, Technical Committee, and Plan Review Team

Ocean Rec. Public Comments



	Option A. SQ 28-<35	Option B. 28-31	Option C. 28-31 PS/S 28-33 FH	Option D. 30-33	Option E. 30-33 P/S 28-33 FH
Written Total	14	2,112	105	1	2
Hearing Total	18	177	53	6	0

- Option B favored by majority
- Option C second most-supported

Ocean Rec. Public Comments



Option B Support (28-31" all modes):

- Most conservative with highest reduction to support rebuilding
- Protect 2015-year class; concern about lack of upcoming strong year classes
- Opposition to mode split: entire recreational sector should have same regulations, participate equally in rebuilding, and have same fishing opportunity
- Concern that even most conservative option would have a less than 50% chance of rebuilding the stock

Ocean Rec. Public Comments



Option C Support (28-31” private/shore; 28-33” for-hire)

- For-hire is a small portion of the ocean fishery; did not see the same 2022 increase as private/shore
- Negligible impact on the reduction with wider slot
- The current 28-31 slot has had negative economic impacts on for-hire industry
- Larger slot would attract customers and support anglers who value bringing a fish home
- Larger slot would decrease discards; seeing many discards this year with narrow slot

Ocean Rec. AP Comments



8 AP members support Option C (28-31" P/S; 28-33" FH)

- Wider slot would reduce discards
- Same estimated reduction as Option B and supports for-hire businesses

Ocean Rec. AP Comments



4 AP members support Option B (28-31" all modes)

- Most conservative option and supports rebuilding timeline
- All rec. anglers should have the same fishing opportunity
- Mode split creates division between sectors
- No data justification for mode split
- Mode split options did not consider broader allocation; difficult to revert back to one mode in the future
- Mode split deserves comprehensive, data-driven amendment discussion. Draft Add II has very little analysis.
- All modes should work together to rebuild the stock

Ocean Rec. AP Comments



- 1 AP member supports Option A (28- $<$ 35" all modes)**
- Too many fish being released under current narrow slot; need a wider slot.
 - Can't fish for such a small size range. Need to take whatever is biting on a particular day.

Chesapeake Bay Rec. Options



Option A	1 fish at 18" minimum size with 2017 seasons, or approved CEs.						
	Min. Size	Max. Size	Bag Limit	Season	Overall Reduction	Harvest Change	Rel. Mort. Change
Option B1	19"	23"	1 fish (all modes)	same as 2022	-22.4%	-38.4%	+6.7%
Option B2	19"	24"	1 fish (all modes)	same as 2022	-15.9%	-27.5%	+4.8%
Option B3	19"	25"	1 fish (all modes)	same as 2022	-12.1%	-21.1%	+3.7%
Option B4	19"	26"	1 fish (all modes)	same as 2022	-10.3%	-18.1%	+3.2%
Option C1	19"	23"	1 fish P/S 2 fish FH	same as 2022	-17.9%	-31.4%	+4.9%
Option C2	19"	24"	1 fish P/S 2 fish FH	same as 2022	-11.0%	-19.3%	+3.0%

(P/S=private vessel/shore anglers and FH= for-hire)

Ches. Bay Rec. Public Comments



	A. SQ 18" min 1 fish	B1. 19-23 1 fish	B2. 19-24 1 fish	B1 or B2	B3. 19-25 1 fish	B4. 19-26 1 fish	C1. 19-23 1 fish P/S 2 fish FH	C2. 19-24 1 fish P/S 2 fish FH
Written Total	4	719	38	1,355	9	31	1	31
Hearing Total	4	142	25	6	2	9	11	12

- Option B1 or B2 favored by majority
- Most other comments supported B1 specifically
- Some in favor of other options (mostly B4 or C2)

Ches. Bay Rec. Public Comments



Option B1-B2 Support (19-23” or 19-24”; 1 fish all modes):

- Both options meet 14.5% reduction
- B1 is most conservative with highest reduction to support rebuilding
- Protect 2018 year-class
- Opposition to mode splits: entire recreational sector should have same regulations, contribute to rebuilding, and have the same fishing opportunity
- Concern about poor recruitment in the Bay

Ches. Bay Rec. Public Comments



Option B4 Support (19-26" all modes):

- Wider slot would have lowest release mortality

Option C2 Support (19-24"; 1 fish P/S and 2 fish FH):

- Charter businesses in the Bay could not survive on 1 fish
- For-hire trips have already decreased
- Maryland for-hire operators participate in the state's electronic reporting program and provide detailed information

Ches. Bay Rec. AP Comments



6 AP members support Option C2 (19-24"; 1 fish P/S and 2 fish FH):

- For-hire businesses in the Bay need 2 fish to survive and attract customers; Bay fish are smaller and season is short
- For-hire relies on striped bass to make a living in the Bay; few other species are available
- For-hire vessels participate in electronic reporting to monitor their catch
- 2-fish would help deter throwing back a smaller fish in hopes of catching a larger one

Ches. Bay Rec. AP Comments



3 AP members support Option B1 (19-23" all modes):

- Private-shore anglers in the Bay face similar challenges with short season and limited species; all modes should have same opportunity

1 AP member supports Option B4 (19-26" all modes):

- Wider slot would reduce discards

1 AP members supports any B Option (any slot as long as all modes have same bag limit).

For-Hire Clarification (if applicable)



If a recreational mode split option is selected for the ocean and/or Chesapeake Bay, Board would select option to clarify how measures apply to individuals on for-hire trips.

Option A. Status Quo. No requirement in the Interstate FMP for Atlantic Striped Bass regarding how for-hire measures would apply to individuals during for-hire trips.

Option B. For-hire management measures apply only to patrons during a for-hire trip; captain and crew during a for-hire trip are subject to the private vessel/shore angler limits.

FH Clarification Public Comments



	Option A. SQ No FH clarification	Option B. Add FH clarification
Written Total	42	153
Hearing Total	14	94

- Option B favored by majority. Most noted opposition to mode splits, but commented in case a mode split is implemented.
- Option A commenters noted this clarification would be unenforceable.

FH Clarification AP Comments



4 AP members support Option A (no clarification):

- Enforcing different size limits on same vessel is problematic
- Many vessels operate both as for-hire and private vessels
- Clarification would not be enforceable

1 AP member supports Option B (add clarification):

- While not enforceable, good-will gesture to support mode splits

Rec. Filleting Allowance



Option A. Status quo. No requirement in the Interstate FMP for Atlantic Striped Bass related to at-sea/shoreside filleting.

Option B. For states that authorize at-sea/shore-side filleting of striped bass, establish minimum requirements, including:

- Racks retained; skin left intact; and possession limited no more than two fillets per legal fish.
- States should consider including language about when and where racks may be disposed of, specific to each mode allowed to fillet at-sea/shore.

Rec Filleting Public Comments



	Option A. No minimum requirements	Option B. Add minimum requirements
Written Total	71	460
Hearing Total	22	95

- Option B favored by majority noting support for enforcement of the slot limit.
- Option A commenters noted filleting requirements would delay turnaround time between charter trips; for-hire vessels need to transition ASAP between trips. Concerns about where racks would be disposed of, and local rules would limit disposal.

Rec Filleting AP Comments



9 AP members support Option A (no filleting requirements):

- Difficult to develop coastwide regulatory language to implement in each state
- Complexities of requirements are state/local issues. Not appropriate for coastwide FMP

Comm. Quota Reduction Option



Option A. Status Quo Commercial Quotas

- Continue Amend. 7 quotas and size limits (i.e., 18% reduction from 2017 levels with 2017 size limits)
- Allows continuation of existing Addendum VI CE plans

Option B. Quota Reduction

- The ocean and/or Chesapeake Bay commercial quotas would be reduced by up to 14.5% from their 2022 quotas with their 2022 size limits
 - Board would specify percent reduction between 0 and 14.5%

Comm Quota Public Comments



	Option A. SQ Comm. Quotas	Option B. Up to 14.5% Quota Reduction
Written Total	112	2,076
Hearing Total	46	173

- Option B favored by majority
- Option A support from commercial industry

Comm. Quota Public Comments



Option B (Up to 14.5% commercial quota reduction):

- All sectors should take equal reduction to rebuild the stock
- Support for full 14.5% reduction
- Some noted reduction should be from landings, not from quota

Comm. Quota Public Comments



Option A (Status quo commercial quotas)

- Commercial sector should not be penalized for recreational harvest increase
- Commercial harvest is small portion of total fishery with relatively stable landings
- Commercial sector is heavily monitored with accountability through tagging and quota paybacks
- Multiple quota reductions in the past several years
- Additional reductions would be detrimental to the industry

Comm. Quotas AP Comments



7 AP members support Option A (status quo quotas):

- Commercial should not be penalized for recreational increase
- Reduction would be economic loss for harvesters, local markets
- Commercial industry is highly regulated with hard quota caps
- Quotas rarely exceeded; immediate quota payback if they are
- Quota underages are conservation buffer
- FMP originally intended for 50-50 split between the sectors; however, the fishery has become majority recreational (90-10)
- Commercial sector adjusted gear to avoid spawning fish
- Excess mortality is from the recreational sector

Comm. Quotas AP Comments



4 AP members support Option B (up to 14.5% quota reduction):

- Support reduction in both the ocean and Bay
- Environment not producing enough fish, so both sectors need to take a reduction recognizing the declining stock
- Concern that some state commercial fisheries allow harvest of large spawners
- Public commenters were largely in favor of this option

3.3 Response to Assessments



If an upcoming stock assessment prior to the rebuilding deadline (e.g., 2024 update) indicates the stock is not projected to rebuild by 2029 (i.e., <50% probability of meeting SSB target)

Option A. Status Quo: Board initiates Addendum/Amendment to change measures

- Public comment period with hearings and written comments
- New measures likely not implemented until two years later

Option B. Respond via Board action to change measures by passing a motion at a Board meeting (instead of addendum)

- Public comment provided during Board meetings, and/or in writing to the Board prior to Board meetings.
- Allow more expedited response to assessments (i.e., potential for implementing new measures shortly after an assessment)

Probability of Rebuilding

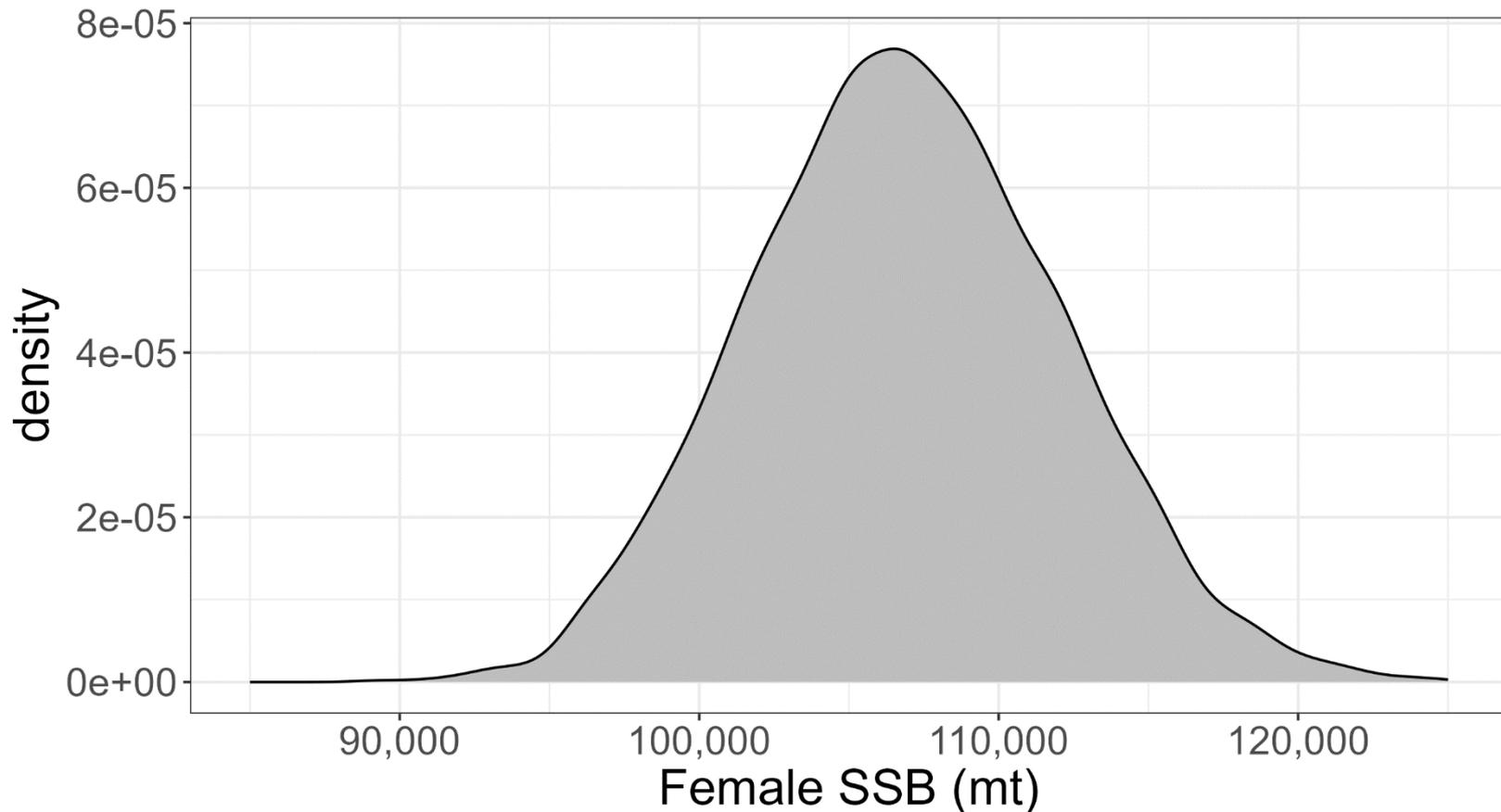


- Projections are used to determine where the population will end up in 2029 if we fish at a constant F
 - Uncertainty in what recruitment will be and in estimates of the starting population in 2023
- Same level of F could result in different SSB values in 2029

Probability of Rebuilding



- We don't get a single value for SSB in 2029, we get a distribution

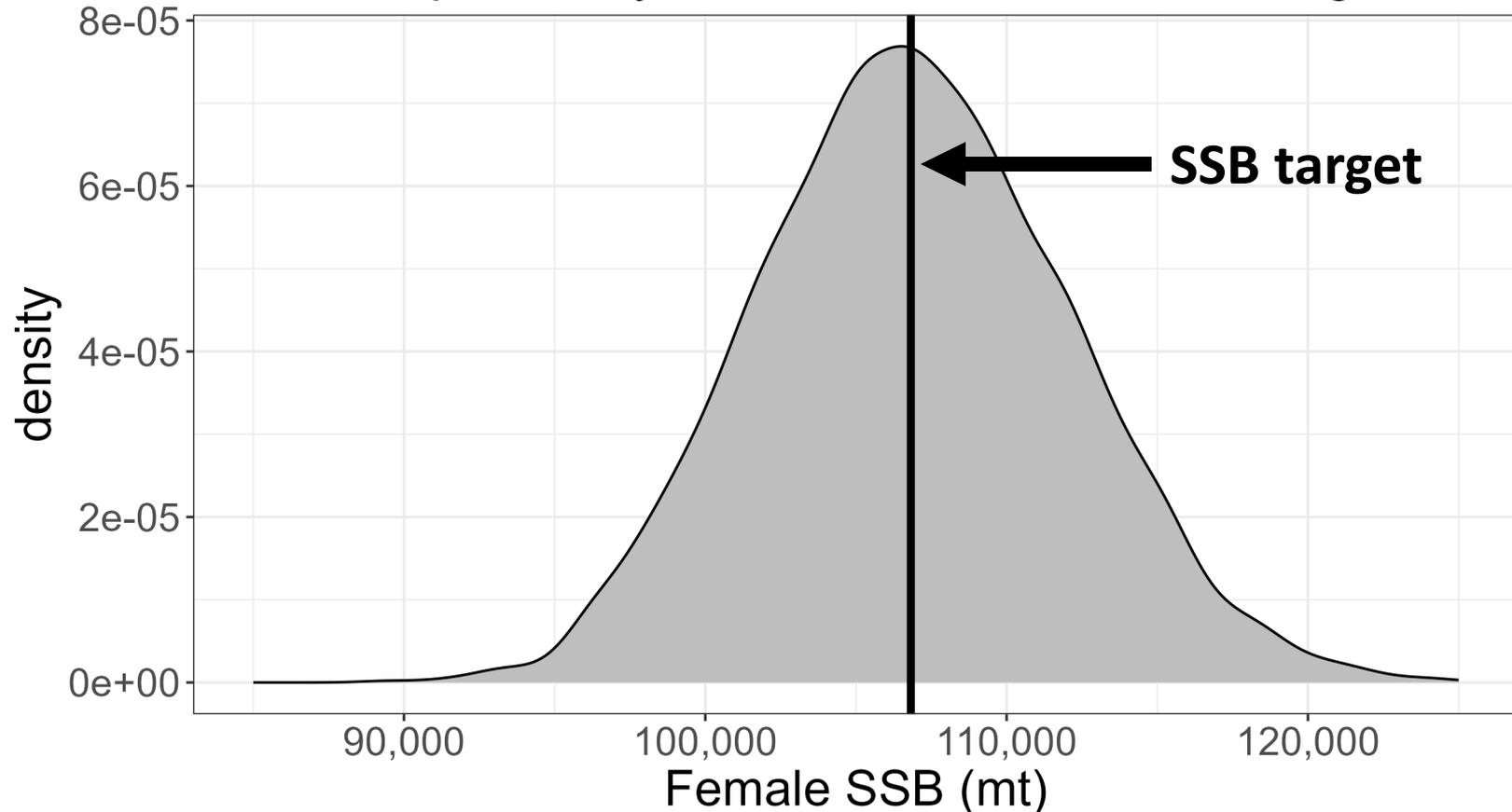


Probability of Rebuilding



- If probability = 50%, most of the SSB estimates are close to the SSB target

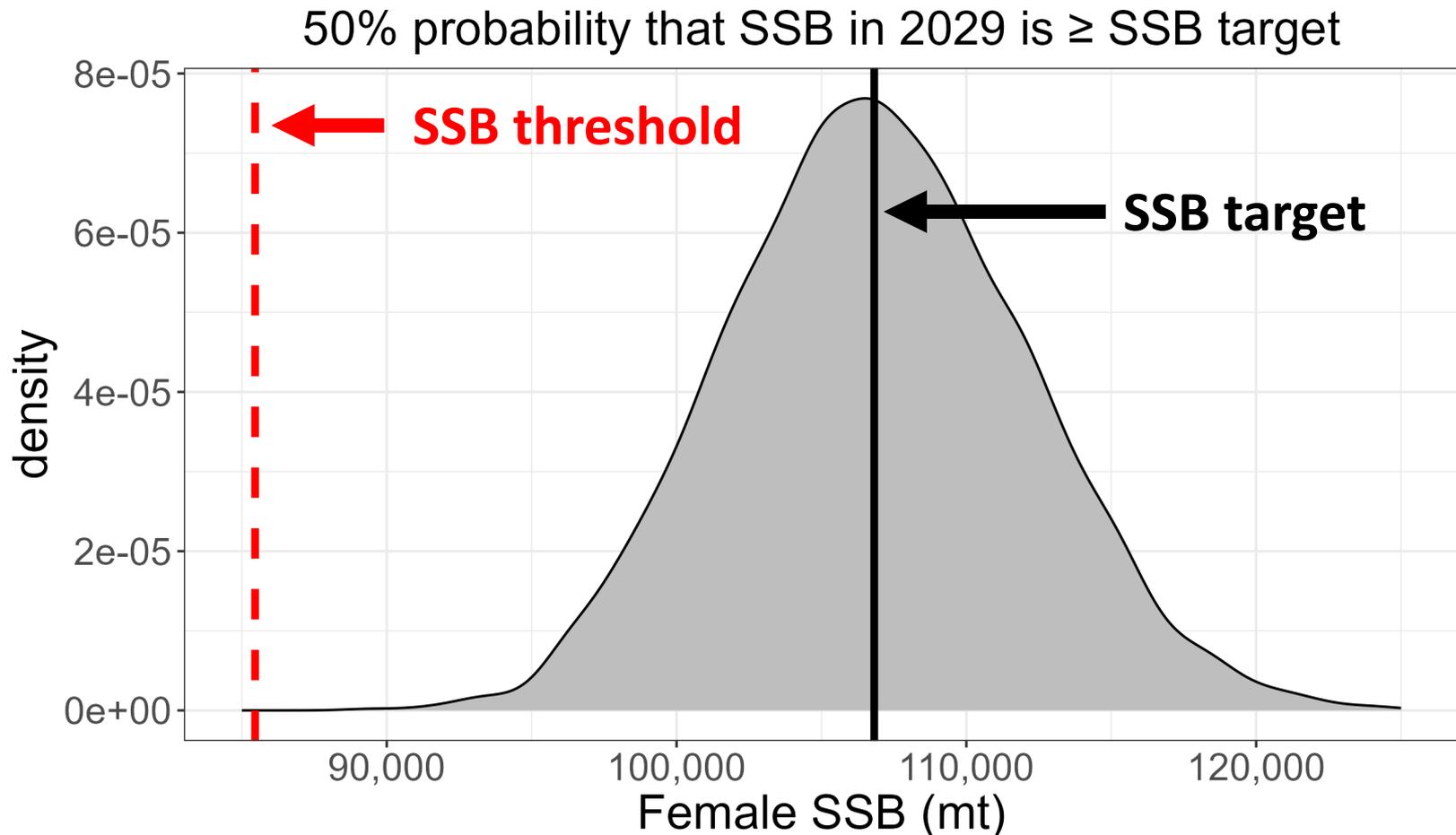
50% probability that SSB in 2029 is \geq SSB target



Probability of Rebuilding



- If probability = 50%, less than 1% of the SSB estimates are below the SSB threshold

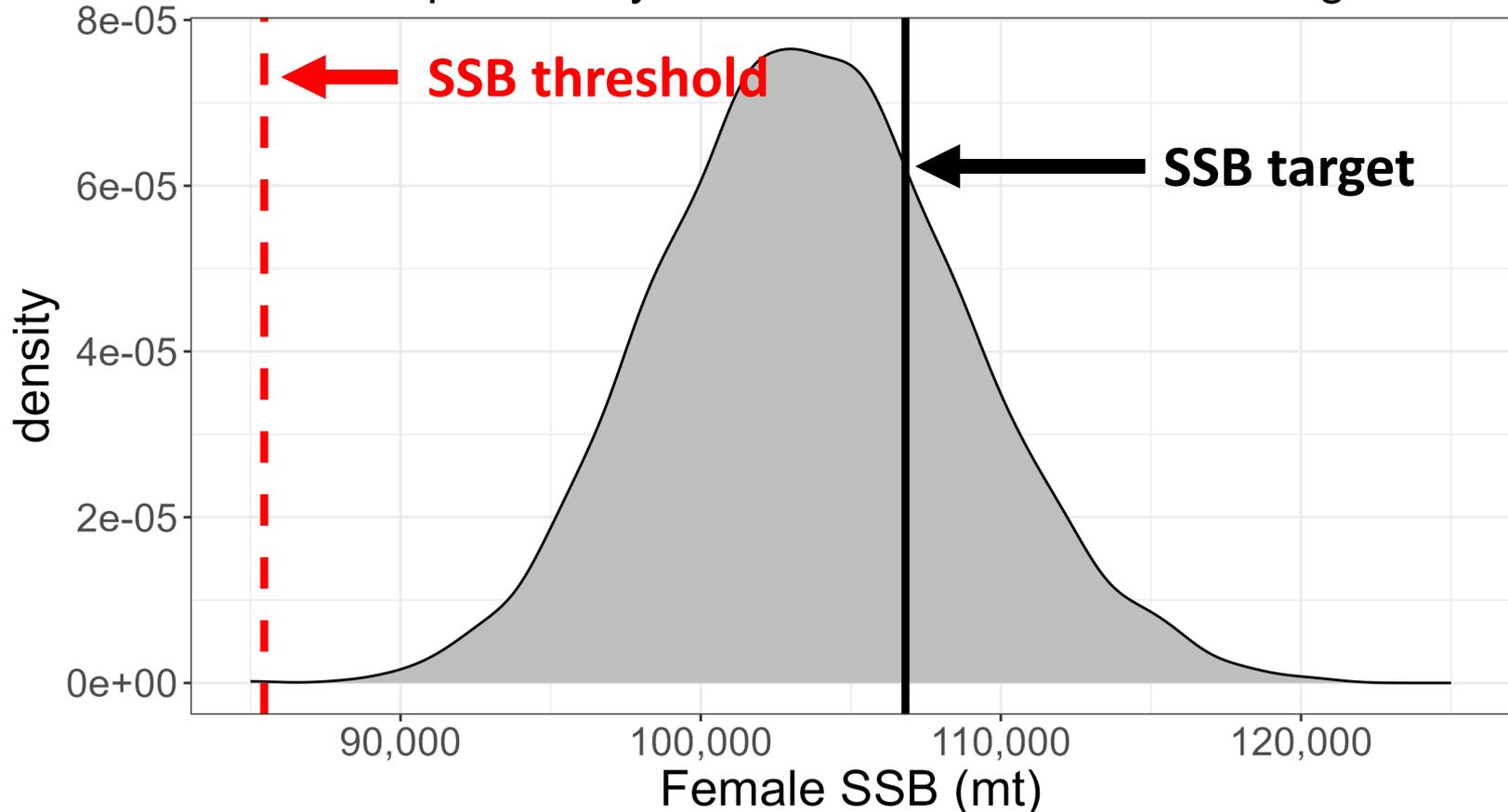


Probability of Rebuilding



- If probability $< 50\%$, SSB in 2029 is still close to the SSB target, but less likely to be at or above

35% probability that SSB in 2029 is \geq SSB target



3.3 Response to Assessments



If an upcoming stock assessment prior to the rebuilding deadline (e.g., 2024 update) indicates the stock is not projected to rebuild by 2029 (i.e., <50% probability of meeting SSB target)

Option A. Status Quo: Board initiates Addendum/Amendment to change measures

- Public comment period with hearings and written comments
- New measures likely not implemented until two years later

Option B. Respond via Board action to change measures by passing a motion at a Board meeting (instead of addendum)

- Public comment provided during Board meetings, and/or in writing to the Board prior to Board meetings.
- Allow more expedited response to assessments (i.e., potential for implementing new measures shortly after an assessment)

Assessment Response Public Comments



	Option A. SQ Addendum or Amendment	Option B. Board action (vote at meeting)
Written Total	45	1,974
Hearing Total	45	176

- Option B (Board action) favored by majority noting the need for quick, decisive action to rebuild the stock and quickly implement measures. Public comment opportunity should be clearly communicated.
- Option A (status quo) support noted need for a full public comment process to make informed management decisions.

Assessment Response AP Comments



10 AP members support Option A (Add/Amend process):

- Concern about losing public comment opportunity.
- Emergency action provision allows Board to take action in an emergency. Board should use Addendum process during a non-emergency.
- Frustration with emergency action experience and lack of AP or public comment.
- Faster is not always better. Add. II initiated using streamlined process with the emergency action, but violated public trust by going beyond anticipated scope when mode split options were included with little debate, analysis or data.
- Addendum process designed to work through issues.
- Avoid knee-jerk reactions.



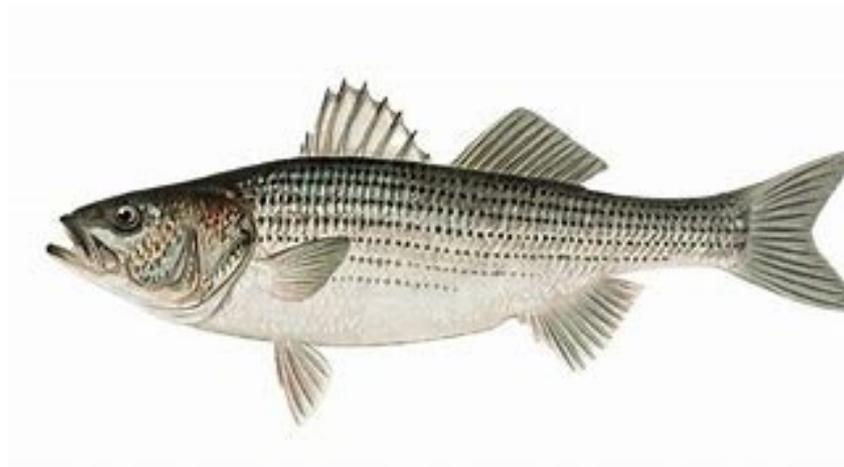
2 AP members support Option B (Board Action):

- Public comments have called for Board to act more quickly, and criticized the Board for moving too slowly in the past
- Need for quick action to rebuild the stock

Several AP members would support a hybrid option:

- Speed up the Addendum process in some way, but still include a formal public comment period

LEC Report on Addendum II



Striped Bass Management Board

January 24, 2024

Recreational Fishery



Section 3.1.1 Ocean Recreational Fishery Options

Option A. Status Quo: 1 fish at 28" to less than 35" with 2017 seasons (all modes).

Option B. 1 fish at 28" to 31" with 2022 seasons (all modes).

Option D. 1 fish at 30" to 33" with 2022 seasons (all modes).

Section 3.1.2 Chesapeake Bay Recreational Fishery Options

Option B. Apply a standard minimum size limit, maximum size limit, and bag limit to the Bay jurisdictions' 2022 seasons. The minimum size shall be 19" and the bag limit 1 fish. Maximum size limit options are: B1) 23", B2) 24", B3) 25" or B4) 26".



For-Hire Clarification

Section 3.1.3 For-Hire Management Clarification (if For-Hire Mode-Specific Limits are selected)

Option A. Status Quo. No requirement in the Interstate FMP for Atlantic Striped Bass regarding how for-hire measures would apply to individuals during for-hire trips.



Fillet Allowance

Section 3.1.4 Recreational Filleting Allowance Requirements

Option B. For states that authorize at-sea/shore-side filleting of striped bass, establish minimum requirements, including requirements for: racks to be retained; skin to be left intact; and possession to be limited to no more than two fillets per legal fish. States should consider including language about when and where racks may be disposed of, specific to each mode allowed to fillet at-sea/shore.



Commercial Fishery

Section 3.2.1 Commercial Quota Reduction Options

- The LEC has offered no preferred option for this section.

Section 3.3 Response to Stock Assessment Updates

- The LEC has offered no preferred option for this section.



Questions?

Board action for consideration: Select management options and consider final approval of Addendum II.



New Jersey Conservation Equivalency Proposal for Striped Bass Bonus Program under Addendum II

Striped Bass Management Board
January 24, 2024

NJ Commercial CE: Rec Bonus



- NJ submitted a commercial CE proposal for their commercial quota under Draft Add II
- NJ proposes to continue reallocating its commercial quota to its striped bass recreational bonus program (SBBP)
 - NJ does not allow commercial fishing for striped bass; bonus program in place since 1990
- Participants must apply to the bonus program and a tag system is used to ensure quota is not exceeded

NJ Commercial CE: Rec Bonus



- Current approved bonus program CE measures are size limit of 24- $<$ 28" with 215,912 pound quota
- These current measures remain in place until the Board changes the quotas (possibly through Addendum II) or until NJ wants to change the bonus program size limit
 - NJ's CE proposal outlines size limit and quota changes based on what is implemented through Addendum II

NJ Commercial CE: Rec Bonus



- Current NJ bonus program quota: 215,912 pounds
- This quota would be adjusted to account for:
 - Any quota reduction in Addendum II
 - Any change to bonus program size limit
 - Proposal uses TC-approved spawning potential ratio (SPR) analysis to adjust quota accounting for new size limit

NJ Commercial CE: Rec Bonus



Addendum II Ocean Rec Size Limit Option	NJ Proposed Recreational Bonus Program Size Limit	Bonus Program Quota
A. 28" to < 35" all modes	SQ 24" to < 28"	Depends on Add II quotas
B. 28" – 31" all modes	SQ 24" to < 28"	
C. Private/shore: 28" – 31" For-hire: 28" – 33"	SQ 24" to < 28"	
D. 30" – 33" all modes	24" to < 30" or SQ 24" to <28" **	Depends on Add II quotas and bonus program size limit change
E. Private/shore: 30" – 33" For-hire: 28" – 33"	>33" to ≤36" or SQ 24" to < 28" **	

** For the 30-33" ocean option, bonus program 24" to <28" is not preferred as this would leave a gap between the bonus program max. size (28") and the ocean min. size (30")



PLAN REVIEW TEAM REPORT

PRT Report



- Striped Bass Plan Review Team reviewed the CE proposal as specified in the CE Policy and Technical Guidance Document
- NJ's bonus program is based on existing commercial quota and managed using that quota → CE is permitted during the current overfished stock status per Amendment 7

PRT Report



- NJ proposal demonstrates equivalency to the commercial quota FMP standard by using SPR analysis-methods outlined by the TC to account for proposed alternative size limits
- Proposal includes all the required information: rationale; how program meets FMP; datasets; duration and schedule; monitoring/reporting
- NJ reports bonus program information in annual compliance report
- Will be included in FMP Review each year

PRT Report



- PRT concerned about the proposed $>33'' - \leq 36''$ bonus program size limit option
- Additional fraction of 2015-year class would be available to the bonus program
- Other commercial fisheries do allow harvest in this range
- However, considering recent focus on protecting the 2015-year class from recreational harvest, PRT is concerned NJ recreational anglers would have access to the 2015s while rec anglers along the rest of the coast would not have access

PRT Report



- Law Enforcement Committee agreed with NJ's preference to avoid a gap between the bonus program slot limit and the ocean slot limit
 - (e.g., 30-33" ocean slot paired with 24-<30" bonus program slot, instead of 24-<28" leaving 2-inch gap)
- One Advisory Panel member noted importance of supporting the bonus program.
 - NJ made decision on how to best use their quota to support the economy.
 - Bonus program has never exceeded its quota and provides the necessary data to support the proposal.



QUESTIONS?

***Board action for consideration:
Consider approval of New Jersey's CE proposal.***