

Atlantic States Marine Fisheries Commission

American Lobster Management Board

*February 4, 2025
9:00 a.m. – 10:30 a.m.*

Draft Agenda

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

1. Welcome/Call to Order (*P. Keliher*) 9:00 a.m.
2. Board Consent 9:00 a.m.
 - Approval of Agenda
 - Approval of Proceedings from October 2024
3. Public Comment 9:05 a.m.
4. Progress Update on Benchmark Stock Assessment for American Lobster (*J. Kipp*) 9:15 a.m.
5. Consider Annual Data Update of Jonah Crab Indices 9:25 a.m.
 - Jonah Crab Offshore Southern New England Indices (*C. Truesdale*)
6. Consider Lobster Conservation Management Team Reports 9:50 a.m.
 - Area 2 Lobster Conservation Management Team Report (*C. Truesdale*)
7. Update from Maine on LCMA 1 Gauge Increase (*P. Keliher*) **Possible Action** 10:10 a.m.
8. Other Business/Adjourn 10:30 a.m.

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

MEETING OVERVIEW

American Lobster Management Board

February 4, 2025

9:00 – 10:30 a.m.

Chair: Pat Keliher (ME) Assumed Chairmanship: 02/24	Technical Committee Chair: Tracy Pugh (MA)	Law Enforcement Committee Rep: Rob Beal (ME)
Vice Chair: Renee Zobel (NH)	Lobster Advisory Panel Chair: Grant Moore (MA) Jonah Crab Advisory Panel Chair: Sonny Gwin	Previous Board Meeting: October 21, 2024
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NMFS, NEFMC (12 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2024

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

4. Progress Update on Benchmark Stock Assessment for American Lobster (9:15-9:25 a.m.)

Background

- The benchmark stock assessment for American lobster is in progress with results expected in October 2025.
- The Assessment Methods Workshop was held in July 2024.
- The Assessment Workshop will be held in Greenland, NH on February 11-13, 2025.

Presentations

- Progress Update on Benchmark Stock Assessment for American Lobster by J. Kipp

5. Consider Annual Data Update of Jonah Crab Indices (9:25-9:50 a.m.)

Background

- Following review and acceptance of the first Benchmark Stock Assessment for Jonah crab in October 2023, the technical committee (TC) met to develop recommendations on possible management measures or other options to address concerns about substantial uncertainty about stock status and some disconcerting data trends noted in the assessment and peer review. The TC did not recommend any management action, but did recommend conducting annual updates of indicators selected during the stock assessment for the Offshore Southern

New England (OSNE) stock, the stock supporting the majority of coastwide landings, to identify any concerning trends between assessments.

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

Presentations

- Annual Data Update of Jonah Crab Indices by C. Truesdale

6. Consider Lobster Conservation Management Team Reports (9:50-10:10 a.m.)

Background

- NOAA fisheries published an interim rule in October 2023 that responds to the Commission's 2013 recommendations to NOAA to adopt the measures in Addenda XXI and XXII in federal waters. The Addenda aimed to scale the capacity of the Southern New England (SNE) fishery to the diminished size of the SNE resource. However, because over a decade passed since the date when the Commission intended for these federal measures to be implemented, there have been significant changes in the fishery.
- In January 2024, the Board tasked the Plan Development Team (PDT) to explore alternative measures to those included in Addenda XXI and XXII (i.e., trap caps) that would achieve the same goal but better align with the needs of the current fishing fleet, with consideration of recommendations from the Lobster Conservation Management Teams (LCMTs).
- A meeting of the LCMT for Area 2 was held on January 22, 2025 to gather input on possible alternative measures to those included in Addenda XXI and XXII (**Supplemental Materials**).

Presentations

- LCMT 2 Report by C. Truesdale

7. Update from Maine on LCMA 1 Gauge Increase (10:10-10:30 a.m.) Possible Action

Background

- In October 2024, the Board approved Addendum XXXI, which postpones implementation of v-notch definitions and the gauge and vent size changes triggered under Section 3.2 of Addendum XXVII until July 1, 2025.

Presentations

- Update from Maine on Addendum XXVII Implementation by P. Keliher

Board Actions for Consideration at the Meeting

- Consider management response, if necessary

8. Other Business/Adjourn (10:30 a.m.)

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
AMERICAN LOBSTER MANAGEMENT BOARD**

**The Westin
Annapolis, Maryland
Hybrid Meeting**

October 21, 2024

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

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INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of August 2024** by consent (Page 1).
3. **Move to adopt Option B and approve Addendum XXXI, as modified today, to be effective immediately** (Page 12). Motion by Dan McKiernan, second by Doug Grout. Motion passes with one objection. Roll Call: In favor – ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA; Opposed: NOAA (Page 13).
4. **Move to approve the Lobster and Jonah Crab FMP Reviews for the 2023 fishing year, state compliance reports, and *de minimis* status for DE, MD, and VA** (Page 16). Motion by Mike Luisi, second by Steve Train. Motion passes without opposition (Page 16).
5. **Move to adjourn** by consent (Page 20).

ATTENDANCE

Board Members

Pat Keliher, ME, (AA)	John Maniscalco, NY, proxy for Marty Gary (AA)
Rep. Allison Hepler, ME (LA)	Jim Gilmore, NY, proxy for Sen. Thiele (LA)
Steve Train, ME (GA)	S. Curatolo-Wagemann, proxy for E. Hasbrouck (GA)
Renee Zobel, NH, proxy for Cheri Patterson (AA)	Joe Cimino, NJ (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Doug Grout, NH (GA)	Jeff Kaelin, NJ (GA)
Dan McKiernan, MA (AA)	John Clark, DE (AA)
Rep. Jennifer Armini, MA (LA)	Roy Miller, DE (GA)
Ray Kane, MA (GA)	Michael Luisi, MD, proxy for L. Fegley (AA)
Jason McNamee, RI (AA)	Jamie Green, VA (AA)
David Borden, RI (GA)	San. Danny Diggs, MD (LA)
Matt Gates, CT, proxy for J. Davis (AA)	James Minor, VA (GA)
Rep. Joseph Gresko (CT) (LA)	Allison Murphy, NMFS
Bill Hyatt, CT (GA)	

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

Ex-Officio Members

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

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

The American Lobster Management Board of the Atlantic States Marine Fisheries Commission convened in the Capital Ballroom via hybrid meeting, in-person, and webinar; Monday, October 21, 2024, and was called to order at 9:45 a.m. by Chair Patrick C. Keliher.

CALL TO ORDER

CHAIR PATRICK C. KELIHER: Good morning, everybody. Welcome to the American Lobster Board. Let me just get into my agenda really quick. Where did it go? Calling the meeting to order.

APPROVAL OF AGENDA

CHAIR KELIHER: Before we get into any other details, we have the Approval of the Agenda. Does anybody have any other items to add to the agenda?

Seeing none; approval of the proceedings from the August, 2024 meeting, are there any corrections or additions to that set of minutes? Seeing none; we will assume that they are approved by consensus. Before we go to the public comments, I do want to make note of some new Board members that are here.

I would like to welcome Representative Jennifer Armini from Massachusetts. Jennifer, welcome. Senator Danny Diggs, from Virginia, welcome, Senator, and Governor's Appointee J.J. Minor from Virginia, welcome. Make sure you folks get a chance to say hello to our new members of the Commission.

PUBLIC COMMENTS

CHAIR KELIHER: Before we get into the meat of the details, is there anybody who would like to speak to items not on the agenda? Ginny Olsen. Could you just introduce yourself and who you represent?

MS. VIRGINIA OLSEN: My name is Virginia Olsen, I'm a lobster fisherman from Maine, and I work with the Maine Lobster Union. I wanted to bring to the Commission; we have an 800-trap cap on our vessels. Each vessel can only have as many as 800

traps from that vessel. As the fishery has more uncertainty, we have fewer younger people coming into the fishery.

It is harder to get a stern man, and I would like the Commission to look at increasing that 800 cap to 1600, so it would be two licensed fishermen that are current active in the fishery, so they had active current landings. It wouldn't add anything to the fishery, but it would give a tool in the toolbox for safety, so you could have two captains fishing from one vessel, and they could be each other's stern.

CHAIR KELIHER: Great, thank you, Ginny. I appreciate those comments. It is certainly an issue, as far as being able to find help that we've been hearing a lot about, so I appreciate you bringing that to the table. There have also been conversations regarding whale rules around stacking, so this may be something that the Board will want to consider, as far as a tool, to try to address some of the effort issues around that as well, so I appreciate your comments. Does anybody have any additional thoughts or comments on that particular issue? Steve Train.

MR. STEPHEN R. TRAIN: I don't want to drag this out too long, but Ginny, I don't know if you know this, but we've been having that issue also, so my brother and I paired up. We're fishing two boats, maintaining two boats and fishing two gangs of gear. It's a lot of work. The one boat would be much easier, but the problem I have with it on the face of it, it's managing for profitability, which we don't do.

I think that the reason we can't find crew is because we have a resource issue or a problem, then we can work forward or if it's a whale issue. But managing for profitability, I would love to do it, but I can't step forward selfishly and say, jeez, I wish I could just go on one boat. I'm all in, as long as it's not just so I can make more money and spend less money.

MS. OLSEN: I really see it as a safety option in our tool box to say, you know, if I know you are currently fishing, I'm currently fishing, but we don't have anybody to fish with us. Then it's safer for me

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to go as your stern and you to go as mine, even if it is on separate vessels. I just think that maintaining the separate vessels in that scenario becomes more difficult.

CHAIR KELIHER: Thank you, Ginny, I appreciate you bringing that forward to the Board. Is there anybody else, any other members of the public that would like to bring anything forward, for an item that is not on the agenda? Seeing none; let's get right into the agenda then.

PROGRESS UPDATE ON THE BENCHMARK STOCK ASSESSMENT FOR AMERICAN LOBSTER

CHAIR KELIHER: First, we have a Progress Update on the Benchmark Stock Assessment. Tracey, I think is going to cover that.

MS. TRACY PUGH: Hi folks, Tracy Pugh, and I am the Stock Assessment Chair. I'm going to give you a very brief update on where we are right now with the assessment process. We have had a couple of workshops. The workshops are sort of the bulk of when we get together and actually do a lot of the discussions on what work we're going to actually be accomplishing.

The first of these was a data workshop. This took place in February of '24, and this was the workshop where we invited external researchers to come in and present to us information on what they are seeing in their studies and their results. This is how we get information from folks who work outside of the TC or assessment.

At that workshop, the stock assessment team and TC members also presented data updates from their various states, and anything internal that they would have going on that would be like scientific studies. The second workshop took place just in July, at the end of July this year. In this workshop we focused on progress on the modeling work. These included updates to the data that are going into the base case model, and some progress in some major improvements to the coding, that is essentially the language that the model is written in.

We made some major progress in updating that. We also talked about some updates on the growth work that is ongoing, and with that we're looking into incorporating new data sources to understand growth better, and we're looking into examining a new growth model and making improvements to the existing growth matrices. We also spent a fair amount of time examining environmental data series and working towards incorporating these data series into the 2025 assessment that as you obviously know, there is a lot of change going on in the environment. We are really looking a lot into all of our options for what data are available and what can we do with them to better understand how the changes are affecting the lobster stock.

We also spent some time examining options for VAST modeling, which is sort of a spatial temporal model, and using that to improve our understanding of the spatial dynamics, and again change over time in the resource. After those, essentially where we're at right now, is we're having ongoing calls and webinars.

Our schedule right now is we're talking at least biweekly, if not more frequently, to make sure that everything is on track, that we're all talking to each other, and that we are checking all of our boxes off. Our upcoming scheduled meetings are later this month on the 29th we have a half-day webinar schedule, where we're going to specifically focus on our model free indicators.

Sometime in December we're going to schedule at least a half day webinar, that is essentially our pre-workshop call to prep for what is coming up in February. Sometime in January we are going to schedule a call to get some updates from a group with the University of Maine, who are doing work on socioeconomic indicators.

Then in February, we have tentative dates from the 11th to the 13th for our second assessment workshop, and this is where we will hopefully have a fully operational model, and start talking about all the sensitivity analyses we're going to do, and start

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really looking into sort of the fine scale details of what we need to do to move forward.

Our timeline, so like I said, the two previous workshops are shown in gray there. Our upcoming workshop is February, and then we are planning for the peer review to happen sometime in August, and then with a presentation to this Board around this time next year. Does anybody have any questions about the stock assessment?

CHAIR KELIHER: Thank you, Tracy. Got any questions for Tracy? Jason McNamee.

DR. JASON McNAMEE: Thanks, Tracy, for the quick update there. Just a quick, like I'm just looking for a quick answer. I noticed you talked about use of VAST, and then socioeconomic indicators. Are either one or both of those, are you guys thinking about actually incorporating them into the assessment, as like in a mechanical way, or are they just kind of like side studies that will help inform, but separate from the assessment?

MS. PUGH: Yes, so the plan with VAST is to use that. Neither of these are going to go directly into the model itself, they are going to be sort of like either the model-free indicators that we use sort of in conjunction with the model, that isn't dependent on all of the nitty gritty in the assumptions that go to the model itself.

The model-free indicators are usually a little bit more, I don't have a better way of saying this, naked data. The socioeconomic indicators, our plan is to try to use those as one of these model-free indicators, depending on what they are able to give back to us. With the VAST model, what we want to do with that is again, use it outside of the assessment model itself, to use that to better understand sort of how the lobster resource may have changed in space over time. We might look at things like different size ranges of lobsters, moved offshore and back inshore, so the things like that to try to better understand how this changing environment is understanding the resources distribution and whether or not there are specific

size classes that might be more impacted than others.

CHAIR KELIHER: Dan McKiernan.

MR. DANIEL McKIERNAN: Tracy, back in June we had the joy of traveling to New Brunswick, and hear from the Canadian DFO folks, who were looking at some of the parameter trends that look kind of similar to what we're seeing in the Gulf of Maine. My question is not, are you going to incorporate Canadian data, but will there be follow up conversations with the Canadians, maybe as sort of a corroboration of your findings, relative to the Gulf of Maine/Georges Bank stock?

MS. PUGH: Yes, so we've been trying to plan what we've been calling kind of loosely, a U.S./Canada Science Day. We're having some scheduling challenges with that. We originally were going to do it around the timing of the U.S./Canada Town Meeting, but that week is getting very full for the folks who would need to be involved.

We're talking primarily with Adam Cook at DFO, so that we can try to do a little bit more, at least communication across the border, so that they are aware what our data look like and we're aware of what their data look like on a little bit more of a regular basis. But there is no plan right now to do any sort of formal incorporation of any data across the border into our U.S. Stock Assessment.

MR. McKIERNAN: Yes, I understand that, but I would definitely urge you to have those meetings, because I felt really positive about the exchange that was going on there, and I think they did as well, and were interested in pursuing that. Yes, that's fair, thanks.

CHAIR KELIHER: I think that's a really good point that you're bringing up, and it is part of our overall priority plans that we'll be seeing later in the week. I wonder if it would be worthwhile for a formal letter requesting engagement with Canada, especially within the Gulf of Maine footprint, because I completely agree. The conversation that I thought we had in Canada was a very good one, and

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I thought there was some synergy with the scientists that were there. Maybe there is just a way to formalize that.

MR. MCKIERNAN: Are you waiting for a motion?

CHAIR KELIHER: I'm not sure we would necessarily need a motion, other than if there is agreement we can just, I'll look to Toni, but just.

MS. TONI KERNS: The letter is to encourage collaboration in the assessment? I just want to make sure I have it correct.

CHAIR KELIHER: I'm not even thinking of it from the assessment process, but just cross-border cooperation when it comes to lobster science related to the Gulf of Maine.

MS. KERNS: We can do that; we'll just have you bring that up during Policy Board.

CHAIR KELIHER: Yes, is there any objection to that from the Board? Seeing none; okay, great, thank you. Any other questions for Tracy on this issue? Seeing none; next item on the agenda is to Consider Annual Data Updates for the American Lobster Indices. Tracy.

CONSIDER ANNUAL DATA UPDATES FOR THE AMERICAN LOBSTER INDICES

MS. PUGH: This is the data update process, so you have a full memo in your materials, I think for this. I'm just going to focus on kind of the highlights of this. Again, just a quick reminder, we do assess the Gulf of Maine and Georges Bank as a combined stock, because the TC thinks it's really important to make sure that we're paying attention and kind of sub-stock dynamics that go on.

The data update process actually separates the Gulf of Maine and Georges Bank to two separate sets of indicators, so that we can kind of keep an eye on these sub-stock dynamics. The purpose of this, this came from the 2020 Stock Assessment, and the idea being that it would provide data to the Board to

monitor changes in abundance indicators in between the assessments.

It's a little bit of making sure that we're feeding you data on a more than annual basis, as opposed to having to wait for the stock assessment to look at some of these abundance indicators. The indices that we used for this are focused sort of on indices that we think are going to inform us to the changes that are coming up.

We look at the Lobster Young of Year Index, this is a dive-based survey conducted by the states, and the idea here is that this gives us a signal of abundance for newly settled juveniles. We looked at trawl survey data, specifically the recruit abundance, and so this is lobsters from 71 to 80 millimeters in size, and this is the size group that essentially is going to molt into the legal-size range within about a year.

These data are coming from the state trawl surveys and the Northeast Fisheries Science Center Trawl Survey, which I might slip and call the Federal Survey, same thing. The idea here is that again, these are about lobsters who are going to molt into the legal-size range within the next year. We also looked at trawl survey encounter rate, again from the states and the Science Center Survey.

This gives us an idea on sort of describing how widely distributed lobsters are. We kind of keep an eye on that, in terms of has the lobster population really expanded or is it contracting a little bit? Then we looked at the ventless trap surveys that are conducted by the various state agencies, and this gives us an abundance index for lobsters that are larger than 53 millimeters, and we look at that on sex specific.

Two of these are in red, and the reason they're in red is to remind me to remind you that for the Georges Bank stock the only data of these indices that we have available is from the Federal Survey, and also for to survey, we do not have a 2023 update for the Science Center Survey. The spring survey there were some vessel issues that prevented the survey from fully taking place, and then in the fall the TC and the Stock Assessment

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have been looking into some potential analytical changes to those data, and we want those changes to go through the peer review process. It's going to be part of the stock assessment, so we decided for work load purposes, and because we were going to be making updates that didn't make sense to update them with sort of the old way of doing things.

The Georges Bank data are updated through 2022. When we looked at the status determination for these, again this is a trend-based analysis, so we are looking for changes over time with this. Status is determined based on the most recent five-year average, and then we compare that to the time series. The current status for most of these is going to be the five-year average, 2019-2023.

We're comparing the current status to the status from the 2020 Assessment. The idea here is to look at change since the stock assessment. Essentially, what you can see is the black essentially indicates negative, it means it's below the 25th percentile of the time series. If it is in gray it is considered neutral between the 25th and the 75th percentile, and if it's white it's considered positive, it's above the 75th percentile.

Just a real quick summary of these results. As a reminder, the Gulf of Maine/Georges Bank Stock was at record highs at the 2020 Stock Assessment. The Gulf of Maine indicators for recruits and for adults have declined since the assessment. YOY indicators are starting to show some signs of improvement.

The Georges Bank indicators, like I said, have not been updated with '23 data. But we look at it through 2022 for now, and we are seeing some slight improvement since the stock assessment in the Georges Bank indicators. For Southern New England the stock was at record lows at the end of the 2020 Assessment, and unfortunately has continued to be in unfavorable conditions, with most of the indicators at or near time series lows.

I'm going to step through these slides sort of one-by-one here. Just to give you a quick orientation of

what is on the slides. The first on the right-hand side you are going to see the actual indices in graphic form. They are sort of spatially organized, so for this particular one its part of the statistical area, and starts in Downeast Maine, so 511, 512 and then 513 East and 513 West, and the bottom one being 514, which is Massachusetts.

The next component of this is the table, so you have this full table in your meeting materials, I just took out the bits I really want you to focus on for this presentation. What you can see here is there are some blue boxes, so this is what I'm going to be talking about sort of comparison, so the top blue box is the status as of the 2020 Stock Assessment, and that would be the 2014 through 2018 mean.

The bottom we watch represents the updated status, so that is the 2019 through 2023 mean. Then the last bit is the summary of what is going on here. For this slide, this is the young of year indices for Gulf of Maine. Oh, I forgot to tell you, sorry. On the graph that is on the right, the red is the new data that has been added since the stock assessment, so all those red data points are 2019 through 2023 in the graphs. Like I said earlier, the YOY indices we're actually seeing some improvement since the stock assessment. The five-year means for these have all increased since the assessment, and they are all now in neutral status in the gray status. We have seen increases to the last two years in all of the Maine indices since experiencing a recent low in 2021.

Just a reminder here, these young of year indices are for very little lobsters, so it is going to take some time for these lobsters to grow, where we're going to pick them up with the other recruit indices that we look at. We're seeing signs of improvement, but it's going to take some patience as these lobsters grow into the other indices.

For the recruit abundance, again this is the trawl survey. The top graphs are from the Science Center, the middle graphs are the Maine/New Hampshire Survey, and the bottom one is Massachusetts 514, and the left is spring and the right is fall. What you see here is that we have seen these declines in the

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recruit size ranges, so that is that 71-80 millimeters that are going to molt into legal size within the year.

These are declined since the peaks that we observed during the stock assessment. Three of the means have changed from positive to neutral. These are all inshore. Again, just a quick reminder that the Science Center data have not been updated through '23, so it's just through 2022 that you see on the Science Center.

For the trawl survey encounter rates, essentially what we're seeing here again is some declines, specifically in the inshore encounter rates since the stock assessment. All of the inshore means are now neutral, and just a note, the Maine/New Hampshire Trawl Survey you can see is the middle graph there is much more stable, and pretty high. That has been sort of constant throughout the time series. We're still seeing more than 90 percent of the tows in the Maine/New Hampshire Survey are seeing lobsters.

For the ventless trap survey indices, the top one is Statistical Area 511, and then we have 512, 513 and 514 is on the bottom. Females are on the left; males are on the right here. Again, we have seen declines in these indices since the stock assessment. Four of the eight means have declined into a negative status, and the 2023 values, we did see a slight uptick relative to 2022 in all but Area 511, but these values are still really quite low compared to the time series values here.

All right, switching over to Georges Bank. This is the recruit abundance. Again reminder, this is just the Federal Trawl Survey data, so it is just showing through 2022. In this area we have seen some slight improvement since the stock assessment, one of the five-year means had changed from the neutral to the positive status. We just wanted to point out that the '21 and '22 values were both relatively high in this time series.

For the encounter rates, these conditions were really pretty similar to what we saw in the stock assessment. The means for these have both remained positive. All right, switching over to Southern New England. These are the young of year

indices for Southern New England, the top graph is Massachusetts, the middle graph is Rhode Island, and then the bottom graph is actually a larval survey conducted in Eastern Long Island Sound at the Millstone Power Plant. It is a little bit different than the dive-based surveys that the two states do. We have seen negative conditions across the stock, with some decline since the assessment. All of the five-year means are now negative, and we note that for the Massachusetts Survey we are now at nine years where we've seen no young of year lobsters in the Massachusetts Survey.

The Connecticut Survey, the one on the bottom here, and the text is in purple here to call this out. In 2022, the group that does this survey made some changes to their survey and sampling design. What happens is they are not sampling as often as they used to. It looks like there is an uptick in this time series, but we think that this is actually an artifact of that change in their survey methods.

Those values, 2022 and 2023 actually represent only 1 and 2 observed larvae respectively, and these are the lowest values ever in their full time series, when you just look at the counts of the larvae. The Stock Assessment Team is going to be looking closely at this index, and seeing what we can do in terms of sort of accounting for that change in survey, and then whether or not we want to carry forward with this index in the future.

For recruit abundance the trawl surveys, the top one here is the Science Center Survey. The next one is Massachusetts, then we have Rhode Island and then the Connecticut Survey on the bottom. Spring is on the left; fall is on the right. Again, we have seen declines in these surveys since the stock assessment.

All of these five-year means are now negative, and we noted that there were no recruit lobsters observed in 2022 or 2023 for three of the six inshore surveys here. For the survey encounter rates, same order here. The federal survey is on the top, Massachusetts, Rhode Island and then Connecticut, and we have seen declines in this index as well since the stock assessment. All of

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these five-year means are now negative, and again no lobsters of any size were observed in '22 or '23 for two of the six inshore surveys. We are starting to see some zeroes coming through in the Southern New England Surveys inshore.

The ventless trap survey indices, just a quick note that these surveys have not been going on as long as the trawl survey. The survey started in 2006, just as a reminder, it doesn't represent the full time series you are used to seeing with our trawl survey data. We have seen declines in the ventless trap survey index since the stock assessment. Three of the five-year means have changed from being neutral to a negative status, and the annual values for '22 and '23, really for the first time all of the annual values were negative. If you look sort of at the details of that graphic, the annual details were all in the black now. With that doom and gloom I can take any questions on the Data Update.

CHAIR KELIHER: Thank you for that report, Tracy. Any additional questions for Tracy from the Board? Doug Grout.

MR. DOUGLAS E. GROUT: I just had a question. I know this wasn't part of the update that you just gave, but in Amendment 27 we had some trigger values that were triggered just last year, and I was curious if the Technical Committee and Stock Assessment Committee had calculated those for the most recent three-year moving average, and if we're still below the trigger.

MS. PUGH: Yes, I have that in some of the next slides. If we want to see if there are any other questions about Data Update is that okay? Okay, we'll come to that in a second. Does anybody else have any?

MR. DAVID V. D. BORDEN: Just a quick question. Have the technical folks looked at the natural mortality issue? I mean we've got a number of populations, particularly in Southern New England looking at these indexes that are all falling like a stone. Have the technical people looked at, for instance the contribution that having a black sea bass stock that is two or three times the target.

What kind of impacts that is having on the juvenile population.

MS. PUGH: Yes, so that will be sort of an in-depth part of the stock assessment process, so we have not looked at that with this data update process. It doesn't come into the data updates that we provide. But it is definitely something we pay a lot of attention to with the stock assessment process, so you'll be seeing some updated information on natural mortality as part of the stock assessment.

MR. BORDEN: Great, thank you.

CHAIR KELIHER: John Clark.

MR. JOHN CLARK: Thank you for the update. Just curious way down here at the southern end of the range, where we're not even a rounding arrow when it comes to the catch. We've been doing a pot survey, mostly targeting structure-oriented fish, but we're still getting a fair number of lobsters every year.

It has been fairly consistent, and we even caught some in the traps in Delaware Bay. Just curious, I mean it seems that based on their life history, how are they managing to maintain a population, or do they complete their life cycle offshore? Are they still having an inshore component?

MS. PUGH: Is that in New Jersey? Delaware.

MR. CLARK: This is even south of Delaware, yes, Delaware.

MS. PUGH: I know that we've got a couple of datasets coming in for the stock assessment process, coming from some of the southern states. I think New Jersey has, is it New Jersey that has the Pot Index? Some of those additional pieces of data are things that we're going to look at with the Stock Assessment process. We don't have anything for you now with the Data Update, but I can say that we will be looking at any additional data anyone can feed us from other surveys for the southern areas.

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MR. CLARK: Thanks, yes, I'm just curious, just because I know we've been seeing this fairly constant catch for several years now. I remember asking several years ago, and it seemed that the thought was that they had to be coming down from further north, but it doesn't seem like there are lobster further north to be coming down to Delaware.

MS. PUGH: Yes, I mean the adult lobsters certainly move around, so it's possible. Whether or not that is actually what is going on, you know we would need some sort of larger-scale tagging study to see the origin of those lobsters. You know it's possible that there are little offshore components of the population that are sort of focused around really ideal habitats that are hanging on.

CHAIR KELIHER: Any other questions? Steve Train.

MR. TRAIN: I've got two questions; the first one is for John. John, do you have numbers on where those lobsters were? I'd be curious. Tracy, thank you very much for your presentation. The question that Doug asked I was going to ask, and I'm not asking it. But we have a lot of people waiting on that answer. There are people that want us to pull a trigger that we've delayed, and there are people that don't want us to do anything, and I'm hearing from both sides. What you say in the next 20 minutes could seriously affect this meeting.

CHAIR KELIHER: Why don't we go right into that part of the presentation.

MS. PUGH: This is the trigger index. We received essentially a fair amount of requests and attention, and decided that yes, we are going to recalculate this and give you an update on this. Just a reminder, this trigger index is a component of Addendum XXVII, and the idea here was to provide managers with a mechanism on which to fix a specific management action in response to changing stock conditions.

The definition of the index and the threshold to initiate action were all part of Addendum XXVII. The idea here was that this index would represent

changes in condition for the Gulf of Maine/Georges Bank stock since the 2020 Assessment, and specifically looking at recruit abundance. This index is calculated based on the combination of the inshore surveys.

These are the Ventless Trap Survey, the Spring and Fall Trawl Surveys, all conducted by the state agencies. The Science Center Survey is not a component of the trigger index. Each of these values shown in the index represents a running three-year average of the underlying data indices. Essentially, the most recent value that we're going to have an update for here is the 2021 through 2023 average.

We're using this average because it makes the index less sensitive to interannual variations. Addendum XXVII has passed, and it is the understanding of the TC that the trigger index no longer actually has any policy action attached to it, because the addendum has already passed. You guys have been hearing for the Addendum XXXI to delay implementation is on today's agenda, so essentially what I'm doing here is presenting an update in response to these multiple requests that we have received.

The upper left box in the graphic here is the trigger index, the other boxes here represent the data that go into the index. On the upper right is the fall survey, the bottom left is the spring trawl survey, and the ventless trap survey is bottom right. The upper left with the red box around it is the trigger index. As you can see with the updated value, the trigger index has further declined. With the addition of the new data, we are now at a 44 percent decline since the reference period. Again, that reference period represents conditions at the end of the 2020 stock assessment. This is what the index looks like. I can take any questions on this.

CHAIR KELIHER: Steve Train.

MR. TRAIN: I'll try to make this quick. We saw what looked like favorable data recently, but the index was further declined. Is that because the whole year shifted so we got further away from a good year, and even though we just had a better year

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than the last couple? I mean, how did that happen? We thought it might get better, right?

MS. PUGH: The '23 value for some of the indices was a little bit of a pick up from 2022, but again, this is a three-year running average, because we don't want to chase interannual variation. Chasing the good years would be the same as chasing the bad years, we definitely don't want to chase the bad years.

We're using this three-year average to sort of smooth through this interannual variation that you guys all see in your catch, we would see in the surveys, it's sort of a normal thing. I think the most positive sign that we saw in the data indices is data that does not go into this index, and that is the young of year indicators.

The young of year indicators, we have had a couple of years of improvements in those young of year indicators, but again, those lobsters are baby lobsters. It is going to take them a number of years to grow into these size ranges. This trigger index is very focused around the 71 to 80-millimeter lobsters, the lobster that are going to molt into legal size within the next year.

CHAIR KELIHER: Doug, did you have any follow up questions you wanted to ask about that and you just were dying to see the data? Okay. Any additional questions for Tracy? Dave Borden.

MR. BORDEN: Tracy, the Young of the Year Index is going up, what are the technical folks using for a time delay between the time they see the index go up until those young of the year should manifest themselves in the indices. Is it eight years, seven years? What are you using?

MS. PUGH: We don't quantitatively tie these things together. Our expectations, based on what we think we understand about lobster growth is probably like seven, eight years to see them into this recruit size range, and that is ballpark. Some years are going to be better for growth than others. You know it is hard to give a specific answer to that.

I know that's very unsatisfying. It's also very unsatisfying for us.

CHAIR KELIHER: Any additional questions for Tracy? If not, there is no action with that item, so I think we'll move on to Agenda Item Number 6, which is to consider Addendum XXXI on postponing implementation of Addendum XXVII.

CONSIDER ADDENDUM XXXI ON POSTPONING IMPLEMENTATION OF ADDENDUM XXVII MEASURES FOR FINAL APPROVAL

CHAIR KELIHER: For this we've got a couple presentations from Caitlin on reviewing of public comment summary and also the review of the Advisory Panel Report. I think what I would like to do Caitlin, is have you do both of those, and then we'll open it up for the Board for any questions before we entertain any motions. Caitlin.

MS. CAITLIN STARKS: I'm going to start off this presentation with some background information, the Addendum timeline, and then Addendum objective. Then I'll go over the proposed management options and the public comment summary, jump into the AP Report, and then we'll get into the Board's next steps.

Addendum XXXI relates back to the approval of Addendum XXVII, which again established a series of management measures to protect the Gulf of Maine/Georges Bank spawning stock biomass, and under Addendum XXVII changes to management measures for the LCMAs that make up the Gulf of Maine stock area are triggered by an observed decline in the Recruit Abundance Index to an established threshold from that reference period.

That was a 35 percent decline. Addendum XXVII was approved in May, 2023, and then in October 2023 the Board reviewed that trigger index and determined that it had fallen below the 35 percent threshold that was established in the Addendum. Because that trigger had been met so quickly, the Board delayed implementation of Addendum XXVII to January 1, 2025.

As it stands, this is the current implementation schedule for the provisions of Addendum XXVII. Based on the trigger index the increases in the minimum gauge size for LCMA 1 would occur in 2025, and 2027, and the LCMA 1 escape vent size would increase in 2028, and the maximum gauge size for LCMA 3 and Outer Cape Cod would decrease in 2029.

Addendum XXVII also has a provision that the maximum gauge size for the Outer Cape Cod area would be standardized to 6 and 3/4 of an inch for both federal and state-only permit holders, and that piece was not dependent on the trigger index, and was meant to go into effect when the Addendum becomes effective.

After Addendum XXVII, in August of this year, the Board approved Addendum XXX to clarify the Commission's recommendations that the increased minimum gauge size in LCMA 1 from Addendum XXVII would also apply to the foreign imports of American lobster. This is consistent with the intent of the Mitchell Provision of the Magnuson-Stevens Act, which is to limit live lobster imports into the U.S. to be no smaller than the smallest lobster that the U.S. industry can legally land.

In the public comments received on Addendum XXX, there were a lot of concerns about how that LCMA 1 gauge increase would impact U.S. processors, by limiting their supply of smaller lobsters from Canada in the early spring. The Board members were also in the process of organizing discussions with Canada about the gauge change.

In light of all that, in August the Board initiated Draft Addendum XXXI to consider further postponing some of the Addendum XXVII measures by an additional six months. The goal of the Draft Addendum is to reduce negative impacts to the U.S. and Canadian lobster industries in early 2025, and also allow Canada more time to consider implementing complementary management measures. This is our timeline of Addendum XXXI's development, and so since this issue is time sensitive, the timeline is more accelerated than usual. The Board initiated the Addendum in August,

and a draft was developed and approved for public comment over e-mail in August as well. Our public comment period was held during September and early October, ending on October 6, and here today the Board will consider final approval of Draft Addendum XXXI. Now I'll go into the proposed management options in the Addendum for public comment.

REVIEW OPTIONS AND PUBLIC COMMENT SUMMARY

There are only two options in this Addendum; A, status quo, and B, postpone the implementation of some of the measures from Addendum XXVII to July 1, 2025. The status quo option would mean that the measures of Addendum XXVII would go into effect on January 1, 2025, and this table shows the timeline for the changes to the management measures if that was selected. The changes are shown in red text, and again, the first change would be the increase to the minimum gauge size in LCMA 1, to 3 and 5/16 of an inch on January 1, 2025.

Also on January 1, 2025, that Outer Cape area's maximum size for all permit holders would be standardized to 6 and 3/4 of an inch, and then the remaining changes to the measures would proceed as established in Addendum XXVII, where the next gauge increase in LCMA 1 would occur two years later in 2027. The change in the escape vent size for LMA 1 would occur in 2028, and the maximum gauge size decrease for Area 3 and Outer Cape Cod would occur in 2029.

Under Option B, all of the measures changes would be pushed back by six months. The same timeline would occur, but the changes would start on July 1st rather than January 1st, 2025. I want to note that there is one provision of Addendum XXVII that would not be affected under Option B, and that is the provision that says no extra trap tags for LCMAs 1 and 3 will be automatically issued to permit holders, until trap losses occur and are documented.

That would still go into effect January 1, 2025 under either option. I'll go over the public comments. We

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received public comment on Draft Addendum XXXI from September until October 6, and during that period we had one webinar public hearing, 26 people attended that hearing, and a poll was also done during the webinar on what option was preferred.

Nineteen of the attendees responded to the poll, and of those, 15 supported Option B, 2 supported status quo, Option A, and 2 had no opinion. Five people also gave verbal comments about the proposed options. For written comments we received 81 total and 5 of those were from organizations and 76 from individuals. These tables show the breakout of the comments and the support for each proposed option, as well as some additional comment themes. Four total comments were in support of the status quo option, and 48 were in support of Option B to postpone the measures. Then a lot of additional comments did not provide a preferred option for Addendum XXXI, and most of those were expressing opposition to the LCMA 1 gauge change altogether.

Four additional comments were not addressing the Addendum or the gauge change, and those comments are all provided in the summary, but I won't go into details since they don't relate to this Addendum. In support of status quo, the comments mentioned that increasing this measure is a good conservation idea. They mentioned that previous increases to the gauge size did not hurt the industry. One said science rather than emotion should dictate the actions necessary to protect the healthy lobster population, and also raised that the Gulf of Maine warming and low recruitment rates indicate that action should be taken.

Rationale for the support for Option B were generally focused on the minimum gauge size should change for Canada and the U.S. at the same time, otherwise the gauge change won't be effective. They also mentioned that more time is needed to figure out the marketing and enforcement aspect of this issue, and to give fishermen a chance to plan for how this change will affect their businesses. They also mentioned that a delay would allow more data to be collected.

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REVIEW ADVISORY PANEL REPORT

I'll go into the Advisory Panel Report. Grant Moore, our AP Chair was unable to attend today, so I'll do this on his behalf. The AP met on September 27th, and reviewed the Draft Addendum XXXI options, and all nine of the advisors on the call supported Option B, to postpone the Addendum XXVII measures.

The reasons they discussed were the concerns about the negative impacts of the LCMA 1 gauge increase to the industry if smaller lobsters are still able to come into the U.S. from Canada. They also want to see an economic impact analysis and they also mentioned that they have been observing significantly increased numbers of sublegal lobsters this year, ranging in sizes, as well as more females with eggs.

Two advisors said they do not think a gauge increase is needed. Lastly, the advisors talked about the development process of Addendum XXVII, and that the LCMTs should have been involved in the development of the management measures that were out for public comment for the Gulf of Maine LCMA. With that the Board actions to be considered today are to select a management program from the proposed options and then consider final approval of Addendum XXXI.

CHAIR KELIHER: Dennis Abbott.

MR. DENNIS ABBOTT: Brief question, how many advisors participated in the meeting that you had on September 23rd?

MS. STARKS: Nine.

MR. ABBOTT: Nine, thank you.

CHAIR KELIHER: Do we have any questions for Caitlin on the presentation or on any of the public comments or Advisory Panel report? Seeing none; do we have a motion? Dan McKiernan.

MR. McKIERNAN: **Move to adopt Option B and approve Addendum XXXI as modified today to be effective immediately.**

CHAIR KELIHER: Great, do we have a second? Doug Grout. Dan, any additional rationale?

MR. McKIERNAN: Well, I'm truly hopeful that the industry across the two international boundaries see this as a good faith effort on our collective part to allow Canada to increase their minimum size over the next year, and minimize the burden that is going to be created to double gauge lobsters, especially if those lobsters are destined for processors in the United States.

I mentioned earlier about the Gulf of Maine, sort of cross exchange that happened last June. I was hopeful leaving that meeting, I was very hopeful leaving the meeting that you put together, Pat, convening the Fishermen's Associations leadership, to try to get consensus to move forward on this.

I know it's a difficult situation for all harvesters who are going to, you know once this is enacted experience, a 9 to 11 percent expected decline in landings, but I think by the time these two-gauge increases take place, they'll see a net gain in weight. I hope we can stabilize this stock for the future.

CHAIR KELIHER: Great, thank you, Dan. Doug, did you have anything you want to add?

MR. GROUT: Not specific to the motion, just a question for you and Dan and maybe Cheri. What I remember from our last meeting was that there was one of the lobster fisheries associations that is associated with the Gulf of Maine, which was supposed to meet in September or early October. Do either of you have any feedback from them yet on what transpired during those meetings?

CHAIR KELIHER: I don't have anything specific from DFO on the results of those meetings. It is their lobster management areas meet annually to talk about different things. I do know from talking with an individual from one of those areas that they did have a conversation around this issue.

Supposedly the conversations are going to continue. We're hoping through the meeting that is pulled together by the Lobster Institute this year that this is part of the agenda, a big part of the agenda, frankly, and that those conversations will continue at the Town Hall meeting. Steve Train, question?

MR. TRAIN: Comment. I know that we've been working on this a long time, and I was a proponent of using this method that we asked for when this started, and I had great hope that the information we got today would show us that we're already going the other direction. I'm definitely going to support this, a 44 percent decline, I mean how can you not follow the science with a number like that that resource and industry that is this important?

CHAIR KELIHER: Any additional comments on the motion? I'm going to read the motion into the record. Move, I'm sorry, way down in the corner. Allison.

MS. ALLISON MURPHY: I have spoken against all previous implementation delays of Addendum XXVII measures before, selective history, but with Dr. Pugh's presentation of the updated trigger index, noting that things have gotten worse, I think this indicates the necessity and urgency for the Addendum XXVII measures to go into place as quickly as possible. **I intend to vote no on this motion.** Thank you.

CHAIR KELIHER: Great, thank you, Allison. David Borden.

MR. BORDEN: Quick question again, Mr. Chairman, this is to the maker of the motion. On the word immediate, Dan, what is your view as to a timeline that the states will have to actually take regulatory action?

MR. McKIERNAN: I think the answer to that is going to be a collection of answers. I can tell you from Massachusetts, we're going to be meeting with our Marine Fisheries Advisory Commission next week, and I'm going to ask the Commission to revote the

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measures that they've already approved for Massachusetts, and to institute this delay. I expect I will have these rules on the book by the end of the calendar year. I think that is important for the gauge manufacturers and the fishermen to know they have plenty of time in advance.

Because one of the reasons we delayed this in the first place had to do with concern that there wouldn't be sufficient time to outfit the entire harvesting sector, which includes, you know obviously lobstermen, recreational fishermen, you know draggers that are allowed to take those in some situations, all to have new gauges, because there aren't a lot of gauge manufacturers. Anyway, the gauge manufacturers need that clear signal. I'll let Pat and Cheri report on their plans, or Renee, sorry.

CHAIR KELIHER: I think from my standpoint, the effective immediately is that the states need to start going through the rule process immediately. The effective immediately with that July 1, 2025 date is effective immediately. States need to now achieve that date through rulemaking. David.

MR. BORDEN: Now could we get a similar response from New Hampshire?

CHAIR KELIHER: Sure, Renee.

MS. RENEE ZOBEL: Yes, we intend to implement similarly, so yes.

CHAIR KELIHER: And Maine will.

MR. BORDEN: Just a follow up, Mr. Chairman. I think it is probably desirable to do it the way Dan is intending this, to start the regulatory process almost immediately, and my view is it should be in place several months before the deadline, so that it takes any uncertainty out of the deliberation. Thank you.

CONSIDER FINAL APPROVAL OF ADDENDUM XXXI

CHAIR KELIHER: Yes, the intent of the state of Maine will be to start implementing the rulemaking

process, so we'll begin the rulemaking process in November, which is about a 100-day process. Any other questions or comments? Seeing none; let me read into the record. **Move to adopt Option B and approve Addendum XXXI as modified today to be effective immediately.** Motion by Dan McKiernan, seconded by Doug Grout. Is there any additional opposition? Toni, do you want clarity here? Do you want me to call for a vote? We know we have one. Is there any opposition to this motion?

MS. KERNS: NOAA Fisheries.

CHAIR KELIHER: **Everybody else, any null votes? Everybody else is in favor.** Great, thank you very much.

CONSIDER FISHERY MANAGEMENT PLAN REVIEWS AND STATE COMPLIANCE REPORTS FOR AMERICAN LOBSTER AND JONAH CRAB FOR THE 2023 FISHING YEAR

CHAIR KELIHER: Moving on with the agenda. Consider Fishery Management Plan Reviews and State Compliance Reports for American Lobster and Jonah Crab. Caitlin.

MS. STARKS: I was thinking I could start with lobster and then go straight into Jonah crab, if that is all right with everyone. But as a reminder for lobster, the stock status is still based on the 2020 Stock Assessment, and the Gulf of Maine/Georges Bank stock was not overfished and overfishing not occurring with an estimated abundance near its highest levels at the end of the time series, which was 2018.

For Southern New England, the stock status was severely depleted, but not experiencing overfishing. Commercial landings for lobster increased about four-fold from the eighties until the time series high in 2016, which was near 160 million pounds. Since then, landings have trended downward.

The 2023 coastwide commercial landings were close to 120 million pounds, which is only about 400,000 pounds less than 2022, and the largest

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contributors to the 2023 fishery were Maine, shown by the light orange line, and Massachusetts, shown by the blue line, with 80 percent and 13 percent of the total landings respectively. The ex-vessel value for all lobster landings is shown by the black dash line, and the 2023 value was approximately 630 million dollars, which is about 21 percent higher than the 2022 value of 518 million.

These are the recent management actions affecting state requirements. Addendum XXVI has the requirement for harvest data to be reported at the ten-minute square level, and that went into effect January 1st, 2021, and the states were also required to implement 100 percent harvester reporting by 2023. Addendum XXIX established the vessel tracking requirements, which went into effect December 15 of 2023, and Addendum XXVII, again approved in 2023, established the management trigger mechanism for implementing the gauge and vent sizes.

The Plan Review Team noted just a few minor issues in the review of the state compliance reports. First, Rhode Island, Connecticut and New Jersey were not able to meet the minimum port or sea sampling requirement of ten trips. Rhode Island did complete nine trips, and Connecticut and New Jersey did not complete any trips. This has been an ongoing issue for several years now, due to both a limited amount of funding and staff, and/or reduced fishing effort that is available to sample in Southern New England.

On that topic the Stock Assessment Subcommittee is going to be looking into sampling these for Southern New England, as part of the ongoing assessment. Massachusetts was not able to submit all of the required compliance data by the deadline, but otherwise all the states appear to be in compliance with the requirements of the FMP. For de minimis requests, Delaware, Maryland, and Virginia have requested de minimis status, and all three states qualify, because the most recent two-year average of commercial landings in each state is under 40,000 pounds. Next, I'll go over the Jonah crab FMP review, and for Jonah crab the stock

status is based on the recent benchmark assessment that was completed in 2023.

There are four stock areas, which were assessed separately, including the inshore Gulf of Maine, offshore Gulf of Maine, inshore Southern New England, and offshore Southern New England. The figure on the right shows landings by stock area. As you can see, the offshore Southern New England area is where the bulk of the fishery is occurring, followed by the inshore Gulf of Maine.

The Stock Assessment concluded that the two Gulf of Maine areas and the offshore Southern New England area have not been depleted since historical lows observed in the 1980s and 1990s. However, we don't have reliable abundance indicators for the inshore Southern New England stock, so a status determination could not be made.

In 2023 the landings along the Atlantic coast for Jonah crab totaled approximately 14 million pounds, which is about a 12 percent decrease from the 2022 value. The ex-vessel value for Jonah crab landings in 2023 was about 14.1 million, which is also a decrease of about 12 percent from 2022. Massachusetts remains the largest contributor to the fishery in 2023, with 38 percent of the total landings, followed by Maine with 25 percent and Rhode Island with 18 percent.

This is the summary of the current management program for Jonah crab. Though the FMP was approved in 2015, which established the permit requirements, minimum size, prohibition on the retention of egg bearing females, and recreational possession limit. Addendum I established the bycatch limit for non-trap gear and non-lobster trap gear. Addendum II established the coastwide claw harvest provisions and bycatch definition. Addendum III improved the harvester reporting and data collection requirements.

Then lastly, Addendum IV implemented the tracking requirements for federal permit holders. For de minimis, Delaware, Maryland and Virginia also requested continued de minimis status for Jonah crabs, and again they meet the requirement that their average commercial landings are less than 1

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percent of the average coastwide commercial catch for the last three years. The PRT recommends approving these de minimis requests, which would exempt those states from fishery independent and dependent sampling requirements.

The PRT only noted two minor compliance issues, again, Massachusetts has not been able to provide their report by the August 1st deadline for the last five years, and the second issue is the same that I described before with the sea and port sampling. With that the Board action for consideration is the approval of the lobster and Jonah crab FMP reviews for the 2023 fishing year, the state compliance reports and the de minimis request for Delaware, Maryland, and Virginia.

CHAIR KELIHER: Any questions for Caitlin? Dan McKiernan, are you going to fall on your sword about late reports? (Raucous laughter)

MR. MCKIERNAN: You know, Pat, I think one of the reasons we struggle, and maybe Tracy, you can help me with this, is the fact that, well first of all we have a very fastidious team that doesn't release any data unless it's perfect. But I think it's because we work really hard to parse the landings to the different LMAs, which I think makes it a little bit more challenging for us, in terms of like we have Area 1, Area 3, Area 2, Outer Cape. Am I right, Tracy?

MS. PUGH: I don't know if this is going to bail him out. Yes, so the challenge in Massachusetts is that the lobster we have landings coming from all four management areas, and for Jonah crab obviously, we're bringing in landings from all four stocks. We have a lot of federal permit holders, we have permit holders who report directly to just the state, and we have permit holders who report just to the Feds, and all of these data sources need to be married and QC'd.

In order for the Stats Team to do that and to get it not only to the management area level, but also to the statistical area level, it takes them a considerable amount of time and effort to get all of the federal data in, and married to the data that comes just through the state process. It's a

challenge for our Stats Team to sort of get everything online, and to make sense.

CHAIR KELIHER: Thanks, Tracy.

MR. MCKIERNAN: Thanks for bailing me out there. I did have a question though. I was the Board Chair when the Jonah crab plan went into effect, and I recall Terry Stockwell insisting that there be a thousand crab allowance for mobile gear, and he was representing the Northern Council at the time. Do we have any idea now, five or six years in or whatever the number of years is, whether there is any level? What is the level of non-trap landings, especially for those vessels that receive this exemption?

MR. KELIHER: Yes, I'm not aware of any breakout from the draggers on that. I don't know if we can look to the Council possibly, for some of that data at some point. Toni.

MS. KERNS: We'll look into seeing if we can parse that out and get back to you at the next board meeting. How about that, Dan?

MR. MCKIERNAN: Sure, and maybe my fastidious statistical team can look at that as well.

MS. KERNS: Maybe they can help us out.

MR. MCKIERNAN: Anyway, just a question, thank you.

CHAIR KELIHER: I'm thinking maybe a tee shirt for your Fastidious Team, just the fastidious labels though. Any other questions? Not seeing any other questions, this here is an action item. Would anybody like to make a motion? Mike Luisi.

MR. MICHAEL LUISI: I'll be happy to make the motion. **Move to approve the lobster and Jonah crab FMP Reviews for the 2023 fishing year, state compliance reports, and de minimis status for Delaware, Maryland, and Virginia.**

CHAIR KELIHER: Thank you, Mike, seconded by Steve Train. Any additional comments? I don't think

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any are needed. I'll read into the record, **move to approve the lobster and Jonah crab FMP Reviews for the 2023 fishing year, state compliance reports, and de minimis status for Delaware, Maryland and Virginia.** Motion by Mr. Luisi, seconded by Mr.

Train. Is there any opposition to this motion?

Motion passes without opposition.

DISCUSSION OF VESSEL TRACKING REQUIREMENTS OF ADDENDUM XXIX

CHAIR KELIHER: Moving on to the last agenda item, which is Discussion of Vessel Tracking Requirements for Addendum XXIX. Caitlin.

MS. KERNS: We're talking while we get the slides up.

CHAIR KELIHER: Talk amongst yourselves. Toni wants me to tell you guys a joke, but I don't think any of my jokes would be appropriate for a webinar.

MR. TRAIN: No, I've heard them, they wouldn't.

CHAIR KELIHER: I think we're back on track.

MS. STARKS: Back to your regularly scheduled programming. I'm just going to just give a quick presentation on the Vessel Tracking Workgroup report that was given last August about tracking devices and requirements. Just as a reminder, in April the Board tasked that Vessel Tracking Workgroup to investigate modifications to the 24/7 vessel tracking requirement under Addendum XXIX, which would still ensure monitoring of fishing activity, while acknowledging that fishermen also use their boats for personal or non-fishing reasons.

The task included getting some input from the Law Enforcement Committee and reviewing the existing processes for when VMS devices can be turned off. This was in response to the industry's concerns about privacy related to Addendum XXIX and the requirement for the tracking device to be on at all times.

The Workgroup reported back to the Board in August, with some possible modifications, and those included geofencing as well as a tracker "snooze" function, and the Workgroup provided the pros and cons of these, as well as whether the approved tracking devices are capable of these approaches, and they also provided information on the relevant rules for VMS, and data concerns and law enforcement concerns.

Regarding the law enforcement concerns. In general, the LEC has recommended that vessel operators should not be allowed or able to turn the devices on or off themselves, because if this were the case it would be extremely difficult to enforce the requirements, because law enforcement wouldn't be able to determine if the device was purposefully turned off or whether it failed, and they've also had discussion about defining fishing versus non-fishing trip.

Because if the Board were to pursue changes to the requirements that would allow vessels to operate without the tracker on during non-fishing trips, then it would be really critical to have clear rules for distinguishing non-fishing trips from fishing trips, using things like the presence of bait or gear or lobster on the vessel. Responding to the Board's task, the LEC did meet on October 1st to discuss the definition of fishing, as it relates to vessel tracking in the federal lobster fishery. Some takeaways from that meeting were that the state and federal regulations are not exactly the same when it comes to defining fishing, but they are generally similar to what is in the Magnuson-Stevens act, which is that fishing is defined as the catching, taking or harvesting of fish, the intent of catching, taking, or harvesting of fish, and any other activity which can reasonably be expected to result in the catching, taking or harvesting of fish, and any operations at sea, in or support of or in preparation for any of those above activities.

The LEC talked about how the scope of this fishing definition could be narrowed to specifically address the lobster and Jonah crab fishery, to address the question of how law enforcement would be able to show that a vessel is engaged in fishing activities.

These minutes are draft and subject to approval by the American Lobster Management Board.

The Board will review the minutes during its next meeting.

They highlighted some evidentiary elements that could be used, such as the presence of bait, gear, or targeted species onboard the vessel.

The working condition of the vessel, and the working condition of captain or crew. It was also stressed that in order to gauge whether a vessel is complying with the tracking rules, the devices would need to have some sort of visual indicator, to show whether they are on or off. Another topic was who would have the burden of proving whether a vessel was fishing or not, whether that would be the fisher or law enforcement.

The LEC also noted that it could be helpful for them to have the devices have some capability or communication ability to allow the fishers to hail in or out of the fishery. I believe based on the last meeting, the Board's intent was that the states would go home and think more about the potential for changing the tracking requirements, and then return to that discussion today.

CHAIR KELIHER: Are there any questions on the Law Enforcement Committee report? Major Beal here, who is our Rep to the Law Enforcement Committee, and the Major for Maine DMRs Bureau of Marine Patrol. Any questions on that? Steve Train.

MR. TRAIN: I'll try to maybe oversimplify this. We're not allowed to harvest lobsters in Maine after four on a Saturday and on Sundays from June 1st until but not including September 1st. Bob, you can tell if I'm hauling on Sunday, right?

MAJOR ROBERT L. BEAL: Yes.

MR. TRAIN: You can tell if I'm not hauling on Sunday. How would that change any other day of the week?

MAJOR BEAL: I can't say that they would. I think with any of this, the requirement from the Law Enforcement community is that this information would have to be ground-truthed at the field level, so I think that we would apply our enforcement work in the same manner, whether it be talking

about this federal tracking or you're referring to a state closure.

MR. TRAIN: I guess the point I am trying to simplify is, there is a lot of data up there on what we can do and what we can't do, but we're already doing it, just not with the tracking on. Some people do have the tracking on. If you can define when we're fishing and when we're not, what makes this so difficult to not require to be tracked, no matter what day of the week it is?

CHAIR KELIHER: I think the question is directed at Law Enforcement, but we'll.

MS. KERNS: I thought Steve was asking about what data are you getting that you're not? We're getting different data from the trackers than we are from.

CHAIR KELIHER: I was taking it as; can you enforce it?

MR. TRAIN: It was an enforcement. Why can't we shut them off if we're not fishing? It is no different than a Saturday afternoon or a Sunday.

MAJOR BEAL: No, Steve, I don't disagree with that. I think it becomes more challenging when, you know you're completely dependent on presence, and the presence of enforcement amongst the states is, from what I hear at the Committee level, vastly different. I could speak to our level of presence in Maine and say, yes, that is quite practical, and I think it is considerably less in other states.

CHAIR KELIHER: Thank you, Steve, thank you, Major. Any other questions? Oh, I'm sorry, Dennis, you had your hand up earlier.

MR. ABBOTT: I've had issues with this from the very beginning, and sort of in tune with Steve Train on this. I understand the utility of this, and the reason for it and so on and so forth. But I also have a strong feeling that it's an invasion of privacy. I don't think that it's a solvable problem by us of how we could turn them on or off that satisfies anyone.

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But I don't know that eventually this couldn't end up in a court of law, to determine whether you should have the ability of tracking, using Steve Train as an example of what he's doing on a Saturday or Sunday. It is none of anybody's business what an individual does when he's not fishing, as far as we're concerned.

One of the Law Enforcement reasons in how you could determine whether somebody should have a tracker. I don't know the exact words, but whether they have gear onboard. I don't think Steve Train's boat is stripped of all gear when he uses his boat recreationally. He's not removing his winch or his cables or all the other things associated with lobstering.

He could be, by your definition, or whatever you put up there that he could be defined as being fishing, because he has lobster gear aboard. It's a difficult problem, and I don't think it's truly solvable. But it leaves me with great reservations about how it leaves lobstermen like Steve Train and others, who have reservations about people tracking them when they are not fishing.

CHAIR KELIHER: Thank you, Dennis, appreciate those comments. I think the challenge here that the Major got at is, the issues between the abilities between states. You know, how much presence on the water, right? I mean our ability to determine whether somebody is on the water and are fishing and engaged in fishing, is because of several factors.

Not because he's got a couple old traps onboard, does he have bait onboard, does he have his crew onboard? Does he have product onboard? Are we watching them actually hauling and retrieving and setting back gear. It's then up to the discretion of the officer of how he's going to deal with that case. Then one of the other points that you brought up, as Steve brought up with whether this will be dealt with in a court of law. This is in federal court right now, and there is going to be oral arguments in November on this case, or on these types of issues associated with this.

I think we had some homework, and I would like to hear from other members of the Board about whether they think there was some direction that we want to go in. But at the very least, I think we should keep this agenda item open for a future meeting, to see just in case we do have potential actions at the court that will force us to make these changes. But you had follow-up, Dennis?

MR. ABBOTT: Sort of unrelated, but a month or so ago I asked Caitlin if I could just see, knowing trackers was on the agenda today, if I could see how this information is being used, what it looks like in broad terms. I'm not concerned about any particular fisherman's activity, so on and so forth.

But it just would, from my personal understanding is, all this data is being collected. What does it look like and so on and so forth. I'm told that no, we can't see it, it's confidential and whatever. It occurs to me that here we are, we sit at this table, we make rules and regulations, and then when we ask to look at the information, we can't look at it because of privacy concerns and laws that inhibit us from seeing it. Just anyway, we'll leave it there.

CHAIR KELIHER: I would just say, beyond the broader rule of three, we can see this data at some point, right? That is not going to stop us from that standpoint. Toni.

MS. KERNS: There are ways we can show you the information, but it's going to be in a broad sense. The question that we got from Dennis, we took it as you wanted to see individual tracks, and we are very, we are following those rules, we want to make sure the fishermen understand that their data are being protected, and that we're not going to violate those rules.

Tracking data is a little bit trickier than just fishery data. The Rule 3 doesn't completely apply, because if you have 6 tracks on a chart, you are going to know in some cases where those vessels are coming from. We're working with all of the state data partners to make sure that whenever we're sharing data on this that we're not sharing confidential

data. But we can show some information, it's just not going to be very specific.

CHAIR KELIHER: Thank you, Toni. Dan McKiernan.

MR. MCKIERNAN: Yes, just to follow up. In Massachusetts, we are on the road to requiring this of one of our mobile gear fleets, the surf clam vessels. Given the success that I think we've had with the lobster fleet, it made a lot of sense to me, we're going to have all of, I hope the rulemaking, 12 or so active vessels that fish for surf clams have the trackers on the vessel.

What we did is we asked one of the early adopters to agree to let me show the other members of the fleet what a trip looks like, and he said sure, and he was good with it. This was a fishery that typically has hired captains. This particular vessel owner really likes the trackers, because he wants to know where the boat is. Anyway, that has been our experience. I also would like to share a little anecdote. We have, as Tracy just mentioned, we have lots of LMAs in Massachusetts, and we have an area out east of Cape, which is the border of Area 3 and Area 2, and there was a complaint about a particular Area 2 fisherman who might have been fishing over the line in Outer Cape.

We were all ready to look at that tracker data and we went into examine the tracks, and we found that this person was very close to the line, probably enough to issue a citation. But the person who made the complaint's tracker was off for three months, because the boat had been hauled out and didn't get turned back on.

My point is, that if we allow vessel captains to toggle this thing on and off all the time, it's going to create a system where we're probably going to have to track down numerous instances where they didn't turn the tracker back on, and it's going to create a much-weakened dataset, and it's going to require us to basically be chasing people down, if that's the way it works.

This tracker that we all chose was extraordinarily inexpensive, but it had this very simple feature of, it

stays on all the time. I'm pleased to hear that Dennis, consistent with Steve Train's concerns, people aren't showing the data they are keeping it confidential. I think that is part of the system I think that needs to be trusted is that the folks who are at ACCSP and within the state law enforcement aren't sharing that data, so it is truly held confidential. Those are my thoughts on this issue.

CHAIR KELIHER: Anybody else on this topic? I don't think we have a clear direction on where we're going to go right now. But as I said, there was an active court case in federal court in Maine. There will be oral arguments that are going to be held. This could be an ongoing discussion.

What I would like to do with the support of the Board is just leave this agenda item open for the time being, and then come back to it, depending on what we see that comes down from the courts. Is that fair enough? Okay, thank you very much. That is the last agenda item. It is an hour ahead of schedule. But Dave Borden would like to fill the hour.

MR. BORDEN: Thank you, Mr. Chairman, I would like to use up the entire hour with one question.

CHAIR KELIHER: You're out of order, David. Go ahead, David.

MR. BORDEN: I have a question for Major Beal. Just looking ahead, the enforcement agencies up and down the coast are going to be challenged with implementing a different size at a particular date, when quite a few of them are going to have undersized fries in their facilities. Has the Enforcement Committee talked about developing a uniform policy of how the states would handle that, and if not, I would suggest they do. I think that would be really useful, since it's going to be an enforcement policy and not necessarily a regulation. I think it's the perfect opportunity for enforcement folks to work together and come up with one program, so that is my suggestion. That completes my one-hour question.

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MAJOR BEAL: Yes, I'll just mention it hasn't been discussed at the Committee, but in Maine there is a six-month grace period for that inventory to flush out through the wholesale and retail dealers.

ADJOURNMENT

CHAIR KELIHER: Anybody else have anything else to come before the Lobster Board? Seeing none; I think a motion to adjourn an hour early would be in order. There are motions and seconds everywhere, thank you very much, everybody, appreciate it.

(Whereupon the meeting adjourned at 11:05 p.m. on October 21, 2024)



Atlantic States Marine Fisheries Commission

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

MEMORANDUM

TO: American Lobster Management Board
FROM: Jonah Crab Technical Committee
DATE: January 21, 2025
SUBJECT: Initial Jonah Crab Indicator Update

Background

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

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

This memo provides results of the first annual indicator update. Indicators include the number and proportion of pot/trap trips landing Jonah crab, the number and proportion of lobster/crab permits landing Jonah crab, landings, the number of trips landing Jonah crab in Massachusetts alone, catch per trip (CPUE) in Rhode Island, and price per pound of Jonah crab and American lobster. Indicators have been updated with 2022 and 2023 data. Data through 2023 were not available for fishery-independent trawl indicators and will be updated during the next update as part of a biannual update schedule recommended in the TC’s January 8, 2024 memo to the Board.

The annual update does not include a process or decision rules to trigger management action, but rather provides the TC an opportunity to review updated indicators and provide recommendations to the Board for action in response to concerning trends. Several indicators

M25-3

were selected as measures of fishery performance, and time series percentiles are used as a qualitative characterization of the indicator status. The indicators are categorized as positive if above their 75th percentile, neutral if between their 75th and 25th percentiles, and negative if below their 25th percentile. Three-year averages of these indicators to smooth out interannual variability are provided from the final three years of the assessment time series (2019-2021; black asterisk) and the updated time series (2021-2023; red asterisks) for comparison.

Results

Trip Indicators

The number of trips landing Jonah crab has declined continuously since 2014 to the lowest point of the time series in 2023. The three-year average remained negative. The proportion of trips in the lobster/Jonah crab fishery landing Jonah crab showed an increasing trend until 2020 but has steadily declined since, moving from positive to negative conditions since the stock assessment. These indicators show a general reduction in trips by the fishery through time.

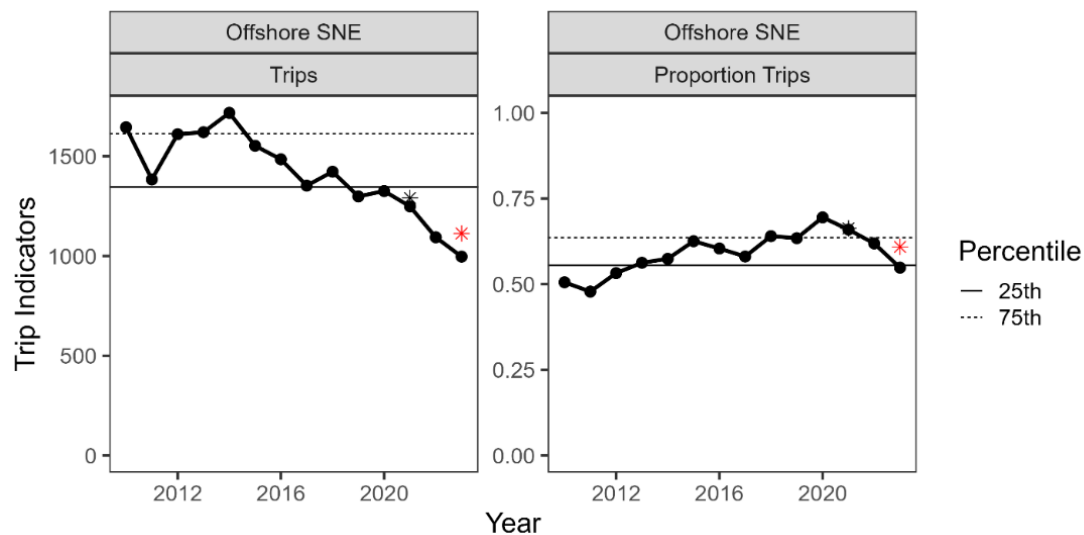


Figure 1. Number (left) and proportion (right) of lobster/crab pot/trap trips landing Jonah crab from the Offshore Southern New England stock.

An additional trip indicator recommended by the TC following the stock assessment, trips landing Jonah crab from Massachusetts alone, shows similar conditions to the stockwide indicator in recent years with declines to the lowest levels in 2023. CPUE data from Massachusetts similar to the Rhode Island time series was not recommended because vessel participation in the fishery has been more inconsistent, complicating selection of a “high liner” fleet.

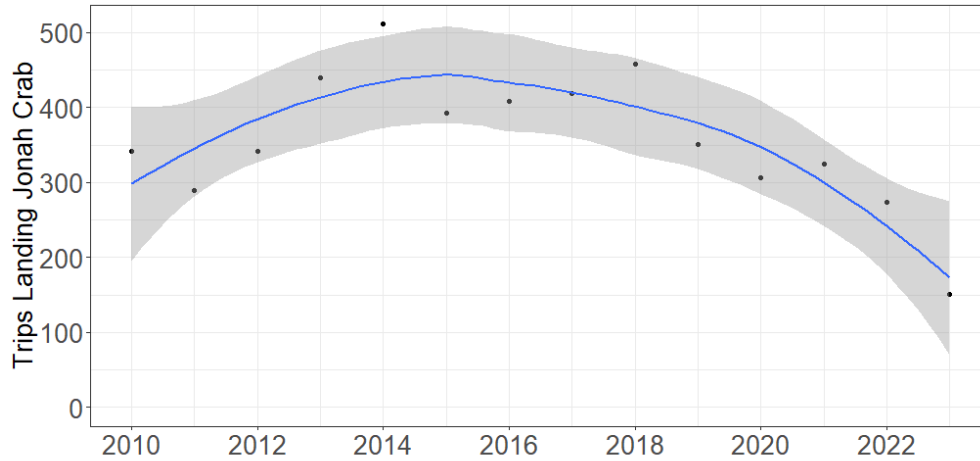


Figure 2. Number of trips landing Jonah crab from the Offshore Southern New England stock in Massachusetts. The blue line and shaded area represent a loess smoother and confidence intervals fitted to the data.

Permit Indicators

Permit indicators show similar trends and conditions to trip indicators. The number of permits reporting Jonah crab landings has slowly declined to the lowest values in 2022 and 2023. This decline has dropped the three-year average from neutral to negative conditions. The proportion of permits landing Jonah crabs has been more stable, but did show a declining trend during the final three years dropping from positive to neutral conditions.

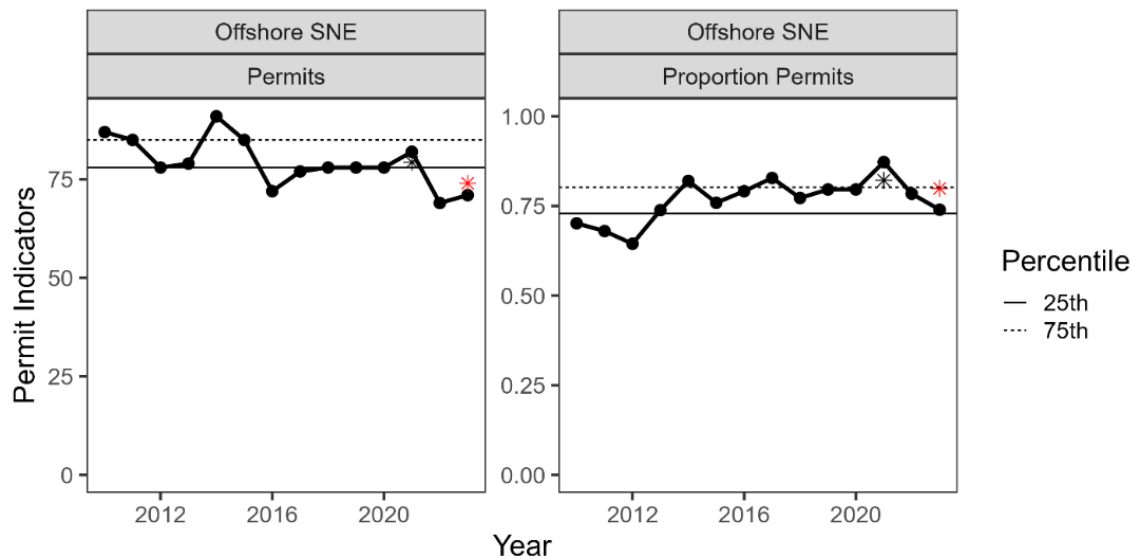


Figure 3. Number (left) and proportion (right) of lobster/crab permits contributing to Jonah crab landings from the Offshore Southern New England stock.

Landings Indicator

Landings are presented at the state and coastwide level because stock-specific landings are only available during the stock assessment cycle. However, the majority of landings from the two largest contributing states, MA and RI, are primarily from the OSNE stock. Landings from both these states increased in 2022, reversing a concerning declining trend at the end of the stock assessment. However, this reversal was short lived with declines in 2023 to near time series lows. NJ has become a relatively larger contributor to coastwide landings in recent years with an opposite pattern in the two update years (decline in 2022 and increase in 2023). Coastwide landings show similar trends to MA landings, with the exception of 2023 which declined at a lesser rate due to an uptick in landings from ME from GOM stocks.

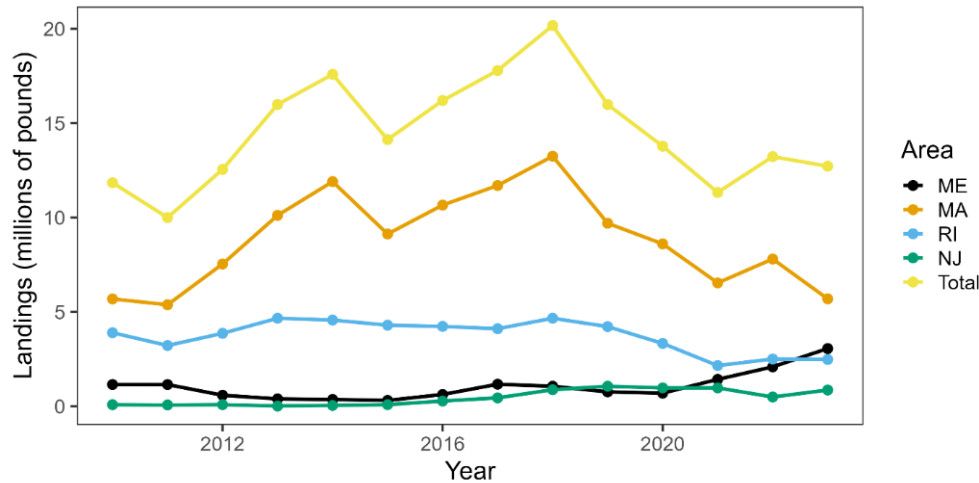


Figure 4. Landings of Jonah crab. Total landings include all Atlantic coast states.

CPUE Indicator

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

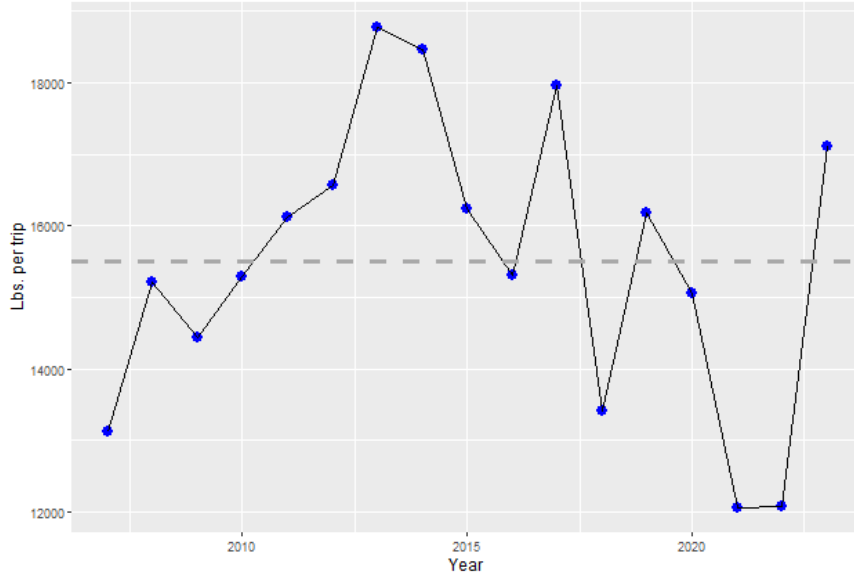


Figure 5. Pounds of Jonah crab landed per trip by the Rhode Island highliner fleet (n vessels=4). The dashed line is the time series mean.

Price per Pound Indicators

Price per pound of both American lobster and Jonah crab has continued increasing throughout the time series. Notably, lobster prices increased sharply in 2021, the year of the lowest RI Jonah crab landings and second lowest MA Jonah crab landings since 2011. Jonah crab prices then increased sharply in 2022 when landings in RI and MA increased, albeit to levels lower than in the 2010s. Jonah crab prices decreased in 2023 but remained high relative to years when landings were highest.

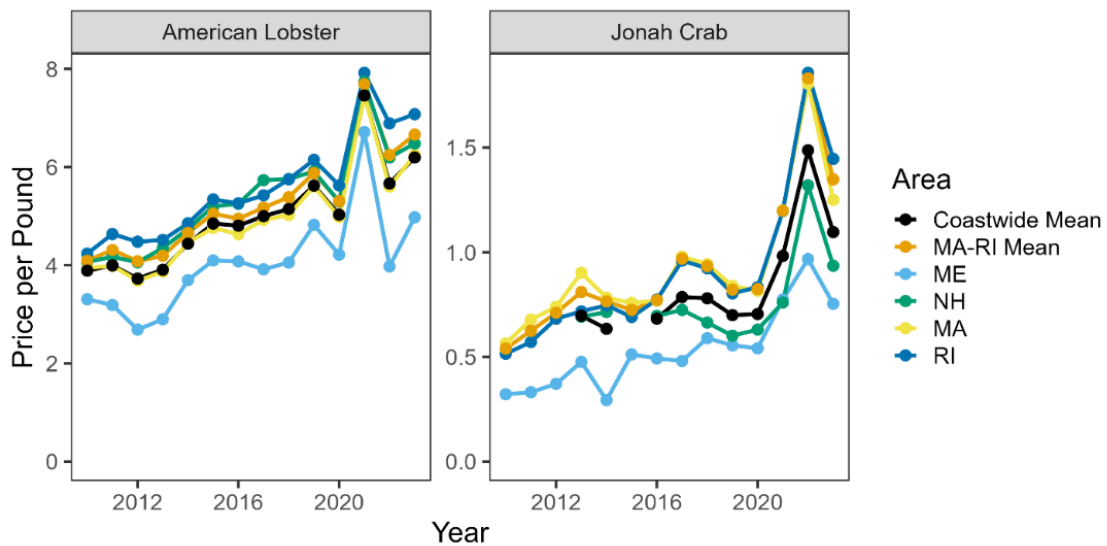


Figure 6. Price per pound of American lobster and Jonah crab.

Conclusions and Recommendations

After reviewing the updated indicators, the TC discussed conclusions, recommendations, and some anecdotal information from the fishery. The general TC consensus is that stock conditions are similar to what they were at the end of the assessment and data limitations preclude a recommendation for management intervention at this time. There are indications that market factors, as indicated by poor fishery performance indicators, continue to be a dominant factor influencing effort to target and land Jonah crabs. There remains a lack of data to understand short-term changes in abundance and stock status.

The RI CPUE and MA effort time series added as indicators were affected by changes in the fleet. Some vessels considered “high liners” in the Jonah crab fishery have changed their trap configurations and shifted their effort to target lobsters or exit the fishery altogether. There are also continued anecdotal reports of dealers imposing trip limits, causing artifacts in effort and price per pound data. While it does not affect the OSNE stock indicators, the TC also notes ME harvesters have reported relatively high catches of Jonah crabs recently that are primarily being discarded due to unfavorable market conditions. Market factors continue to impede interpretation of available fishery-dependent indicators for inference on Jonah crab availability and abundance. The TC recommends identifying a process to track dealer/processor-imposed trip limits, such as state-conducted dealer interviews that might provide context for changes in Jonah crab fishing effort or landings.

The TC believes collaboration with the commercial fishery remains one of the more viable pathways to obtain data necessary to understand abundance changes, as recommended by the stock assessment peer review. Commercial Fisheries Research Foundation (CFRF) ventless trap sampling by the Lobster and Jonah Crab Research Fleet provides a model for collecting these data. However, sampling intensity and some design considerations are necessary to improve the data, which were available for the stock assessment but not recommended for use as indicators. During the indicator review for this data update, the TC recommended revisiting CFRF data to determine if there is any utility in including these data in indicators, despite their limited utility during the stock assessment. Commission staff and the TC Chair communicated with CFRF Research Fleet leads following the call and were informed of several developments that may improve the data collected. An increased stipend was offered to fleet participants for fishing ventless traps starting in the fall of 2022, increasing sample size, and collection of target species information for the commercial research fleet began in 2021 that could be linked to some ventless traps sampled. CFRF staff also noted several additional years of trap data from wind farm surveys (Revolution Wind Farm and South Fork Wind Farm Surveys) that could be evaluated for trends against the Research Fleet data. Although these data streams are temporally and spatially limited and come with caveats, the TC recommends Research Fleet and wind farm trap data be evaluated as potential indicators for the next annual indicator update.



STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR

KELLY A. AYOTTE
Governor

January 21, 2025

The Atlantic States Marine Fisheries Commission
1050 N. Highland Street
Suite 200 A-N
Arlington, VA 22201

RE: Overregulation of New England lobster fishing industry

Dear Commissioners:

As Governor of New Hampshire, it is my responsibility to advocate for the hardworking men and women who help propel our economy, especially our historic industries. Recent guidelines from this Commission increasing the minimum size of lobsters caught in the Gulf of Maine are unnecessary and disruptive to an industry that has already been impacted by increasing costs of doing business and already-burdensome rules and regulations.

I write to you today to notify you that New Hampshire will not adopt these new guidelines. New Hampshire's commercial fishing industry is a proud part of our heritage, and I have heard loud and clear from our lobstermen, commercial fishermen, and concerned legislators and citizens from our Seacoast that this minimum size increase will have a negative impact on an industry already strained by existing regulations.

Complying with these guidelines could lead to a loss of a third of lobstermen's catch this year at a time when lobstermen are already facing declining yields. Moreover, our lobster industry helps drive summer tourism, with visitors flocking from all over to visit New Hampshire's historic lobster pounds.

In addition to negatively impacting a proud local industry, this minimum size increase puts us at a competitive disadvantage in international trade, since Canadian lobstermen are not subject to the same regulations.

To ensure the survival of an iconic and historic industry in our state and our region, and to ensure our nation remains competitive in global trade, I ask you today to rescind these new guidelines. In the meantime, New Hampshire will comply with the previous minimum size for lobster in an effort to preserve this proud industry.

Sincerely,

A handwritten signature in blue ink that reads "Kelly A. Ayotte".

Kelly A. Ayotte
Governor

From: [Jim Kimbrell](#)
To: [Comments](#)
Subject: [External] Maine lobster measure
Date: Tuesday, January 14, 2025 5:20:17 PM

It is probably the wrong time for comments. Just because of what happened just a few days ago, here in Maine when the Commissioner Patrick Keliher caved in to a room full of loud lobstermen and announced Maine would not change the minimum size of lobsters. I think I should comment.

I had traps out when they changed the minimum size in the 1980s. Two times at 1/32 of an inch. I don't think anyone was truly hurt by that change, I think if they change now, no one would really be hurt. Maybe a little. I think there are people who think the change is a good idea, but don't want to speak up.. for fear of retaliation from some hot headed person.

I say, change the minimum for conservation, for a better future.

Jim Kimbrell

Sent from my iPad

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.

Atlantic States Marine Fisheries Commission

Spiny Dogfish Management Board

February 4, 2025
10:45 – 11:45 a.m.

Draft Agenda

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

1. Welcome/Call to Order (*P. Geer*) 10:45 a.m.
2. Board Consent 10:45 a.m.
 - Approval of Agenda
 - Approval of Proceedings from October 2024
3. Public Comment 10:50 a.m.
4. Consider Addendum VII on Atlantic Sturgeon Bycatch Reduction for Final Approval (*J. Boyle*) **Final Action** 11:00 a.m.
 - Review Public Comment Summary
 - Review Advisory Panel Report
 - Consider Final Approval of Addendum VII
5. Revise Specifications for the 2025/2026 Fishing Year (*J. Boyle*) **Final Action** 11:30 a.m.
6. Other Business/Adjourn 11:45 a.m.

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

MEETING OVERVIEW

Spiny Dogfish Management Board

February 4, 2025

10:45 – 11:45 a.m.

Chair: Pat Geer (VA) Assumed Chairmanship: 1/24	Technical Committee Chair: Scott Newlin (DE)	Law Enforcement Committee Rep: Brian Scott (NJ)
Vice Chair: Joe Cimino (NJ)	Advisory Panel Chair: Vacant	Previous Board Meeting: October 24, 2024
Voting Members: ME, NH, MA, RI, CT, NY, NJ, DE, MD, VA, NC, NMFS (12 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2024

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

4. Consider Addendum VII on Atlantic Sturgeon Bycatch Reduction for Final Approval (11:00 - 11:30 a.m.) Final Action

Background

- In August 2024, the Board initiated a draft addendum to consider complementary action to reduce sturgeon bycatch in the state spiny dogfish fisheries.
- The Board approved Draft Addendum VII for public comment in October 2024. Public hearings were held for the general public, NJ, MD, and VA (**Briefing Materials**).
- The Advisory Panel met via webinar on January 16th to provide recommendations regarding Addendum VII (**Supplemental Materials**).

Presentations

- Overview of options and public comment summary by J. Boyle

Board Actions for Consideration

- Select management options and implementation dates
- Approve final document

5. Revise Specifications for the 2025/2026 Fishing Year (11:30 - 11:45 a.m.) Final Action

Background

- In January 2024, the Board approved the following motion: Move to approve FY2024-2026 spiny dogfish specifications: commercial quota 2024-2025 be set at 10,699,021 pounds; 2025-2026 be set at 10,972,394 pounds; 2026-2027 be set at 11,223,720 pounds consistent with those adopted by the Mid-Atlantic Fishery Management Council pending their approval by NOAA Fisheries.
- In December 2024, after considering revised projections, the Mid-Atlantic and New England Fishery Management Councils recommended a revised commercial quota of 9,338,770 pounds for the 2025/2026 fishing year (**Briefing Materials**).

Presentations

- Review Revised Council-Recommended Federal Quota for the 2025/2026 Fishing Year by J. Boyle

Board Actions for Consideration

- Approve revised specifications for the 2025/2026 fishing year

6. Other Business/Adjourn

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
SPINY DOGFISH MANAGEMENT BOARD**

**The Westin
Annapolis, Maryland
Hybrid Meeting**

October 24, 2024

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

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1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of August 2024** by consent (Page 1).
3. **Move to approve Draft Addendum VII for Public Comment, as amended today** (Page 3). Motion Mike Luisi; second by John Clark. Motion accepted by unanimous consent (Page 3).
4. **Move to amend the spiny dogfish commercial quota to 10,249,260 pounds for the 2024/2025 fishing year** (Page 7). Motion made by Mike Luisi; second by Nichola Meserve. Motion accepted without opposition (Page 7).
5. **Move to adjourn** by consent (Page 7).

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ATTENDANCE

Board Members

Megan Ware, ME, proxy for Pat Keliher (AA)	Joe Cimino, NJ (AA)
Cheri Patterson, NH (AA)	Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Doug Grout, NH (GA)	Jeff Kaelin, NJ (GA)
Nichola Meserve, MA, proxy for D. McKiernan (AA)	John Clark, DE (AA)
Sarah Ferrara, MA, proxy for Rep. Armini (LA)	Roy Miller, DE (GA)
Ray Kane, MA (GA)	Michael Luisi, MD, proxy for L. Fegley (AA)
Jason McNamee, RI (AA)	Russ Dize, MD (GA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Pat Geer, VA, proxy for Jamie Green (AA)
David Borden, RI (GA)	Sen. Danny Diggs, VA (LA)
Matt Gates, CT, proxy for Justin Davis (AA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Bill Hyatt, CT (GA)	Chad Thomas, NC, proxy for Rep. Wray (LA)
Marty Gary, NY (AA)	Allison Murphy, NMFS
Emerson Hasbrouck, NY (GA)	

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

Ex-Officio Members

Chris Baker, Law Enforcement Committee Rep.

Staff

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

The Spiny Dogfish Management Board of the Atlantic States Marine Fisheries Commission convened in the Capitol Ballroom via hybrid meeting, in-person and webinar; Thursday, October 24, 2024, and was called to order at 9:00 a.m. by Chair Pat Geer.

CALL TO ORDER

CHAIR PATRICK GEER: Good morning, everybody, and welcome to the Spiny Dogfish Management Board. My name is Pat Geer, I am the Administrative Proxy for the Commonwealth of Virginia. To my left is Chris Baker, he is from Massachusetts, he is the Law Enforcement Committee representative, and to my right is James Boyle, who is our fisheries management Plan Development person.

APPROVAL OF AGENDA

CHAIR GEER: First order of business today is Approval of the Agenda. Are there any changes, modifications or additions to the agenda? Hearing none; the agenda is approved by consent.

APPROVAL OF PROCEEDINGS

CHAIR GEER: Approval of the proceedings from the August, 2024 meeting. Are there any changes to the minutes, proceedings? Additions, edits, anything? Hearing none; they are approved by consent.

PUBLIC COMMENT

CHAIR GEER: Next is Public Comment. Has anybody signed up for public comment for items that are not on the agenda today? Okay, we have one person online, Mr. Fletcher.

MR. JAMES FLETCHER: I would like to bring the Council or the Commission a problem of the machinery needed to cut small dogfish, and the lack of funding to do the research to do it. It was built by MIT in the eighties, and if there is anybody on the Commission that would have any thought process to help, either Rob Bits at MIT or Jason Didden with Mid-Atlantic Council

could use any help to do that. With the sturgeon situation wanting smaller fish, this equipment is definitely needed. Thank you for your time. James Fletcher, United National Fishermen's Association.

CONSIDER THE APPROVAL OF DRAFT ADDENDUM VII FOR PUBLIC COMMENT ON THE ATLANTIC STURGEON BYCATCH REDUCTION MEASURES

CHAIR GEER: Thank you, Mr. Fletcher, for your comments. Is there anybody else who wants to comment? Anybody else online? Not seeing anybody in the room, let's move on to Item Number 4. Consider the Approval of Draft Addendum VII for Public Comment on the Atlantic Sturgeon Bycatch Reduction Measures. This has already gone through the Mid-Atlantic Council and the New England Fisheries Management Council, and this is just coming up, developing equivalent overnight soak restrictions, so I'll turn it over to James at this time.

MR. JAMES BOYLE IV: Here is the process to this point. The Board initiated the development of Draft Addendum VII at the August meeting, and the goal for today is to approve the document for public comment. After a public comment period and hearing from November until January, the Board would then consider final approval at the winter meeting in February. As a quick reminder of the background. In August, NOAA Fisheries published a proposed rule that corresponds to recommendations from the Mid-Atlantic and New England Fishery Management Councils to implement overnight soak prohibitions for certain gillnet mesh sizes in specific times and areas to reduce sturgeon bycatch.

The areas include both federal and state waters, and one objective of the spiny dogfish FMP is to strive for complementary management, which led to the initiation of this addendum to implement corresponding measures for harvesters that do not have a federal permit and only fish in state waters. Based on the requirements of the 2021 Biological Opinion that began the federal process, the Final Rule and 30-day implementation period for federal action is expected before the end of 2024.

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The Proposed Rule would establish a prohibition on overnight soaks, which is defined as, from 8:00 p.m. to 5:00 a.m. within three polygons, as shown in the figures on the slide. For federal spiny dogfish permit holders specifically. The New Jersey area is shown in purple, and the blue polygons from north to south are the Delaware and Maryland area, and the Virginia area, respectively.

The PDT in the Addendum maintain this naming convention for consistency, but wants to make a note that the Delaware and Maryland area is adjacent to, but does not overlap with Delaware state waters, so Delaware is not included in the discussion of the action. In the New Jersey area the prohibition would be for the months of May and November for mesh sizes between 5 and 10 inches, and in the Delaware and Maryland and the Virginia areas it would last from November through March, for mesh sizes between 5.25 and 10 inches.

Here is a breakdown of how each of the affected states permit for dogfish. New Jersey issues licenses by gear, and has a general gillnet permit for drift, anchored and state gillnets. Maryland has a tiered system, where different permits are allowed to harvest spiny dogfish at different trip limits, so a general finfish license for harvest of 1,000 pounds of spiny dogfish.

If the harvester also has a striped bass permit, then they can take 2,500 pounds of spiny dogfish, and a spiny dogfish specific permit holder can harvest a maximum of 10,000 pounds. Virginia issues permits-by-species and has a spiny dogfish specific limit. There are three options in the proposed management program of the Addendum.

There are three options in the proposed management program of the Addendum. Option 1 is the status quo, where spiny dogfish harvesters that do not have a federal permit and fish only in state waters may continue to soak gillnets at the specified mesh sizes overnight in the state waters portions of the

bycatch reduction areas. Option 2 would apply complementary overnight soaks to species-specific state spiny dogfish permit holders.

This option is consistent with the proposed rule from federal action, in that it applies the new measures to spiny dogfish specific permits. However, due to Maryland's tiered permit system, there are striped bass and finfish permit holders that do not also possess a spiny dogfish state permit, may continue to harvest spiny dogfish at reduced trip limits within the Maryland state waters portion of the Maryland and Delaware bycatch reduction area. In Jersey they would not have to take any action, because they do not issue species-specific permits for spiny dogfish. However, they do already require any person or vessel that possesses for sale or attempts to sell spiny dogfish, to possess a federal permit. If they have a federal permit they will be already captured by the federal action.

Option 3 would prohibit all spiny dogfish harvest via overnight soaks for the specified mesh sizes, times and areas, regardless of permit. This option is distinct from Option 2 in that it would not result in any allowances for spiny dogfish to be harvested in state waters portions of the bycatch reduction areas that is inconsistent with the federal rules, but presents some greater enforcement challenges in the language.

In conversations with the Law Enforcement Committee, I had yesterday, they recommended just one change to the document, to confirm that while Option 3 eliminates directed harvest that would otherwise be permitted under Option 2, it does present additional enforcement challenges. The Board action to consider today is to approve the Addendum for public comment as modified today, if the Board wishes to include the edit from the LEC or make any additional modifications. With that I am happy to take any questions.

CHAIR GEER: Thank you, James, are there any questions for James at this time? Megan.

MS. MEGAN WARE: I just had a question of the difference between Actions 2 and 3. It sounds like

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in Option 2 no overnight soak for those specific spiny dogfish permit holders, so they are taking the nets out of the water. Option 3, it doesn't sound like those nets are coming out of the water, it's just no harvest from that that are still in the water. Is that correct?

MR. BOYLE: Yes, this is something that came up at Law Enforcement yesterday as well. It seems more of an incentive structure that because they cannot possess or harvest spiny dogfish, if they are spiny dogfish directed harvesters then theoretically, they wouldn't put the nets in the areas at the time, and see if they can keep that catch. If you are not a spiny dogfish directed harvester, then you could call that catch, for example.

MS. WARE: Okay, I would be curious if that meets what the objectives were in the BiOp. I understand it was just for federal permit holders, but I guess I have some questions about that, but that's okay. Thank you.

CHAIR GEER: Any other questions for James? Toni.

MS. TONI KERNS: Pat, I think just to Megan's question. I think the intention is for the state to then implement regulations that would force that that we're not telling you all in the document how to write those regulations.

CHAIR GEER: Thank you for that clarification. Any other questions? Not seeing any; any other comments or discussion? I'm not hearing any of that, so I guess we're looking for a motion. Mr. Luisi.

MR. MICHAEL LUISI: **I move to approve Draft Addendum VII for Public Comment as amended today.**

CHAIR GEER: We have a second by John Clark. Is there any discussion on the motion? Okay, I'll read the motion in. **Move to approve Draft Addendum VII for Public Comment as amended** today, motion by Mr. Luisi, seconded

by Mr. Clark. Is there any objection to this motion? Seeing none; **the motion is accepted.** That was quick.

CONSIDER REVISING 2024/2025 FISHING YEAR QUOTA

CHAIR GEER: Moving on to Item Number 5 is to Consider Revising 2024/2025 fishing year quota. We might have to take a possible action on this, and we received a letter, and James, I think it was on October 7, describing what the concerns are with bycatch overages from last year, and so James has a quick presentation on that as well.

MR. BOYLE: Yes, we can jump right into this one as well. In response to an Emergency Rule by NOAA Fisheries. As you all recall, the Board approved a state quota for the current 2024/2025 fishing year of 11,331,747 pounds. After the Emergency Rule was published, NOAA Fisheries finalized the 2023 and 2024 catch data, including landings and discards.

This data revealed estimated discards were higher than what was anticipated, and resulted in an overage of 1,082,487 pounds of the ACL. In September, NOAA Fisheries extended the Emergency Rule for the remainder of the fishing year, and through that rule applied the payback of the overage by deducting the overage amount from the current 2024/2025 quota.

This action resulted in a new federal quota of 10,249,260 pounds. Please note, this is slightly different than the preliminary estimate provided in the memo in the meeting materials, but this is the final number from the Final Rule. From preliminary landings estimates, every state and jurisdiction are able to utilize the maximum of the 5 percent rollover provision.

Only New York and New Jersey did not express interest in rolling over quota from last year. If the other states and jurisdictions still choose to utilize the rollover provision, there is an additional 538,467 pounds added to the state coastwide quota. If the Board does not adjust the quota to

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match the federal quota, then including that rollover, the difference between the state quota and the federal quota is potentially 1,620,954 pounds.

If the Board does adjust to the federal quota but still use the rollover provision, then the difference between the federal and state quotas will be the amount of the rollover, that 538,000 pounds. The possible implications of this, if the state coastwide quota is greater than the federal quota there is the possibility that if landings are projected to exceed the federal quota, then federal waters will be closed, and current federal permit holders will not be able to land dogfish, while harvesters with only state permits in state waters may continue to harvest.

Additionally, this would create an incentive for harvesters to drop their federal permits once federal waters were closed for the remainder of the fishing year, and reacquire them at the beginning of the following fishing year. In that case, any overage of the federal ACL would be deducted from a future fishing year. The Board action for consideration today is to revise the 2024/2025 coastwide quota to 10,249,260 pounds to match the federal quota. Since this action would be revising a final action that the Board took, it would require two-thirds majority of the Board, and with that I am happy to take any questions.

CHAIR GEER: Any question for James? Eric Reid.

MR. ERIC REID: You said that the overage would be deducted from a future year, is it the next year or is it to be any year?

MR. BOYLE: I believe the language, if Alli has any additional thoughts, but I believe the language is that it is as soon as possible, or something to that affect, so it's not definitive if it's the next year or following year.

CHAIR GEER: I had that same question, Eric. Mike Luisi.

MR. LUISI: James, on the slide that you presented, the implication slide. I think what you're referencing in that implication slide is what we have talked about for years, which is when there is a difference between the federal and state quotas and the state quotas are higher than the federal quotas, that we could find ourselves in a constant loop of overharvesting based on federal rules that continually just whittle away at whatever that federal quota is.

Because if we continue to harvest more than the federal limits then the federal quota eventually just over time disappears, it just goes away, because of the overharvest. That is a situation that I know we have had discussions around this table, not just for spiny dogfish, but for other species that we really, our intention is to try to maintain consistency between the states and the federal waters.

Does your final, the slide you presented at the end, where the possible action that we need to take today. My question directly is, if we were to consider revising to the 10,249,260 number, that puts us back in line with the federal quota, so that are we pulling ourselves out of that loop that we are right now in? Does it assist with that tightening the difference between the two quotas? I know that is a long way of asking a simple question, but I'm still catching up from a late-night last night.

MR. BOYLE: It does make the difference smaller if the states use the rollover provision. If no state chooses to rollover, then changing it to this number would make it exactly the same. If the Board changed it to this number and the states rollover, then the difference is either that 538,000 number, or if New York/New Jersey changed their minds it would be that 600,000 number that was on the previous slide.

MR. LUISI: Okay, with that, I don't know, Mr. Chairman, you said there were motions prepared. I would be willing to make that motion to close the gap to the degree that we can today. Whenever

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you're ready for that, I know that others might have questions.

CHAIR GEER: Well, I saw a couple other hands. I saw John's hand go up.

MR. JOHN CLARK: I was just curious again, because if I recall this issue kind of developed because the only processor of dogfish that needs a certain minimum amount of product to make it worthwhile. Would this new quota meet the minimums required?

CHAIR GEER: I'm not sure what that minimum is right now, but Ray Kane.

MR. RAYMOND W. KANE: I believe you're talking about Sea Trade, John, and they are requiring 10 million pounds. They say they can't operate with less than that.

CHAIR GEER: In a sense even doing the federal amount would meet that. Are there any other? Adam Nowalsky.

MR. ADAM NOWALSKY: Thanks, I apologize if I missed this, but we're proposing 10,249,360 today, which is a different number than what was in the memo. What was the reason for that change today?

MR. BOYLE: There was just a couple, there is less than 2,000-pound difference in the Excel sheet I was working off of, and the Final Ruling came out in the Federal Register. That was just the difference. There was a 10,251 in the memo, and this 10,249 and change in the final number.

CHAIR GEER: Are there any other questions?

MR. DAVID V. BORDEN: I was just wondering, the discards that were referenced are taking place in which fisheries at which time of year, and is anything being done to reduce those? It's two questions.

MR. BOYLE: From some data I've seen, it is in the primarily the big jumps in the estimate came from the Gulf of Maine and Southern New England large mesh trawl.

CHAIR GEER: To your second part, does anybody know if any actions are being taken? Does anybody know? No. Okay. David.

MR. BORDEN: I mean the four slots makes a little apprehensive. We've got a problem; we're not addressing the problem. If the problem continues, then as Mike Luisi said, we're going to be in the cycle of constantly reducing the targeted fishery, and not really addressing the problem. At some point I think we should have a discussion, not today, but at a subsequent meeting perhaps with the Councils on what is being done to address it. That's all, maybe some common-sense alternatives that we could use, so that we don't close down the directed fishery.

CHAIR GEER: Agreed. Chris Batsavage.

MR. CHRIS BATSAVAGE: Yes, the Mid-Atlantic Dogfish Committee, joint committee with New England talked about the discard estimate and how to account for that in future years, and it was pointed out that with the quotas for fisheries that are targeted with large mesh trawls, are less now than when we got the discard estimates before. Presumably, there will be less effort, which could reduce the discards in that manner. But that is an indirect way of maybe predicting what could happen. But it doesn't get to your concern about directly addressing the discard problem.

CHAIR GEER: Thank you, Chris. Are there any other comments or questions? Seeing none; does anybody have a motion? Mr. Luisi.

MR. LUISI: Yes, I'm happy to make this motion. I think as long as those numbers are the same, are those the right numbers, James?

CHAIR GEER: That's what we need to check on.

MR. LUISI: Okay, it looks different. I don't know why.

MR. BOYLE: Yes, that is the same as the federal quota, but if the states choose to rollover, then the state quota would in effect be higher than that. That is the federal quota right now. I guess the question is to clarify, for me also as we keep track of the landings. Do the states who expressed interest in rolling over still want to do that, just to confirm for me.

CHAIR GEER: Emerson.

MR. EMERSON C. HASBROUCK: Maybe we could change the wording of that to say the base commercial quota. I don't know if that helps to address the problem if states decide that they want to roll it over that is on top of the base commercial quota, isn't it?

CHAIR GEER: Toni.

MS. KERNS: Just to explain. In the FMP the rollover is automatic. We cannot force states to not rollover, but states can voluntarily choose to not rollover. We would just adjust the individual states quota if they so choose to rollover, and we would bump that up. It's still the coastwide quota, but if you want to write base that is also fine.

CHAIR GEER: We do not have to include that amount in the motion, okay. I see your point if the maker of the motion wants to change this to the new federal quota or something along those lines. You thinking? Mr. Luisi.

MR. LUISI: Yes, I mean I haven't made the motion yet, I'm just trying to make sure that we get this right. We've got one chance to make it right. In thinking about, so if I had to weigh whether or now. If states were all over the quota, we go over by half a million pounds. There is a difference now of half a million pounds, and the state would have a higher quota than the federal quota by half a million pounds.

That's the situation that I think we're all trying not to have happen. For me and the state of Maryland, to maintain the federal quota at the state level, to keep us equal and even means that we can't rollover some small amount of spiny dogfish from a previous year. I would be inclined to say for our state that we would opt out of the rollover, to get it to be close. But if all the other states decide they're going to do the rollover anyway, then I'm going to jump onboard with that too. I think it's almost like we have to have that conversation first, to determine how impactful not rolling over the quota is to the other states, before we decide on what that total number is, so maybe we can have that conversation first before I throw myself on this motion.

CHAIR GEER: Nichola.

MS. NICHOLA MESERVE: I think that given the current landings in the northern region, which is 58 percent of the quota, and we're projecting to be very well below that. Like I'm not concerned about the disparity that exists from the rollover. When we talk about in the northern region.

Rolling over that quota would maybe just allow us to transfer a little bit more to southern states earlier on, without worrying about bumping up against our quota if there were some late season landings. I think based on current quota utilization, the fear of the disparity from rollover doesn't really exist.

CHAIR GEER: Eric.

MR. REID: I'll be brief. I agree with them and Ms. Meserve. It's really about the fisheries performance. We are under performing now, so I think the risk is not all that great, to be honest with you.

CHAIR GEER: New Jersey and New York, since you did not state that you were going to rollover, is that still your stand, New York? That was New Jersey and New York. What other states? I think Virginia was probably going to potentially consider it. A thumbs up, Marty, does not constitute a yes.

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MR. MARTIN GARY: Yes.

CHAIR GEER: Thank you, Marty. Any other states, Connecticut?

MR. HYATT: We're in the region with the northern states, go along with them.

CHAIR GEER: Some of the states are definitely considering it, Mike.

MR. LUISI: That's great, there is no reason to make this a big issue. If we're going to make a motion here, I want to make sure that I'm getting the advice from you, Mr. Chairman and staff that the number is the number. Whatever number needs to be up there to account for the rollover. I can't do any math or anything in my head right now, and I've given my staff the last ten minutes to let me know if I'm going down a really bad path, and that hasn't happened.

CHAIR GEER: I'm doing the same thing.

MR. LUISI: I'm inclined to keep things moving forward, but is this the right number that we need to do here for today.

MR. BOYLE: This is the federal quota.

MR. LUISI: Okay, then I would **move to amend the spiny dogfish commercial quota to 10,249,260 pounds for the 2024/2025 fishing year.**

CHAIR GEER: Do I have a second to the motion? Let's go with Nichola. Is there any discussion on this motion? Any other questions? This takes a two-thirds vote, correct? Let me read the motion in. **Move to amend the spiny dogfish commercial quota to 10,249,260 pounds for the 2024/2025 fishing year.** Motion by Mr. Luisi, seconded by Ms. Meserve.

This requires a two-thirds vote. Is there anyone in opposition to this motion? Hearing none; **the motion is accepted.**

ADJOURNMENT

CHAIR GEER: Is there anything else on the agenda? Anything else anybody wants to bring up? I'm not hearing anything, do we have a motion, anything else? Doug.

MR. DOUGLAS E. GROUT: Motion to adjourn.

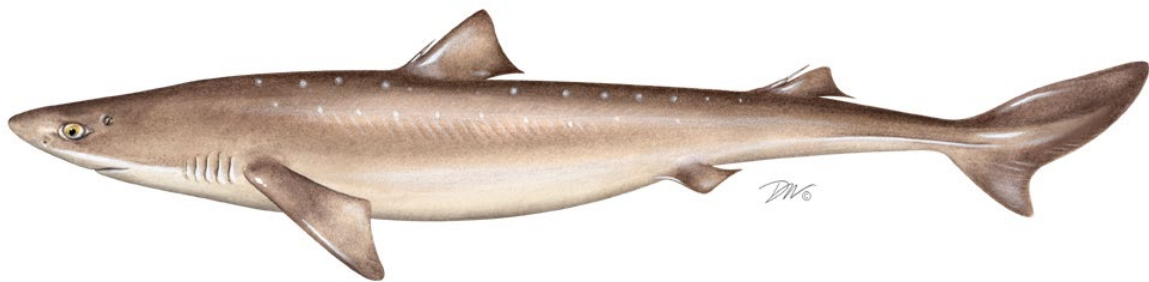
CHAIR GEER: Motion to adjourn.

(Whereupon the meeting adjourned at 9:30 a.m. on October 24, 2024)

Atlantic States Marine Fisheries Commission

DRAFT ADDENDUM VII TO THE SPINY DOGFISH INTERSTATE FISHERY MANAGEMENT PLAN FOR PUBLIC COMMENT

Commercial Management: Atlantic Sturgeon Bycatch



October 2024



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

Draft Document for Public Comment

Atlantic States Marine Fisheries Commission Seeks Your Input on Spiny Dogfish Management

The public is encouraged to submit comments regarding this document during the public comment period. Comments will be accepted until **11:59 p.m. EST on January 3, 2024**. 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 [Spiny Dogfish Board](#) or [Spiny Dogfish 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, VA 22201
Fax: (703) 842-0741
comments@asmfc.org (subject line: Spiny Dogfish Draft Addendum VII)

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

Commission’s Process and Timeline	
August 2024	Spiny Dogfish Board Tasks Staff to Develop Draft Addendum VII
August – October 2024	Staff Develops Draft Addendum VII for Board Review
October 2024	Spiny Dogfish Board Reviews Draft Addendum VII and Considers Its Approval for Public Comment
November 2024 – January 2025	Board Solicits Public Comment and States Conduct Public Hearings
February 2025	Board Reviews Public Comment, Selects Management Options and Considers Final Approval of Addendum VII
TBD	Provisions of Addendum VII are Implemented

Draft Document for Public Comment

1. INTRODUCTION

The Atlantic States Marine Fisheries Commission (ASMFC) is responsible for managing spiny dogfish (*Squalus acanthias*) 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 2003. The states of Maine through North Carolina have a declared interest in the fishery and are responsible for implementing management measures consistent with the interstate FMP.

Spiny dogfish is managed in federal waters (3–200 miles from shore) through a joint FMP of the Mid-Atlantic Fishery Management Council (MAFMC) and the New England Fishery Management Council (NEFMC), with the MAFMC taking the lead for federal management. These two councils make recommendations on management to the National Oceanographic and Atmospheric Administration’s National Marine Fisheries Service (NOAA Fisheries), which is responsible for implementing management based on the input from the two councils and per the requirements of the Magnuson-Stevens Fishery Conservation and Management Act.

At its August 2024 meeting, ASMFC’s Spiny Dogfish Management Board approved the following motion:

Move to initiate an addendum to maintain consistency between the Spiny Dogfish FMP and the recommended alternatives of Spiny Dogfish Framework Adjustment 6.

As a result, the Addendum proposes options to establish equivalent overnight soak restrictions proposed in Spiny Dogfish Framework Adjustment 6 for harvesters that possess state spiny dogfish permits but do not possess a federal spiny dogfish permit.

2. OVERVIEW

2.1 Statement of the Problem

In August 2024, NOAA Fisheries published a proposed rule (*Federal Register* notice [89 FR 65576; August 12, 2024](#)) to approve and implement Spiny Dogfish Framework Adjustment 6, as recommended by the MAFMC and NEFMC. If approved, the rule would implement area-based gear requirements in the spiny dogfish gillnet fishery to reduce bycatch of Atlantic sturgeon for harvesters that possess a federal spiny dogfish permit. However, harvesters that do not possess a federal spiny dogfish permit and only fish in states waters would not be captured by the action. Because the specific areas proposed for additional management span state and federal waters, action is needed to implement corresponding measures for state-only permit holders to maintain consistency between the federal and interstate FMPs.

2.2 Background

2.2.1 Spiny Dogfish Framework Adjustment 6

The coastwide Atlantic sturgeon population is made up of five distinct population segments, all of which are listed as threatened or endangered under the Endangered Species Act (ESA).

Draft Document for Public Comment

Section 9 of the ESA prohibits the take, including incidental, of endangered species, which is defined as “to harass, harm, pursue, hunt, shoot, capture, or collect, or to attempt to engage in any such conduct.” However, exceptions may be granted to incidental take through an Incidental Take Statement (ITS) or an incidental take permit. An ITS provides the maximum permissible level of incidental take, reasonable and prudent measures to reduce takes, and other terms and conditions, all of which are required to maintain compliance with the ESA.

In response to a Biological Opinion from May 2021 that found potential adverse effects on Atlantic sturgeon through the authorization of several FMPs, including spiny dogfish, NOAA Fisheries developed an Action Plan with recommendations to reduce Atlantic sturgeon bycatch in federal large-mesh gillnet fisheries by 2024. The Councils used the Action Plan recommendations to develop Spiny Dogfish Framework Adjustment 6, which recommended prohibiting overnight gillnet soaks within certain spatial and temporal hotspots of sturgeon bycatch.

The hotspots were determined through observer bycatch data from 2017-2019 and 2021-2022, excluding 2020 due to low observer coverage. Three areas were identified to have the greatest incidence of interactions: one off of the coast of New Jersey (Figure 1) and two off the coasts of Delaware, Maryland and Virginia (Figure 2).

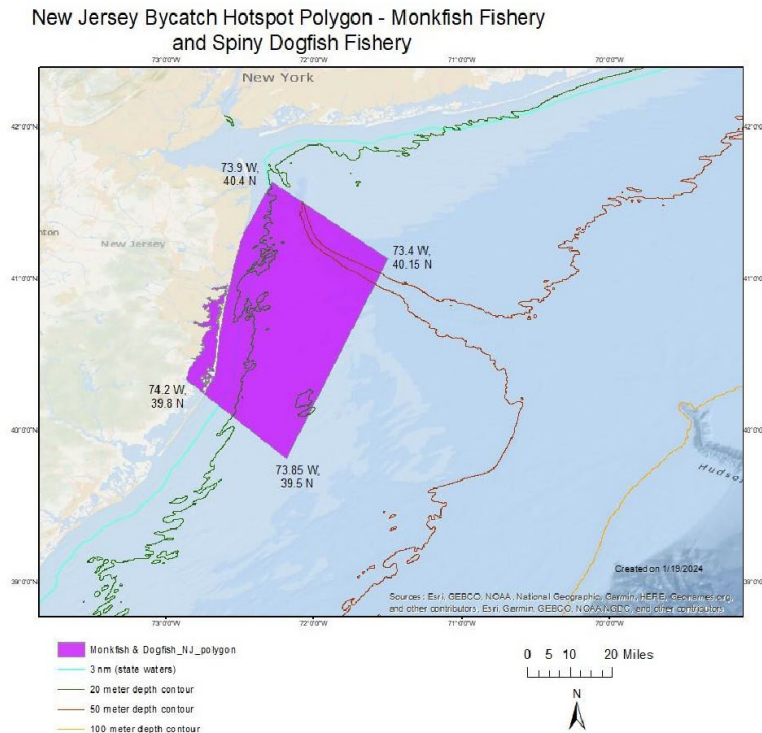


Figure 1. New Jersey Atlantic Sturgeon Bycatch Reduction Area from Spiny Dogfish Framework Adjustment 6.

Draft Document for Public Comment

Delaware, Maryland, Virginia Bycatch Hotspot Polygons -
Spiny Dogfish Fishery Only

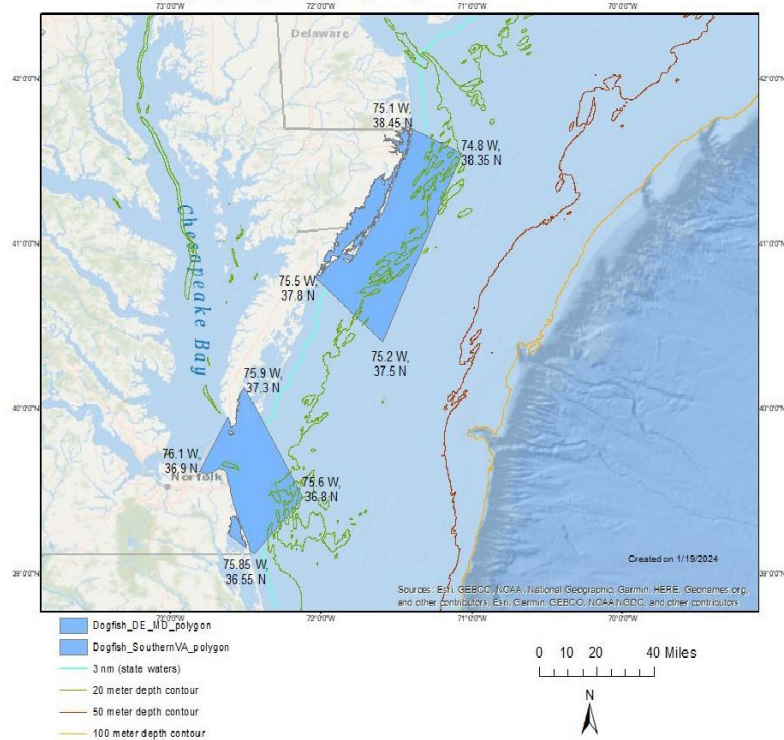


Figure 2. Delaware, Maryland, and Virginia Atlantic Sturgeon Bycatch Reduction Areas from Spiny Dogfish Framework Adjustment 6.

The New Jersey, Delaware and Maryland, and Virginia Atlantic Sturgeon Bycatch Reduction Areas would be delineated as all waters bounded by straight lines connecting the following coordinates in the order stated:

New Jersey Atlantic Sturgeon Bycatch Reduction Area	40°24'N, 73°54' W
	40°9'N, 73°24' W
	39°30'N, 73°51' W
	39°48'N, 74°12' W
	40°24'N, 73°54' W
Delaware and Maryland Atlantic Sturgeon Bycatch Reduction Area	38°27'N, 75°60' W
	38°21'N, 74°48' W
	37°30'N, 75°12' W
	37°48'N, 75°30' W
	38°27'N, 75°60' W
Virginia Atlantic Sturgeon Bycatch Reduction Area	37°18'N, 75°54' W
	36°48'N, 75°36' W
	36°33'N, 75°51' W
	36°54'N, 76°6' W
	37°18'N, 75°54' W

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Note that the Delaware and Maryland Atlantic Sturgeon Bycatch Reduction Area does not overlap with Delaware state waters.

New Jersey Atlantic Sturgeon Bycatch Reduction Area

Within the New Jersey Atlantic Sturgeon Bycatch Reduction Area, the NOAA Fisheries' proposed rule would require federally permitted spiny dogfish vessels using roundfish gillnets (i.e., not tie-down gillnets) with a mesh size between 5 and 10 inches (12.7 to 25.4 cm) to remove nets from the water by 8:00 p.m. Eastern Time (ET) each day until 5:00 a.m. ET the following day from May 1 through May 31 and November 1 through November 30 of each year.

Delaware, Maryland, and Virginia Atlantic Sturgeon Bycatch Reduction Areas

Within the Delaware and Maryland and the Virginia Atlantic Sturgeon Bycatch Reduction Areas, the NOAA Fisheries' proposed rule would require federally permitted spiny dogfish vessels using roundfish gillnets (i.e., not tie-down gillnets) with a mesh size between 5.25 and 10 inches (13.34 to 25.4 cm) would need to remove nets from the water by 8:00 p.m. ET each day until 5:00 a.m. ET the following day from November 1 through March 31 each year.

The proposed rule notes that implementation will occur 30 days after publication of the Final Rule, and the 2021 Biological Opinion requires bycatch reduction measures to be implemented before 2025.

2.2.2 State Permitting Approaches for Spiny Dogfish

Unlike federal management, states each use different permitting structures and some do not issue species-specific permits for spiny dogfish. Table 1 provides a summary of the permitting structures for New Jersey, Maryland, and Virginia. While New Jersey does not issue permits for spiny dogfish, the state does require a person or vessel to possess a federal spiny dogfish permit to possess spiny dogfish for sale, sell, or attempt to sell spiny dogfish (N.J.A.C. 7:25-18.12(g)1).

Table 1. Summary of permitting structure for affected states.

State	Permits that May Land Spiny Dogfish	Number of Permittees that use Gillnets	Other Gillnet Species in Permit
NJ	Gillnet	585	Shark, Large Skate, Smooth Dogfish, Bluefish
MD	Finfish (1,000 lb trip limit)	Unknown	Bluefish
	Striped Bass (2,500 lb trip limit)	52	Striped Bass
	Spiny Dogfish (10,000 lb trip limit)	25	N/A
VA	Spiny Dogfish	75	N/A

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3. PROPOSED MANAGEMENT PROGRAM

Consider Sturgeon Bycatch Reduction Measures

Option 1: Status Quo

All gillnet harvesters of spiny dogfish that do not possess a federal spiny dogfish permit and only harvest in state waters may continue to soak nets overnight in the state waters portion of the bycatch reduction areas.

Option 2: Prohibit Overnight Soaks for Specified Times and Areas for State Spiny Dogfish Permits

Under this option, states would take action to apply complementary measures to holders of species-specific Spiny Dogfish Permits, where applicable. This option is consistent with Framework Adjustment 6 in that it applies new measures according to permit held; however, because of differences in how states permit their harvesters, there will be some allowances for spiny dogfish to be harvested in the state waters portion of the bycatch reduction areas that is inconsistent with the federal rules, as identified herein.

New Jersey Atlantic Sturgeon Bycatch Reduction Area

New Jersey would not have to take action because it does not have a species-specific permit for spiny dogfish. However, due to New Jersey's permitting rules, any person or vessel selling spiny dogfish in the state would have to have a federal permit and follow the regulations in the bycatch reduction area, including state waters of the area.¹

Delaware, Maryland, and Virginia Atlantic Sturgeon Bycatch Reduction Areas

Harvesters that possess a Maryland Spiny Dogfish Permit or Virginia Spiny Dogfish Permit using roundfish gillnets (i.e., not tie-down gillnets) with a mesh size between 5.25 and 10 inches (13.34 to 25.4 cm) would be required to remove nets from the water by 8:00 p.m. ET each day until 5:00 a.m. ET the following day from November 1 through March 31 each year within the state waters portion of the Delaware and Maryland and the Virginia Sturgeon Bycatch Reduction Areas. No action would be required by Delaware because the bycatch reduction area does not overlap with its state waters. Note that Maryland allows the commercial harvest of spiny dogfish with reduced trip limits by holders of their Striped Bass Permit and Finfish Permit. Under this option, those permit holders would not be subject to the provisions of the bycatch reduction areas without also possessing a Spiny Dogfish Permit.

¹ "A person or vessel shall not possess for sale any spiny dogfish nor shall a person sell or attempt to sell spiny dogfish without a valid annual vessel permit for spiny dogfish issued by the National Marine Fisheries Service" (N.J.A.C. 7:25-18.12(g)1.).

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Option 3: Prohibit Spiny Dogfish Harvest via Overnight Soaks for Specified Times and Areas

Note: This option was not reviewed by the full Spiny Dogfish Plan Development Team.

Under this option, states would take action to apply complementary measures to all spiny dogfish harvested from the bycatch reduction times/areas by the specified gillnet mesh sizes, regardless of the permit possessed by the harvester. This option is distinct from Option 2 in that it would not result in any allowances for spiny dogfish to be harvested in the state waters portion of the bycatch reduction areas that is inconsistent with the federal rules. However, enforcement will be more challenging under this option due to the need to identify when and where individual spiny dogfish were caught.

New Jersey Atlantic Sturgeon Bycatch Reduction Area

It would be prohibited to harvest or possess spiny dogfish caught using roundfish gillnets (i.e., not tie-down gillnets) with a mesh size between 5 and 10 inches (12.7 to 25.4 cm) that were left in the water for any portion of the time period between 8:00 p.m. ET each day and 5:00 a.m. ET the following day from May 1 through May 31 and November 1 through November 30 of each year within the New Jersey Atlantic Sturgeon Bycatch Reduction Area.

Delaware, Maryland, and Virginia Atlantic Sturgeon Bycatch Reduction Areas

It would be prohibited to harvest or possess spiny dogfish caught using roundfish gillnets (i.e., not tie-down gillnets) with a mesh size between 5.25 and 10 inches (13.34 to 25.4 cm) that were left in the water for any portion of the time period between 8:00 p.m. ET each day and 5:00 a.m. ET the following day from November 1 through March 31 each year within the Delaware and Maryland and the Virginia Atlantic Sturgeon Bycatch Reduction Areas. No action would be required by Delaware because the bycatch reduction area does not overlap with its state waters.

4. COMPLIANCE SCHEDULE

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

Draft Document for Public Comment

5. LITERATURE CITED

Atlantic States Marine Fisheries Commission (ASMFC). 2002. Interstate Fishery Management Plan for Spiny Dogfish. 107p.

Fisheries of the Northeastern United States; Framework Adjustment 15 to the Monkfish Fishery Management Plan; Framework Adjustment 6 to the Spiny Dogfish Fishery Management Plan, 89 FR 65576 (August 12, 2024).

Mid-Atlantic Fishery Management Council (MAFMC) and New England Fishery Management Council (NEFMC). 2024. Joint Framework Action to Reduce Sturgeon Bycatch in Monkfish and Spiny Dogfish Fisheries. 209 pp.

Mid-Atlantic Fishery Management Council (MAFMC) and New England Fishery Management Council (NEFMC). 1999. Spiny Dogfish Fishery Management Plan. NOAA Award No. NA57 FC0002. 292 pp.



Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: Spiny Dogfish Management Board

FROM: James Boyle, FMP Coordinator

DATE: January 21, 2025

SUBJECT: Public Comment Summary on Addendum VII

The following is an overview of all comments received by ASMFC on Addendum VII to the Spiny Dogfish Fishery Management Plan as of January 3, 2025 (closing deadline).

No written comments were received regarding Draft Addendum VII. Three public hearings were held from December 11-December 18, 2025, all via webinar. Four individuals attended one of the hearings; the other two hearings did not have any public attendees.

The following summary of the Maryland and Virginia hearing serves as a summary of all of the public comments received.

Spiny Dogfish Addendum VII Public Hearings

Maryland and Virginia Hearing

December 18, 2024

4 Public Participants

Staff: James Boyle (ASMFC), Tracey Bauer (ASMFC), Pat Geer (VA Commissioner Proxy)

Hearing Overview

- All commenters were in favor of Option 1: Status Quo and/or decreasing the range of mesh sizes included in the overnight soak prohibition within the Virginia bycatch reduction area to 5.5"-10" from 5.25"-10".

Poll Results

- **Option 1: 3**
- **Option 2: 0**
- **Option 3: 0**

Public Comment Summary

Tyler Rowe

- Supports Option 1: Status Quo
- Concerned that prohibiting overnight soaks for 5.25" mesh would be detrimental to commercial fishers and that continued reductions are putting the fishery at risk.

Todd Janeski

- Concerned about the impact to commercial fishers who need to change nets to under the 5.25" mesh to continue overnight soaks.
- Spoke to industry members who prefer Option 1: Status Quo

Mark Sandford

- Would prefer the minimum mesh size that is prohibited to soak overnight be 5.5" rather than 5.25".

Mid-Atlantic Fishery Management Council

December 2024 Council Meeting
December 10-12, 2024
Annapolis, MD

MOTIONS

December 10, 2024

Black Sea Bass 2025 Recreational Management Measures

Move to adopt conservation equivalency for 2025 recreational black sea bass management with status quo measures. Status quo non-preferred coastwide measures are: 15 inch minimum size, 5 fish possession limit, and May 15 – September 8 open season. Status quo precautionary default measures are: 16 inch minimum size, 2 fish possession limit, and June 1 – August 31 open season.

Council: Luisi/Grist (18/2/0)

Board: Luisi/Grist (9/1/1/0)

Motion carries

Recreational Sector Separation and Catch Accounting Amendment

Move to approve the draft scoping document/public information document as modified today for public comment in early 2025.

Board: Hasbrouck/Reid (motion carries by consent)

Council: Luisi/Beckwith (motion carries by consent)

Motion carries

Spiny Dogfish 2025 Specifications

The Council recommends that fishing year 2025 OFL=ABC for spiny dogfish at 7,626 metric tons, and follow Table 2 from the November 27, 2024 MAFMC Staff Memo for all other specifications

Gwin/Grist

Motion carries (18/1/0)

December 11, 2024

Atlantic Surfclam and Ocean Quahog Species Separation Requirements Amendment

Move to select Revised Alternative 5, as described in the staff memo (Increased Observer Coverage and Self-reported Discards; Mixed Trips Sort at Dealer with NOAA Authorized Catch Monitors) as the preferred alternative.

Hughes/Cimino

Motion carries by consent



Mid-Atlantic Fishery Management Council

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P. Weston Townsend, Chairman | Michael P. Luisi, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: November 27, 2024
To: Dr. Chris Moore
From: Jason Didden, staff
Subject: Spiny Dogfish Specifications – Staff Recommendation

Per the Mid-Atlantic Fishery Management Council's (Council) request, during a November 20, 2024 meeting, the Council's Scientific and Statistical Committee (SSC) confirmed that an Acceptable Biological Catch (ABC) with a 50% chance of overfishing would result from setting the ABC equal to the overfishing level (OFL) catch. An assessment-generated OFL catch estimate generally has a 50% chance of leading to some degree of overfishing (and a 50% chance of resulting in a fishing mortality rate below overfishing). For spiny dogfish in 2025, the OFL = 7,626 metric tons (MT).

However, the SSC also reported that the previously provided ABCs (7,031 MT for 2025 based on a single year or 7,230 MT if kept constant for 2025 and 2026) were based on the Council's P* risk policy and represent the best scientific information available. The SSC highlighted that simulation studies (e.g. Wilberg et al 2015) conducted for the Council demonstrated that fishing at the OFL with no buffer for scientific uncertainty performs poorly with respect to risk of overfishing, and is likely inconsistent with National Standard 1.

In resolving the dilemma presented by the above SSC meeting outcome, staff also considered several issues related to Magnuson-Stevens Act (MSA) provisions and the spiny dogfish assessment/projections:

MSA Provisions:

1. The Magnuson-Stevens Act (MSA) states that the term "optimum", with respect to the yield from a fishery, means the amount of fish which—
 - (A) will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities, and taking into account the protection of marine ecosystems;
 - (B) is prescribed as such on the basis of the maximum sustainable yield from the fishery, as reduced by any relevant economic, social, or ecological factor;
2. The MSA states that "overfishing" and "overfished" mean a rate or level of fishing mortality that jeopardizes the capacity of a fishery to produce the maximum sustainable yield on a continuing basis.

3. National Standard 1 of the MSA states: (1) Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield.
4. National Standard 2 of the MSA states: Conservation and management measures shall be based upon the best scientific information available.
5. The MSA instructs the SSC shall provide its Council ongoing scientific advice for...decisions, including recommendations for ABC, preventing overfishing, ...
6. The MSA instructs that fishery management plans shall establish a mechanism for specifying annual catch limits...at a level such that overfishing does not occur...
7. The MSA instructs Councils to develop annual catch limits for each of its managed fisheries that may not exceed the fishing level recommendations of its SSC...

Spiny Dogfish Assessment/Projections and Prior Simulation Studies:

1. The 2023 spiny dogfish assessment estimated the stock to be approximately at its target in 2022 and, while projections are inherently uncertain, projected an increase to 113% of its target by 2026 even fishing at the OFL. The increase is primarily due to a period of improved recruitment during several years both before and after 2012, which creates an atypical and counterintuitive trend of a stock increasing above and beyond its target biomass even if fishing occurs at the OFL.
2. Lower recent growth and productivity have decreased the recent/current biomass target and sustainable yield estimates for spiny dogfish. In retrospect for example, we now think that the commercial quota in 2016 was set several times too high given our current understanding of what productivity was at that time. Growth and productivity are uncertain and related research is underway. If assessments of growth and productivity change, the target biomass will change in the next assessment (2027), which would also affect catch projections.
3. The approximately 1,900 MT of additional estimated/projected catches from 2022-2025 beyond the 2023 assessment's projected OFLs had a negligible impact on the biomass projections (biomass still projected to have increased to 113% of its target in 2026). These additional catches were mostly from higher-than-expected discards. The increasing projected biomass despite exceeding the OFLs¹ is largely due to: the period of better recruitment noted above, the mixed male/female nature of catches (male catch doesn't affect the biomass much), and the still large (if reduced and relatively unproductive) current total biomass of spiny dogfish - total female biomass of 321,000 MT and total male biomass of 407,000 MT in 2022.
4. The prior simulation studies noted by the SSC indicating OFL catches lead to failure to avoid overfishing did not consider short-term OFL-sized catches restricted to only when a stock was at or above its target (like spiny dogfish is estimated to be currently).
5. A higher ABC in 2025 will lead to a higher catch assumption for 2025 when 2026/2027 projections are run in 2025. A higher 2025 catch assumption will slightly

¹ Since MSA defines overfishing as a rate that "jeopardizes the capacity of a fishery to produce the maximum sustainable yield on a continuing basis" it's not clear to staff that overfishing as defined in the MSA could ever occur while a stock is at the same time increasing further above its target, but this is a bigger question beyond the scope of the current decision.

reduce ABCs for 2026/2027. Alternatively, a lower 2025 catch assumption will lead to slightly higher ABCs for 2026/2027.

Staff Recommendation

Given the above considerations, staff recommends splitting the difference between the previous P* based averaged 2025 ABC of 7,230 MT and the OFL of 7,626 MT: i.e. **an ABC of 7,428 MT**. This ABC would provide some additional quota while preserving a small degree of scientific uncertainty buffer and is more consistent with the Council’s risk policy with a maximum probability of overfishing of 49%. Considering the effects of recent catch adjustments on the estimated and/or projected biomasses, the effect of this change on stock biomass should be likewise negligible. Also, setting a slightly lower ABC in 2025 will likely marginally increase the projected ABCs for 2026/2027 (because stock size will be projected slightly higher).

Staff also recommends utilizing the discard approach previously recommended by the Spiny Dogfish Committee in September 2024, of setting aside the midpoint of:

- 1) the 2019-2023 average of fishing year discards: 3,699 MT, and
- 2) applying the 2022 discard ratio (37.4% - assessment terminal year updated) to the U.S. ABC: 2,777 MT.

This midpoint gives a discard set aside for 2025 of 3,238 MT. These values allow deriving a commercial quota of 9.0 million pounds per Table 1 below, slightly higher than the 8.6 million pounds of landings in the 2023 fishing year. For reference, Table 2 on the next page provides the 2025 specifications if the ABC was set at the OFL (and also using the same midpoint discard approach).

Table 1. Staff Recommended 2025 Spiny Dogfish Specifications

Specifications	2025 (pounds)	2025 (mt)	Basis
OFL (from SSC)	16,812,432	7,626	SS3 Assessment/Projection
ABC (from SSC)	16,375,917	7,428	Staff Recommendation
Canadian Landings	8,818	4	2020-2022 Average
Domestic ABC	16,367,099	7,424	= ABC – Canadian Landings
ACL	16,367,099	7,424	= Domestic ABC
Mgmt Uncert Buffer	0.0%	0.0%	May depend on other set-asides
Amount of buffer	0	0	
ACT	16,367,099	7,424	= ACL - mgmt uncert buffer
U.S. Discards	7,138,560	3,238	Committee Mid-Point Approach
TAL	9,228,539	4,186	ACT – Discards
U.S. Rec Landings	244,713	111	19-23 avg
Comm Quota	8,983,827	4,075	TAL – Rec Landings

Table 2. 2025 Spiny Dogfish Specifications if ABC = OFL

Specifications	2025 (pounds)	2025 (mt)	Basis
OFL (from SSC)	16,812,432	7,626	SS3 Assessment/Projection
ABC (from SSC)	16,812,432	7,626	OFL
Canadian Landings	8,818	4	2020-2022 Average
Domestic ABC	16,803,614	7,622	= ABC – Canadian Landings
ACL	16,803,614	7,622	= Domestic ABC
Mgmt Uncert Buffer	0.0%	0.0%	May depend on other set-asides
Amount of buffer	0	0	
ACT	16,803,614	7,622	= ACL - mgmt uncert buffer
U.S. Discards	7,220,131	3,275	Committee Mid-Point Approach
TAL	9,583,483	4,347	ACT – Discards
U.S. Rec Landings	244,713	111	19-23 avg
Comm Quota	9,338,770	4,236	TAL – Rec Landings

The following documents are included to support Council action on this item:

SSC Report – Nov 2024: Regarding ABC=OFL Council motion – see Committee Reports

Council Staff Memo for Nov 2024 SSC Meeting

Spiny Dogfish Committee Sept 2024 Meeting Summary (with Committee recommendations)

Spiny Dogfish Monitoring Committee Sept 2024 Meeting Summary

2024 Staff Spiny Dogfish ABC recommendation memo to the SSC

2024 Spiny Dogfish Advisory Panel Fishery Performance Report

2024 Spiny Dogfish Fishery Information Document

Submitted Comments (including recent comments submitted for New England Fishery Management Council (NEFMC) meeting)

The September 2024 SSC meeting report detailing their risk-policy informed ABC recommendations (referenced in several of the above documents) may be found in the Council’s October 2024 briefing materials: <https://www.mafmc.org/s/1-Final-Report-of-SSC-for-Sept-2024.pdf>. The NEFMC will adopt 2025 spiny dogfish specifications on [December 4, 2024](#) and their outcome will be posted as supplemental material [here](#) as soon as possible.



Mid-Atlantic Fishery Management Council

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P. Weston Townsend, Chairman | Michael P. Luisi, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: November 13, 2024
To: Scientific and Statistical Committee (SSC)
From: Jason Didden
Subject: Dogfish Acceptable Biological Catch (ABC)

The Council’s SSC will review the previously set and previously revised 2025 Acceptable Biological Catch (ABC) limit for spiny dogfish based on the following motion from the Council:

I move that the Council suspend the risk policy used to set the 2025 Spiny Dogfish specifications and task the SSC to calculate the $ABC=OFL^1$ using a 50% probability of overfishing. (Motion carried by unanimous consent.)

This motion of the Council resulted from the following sequence of events:

-In 2023 the Council set 2024-2026 spiny dogfish specifications including a 2025 ABC of 7,312 metric tons (MT) and a 2026 ABC of 7,473 MT.

-In September 2024, in response to updated projections using higher revised and/or updated catch information, the SSC lowered its 2025-2026 ABC recommendations in line with the Council’s risk policy (targets a 46% chance of overfishing for a stock just above its biomass target like spiny dogfish):

- Time-varying ABCs of 7,031 MT in 2025 and 7,446 MT in 2026, and
- A constant ABC of 7,230 MT for both years.

-To mitigate negative socioeconomic impacts, in October 2024 the Council voted to suspend its risk policy and instead request a 2025 ABC set at the OFL per the best scientific information available. This would be the catch at which there is a 50% chance of fishing mortality being above the overfishing threshold and a 50% chance of fishing mortality being below the overfishing threshold.

The NEFSC previously produced projections that identified the 2025 OFL catch level: 7,626 MT ([posted on the September 2024 meeting page](#)). Setting the 2025 $ABC=OFL$ would result in an increase of 595 MT from the time varying approach and a 396 MT increase associated with the constant ABC approach.

¹ OFL = Over-fishing Level

Updated 2026-2027 projections utilizing the final 2025 specifications will be run later in 2025 and presented to the SSC so that revised 2026 and new 2027 specifications can be set. The next Management Track assessment is scheduled for 2027 to inform 2028-2031 specifications (a four-year cycle).



Spiny Dogfish Committee Meeting Summary

September 19, 2024 - Webinar

Overview: The Joint¹ Spiny Dogfish Committee met on September 19, 2024 and developed recommendations for 2025 spiny dogfish specifications, detailed below under “Committee Specifications Motion/Recommendation Summary.” The regulations guiding these recommendations are detailed in 50 CFR 648.230-232, but generally involve ensuring that the Annual Catch Limit (ACL) is unlikely to be exceeded (ACL overages trigger pound-for-pound paybacks from a subsequent year). The MAFMC and NEFMC will meet in the coming months to consider the Committee’s recommendations. While the Councils set 2024-2026 specifications last year, new catch data and new projections led to this revisiting of 2025 specifications.

Committee Member Attendees: Sonny Gwin (Chair), Nichola Meserve (Vice-Chair), Dan Farnham, Skip Feller, Daniel Salerno, Michael Luisi (ex-officio), Joe Grist, Wes Townsend (ex-officio), Chris Batsavage, Jay Hermsen (NMFS), Rick Bellavance, Anna Beckwith, and Toni Kerns (ASMFC).

Other Attendees: Jason Didden, Aubrey Church, James Boyle, John Whiteside, Megan Ware, Pierre Juillard, Didden2, Bill Lucey, Chris Rainone, Corrin Flora, Dan McKiernan, David McCarron, Jameson Gregg, Jared Auerbach, Jason Boucher, Jerry Leeman, Laura Deighan, Sara Turner, Scott Curatolo-Wagemann, Sefatia Romeo Theken, Ted Platz, and Todd Janeski. Two attendees were only via phone numbers.

Background Discussion Summary

Jason Didden of MAFMC staff first provided an overview of: the spiny dogfish assessment; the Scientific and Statistical Committee’s (SSC) Acceptable Biological Catch (ABC) recommendations; the Advisory Panel’s (AP) Fishery Performance Report; and the Monitoring Committee’s recommendations. Several clarifying discussions preceded Committee deliberations including:

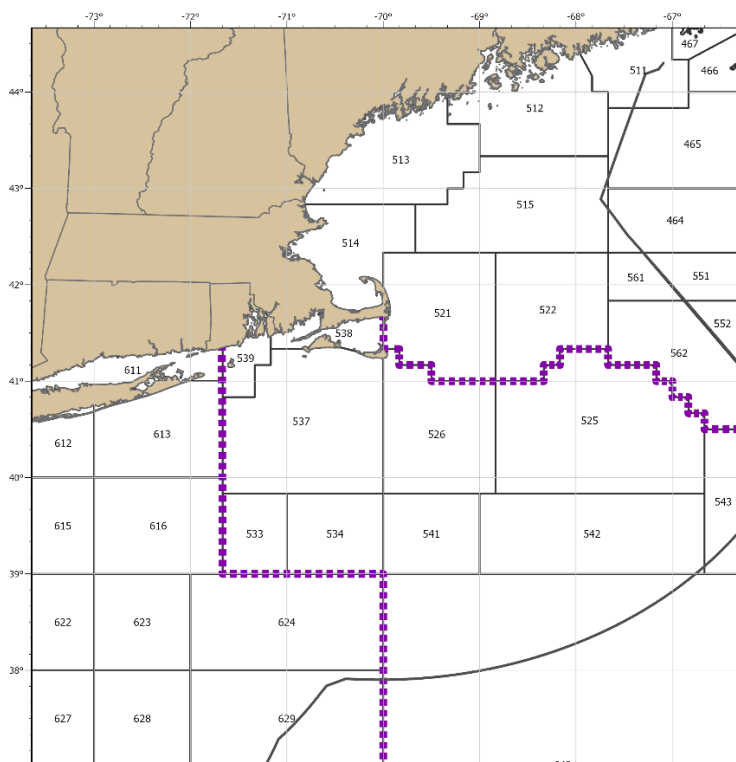
- Canadian and other survey information was evaluated but not included in the final assessment model, which uses the NMFS spring bottom trawl as an abundance index.

- The lower quotas compared to recent years are largely a result of the assessment estimating reduced productivity even though total biomass was about 728,000 MT (1.6 billion pounds) in 2022. Follow-up with NMFS Northeast Fisheries Science Center (NEFSC) staff indicated that the lower productivity is primarily tied to having fewer larger (e.g. 90cm+) females – that used to contribute more to higher stock yield and higher pup production.

¹ The federal spiny dogfish fishery is managed with a joint plan by the Mid-Atlantic Fishery Management Council (MAFMC, lead) and the New England Fishery Management Council (NEFMC).

-Lower landings by themselves do not lead the assessment model to conclude that there are fewer spiny dogfish. The model integrates survey trends, catches, and critically, the size composition of catches. The erosion of portside sampling, while mitigated by use of observer data and recent supplemental Council funding, will increase uncertainty by decreasing the accuracy of information about the size of landed catch – no long-term solution has been identified to staff on this sampling issue.

-The 2022 discard revision was mostly a result of the CAMS (NMFS’ new Catch Accounting and Monitoring System) transition and a computer coding error of assumed discard mortality rates (which are themselves uncertain and based on variety of shark research). CAMS estimates will also vary for at least six months as the underlying data are updated (state data can arrive especially late). The 2023 overage is primarily a result of just high discard estimates, not a revision. Staff requested recent CAMS discard information by area and gear type from NMFS staff so that recent trends can be examined. The three area bins staff requested are noted in the figure below and labeled north to south as Gulf of Maine, S. New England, and Mid-Atlantic (those labels may not match other usages of those terms but seemed useful for this task).



CAMS mesh categories are defined as large ≥ 4.00 inches, small < 4.00 inches; additionally, mesh ≥ 8.0 inches is classified as XL for gillnets. In the table below, all gillnets were combined give their relatively small amounts. “Other” contains a variety of gears given their small amounts. Most of the “Trawl – L and other” is large mesh but combined for data confidentiality concerns. Overall, trawls with mesh of 4+ inches across all

areas account for most dead spiny dogfish discards. Two big jumps in 2023 dead discards are highlighted in Table 1 below.

Table 1. Recent sources of dead commercial spiny dogfish discards.

Gulf of Maine						
Pounds Dead Discards						
Fyear		GILLNET	Other	TRAWL - L and other	TRAWL - S	Regional Total
2019		231,237	97,514	2,186,218	48,019	2,562,988
2020		122,518	7,625	1,533,632	58,508	1,722,283
2021		18,349	41,448	2,102,182	34,354	2,196,334
2022		202,108	36,226	1,904,577	39,714	2,182,625
2023		79,328	76,697	2,797,427	118,708	3,072,160
S. New England						
Pounds Dead Discards						
Fyear	DREDGE	GILLNET	other	TRAWL - L and other	TRAWL - S	Regional Total
2019	206,485	49,226	6,608	567,484	449,022	1,278,824
2020	4,299	19,447	2,193	346,922	513,594	886,456
2021	55,629	16,638	14,030	486,624	216,772	789,693
2022	50,503	27,862	1,144	599,225	115,165	793,899
2023	78,912	19,793	2,474	1,300,125	371,545	1,772,849
Mid-Atlantic						
Pounds Dead Discards						
Fyear	DREDGE	GILLNET	Other	TRAWL - L and other	TRAWL - S	Regional Total
2019	158,649	229,018	24,090	1,339,695	515,829	2,267,281
2020	386,558	214,926	19,267	2,399,753	889,305	3,909,809
2021	50,106	189,206	47,217	823,729	324,532	1,434,790
2022	68,259	139,911	22,261	2,354,591	345,690	2,930,712
2023	127,248	69,430	41,916	2,730,179	332,019	3,300,792

Gear Name	Discard Mortality Ratio
LONGLINE, BOTTOM	0.10
DREDGE, SCALLOP,SEA	0.75
GILL NET, FIXED OR ANCHORED,SINK, OTHER/NK SPECIES	0.30
TRAWL,OTTER,BOTTOM,FISH	0.50

Summary of other General Public Comments Provided During Background Discussion

- Industry does not see downward trends in either abundance or size of fish in landings, and noted heavier fish at given lengths in recent years.
- Managers and/or the SSC should visit the docks to see the productivity we see. Just 1% of total biomass isn't a reasonable catch amount.
- This is history repeating itself just like in 1999 – we are once again begging you not to put us out of business unnecessarily due to uncertain data and extrapolations and yo-yo management on quotas and trip limits.
- Other factors like predation and environmental changes are likely far bigger effects than harvest, and environmental changes are not being sufficiently accounted for in the trawl survey data or catch size data.
- The discard issue needs to be higher priority – reducing discards and/or getting better information on discard mortality.

Committee Specifications Motion/Recommendation Summary

The Committee passed the following two motions regarding specifications (#2 on next page):

1. I move that the Committee recommend that the Councils adopt revised 2025 specs as shown in table below:

Specifications	2025 (pounds)	2025 (mt)	Basis
OFL (from SSC)	16,812,432	7,626	SS3 Assessment/Projection
ABC (from SSC)	15,939,403	7,230	SSC / Risk Policy (avg ABC)
Canadian Landings	8,818	4	2020-2022 Average
Domestic ABC	15,930,584	7,226	= ABC – Canadian Landings
ACL	15,930,584	7,226	= Domestic ABC
Mgmt Uncert Buffer	0.0%	0.0%	May depend on other set-asides
Amount of buffer	0	0	
ACT	15,930,584	7,226	= ACL - mgmt uncert buffer
U.S. Discards	7,056,989	3,201	Midpoint 2022 ratio and 5-yr avg
TAL	8,873,596	4,025	ACT – Discards
U.S. Rec Landings	244,713	111	19-23 avg
Comm Quota	8,628,883	3,914	TAL – Rec Landings

Meserve/Salerno 9/0/1

Rationale for the motion included:

-This amount of discard set-aside uses the mid-point of a 5-year average and the accepted model-utilized proportion of discards. Using the midpoint of multiple reasonable approaches is a common method to deal with uncertainty.

-Trawl effort is likely to be lower in upcoming years considering summer flounder quotas and groundfish quotas (especially southern New England groundfish). Council staff will investigate likely upcoming trends before Council meeting.

2. I Move to recommend that the Council request NOAA Fisheries to take emergency action to allow a higher quota through any possible approach given concerns related to national standard 8 of the Magnuson Stevens Act (MSA).

Meserve/Grist 8/0/2

Rationale for the motion included:

-We have very different and new unexpected circumstances given the 2022/2023 discard updates and the new approach to setting aside future discards, which create a very different new, reduced, and unexpected quota situation.

-The improved 2024 spring survey data point is also new information that can not be incorporated into the projections but is a new circumstance, potentially related to the higher recent discards.

Other business: Research priorities – it will be important to make sure that some of the current challenges being faced in this fishery make it into the updated Council research priorities.



Spiny Dogfish Monitoring Committee Meeting Summary

September 17, 2024 - Webinar

The Mid-Atlantic Fishery Management Council's (Council) Spiny Dogfish Monitoring Committee met on September 17, 2024 to develop recommendations for 2025-2026 specifications. The regulations guiding these recommendations are detailed in 50 CFR 648.230-232, but generally involve ensuring that the Annual Catch Limit (ACL) is unlikely to be exceeded – any ACL overages trigger pound-for-pound paybacks from a subsequent year.¹ A key theme (like previous years) was the tradeoff between maximizing the limited available quota versus avoiding ACL overages and paybacks that could be disruptive to future fishing years.

Monitoring Committee Attendees: Jason Didden, Angel Willey, Julia Livermore, Laura Deighan, David McCarron, Jason Boucher, John Whiteside, Nichola Meserve, and Chris Rainone.

Other Attendees: Sara Turner, Ted Platz, Anna Beckwith, Aubrey Church, Bill Mullis, Bob Blais, Chris Batsavage, Corrin Flora, Dvora Hart, Ed Mullis, Jeff Young, Jerry Leeman, and Pierre Juillard.

ABC and Assessment Discussion

Jason Didden began the meeting with a summary of the Council's Scientific and Statistical Committee's (SSC) Acceptable Biological Catches (ABCs) recommendation. The SSC provided ABCs for 2025/2026 of either: 7,230 metric tons (MT) for both years (an averaged approach) or 7,031 MT for 2025 and 7,446 MT for 2026. While the 2026 ABC is about the same as recommended last year, the 2025 ABC is 281 MT lower (0.62 million pounds).

The ABC reduction is primarily the result of re-running the terminal year of the assessment with a corrected (and 41% higher) 2022 discard estimate as well as the 2023 catch estimate being 21% higher than predicted (also because of higher discards). The higher catches reduce biomass slightly, which reduces the ABCs. In addition, NOAA set the 2024 ABC higher than was recommended by the Councils and the SSC, at 7,818 MT, so the effective reduction in ABC from 2024 to 2025 using the SSC's new averaged ABC would be 588 MT (1.3 million pounds). For this summary, the averaged ABC of 7,230 MT is used for working through examples, but if the varying annual ABCs are used, the resulting quota numbers would be slightly lower in 2025 and slightly higher in 2026 (the Council can use either approach).

¹ While so far appearing unlikely to affect landings in the 2024 fishing year ([given landings trends to date](#)), staff's calculations indicate that there was a 1.1 million pound ACL overage in the 2023 fishing year due to higher discards, and by early November NOAA will likely reduce the 2024 fishing year quota from 11.3 million pounds to about 10.2 million pounds as a result.

These ABCs result from the findings of the 2023 Management Track Stock Assessment, which was determined through peer review to constitute the best available scientific information, as well as the SSC’s application of the Council’s risk policy to have about a 46% chance of overfishing for a stock slightly above its target biomass (as spiny dogfish is estimated to be). The Council’s risk policy instructs the SSC to reduce the ABC from the overfishing level of catch (OFL – projected to be 7,626 MT in 2025), to account for scientific uncertainty and achieve the lower chance of overfishing. The Monitoring Committee discussed whether NOAA might be able to use its emergency rulemaking authority again to set the ABC at the full OFL – NOAA staff will review this question but generally the rationale for emergency action is that some unexpected circumstance has arisen that may take some time to address, so use of an emergency action is typically limited to one year for any particular recent/unforeseen event or recently discovered circumstance.

There were several questions from the public about the assessment at various times during the webinar, which are addressed here:

- The next assessment is scheduled for 2027. The 2027 assessment is unlikely to substantially change the trends up to 2022, but will provide information on whether our projections for after 2022 are realized. Projections are inherently more uncertain than estimates.
- Having discards be more than landings in 2023 isn’t logical? Staff noted that in 2023 landings decreased substantially and the discard estimate increased.
- How could we have been overfishing if we were not catching the quota? The assessment indicates that the productivity of the stock has declined and catch limits in recent years were too high. Staff noted that multiple data sources indicated status declines in the 2010s up to the terminal year of the assessment (2022) including the proportion of 90cm+ females in catches (in landings, discards, and surveys) and a decline in the size of females at maturity. The previous assessment used in the 2010s was also relatively simple, with extreme dependence on just the spring trawl survey.
- Increasing discards may be a sign of increasing biomass, but we’ve seen increasing male biomass already – the biomass and ABC issues are more related to mature females and their productivity.
- Where are most of the commercial discards coming from? Staff is following up with updated data, but staff’s understanding based on [Standardized Bycatch Reporting Methodology reports](#) is that most commercial discards come from trawl fisheries (mix of NE and Mid-Atlantic, large and small mesh). The assumed discard mortalities are uncertain and mostly based on review of various historical shark studies (see below).

Gear Name	Discard Mortality Ratio
LONGLINE, BOTTOM	0.10
DREDGE, SCALLOP,SEA	0.75
GILL NET, FIXED OR ANCHORED,SINK, OTHER/NK SPECIES	0.30
TRAWL,OTTER,BOTTOM,FISH	0.50
Recreational:	0.20

Several set-asides needed for calculating the commercial quota were straightforward. The Monitoring Committee recommended deducting 4 MT for Canadian landings and 111 MT for U.S. recreational landings, based on review of recent data (three-year average and five-year average, respectively).

Besides the lower ABCs, the set-aside for discards greatly affects the potential for reduced quotas. The approach used for the projection model last year mostly just applied the 2022 discard proportion of total catch forward with a small adjustment for biomass. After correcting for a 2022 discard estimation error, the discard ratio from 2022 is now 37.4%, which if applied directly to the new averaged ABC would mean setting aside 2,703 MT for discards. Staff noted several issues with this approach, despite it being deemed to constitute best available scientific information last year, including:

- 2019-2023 fishing year discards averaged 3,699 MT (ranged from a low of 2,939 MT in 2021 to a high of 4,304 MT in 2023).

- The ratio approach would suggest that as the ABC goes to zero, discards would go to zero along with landings, which doesn't make sense.

- We also now have 2023 data, which due to lower landings and higher discards had a 52.2% discard proportion of total catch.

Due to the generally stable 2019-2023 discards, the voting members of the Monitoring Committee concluded that using that 5-year average was a reasonable approach to determine how much to set aside for discards. However, even this higher set-aside could still lead to ACL overages and future paybacks if discards keep increasing and if the resulting quota of about 7.5 million pounds gets landed (see Table 1). While landings have generally been trending down since 2012 and 2024 landings are running below 2023's quota use path, landings have not been below 2023's 8.7 million pounds since 2007.

Given the previous use of the 2022 ratio to determine discard set asides and its designation as a best scientific approach last year, the Monitoring Committee noted 2,703 MT could be a potentially justifiable discard set aside. However, considering recent discard estimates, this approach would run a high chance of creating ACL overages and paybacks unless landings are below the resulting 9.7 million pound quota (see Table 2) and/or unless discards run lower than recent years' estimates.

The Monitoring Committee sees that these quotas may not be viable for industry, but could not see alternative approaches that would adhere to the legal/regulatory requirements of the Monitoring Committee and the Councils.

The non-voting industry members of the Monitoring Committee regarded the proposed ABCs, discard set-asides, and resulting quotas as not viable for continued existence of the last processor and indicated that maintaining the current quota was the only viable option to keep the industry going for at least one more year (waiting for a new assessment in 2027 to improve the situation won't help). They supported the concerns made in public comments about potential issues with the assessment-produced ABCs and impacts on the fishery, highlighting that the yo-yo management approach makes it impossible to maintain a sustainable fishery even if the dogfish

stock is at a good level. Changes in perceptions about dogfish abundance are likely being driven mostly by survey variability and/or environmental conditions that are not well accounted for in the current assessment.

Additional Public Comments:

- The jobs related to spiny dogfish processing, fishing, and widely varied support and dependent industries (from trucking to organic fertilizer/farming to international logistics) will disappear with a 7.5 million pound quota. We won't survive. There are 100s if not 1000s of jobs involved that impact a variety of east coast communities, including historically marginalized ethnicities.
- We won't be able to survive another year never mind until a 2027 assessment. The market will shift to other suppliers and we won't be able to re-enter markets if/when your data say catches can be increased.
- Recent catches, few of which are sampled by NOAA (but some are), have seen plenty of large females up to 100 cm. Your spreadsheets are not showing what the industry is seeing in terms of size of females, and numbers of pups. Recent data (e.g. 2024 landings) collected by NOAA should be considered in detail before cutting quotas. Industry has also been seeing heavier fish at any given length recently.
- Use of smaller mesh, and the pending smaller mesh requirement off Maryland/Virginia, will result in landings having less big females, which will bounce off the smaller mesh.
- We need to see if there are ways to reduce discards and/or get better information on discard mortality.

(See next page for draft specifications tables)

Table 1. Specifications using 5-year average for discard set-aside

Specifications	2025 (pounds)	2025 (mt)	Basis
OFL (from SSC)	16,812,432	7,626	SS3 Assessment/Projection
ABC (from SSC)	15,939,403	7,230	SSC / Risk Policy (avg ABC)
Canadian Landings	8,818	4	2020-2022 Average
Domestic ABC	15,930,584	7,226	= ABC – Canadian Landings
ACL	15,930,584	7,226	= Domestic ABC
Mgmt Uncert Buffer	0.0%	0.0%	May depend on other set-asides
Amount of buffer	0	0	
ACT	15,930,584	7,226	= ACL - mgmt uncert buffer
U.S. Discards	8,154,889	3,699	19-23 avg
TAL	7,775,695	3,527	ACT – Discards
U.S. Rec Landings	244,713	111	19-23 avg
Comm Quota	7,530,982	3,416	TAL – Rec Landings

Table 2. Specifications using 2022 ratio to apportion discards/landings

Specifications	2025 (pounds)	2025 (mt)	Basis
OFL (from SSC)	16,812,432	7,626	SS3 Assessment/Projection
ABC (from SSC)	15,939,403	7,230	SSC / Risk Policy (avg ABC)
Canadian Landings	8,818	4	2020-2022 Average
Domestic ABC	15,930,584	7,226	= ABC – Canadian Landings
ACL	15,930,584	7,226	= Domestic ABC
Mgmt Uncert Buffer	0.0%	0.0%	May depend on other set-asides
Amount of buffer	0	0	
ACT	15,930,584	7,226	= ACL - mgmt uncert buffer
U.S. Discards	5,959,088	2,703	2022 proportions
TAL	9,971,496	4,523	ACT – Discards
U.S. Rec Landings	244,713	111	19-23 avg
Comm Quota	9,726,783	4,412	TAL – Rec Landings



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P. Weston Townsend, Chairman | Michael P. Luisi, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: September 9, 2024
To: Chris Moore
From: Jason Didden, staff
Subject: Staff recommends keeping original 2025 Spiny Dogfish ABC recommendation

The Council's Scientific and Statistical Committee (SSC) will review the previously set 2025 Acceptable Biological Catch (ABC) limit for spiny dogfish. Details on recent trends in the fishery, stock status, and Advisory Panel input can be found in the [other briefing materials for the September 2024 SSC meeting](#). As described below, updated catch data have lowered the projected 2025 ABC by approximately 4%, but a key abundance indicator doubled from 2022 to 2024, so staff recommends maintaining the original 2025 ABC of 7,312 metric tons (MT).

[Last year](#), the SSC recommended and the Council adopted a 2024 ABC of 7,135 MT and a 2025 ABC of 7,312 MT. These ABCs were based on applying the Council's risk policy in the assessment projection model, generating ABCs with about a 46% chance of overfishing each year. NOAA Fisheries implemented a 2024 ABC of 7,818 MT, right at the overfishing limit, so a 50-50 chance of overfishing. NOAA Fisheries cited a need "to establish allowable harvest levels for the spiny dogfish fishery to prevent overfishing while minimizing adverse economic impacts on fishing communities, using the best scientific information available."

While preparing for review of the 2025 specifications, several catch data/projection issues emerged:

1. 2022 catch: The 2023 assessment used under-estimated 2022 dead discards (mostly because of incorrect coding of discard mortality rates). The 2022 discards are now estimated to be 3,007 MT, (+41% or +873 MT more than the original 2,134 MT).
2. 2023 catch: The initial projection used an assumed catch of 7,788 MT for 2023 (2023's ABC), but the current 2023 catch estimate is 9,456 MT (+21% or +1,668 MT).
3. 2024 catch: The initial projection used an assumed catch of 7,135 MT for 2024 (the SSC's ABC), but NOAA Fisheries set the 2024 ABC at 7,818 MT.

To consider the impacts of these updated data, Council staff requested that NOAA Fisheries' Northeast Fisheries Science Center re-run the terminal assessment year with the corrected/higher 2022 discards/catch (#1 above) - to keep the process simple each discard fleet was scaled up equally to get to the corrected discard total. Then projections were re-calculated with the updated 2023 and 2024 catch information (#2 and #3 above).

Utilizing the Council's P* risk policy resulted in lower projected ABCs of 7,031 MT in 2025 and 7,446 MT in 2026 - the higher catches shrink the calculated biomasses by about one percent (but biomasses are still above the target).

Despite the lower projected ABCs, after reviewing all the available information and the Advisory Panel's input, **staff recommends maintaining the previously adopted 7,312 MT 2025 ABC for spiny dogfish**, because:

- The updated biomass projections are very similar to the previous projections even with the updated catch information.
- No new ABC-related issues were identified by the Advisory Panel.
- The spring mature female biomass index approximately doubled from 2022 to 2024 ([Data Update Figure 3](#)) but can't be integrated until the next assessment (currently scheduled for 2027).

From staff's perspective the higher 2024 biomass index, while not able to be used in an assessment, counterbalances any concerning effect of the updated/higher 2022/2023/2024 catches. Therefore, maintaining the SSC's original 2025 ABC (7,312 MT) seems reasonable. Because NOAA Fisheries implemented a higher 2024 ABC instead of what was recommended by the SSC, the original 2025 ABC will still lead to a quota reduction for 2025 compared to 2024¹. In addition, the higher recent discards may lead to higher set-asides for anticipated 2025 discards, lowering quotas further, and exacerbating socioeconomic effects for 2025 if the SSC lowers its original 2025 ABC recommendation.

¹ Staff also expects that about 492 MT (1.1 million pounds) will be deducted soon from the current 2024 fishing year quota due to a 2023 Annual Catch Limit (ACL) overage, but that quota deduction appears unlikely to affect landings/catches [given the landings trends so far in the 2024 fishing year](#).



Spiny Dogfish AP Fishery Performance Report May 9, 2024

The Mid-Atlantic Fishery Management Council's (Council) Spiny Dogfish Advisory Panel (AP) met via webinar on May 9, 2024 to review the Spiny Dogfish Fishery Information Document and develop the following Fishery Performance Report. The primary purpose of this report is to contextualize catch histories for the Scientific and Statistical Committee (SSC) by providing information about fishing effort, market trends, environmental changes, and other factors. Trigger questions (see below) were posed to the AP to generate discussion of observations in the spiny dogfish fishery related to several themes below. Advisor comments described below are not necessarily consensus or majority statements.

Advisory Panel members attending: Roger Rulifson, Chris Rainone, Kevin Wark, Scott Curatolo-Wagemann, Sonja Fordham, and Mark Sanford.

Others attending: Jason Didden, Wes Townsend, Charles Solan, David McCarron, Nichola Meserve, and Sonny Gwin.

Trigger questions:

The AP was presented with the following trigger questions:

1. What factors have influenced recent catch (markets/economy, environment, regulations, other factors)?
2. Are the current fishery regulations appropriate? How could they be improved?
3. What would you recommend as research priorities?
4. What else is important for the Council to know?

Market/Economic Conditions

Artificially low quota and low quota expectations dampen demand. If you don't think you can maintain production you're not going to try. Hi fuel costs and typical dogfish prices also combine to keep landings low.

Similar market issues persist as with previous years – demand has been low but stable recently – the market could support more landings than in the most recent year if participation/production at the vessel level increases.

Southern fishermen have to ship to MA. There are no Southern processors – they were “burnt” by previous management and won't re-enter without quota stability on a decadal timeframe. Previous reports have noted not having a processor also depresses NY landings. High fuel costs add to trucking costs, which is a substantial issue for this fishery given the processing situation.

Better opportunities in other fisheries reduce spiny dogfish effort. For example, in Virginia in recent years, some fishermen have calculated that oysters and shrimp can be better opportunities. It's hard to attract/pay/retain a crew, often must fish solo. Any disruption to this fishery will exacerbate these issues and make it impossible to sustain participation.

Cornell has tried to expand domestic consumption of spiny dogfish and other undervalued/underutilized/lesser-known species through chefs' sampler events, underserved communities/foodbanks, etc. See <https://www.localfish.org/>.

Changing the name to Chip Fish would help with marketing/exports. We could sell these in the U.S. if we could change the name (like snakehead). Practical name-change challenges have been highlighted in the past.

Industrial uses could help develop a market for male dogfish. Developing industrial markets (e.g. fertilizer, processed export, or pharmaceutical/livers) requires a higher trip limit for trawlers. Expanding use of liver components could increase overall value – several outreach efforts have occurred to pharmaceutical companies with no interest expressed back.

Regarding the fin market – there are self-imposed bans by cargo lines that prohibit fin transport even from sustainable sources (i.e. this is beyond our control).

Environmental Conditions

Environmental conditions are always a factor in terms of dogfish distribution and availability to fishermen. Weather off Virginia was very poor during the typical 2023/2024 Virginia winter spiny dogfish season.

We see availability fluctuations in the spring and different behavior seasonally but no major overall abundance swings in recent years.

Condition of NC and MA inlets makes it very difficult to get product into some ports. NC trawl fishermen can't land spiny dogfish in VA due to state regulations. These issues exacerbate gentrification issues noted below.

Management Issues

New Jersey has had a lower 4,000-pound trip limit recently to control landings given the low quota (to extend the season) – this lowered landings versus if NJ had maintained a higher trip limit.

There's not enough high-perspective view of this fishery - you are going to eliminate it totally with further restrictions given the likely impacts on the last remaining processor. We need a holistic approach to keep the fishery functioning given the financial impacts of low trip limits (and low product value), and/or fishery closures. We are at a threshold where interest, and fishermen, will evaporate - don't say we didn't tell you what the results of further reductions would be. The AP has been warning about the impacts on infrastructure of management decisions that are destroying this fishery with rollercoaster-style management and resulting shoreside gentrification. Industry needs managers to improve their awareness of the impacts of

decisions. Loss of fish houses is a coast-wide issue – and the loss of infrastructure needs to be addressed to maintain a healthy fishery.

The artificially-low quota (flawed assessment and previous SSC decisions) broke the supply chain from the south, eliminating the primary southern fish house/buyer/packer. The new Virginia dealer was still spinning up during the 2023 fishing year.

Regulations (especially the trip limit) do not allow a male fishery. State regulations do not allow new fishermen to participate. The current regulations are geared to keep price up and production limited and do not allow industrial production.

There was some discussion in 2023 during the last AP meeting whether changes to state-by-state quotas should be considered - the overall consensus however was that allocation changes would be risky with the current quota situation and not warranted at this time.

Other Issues

Toward the end of the 2023 fishing year, the Massachusetts processor was moving their processing plant so dealers in general couldn't/wouldn't take much spiny dogfish.

Many advisors think the surveys are not representative of the biomass. Given the lack of an off-shelf survey and vertical water column usage by dogfish, we don't really know the population size. 1/10 of the needed area is surveyed. See Carlson AE, Hoffmayer ER, Tribuzio CA, Sulikowski JA (2014) The Use of Satellite Tags to Redefine Movement Patterns of Spiny Dogfish (*Squalus acanthias*) along the U.S. East Coast: Implications for Fisheries Management. PLoS ONE 9(7): e103384. <https://doi.org/10.1371/journal.pone.0103384>. Also see Garry Wright's thesis that concluded that the NEFSC trawl survey is not accurately representing spiny dogfish biomass.

Windfarm impacts will squeeze the fishery from the ocean-side and shoreside gentrification squeezes from the land-side – both are critical stressors in terms of fishery survival.

Allowing dogfish populations to increase has hurt all other fish populations. We need better calculations regarding consumption by dogfish of other fish.

You should account for the continual nature of embryo development/pupping in the assessment.

Bigelow performance issues are doing a disservice to all the fisheries and fishermen. The repeated failure of the Bigelow since 2014 to complete its mission in terms of not fishing at a consistent time seasonally and not achieving planned stations eliminates our ability to have good information about spiny dogfish abundance, given the dependence on the survey for spiny dogfish abundance trends. This compounds uncertainty concerns and the Bigelow performance degrades the credibility of the resulting information (both regarding individual years and interpreting the time series). We had 2/10 years of full surveys in a recent period. This affects all species' management. The timing of the survey is critical for spiny dogfish due to the observed migration patterns, and not sampling the same areas consistently reduces the meaningfulness of the resulting data. The Council should call in NEFSC's maritime operations manager to account for Bigelow performance issues.

In 2023 concern was voiced whether the NEFSC is continuing wire/net measurements to ensure survey consistency. Council staff asked NEFSC staff about this and received the following reply: The NEFSC bottom trawl survey monitors and validates all standard survey tows for consistent gear and vessel performance against a detailed set of performance criteria. If gear or vessel performance is outside of these standard criteria, abundance data would not be used in the calculation of survey indices. Some biological data, such as age samples, may still be used. [Please refer to the NEFSC Bottom Trawl Protocols for more information.](#)

Research Priorities

Research priorities will be reviewed separately, but the following issues were discussed and seem immediately relevant:

We need to utilize commercial fishermen more in developing indices of abundance (not just the Bigelow). Fishermen are losing trust in the process with constant changes and new models. The CPUE-type indices being developed for monkfish should be considered for dogfish.

Either cooperative or not, gillnet-based surveys would make more sense for spiny dogfish. Examine west-coast published research on abundance.

Consider vertical distribution research and corral-based depletion study – gillnet based work - Gary Wright thesis – East Carolina University.

East Carolina Univ has tagged 43,000+ spiny dogfish – trying to get graduate student to publish. Appears to be an availability gap from years 2-8/10 where if not caught in first few years fish are not caught for a number of years but then eventually show back up in commercial catches.

Why are people opting out of this fishery? Greying of the fleet? Costs? Other fisheries? We need to understand the vast drop in participation and what is projected for future trends.

eDNA and Baited Remote Underwater Vehicles (BRUV) should be explored for fisheries including spiny dogfish – especially since gillnets appear to have reduced CPUE in cold water.

Off the shelf sampling needs to occur to understand biomass. Why can't Bigelow do some deeper sampling? Could we send a drone to prospect/monitor?

From previous year for future review:

Updated bycatch mortality information could help us understand biomass trends.

Could there be electromagnetic energy being transferred to the trawl affecting survey catches?

Spiny dogfish fishing could have an environmental justice aspect as a low-priced seafood.

Explore using 3-D printing technology to improve “fillet” production from spiny dogfish.

Consider whether/how electro-fishing surveys could be used.

Research on squalamine from spiny dogfish livers for medical use could increase fishery value.

We should conduct research into the purposes of the horn/spine – is it offensive (weakening potential prey), or defensive?



Spiny Dogfish Fishery Information Document

May 3, 2024

This Fishery Information Document provides an overview of the biology, stock condition, management system, and fishery performance for spiny dogfish (*Squalus acanthias*) with an emphasis on recent data. Data sources for Fishery Information Documents are generally from unpublished National Marine Fisheries Service (NMFS) survey, dealer, vessel trip report (VTR), permit, Marine Recreational Information Program (MRIP), and Catch Accounting and Monitoring System (CAMS) databases and should be considered preliminary. For more resources, including previous Fishery Information Documents, please visit <http://www.mafmc.org/dogfish>.

Key Facts

- 2023 fishing year landings were about 36% lower than the previous year and 2023 landings were the lowest since 2007.
- The 2023 fishing year quota was about 12.0 million pounds (59% lower than 2022).
- 2024 specifications are pending but the Councils adopted spiny dogfish specifications for 2024-2026, including a 10.7-million-pound commercial quota for 2024.

Basic Biology

Spiny dogfish is the most abundant shark in the western north Atlantic and ranges from Labrador to Florida, being most abundant from Nova Scotia to Cape Hatteras, North Carolina. Migrations are believed to primarily occur in response to changes in water temperature. Spiny dogfish have a long life, late maturation, a long gestation period, and relatively low fecundity, making them generally vulnerable to depletion. Fish, squid, and ctenophores dominate the stomach contents of spiny dogfish collected during the Northeast Fisheries Science Center (NEFSC) bottom trawl surveys, but spiny dogfish are opportunistic and have been found to consume a wide variety of prey. More detailed life history information can be found in the essential fish habitat (EFH) source document for spiny dogfish at: <https://www.fisheries.noaa.gov/region/new-england-mid-atlantic#science>.¹

Status of the Stock

Based on the 2023 Management Track Assessment, the spiny dogfish stock was neither overfished nor experiencing overfishing in 2022. Despite being at relatively low historical abundance, the stock was slightly above its biomass target. However, reduced productivity has lowered sustainable catches.

Management System and Fishery Performance

Management

The Council established management of spiny dogfish in 2000 and the management unit includes all federal East Coast waters. Quotas are set based on the current science and Council’s risk policy to avoid overfishing and rebuild stocks if/when necessary.

Access to the fishery is not limited, but a federal permit must be obtained to fish in federal waters and there are various permit conditions (e.g. trip limit and reporting). There is a federal trip limit of 7,500 pounds (increased from 6,000 for the 2022 fishing year). Some states mirror the federal trip limit, but states can set their own trip limits. The annual quota has been allocated to states through the Atlantic States Marine Fisheries Commission (<http://www.asafc.org/species/spiny-dogfish>).

In April 2024 the Council took final action on a joint framework action with the New England Fishery Management Council (NEFMC) to reduce the bycatch of Atlantic sturgeon in the monkfish and spiny dogfish gillnet fisheries. For federal vessels targeting spiny dogfish, the Council approved overnight soak prohibitions during months of high sturgeon interactions within bycatch hotspot polygons in the New Jersey and Delaware, Maryland, and Virginia regions. In addition, they approved an exemption from the overnight soak prohibition for vessels using a mesh size less than 5.25 inches in the Delaware, Maryland, and Virginia hotspot polygons. For federal vessels targeting monkfish in state and federal waters, the Council approved a year-round low-profile gear requirement in the New Jersey bycatch hotspot polygon. The Council also agreed to write a letter to the Northeast Fisheries Science Center (NEFSC) observer program to recommend the development of a sturgeon tagging program for both live discards and dead discards for all the fisheries and gear types where sturgeon interactions occur. The NEFMC approved the same alternatives during their meeting the following week. The Councils will submit the framework to the Secretary of Commerce for review and rulemaking. Visit <https://www.mafmc.org/actions/sturgeon-bycatch-framework> for additional information and updates. Implementation is expected in late 2024 or early 2025.

Commercial Fishery (Recreational catch comprises a relatively low portion of fishing mortality)

Figure 1 and Table 1 illustrate spiny dogfish landings for the 2000-2023 fishing years relative to the quotas in those years. The Advisory Panel has previously noted that the fishery is subject to strong market constraints given weak demand. 2023 fishing year landings were about 36% lower than the previous year and 2023 landings were the lowest since 2007. Figure 2 provides inflation-adjusted spiny dogfish ex-vessel prices in “2023 dollars.”

Figure 3 illustrates preliminary landings from the 2023 and 2022 fishing years relative to the current quota. The last data point is typically the most incomplete.

Tables 2-4 provide information on landings in the 2021-2023 fishing years by state, season, and gear type. The seasonal periods were changed since the last document to maintain data confidentiality. Table 5 provides information on the numbers of participating vessels that have at least one federal permit. State-only vessels are not included, but the table should still illustrate overall trends in participation.

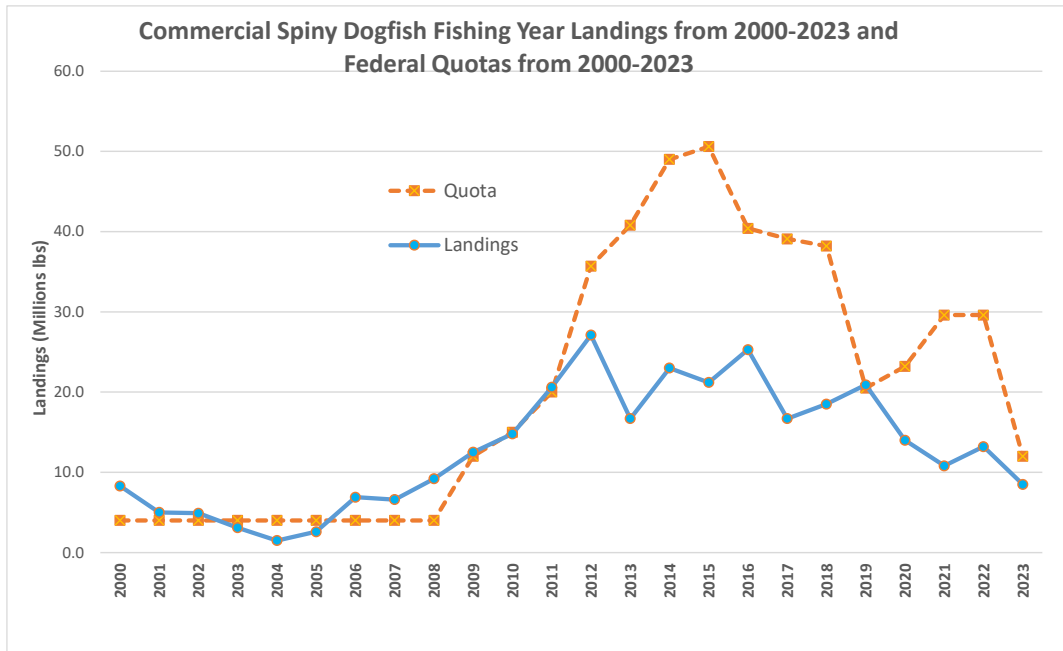


Figure 1. Annual spiny dogfish landings and federal quotas 2000-2023

Source: NMFS CAMS queried 5/1/2024 (likely some additional state landings for 2023 will be added)

Table 1. Annual spiny dogfish landings and federal quotas 2000-2023

Source: NMFS CAMS queried 5/1/2024 (likely some additional state landings for 2023 will be added)

Fishing year	Fed Quota (M lb)	Landings (M lb)
2000	4.0	8.3
2001	4.0	5
2002	4.0	4.9
2003	4.0	3.1
2004	4.0	1.5
2005	4.0	2.6
2006	4.0	6.9
2007	4.0	6.6
2008	4.0	9.2
2009	12.0	12.5
2010	15.0	14.8
2011	20.0	20.6
2012	35.7	27.1
2013	40.8	16.7
2014	49.0	23
2015	50.6	21.2
2016	40.4	25.3
2017	39.1	16.7
2018	38.2	18.5
2019	20.5	20.9
2020	23.2	14
2021	29.6	10.8
2022	29.6	13.2
2023	12.0	8.5

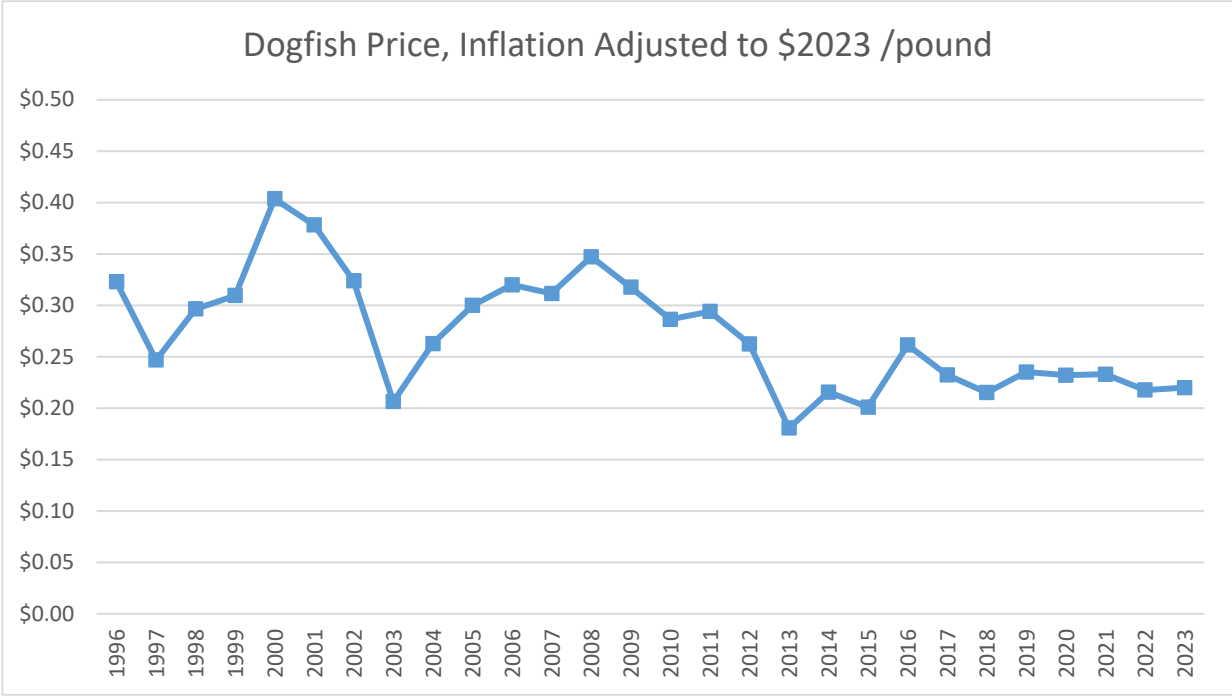


Figure 2. 1995-2023 fishing years’ average prices of spiny dogfish in 2023 dollars per landed pound (adjusted to “2023 dollars” using the GDP deflator).
 Source: NMFS CAMS queried 5/2/2024

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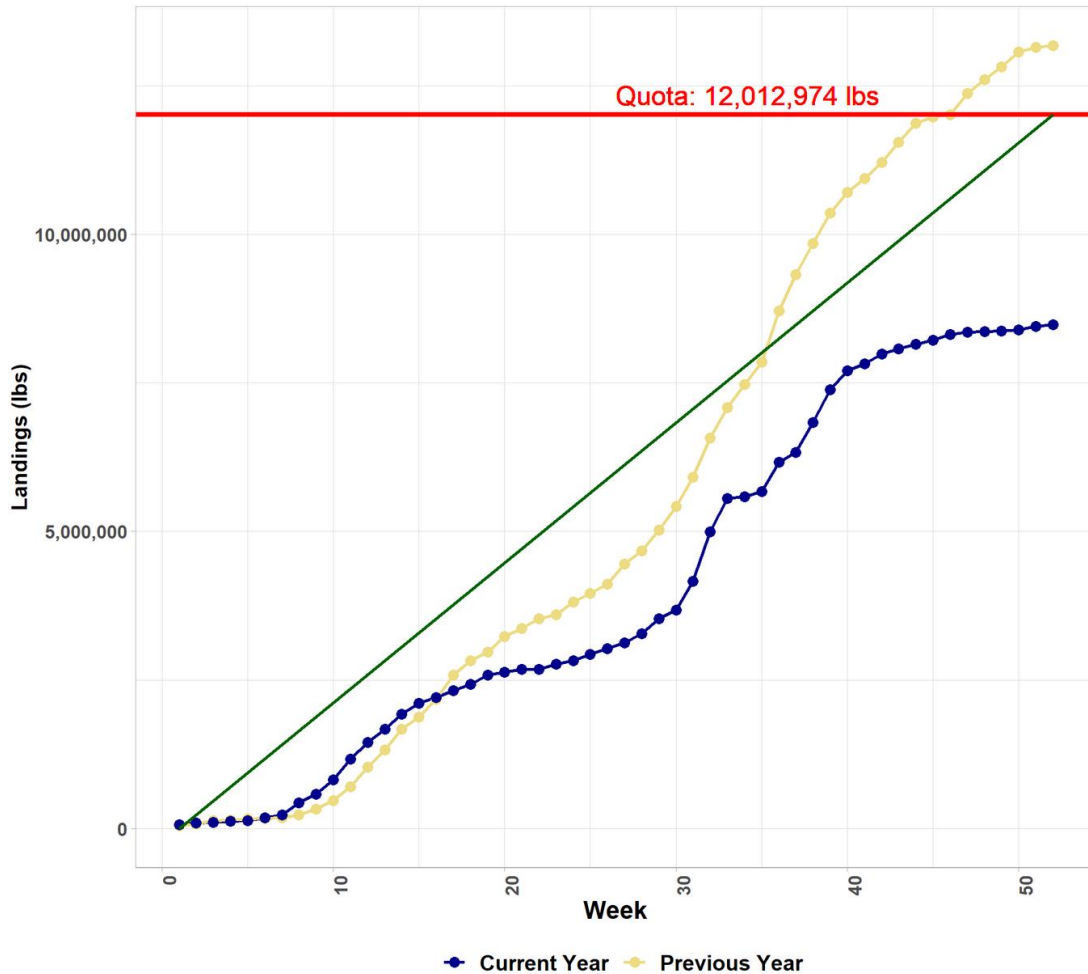


Figure 3. Preliminary Spiny dogfish landings; the 2023 fishing year (Starts May 1) is in blue (through May 2, 2024), and the 2022 fishing year is in yellow-orange.

Source: <https://www.fisheries.noaa.gov/new-england-mid-atlantic/commercial-fishing/quota-monitoring-greater-atlantic-region> .

Table 2. Commercial Spiny Dogfish landings (landed weight – millions of pounds) by state for 2021-2023 fishing years. Source: NMFS CAMS queried 5/2/2024

Year	MA	NJ	Other/CI (including VA)	Total
2021	3.9	1.6	5.3	10.7
2022	3.9	1.7	7.6	13.2
2023	2.8	0.8	4.9	8.5

Table 3. Seasonal Commercial Spiny Dogfish landings (landed weight – millions of pounds) for 2021-2023 fishing years. Source: NMFS CAMS queried 5/2/2024

Year	May-Oct	Nov-April	Total
2021	4.4	6.3	10.7
2022	4.2	8.9	13.2
2023	3.0	5.4	8.5

Table 4. Commercial Spiny Dogfish landings (landed weight – millions of pounds) by gear for 2021-2023 fishing years. NMFS CAMS queried 5/2/2024

Year	GILL NET, SINK	LONGLINE, BOTTOM	Other	Total
2021	8.8	1.0	0.8	10.7
2022	10.9	1.3	1.0	13.2
2023	6.6	1.2	0.7	8.5

Table 5. Participation in fishing years 2000-2023 by federally-permitted vessels. State-only vessels are not included. Source: NMFS unpublished dealer data pre 2021, CAMS data for 2021-2023 accessed 5/3/2024

YEAR	Vessels 200,000+	Vessels 100,000 - 199,999	Vessels 50,000 - 99,999	Vessels 10,000 - 49,999	Total with at least 10,000 pounds landings
2000	16	10	8	43	77
2001	4	12	10	33	59
2002	2	14	8	31	55
2003	4	5	3	17	29
2004	0	0	0	42	42
2005	0	0	1	67	68
2006	0	4	11	114	129
2007	1	2	21	72	96
2008	0	5	20	119	144
2009	0	11	42	166	219
2010	0	26	54	124	204
2011	1	48	73	135	257
2012	25	55	56	146	282
2013	10	27	45	87	169
2014	27	38	38	81	184
2015	31	33	36	59	159
2016	52	26	14	45	137
2017	28	27	24	32	111
2018	28	26	20	35	109
2019	29	25	21	29	104
2020	23	27	15	22	87
2021	15	27	12	28	82
2022	27	10	17	27	81
2023	14	15	13	22	64

References

¹ Stehlik, Linda. 2007. Essential Fish Habitat source document: Spiny Dogfish, *Squalus acanthias*, Life History and Habitat Characteristics. NOAA Technical Memorandum NMFS-NE-203; 52 p.

END OF DOCUMENT

From: [James Fletcher](#)
To: [Didden, Jason](#)
Subject: Re: 2025 Spiny Dogfish ABC - additional input?
Date: Sunday, August 25, 2024 2:44:20 PM
Attachments: [image001.png](#)

Any idea how for council or NMFS to provide Rob Vience funding to build cutting machines for Piere

Think HOW can cutters work without a steady supply of fish

How can Piere sell the smaller fish the sturgeon rules are going to catch ?

Will the Council EVER HAVE A MALE FISHERY? Cutting machines can make the male fishery profitable!

Request an exemption to vessel 165 ft rule for dogfish processor.

Request COUNCIL RENAME PLAN CHIPFISH OR CHIP FISH PLAN! *(INDUSTRY DESTROYED BY NMFS AND MAFM COUNCIL! WHO IS RESPONSIBLE FOR INDUSTRY DECLINE?)*

On 8/23/2024 4:27 PM, Didden, Jason wrote:

Greetings,

The [SSC will meet Wednesday, September 11, 2024 to review the 2025 Spiny Dogfish ABC](#). Last year the Council adopted 2024-2026 specifications but NMFS set 2024 specifications higher than the SSC or Council. It's still not clear what that means for next year – more to come on that soon.

We met earlier this year and created the Spiny dogfish Fishery Performance Report – it's available here: https://mafmc.squarespace.com/s/2024-Dogfish_FPR.pdf

Besides what you said earlier this year, is there any other input you want to add as the SSC is reviewing the 2025 Spiny Dogfish ABC? Please provide any additional input to me by Thursday August 29. For reference, here are the weekly landings so far this fishing year in case you wanted to provide any context on them:

https://www.greateratlantic.fisheries.noaa.gov/ro/fso/reports/h/dog/dog_coast_qm.html

Thanks,
Jason

Jason Didden
jdidden@mafmc.org
www.mafmc.org
(302) 526-5254 (direct)
(302) 397-1131 (cell)



CORRESPONDENCE

(to New England Fishery
Management Council)

From: Daniel Smith <ultimategamblecharters@gmail.com>

Sent: Saturday, November 23, 2024 12:07 PM

To: comments <comments@nefmc.org>

Subject: Spiney dogfish comment

I find it ridiculous the council is even considering a reduction in the spiney dogfish quota. These fish are a major nuisance for anyone fishing in New England.

It's almost impossible to groundfish without being overrun. It's also impossible have baits deeper than 50 feet for pelagics, without constant and unending harassment from hordes of dogfish! Baits like whole live bluefish that are getting killed by the bellies being eaten out of them by the dogfish.

Anyone who considers a reduction in the commercial quota is obviously not in touch with reality and the seriousness of the tremendous overpopulation of these fish.

The goal of the council should be increasing the take of these predators.

Respectfully,

Capt. Daniel Smith

From: Jaron Frieden <captainjaron@fishlucky7.com>
Sent: Saturday, November 23, 2024 9:49 AM
To: comments <comments@nefmc.org>
Subject: Spiney Dogfish

Please take this as a public comment for the proposed reduction in quota for Spiney Dogfish. I run a charter out of Boston and do my fair share of offshore charters. The amount of Spiney Dogfish that we encounter make fishing for tuna very difficult and this has only increased over the years. If your bait is anywhere near the bottom, it is likely be either bit off partially or in whole by a Spiney Dogfish. I am not sure where this data could reliably be coming from, but I do believe that if actions are taken to reduce the quota, fisherman will be questioning more than this data and there will be a loss of credibility as this proposition is utterly ridiculous.

Jaron J Frieden

US Coast Guard Licensed Captain

Lucky 7 Fishing Charters

781-710-1190

www.fishlucky7.com

Matt Fontaine <mattfishsmell@gmail.com>

Sent: Friday, November 22, 2024 6:53 PM

To: comments <comments@nefmc.org>

Subject: Spiny Dogfish Regs

- An example of comments that you should revise accordingly is set forth below.
- As a Captain that has fished for many years now, I find it hard to believe that there are reductions proposed to the spiny dogfish ABC in our waters. We have such a tremendous biomass of dogfish in our waters, worse than ever, that are destroying our gear, eating out bait and preying on our forage and juvenile fish in our waters.
- It's hard to believe that with pending cuts to the Atlantic cod ACL that any reductions in the spiny dogfish ABC is even on the table since they prey upon cod, forage and other species to the detriment of the resource.
- A reduction in the ABC will shut down the last seafood processor resulting in no directed commercial fishery to the detriment of the resource and the entire blue economy that relies on such to make a living.
- The disconnect between our observations on the water and the fall and spring fishery surveys is indicative of shifting stocks and changing timing and location of where they are found inconsistent with historical trends. As a result the surveys are not capturing the biomass we observe in our waters.
- Based on the details set forth above I adamantly recommend status quo and no change to the spiny dogfish ABC to protect the resource.

Thank You

Matthew J Fontaine

-

From: Noah <aries1973@yahoo.com>
Sent: Saturday, November 23, 2024 12:55 PM
To: comments <comments@nefmc.org>
Subject: Dog fish regulations

hello

I do not support a reduction in the spiny dogfish quota. These fish are the bane of existence for anyone fishing in New England.

It's almost impossible to groundfish with bait or have baits deeper than 50 feet for pelagics, without constant and unending harassment from hordes of dogfish!

Anyone who considers a reduction in the commercial quota is obviously not in touch with reality and the seriousness of the tremendous overpopulation of these fish.

The goal of the council should be increasing the take of these voracious predators

Thanks

Noah Rosenbaum

Boston MA

-----Original Message-----

From: Philip Torrance <torrancetrucking@aol.com>

Sent: Saturday, November 23, 2024 4:58 PM

To: comments <comments@nefmc.org>

Subject: Spiney Dog Fish Reduction - NO

Please do not reduce the quota for Spiney Dog Fish. The species is making it difficult for any other fish species to stay productive. Fishing has become a nightmare with being over run daily with Spiny Dog Fish as a primary catch species.

Respectfully,

Phil Torrance
Carver MA
F/v Flip-Out II

From: Riccardo Buzzanga <trinacriafishing@gmail.com>
Sent: Saturday, November 23, 2024 10:22 AM
To: comments <comments@nefmc.org>
Subject: Spiney Dogfish Quota

Dear Council Members

I write to you today to voice my vehement opposition to reducing the quota on Spiney Dogfish. I am the owner and captain of F/V Trinacria. We operate out of Boston Harbor's Commercial Wharf. I have been fishing the Gulf of Maine and Cape Cod Bay for over 50 Years and have personally witnessed the Invasion of Spiney Dogfish over that time. This past year we had over 100 Charter fishing trips in the Gulf of Maine from Jeffreys Ledge to the outer cape including Stellwagen Bank and everywhere in between. Most of our trips we encounter an endless onslaught of Spiney Dogfish. Our frequency of trips are most likely a larger sample of other metrics you may be using. This invasion worsens every year and the overpopulation can only be mitigated with proper management which should include higher quotas and incentives to harvest more of this nuisance species. Spiney Dogfish are voracious eaters and compete with our more important species such as Cod, Haddock, Pollack, Flounder and other groundfish. I urge you to not reduce this Quota!

I am available to anyone interested in discussing this further.

Captain Riccardo Buzzanga R.D.O.

F/V Trinacria

From: jeanne wyand <jwyand0213@gmail.com>
Sent: Sunday, November 24, 2024 7:40 AM
To: comments <comments@nefmc.org>
Subject: Dogfish quota

As a recreational fisherman in the waters off the coast of Massachusetts, I am more than a little surprised that the council is considering reducing the commercial dogfish quota. There a more dogfish out there than any other fish. And often times the only fish we catch are the dogfish. They have invaded the Black Sea bass grounds and the fluke grounds. Please do not destroy the grounds with your regulations. They are already compromised due the wind farms

**Jeanne Wyand
Mickey Finn
Westport Ma**

To whom it may concern,

I am writing to express my concerns regarding the proposed reduction in the quota for spiny dogfish. While I recognize the need for sustainable fisheries management, I urge you to consider the broader implications of such a reduction, particularly the potential negative impacts on both the fishing industry and the ecosystem.

Spiny dogfish are an important species in the marine ecosystem, serving as a predator and prey species that helps maintain balance. However, the current scientific data does not seem to support a drastic reduction in the quota at this time. Spiny dogfish populations have been relatively stable if not imploded in recent years, and while there are some fluctuations in your stock assessments, there is insufficient evidence to warrant a significant cut in the quota without more comprehensive review and data validation.

Further more I find it utterly ridiculous the council is even considering a reduction in the spiny dogfish quota. These fish are the bane of existence for anyone fishing in New England.

It's almost impossible to groundfish with bait or have baits deeper than 50 feet for pelagics, without constant and unending harassment from hordes of dogfish!

Anyone who considers a reduction in the commercial quota is obviously not in touch with reality and the seriousness of the tremendous overpopulation of these fish.

The goal of the council should be increasing the take of these voracious predators.

Captain Mike Guarino

Boston Harbor

on the 26' "Miss MnM"
Sent from my iPhone

To Rick Bellavance or Cate O'Keefe.

I have been a charter boat captain for 36 years and I am appalled that there are proposals to protect the spiny dogfish in our waters. The abundance of dogfish in our waters is a nuisance and they are destroying our gear. Some days it's impossible to even get bait in the water because the dogfish are eating all the small fish; cod, haddock, herring, mackerel, stripers, etc.

A reduction in the ABC will shut down the last remaining processor. This will result in no directed commercial fishery and impact the jobs on land and at sea.

I adamantly recommend status quo and no changes to the spiny dogfish ABC.

As the warming GOM continues, previous survey areas and old data are useless. I believe we need to change the locations where the surveys are being conducted.

In closing, there are so many other important fishing issues, that I can't believe we are talking about dogfish.

**Sincerely,
Captain Paul Diggins
Reel Pursuit Charters
Charlestown, MA 02129**

Final Motions
New England Fishery Management Council Meeting
December 3-5, 2024
Hotel Viking, Newport, RI
Hybrid meeting with remote participants

Wednesday, December 4, 2024

Spiny Dogfish Committee Report

1. Mr. Salerno moved and Ms. Griffin seconded:
that the New England Fishery Council recommends that Fishing Year 2025 OFL=ABC for spiny dogfish at 7,626mt, and follow Table 2 from the November 21, 2024 MAFMC Staff Memo for all other specifications.

Rationale:

The New England Council recommends following the Mid-Atlantic SSC's revised OFL and ABC for fishing year 2025 and the Spiny Dogfish Committee's recommendations for calculating discards.

Roll Call:

Yes: Mr. Aarrestad, Ms. Brawn, Ms. Odell, Mr. Hansen, Mr. Lucey, Ms. Patterson, Mr. Salerno, Ms. Ware, Ms. Griffin, Mr. Olszewski, Mr. Pappalardo, Mr. Pierdinock, Mr. Pentony, Mr. Platz, Mr. Smith, Mr. Tracy and Mr. Whelan

No:

Abstain:

The motion *carried* on a roll call vote (17/0/0).

Transboundary Management Committee Report

2. Mr. Salerno moved and Ms. Patterson seconded:
that the Council approve the Transboundary Management Guidance Committee's recommendations for United States/Canada total allowable catches (TACs) for 2025 as:
 - Eastern Georges Bank haddock at a TAC of 7,410 mt, and
 - Georges Bank yellowtail flounder at a TAC of 200 mt.

Roll Call:

Yes: Mr. Whelan, Mr. Pappalardo, Mr. Aarrestad, Ms. Patterson, Mr. Lucey, Ms. Odell, Ms. Ware, Mr. Hansen, Ms. Brawn, Mr. Salerno, Mr. Olszewski, Mr. Tracy, Ms. Griffin, Mr. Smith, Mr. Pierdinock, Mr. Pentony and Mr. Platz

No:

Abstain:

The motion *carried* on a roll call vote (17/0/0).



Mid-Atlantic Fishery Management Council

800 North State Street, Suite 201, Dover, DE 19901

Phone: 302-674-2331 | FAX: 302-674-5399 | www.mafmc.org

P. Weston Townsend, Chairman | Michael P. Luisi, Vice Chairman

Christopher M. Moore, Ph.D., Executive Director

MEMORANDUM

Date: November 21, 2024
To: Dr. Chris Moore
From: Jason Didden, staff
Subject: Spiny Dogfish Specifications – Staff Recommendation

Per the Mid-Atlantic Fishery Management Council’s (Council) request, during a November 20, 2024 meeting, the Council’s Scientific and Statistical Committee (SSC) confirmed that an Acceptable Biological Catch (ABC) with a 50% chance of overfishing would result from setting the ABC equal to the overfishing level (OFL) catch. An assessment-generated OFL catch estimate generally has a 50% chance of leading to some degree of overfishing (and a 50% chance of resulting in a fishing mortality rate below overfishing). For spiny dogfish in 2025, the OFL = 7,626 metric tons (MT).

However, the SSC also reported that the previously provided ABCs (7,031 MT for 2025 based on a single year or 7,230 MT if kept constant for 2025 and 2026) were based on the Council’s P* risk policy and represent the best scientific information available. The SSC highlighted that simulation studies (e.g. Wilberg et al 2015) conducted for the Council demonstrated that fishing at the OFL with no buffer for scientific uncertainty performs poorly with respect to risk of overfishing, and is likely inconsistent with National Standard 1.

In resolving the dilemma presented by the above SSC meeting outcome (the SSC Report was in draft form when this memo was created), staff also considered several issues related to Magnuson-Stevens Act (MSA) provisions and the spiny dogfish assessment/projections:

MSA Provisions:

1. The Magnuson-Stevens Act (MSA) states that the term "optimum", with respect to the yield from a fishery, means the amount of fish which—
 - (A) will provide the greatest overall benefit to the Nation, particularly with respect to food production and recreational opportunities, and taking into account the protection of marine ecosystems;
 - (B) is prescribed as such on the basis of the maximum sustainable yield from the fishery, as reduced by any relevant economic, social, or ecological factor;
2. The MSA states that "overfishing" and "overfished" mean a rate or level of fishing mortality that jeopardizes the capacity of a fishery to produce the maximum sustainable yield on a continuing basis.

3. National Standard 1 of the MSA states: (1) Conservation and management measures shall prevent overfishing while achieving, on a continuing basis, the optimum yield.
4. National Standard 2 of the MSA states: Conservation and management measures shall be based upon the best scientific information available.
5. The MSA instructs the SSC shall provide its Council ongoing scientific advice for...decisions, including recommendations for ABC, preventing overfishing, ...
6. The MSA instructs that fishery management plans shall establish a mechanism for specifying annual catch limits...at a level such that overfishing does not occur...
7. The MSA instructs Councils to develop annual catch limits for each of its managed fisheries that may not exceed the fishing level recommendations of its SSC...

Spiny Dogfish Assessment/Projections and Prior Simulation Studies:

1. The 2023 spiny dogfish assessment estimated the stock to be approximately at its target in 2022 and, while projections are inherently uncertain, projected an increase to 113% of its target by 2026 even fishing at the OFL. The increase is primarily due to a period of improved recruitment during several years both before and after 2012, which creates an atypical and counterintuitive trend of a stock increasing above and beyond its target biomass even if fishing occurs at the OFL.
2. Lower recent growth and productivity have decreased the recent/current biomass target and sustainable yield estimates for spiny dogfish. In retrospect for example, we now think that the commercial quota in 2016 was set several times too high given our current understanding of what productivity was at that time. Growth and productivity are uncertain and related research is underway. If assessments of growth and productivity change, the target biomass will change in the next assessment (2027), which would also affect catch projections.
3. The approximately 1,900 MT of additional estimated/projected catches from 2022-2025 beyond the 2023 assessment's projected OFLs had a negligible impact on the biomass projections (biomass still projected to have increased to 113% of its target in 2026). These additional catches were mostly from higher-than-expected discards. The increasing projected biomass despite exceeding the OFLs¹ is largely due to: the period of better recruitment noted above, the mixed male/female nature of catches (male catch doesn't affect the biomass much), and the still large (if reduced and relatively unproductive) current total biomass of spiny dogfish - total female biomass of 321,000 MT and total male biomass of 407,000 MT in 2022.
4. The prior simulation studies noted by the SSC indicating OFL catches lead to failure to avoid overfishing did not consider short-term OFL-sized catches restricted to only when a stock was at or above its target (like spiny dogfish is estimated to be currently).
5. A higher ABC in 2025 will lead to a higher catch assumption for 2025 when 2026/2027 projections are run in 2025. A higher 2025 catch assumption will slightly

¹ Since MSA defines overfishing as a rate that "jeopardizes the capacity of a fishery to produce the maximum sustainable yield on a continuing basis" it's not clear to staff that overfishing as defined in the MSA could ever occur while a stock is at the same time increasing further above its target, but this is a bigger question beyond the scope of the current decision.

reduce ABCs for 2026/2027. Alternatively, a lower 2025 catch assumption will lead to slightly higher ABCs for 2026/2027.

Staff Recommendation

Given the above considerations, staff recommends splitting the difference between the previous P* based averaged 2025 ABC of 7,230 MT and the OFL of 7,626 MT: i.e. **an ABC of 7,428 MT**. This ABC would provide some additional quota while preserving a small degree of scientific uncertainty buffer and is more consistent with the Council’s risk policy with a maximum probability of overfishing of 49%. Considering the effects of recent catch adjustments on the estimated and/or projected biomasses, the effect of this change on stock biomass should be likewise negligible. Also, setting a slightly lower ABC in 2025 will likely marginally increase the projected ABCs for 2026/2027 (because stock size will be projected slightly higher).

Staff also recommends utilizing the discard approach previously recommended by the Spiny Dogfish Committee, of setting aside the midpoint of:

- 1) the 2019-2023 average of fishing year discards: 3,699 MT, and
- 2) applying the 2022 discard ratio (37.4% - assessment terminal year updated) to the U.S. ABC: 2,777 MT.

This midpoint gives a discard set aside for 2025 of 3,238 MT. These values allow deriving a commercial quota of 9.0 million pounds per Table 1 below, slightly higher than the 8.6 million pounds of landings in the 2023 fishing year. For reference, Table 2 on the next page provides the 2025 specifications if the ABC was set at the OFL (and also using the same midpoint discard approach).

Table 1. Staff Recommended 2025 Spiny Dogfish Specifications

Specifications	2025 (pounds)	2025 (mt)	Basis
OFL (from SSC)	16,812,432	7,626	SS3 Assessment/Projection
ABC (from SSC)	16,375,917	7,428	Staff Recommendation
Canadian Landings	8,818	4	2020-2022 Average
Domestic ABC	16,367,099	7,424	= ABC – Canadian Landings
ACL	16,367,099	7,424	= Domestic ABC
Mgmt Uncert Buffer	0.0%	0.0%	May depend on other set-asides
Amount of buffer	0	0	
ACT	16,367,099	7,424	= ACL - mgmt uncert buffer
U.S. Discards	7,138,560	3,238	Committee Mid-Point Approach
TAL	9,228,539	4,186	ACT – Discards
U.S. Rec Landings	244,713	111	19-23 avg
Comm Quota	8,983,827	4,075	TAL – Rec Landings

Table 2. 2025 Spiny Dogfish Specifications if ABC = OFL

Specifications	2025 (pounds)	2025 (mt)	Basis
OFL (from SSC)	16,812,432	7,626	SS3 Assessment/Projection
ABC (from SSC)	16,812,432	7,626	OFL
Canadian Landings	8,818	4	2020-2022 Average
Domestic ABC	16,803,614	7,622	= ABC – Canadian Landings
ACL	16,803,614	7,622	= Domestic ABC
Mgmt Uncert Buffer	0.0%	0.0%	May depend on other set-asides
Amount of buffer	0	0	
ACT	16,803,614	7,622	= ACL - mgmt uncert buffer
U.S. Discards	7,220,131	3,275	Committee Mid-Point Approach
TAL	9,583,483	4,347	ACT – Discards
U.S. Rec Landings	244,713	111	19-23 avg
Comm Quota	9,338,770	4,236	TAL – Rec Landings

The following documents are included to support Council action on this item:

SSC Report – Nov 2024 (pending): Regarding ABC=OFL Council motion

Council Staff Memo for Nov 2024 SSC Meeting

Spiny Dogfish Committee Sept 2024 Meeting Summary (with Committee recommendations)

Spiny Dogfish Monitoring Committee Sept 2024 Meeting Summary

SSC Report – Sept 2024: Spiny Dogfish ABCs

2024 Staff Spiny Dogfish ABC recommendation memo to the SSC

2024 Spiny Dogfish Advisory Panel Fishery Performance Report

2024 Spiny Dogfish Fishery Information Document

Submitted Comments

Atlantic States Marine Fisheries Commission

Horseshoe Crab Management Board

February 4, 2025

12:30 - 2:00 p.m.

Draft Agenda

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

- | | |
|---|------------|
| 1. Welcome/Call to Order (<i>E. Reid</i>) | 12:30 p.m. |
| 2. Board Consent | 12:30 p.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from October 2024 | |
| 3. Public Comment | 12:35 p.m. |
| 4. Consider Approval of Draft Addendum IX on Multi-year Specifications for Male Only Harvest of Delaware Bay-origin Horseshoe Crabs for Public Comment (<i>C. Starks</i>) Action | 12:45 p.m. |
| 5. Discuss Advisory Panel Composition | 1:45 p.m. |
| 6. Elect Vice-Chair Action | 1:55 p.m. |
| 7. Other Business/Adjourn | 2:00 p.m. |

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

MEETING OVERVIEW

Horseshoe Crab Management Board

February 4, 2024

12:30 – 2:00 p.m.

Chair: Eric Reid (RI) Assumed Chairmanship: 2/25	Technical Committee Chair: Ethan Simpson (VA)	Law Enforcement Committee Rep: Nick Couch (DE)
Vice Chair: Vacant	Advisory Panel Chair: Brett Hoffmeister (MA)	Previous Board Meeting: October 21, 2024
Voting Members: MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, SC, GA, FL, NMFS, USFWS (16 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2024

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

4. Consider Approval of Draft Addendum IX on Multi-year Specifications for Male Only Harvest of Delaware Bay-origin Horseshoe Crabs for Public Comment (12:45-1:45 p.m.) Action

Background

- In July 2024, the Commission held a stakeholder workshop on horseshoe crab management in the Delaware Bay region. The workshop participants recommended the Board establish an interim solution to maintain male-only harvest while changes to the ARM Framework are explored to better align the model with stakeholder values.
- In response to one of the workshop recommendations, the Board initiated Draft Addendum IX, which will consider adding an additional specifications tool that would allow for male-only harvest for multiple years (**Briefing Materials**).
- The draft addendum includes proposed options that address multi-year male-only harvest specifications for the Delaware Bay region and reestablishing seasonal harvest restrictions for the Delaware Bay region bait fishery.

Presentations

- Overview of Draft Addendum IX for Board Consideration

Board actions for consideration at this meeting

- Approve Draft Addendum IX for public comment

5. Discuss Advisory Panel Composition (1:45-1:55 p.m.)

Background

- In July 2024, the Commission held a stakeholder workshop on horseshoe crab management in the Delaware Bay region. One of the consensus recommendations from the workshop was to evaluate the Horseshoe Crab Advisory Panel (AP) to determine if it has adequate representation across stakeholder groups.
- The current composition of the AP includes state-specific seats and two seats for non-traditional stakeholders (**Briefing Materials**).

Presentations

- Horseshoe Crab and Red Knot Abundance Estimates and 2024 ARM Model Results by J. Sweka

Board actions for consideration at this meeting

- Consider potential changes to AP composition

7. Elect Vice-Chair (1:55-2:00 p.m.) Action

Background

- The vice chair seat is empty since Eric Reid has assumed the role of chair.

Board actions for consideration at this meeting

- Elect Vice-Chair

8. Other Business/Adjourn (2:00 p.m.)

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
HORSESHOE CRAB MANAGEMENT BOARD**

**The Westin
Annapolis, Maryland
Hybrid Meeting**

October 21, 2024

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

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INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of April 2024** by consent (Page 1).
3. **Motions**
Move to initiate an addendum to consider the ability to set multi-year specifications for male-only horseshoe crab harvest of Delaware Bay-origin Horseshoe Crab based on the ARM Framework or an alternative male-only harvest specification setting method (Page 10). Motion made by John Clark; second by Dan McKiernan. Motion approved by consent with 3 abstentions (South Carolina, Georgia, and Florida) (Page 13).
4. **Move to accept the 2025 Adaptive Resource Management harvest specifications with 500,000 males and no female harvest of Delaware Bay-origin crabs. In addition, the 2:1 offset will be added to MD's and VA's allocations due to no female harvest** (Page 19). Motion made by Joe Cimino; second by John Clark. Motion approved by consent with 3 abstentions (South Carolina, Georgia, and Florida) (Page 19).
5. **Move that the draft addendum initiated today also consider establishing a season start date of June 8 for the Delaware Bay region** (page 21). Motion made by John Clark; second by Ray Kane. Motion passes with abstentions from South Carolina, Georgia, and Florida (Page 22).
6. **Move to approve the Horseshoe Crab FMP Review for the 2023 fishing year, state compliance reports, and *de minimis* status for South Carolina, Georgia, and Florida** (Page 22). Motion made by Mike Luisi; second by Pat Geer. Motion passes by unanimous consent (Page 23).
7. **Move to nominate Eric Reid as Vice-Chair of the Horseshoe Crab Board** (Page 23). Motion made by Dan McKiernan; second by Mike Luisi. Motion passes (Page 23).
8. **Move to adjourn** by consent (Page 27).

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The Board will review the minutes during its next meeting.

ATTENDANCE

Board Members

Dan McKiernan, MA, (AA)	Roy Miller, DE (GA)
Rep. Jennifer Armini, MA (LA)	Michael Luisi, MD, proxy for L. Fegley (AA)
Ray Kane, MA (GA)	David Sikorski, MD, proxy for Del. Stein (LA)
Nicole Costa, proxy for J. McNamee, RI (AA)	Pat Geer, VA, proxy for Jamie Green (AA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	James Minor, VA (GA)
Dr. Justin Davis, CT (AA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Rep. Joseph Gresko (CT) (LA)	Jerry Mannen, NC (GA)
Bill Hyatt, CT (GA)	Ben Dyar, SC, proxy for Blaik Keppler (AA)
Jesse Hornstein, NY, proxy for M. Gary (AA)	Malcolm Rhodes, SC (GA)
Jim Gilmore, NY, proxy for Assy. Thiele (LA)	Mel Bell, SC, proxy for Sen. Cromer (LA)
Scott Curatolo-Wagemann, NY, proxy for E. Hasbrouck (GA)	Doug Haymans, GA (AA)
Joe Cimino, NJ (AA)	Spud Woodward, GA (GA)
Jeff Kaelin, NJ (GA)	Erika Burgess, FL, proxy for J. McCawley (AA)
John Clark, DE (AA)	Gary Jennings, FL (GA)
	Ron Owens, PRFC

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

Ex-Officio Members

Dr. John Sweka, ARM Subcommittee Chair	Nicholas Couch, LEC Representative
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Staff

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

The Horseshoe Crab Management Board of the Atlantic States Marine Fisheries Commission convened in the Capitol Ballroom via hybrid meeting, in-person, and webinar; Monday, October 21, 2024, and was called to order at 3:00 p.m. by Chair Justin Davis.

CALL TO ORDER

CHAIR JUSTIN DAVIS: Good afternoon, everybody, I am going to go ahead and call to order this meeting of the Horseshoe Crab Management Board. My name is Justin Davis; I am the Administrative Commissioner from the state of Connecticut and currently serving as Chair of this Board. First item on the agenda today is Approval of the Agenda.

APPROVAL OF AGENDA

CHAIR DAVIS: I'll look around the room to see if there are any suggested additions to the meeting agenda as posted in the meeting materials. All right, not seeing any takers, we'll consider the agenda approved by consent. Next item on the agenda is Approval of the Proceedings from the meeting of this Board earlier this year in April.

APPROVAL OF PROCEEDINGS

CHAIR DAVIS: Again, I'll look around the table and online to see if there are any suggested additions or edits to those minutes, as posted in the meeting materials. Not seeing any takers, moving right along.

PUBLIC COMMENT

CHAIR DAVIS: Our third item on the agenda today is Public Comment. As a reminder, this would be public comment related to any items that are not on today's agenda.

If there is anybody in the room from the public who is interested in providing comment, at this time you can walk forward to the public microphone over here on the corner of the table directly across from me and be recognized. As a reminder, if you come to the table to make public comment, please start off by just giving your name and affiliation. Thanks.

MS. BENJIE L. SWAN: Hello, my name is Benjie Swan; I'm with Limuli Laboratories in Cape May, New Jersey, and I did submit a written comment. My comment is general, and I decided I would read it as well. It should only take a few minutes. Dear Atlantic States Marine Fisheries Commission Board members. I want to take a moment to express my gratitude for the incredible efforts over the past 25 years in managing the horseshoe crab population.

Our collective work has led to a remarkable increase in horseshoe crabs' protections for spawning populations, significant reductions in harvest for bait, the establishment of monitoring and reporting requirements, and the implementation of best management practice for biomedical use. These efforts ensure that we maintain a healthy and sustainable horseshoe crab population for future generations. We have not only focused on horseshoe crabs, we've integrated the needs of the red knot into our management strategies, collaborating with environmental groups to develop the Adaptive Resource Modeling Plan, the ARM model, an unprecedented achievement. As part of the ARM Framework, the survey was designed to monitor the red knot population. The survey conducted by the United States Geological Service shows a stable red knot population since 2012. With 25 years of data and insights at our disposal, we are in a strong position to continue this success.

However, it's time for us to shift our focus. While we have made significant strides in Delaware Bay, we must extend our conservation efforts to other horseshoe crab populations along the coast. By directing our resources and applying the successful practices we've implemented in the Delaware Bay region, we can make meaningful impact elsewhere.

The narrative surrounding the red knot, the fate of the red knot, often overshadows our accomplishments. However, it is essential that we move beyond past debates and instead focus on proactive solutions. Let's expand our knowledge, while continuing to use the ARM model to manage the Delaware Bay population, for the sake of the

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horseshoe crabs themselves and the entire ecosystem, which includes the red knot.

Also, protecting human health should be a top priority. The production of limulus amoebocyte lysate from horseshoe crabs, used to test for bacterial endotoxin contamination and pharmaceutical drugs and medical devices must continue. While advancements in testing are important, we must be cautious.

The synthetic alternatives to LAL are unregulated and may not detect natural endotoxins reliably. The potential risk to public health is too significant to overlook, and any switch to a synthetic alternative test should be slow and risk averse, especially in light of the fact that the biomedical use of horseshoe crabs has a negligible effect on their population.

As stewards of this vital ecosystem, we must counter the sensational narratives that hinder biomedical companies in our conservative efforts. It is time to educate the public, foster collaborative approach, to continue to successfully manage the horseshoe crab population. Let's focus on the future, build on our successes, and implement proven strategies where they are most needed. Enough is enough, let's move on together. Thank you.

CHAIR DAVIS: Thank you for that comment. Is there anyone else from the public here who would like to make public comment today? Looking around the room. Do we have anybody online? Okay, we'll move along to the next item on our agenda, which will be a report out on the outcomes from a Stakeholder Workshop on Delaware Bay Management Objectives, that was conducted earlier this year. To start us off we're going to have a presentation from Dr. Kristina Weaver, who is joining us online. Dr. Weaver, if you're there, you can go ahead and take it away.

DR. KRISTINA WEAVER: Glad to be here, thank you for having me. Again, my name is Kristina Weaver, and I was the facilitator who helped to support the Horseshoe Crab Management Objective Stakeholder Workshop this past summer. I'm going to provide just a brief overview of the key attributes of this workshop, and the key findings, before passing to Caitlin Starks with ASMFC, to talk a little bit about some of the recommendations for next steps. Just really want to appreciate the incredible staff who worked with me, who I had an opportunity to work with as part of this project, in particular, Toni Kerns, Caitlin Starks and James Boyle, as well as the Board. Really enjoyed this opportunity.

For this presentation, I'll say a few words about the background context. I am not an expert in horseshoe crabs or in red knot, I am a public policy and environmental mediator, so it was very interesting for me to get to learn more about this context. Then, just toggling back to the last slide for a second. Following that we'll talk a little bit about the workshop process, and in particular the consensus building method that we used.

Then, I'll provide an overview of the key findings from the workshop, including areas where participants achieved consensus agreement, and areas of robust dialogue, where there were efforts to achieve consensus, but were not reached. Then again, we'll transition into talking about some of the next steps that were identified by the Workshop, and Caitlin Starks will be able to cover that in greater detail.

Moving into the background. As I'm sure the Board, and many if not all who were on the webinar recognize, the horseshoe crab resource is vitally important and interesting, and there is a lot of stakeholder dialogue, and at times disagreement around management. The Workshop was really an opportunity to kind of go deeper around dialogue, around those areas of disagreement, and see where there might be common ground.

CONSIDER STAKEHOLDER WORKSHOP REPORT ON DELAWARE BAY MANAGEMENT OBJECTIVES

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

To just provide an overview of the history, Adaptive Resource Management is a Framework that was implemented in 2012, and allowed for setting bait harvest specifications in the Delaware Bay Region. There have been 0 Delaware Bay origin female harvest since 2013, and there still is not female harvest.

But the revision of the ARM Framework in 2021, which was adopted for management in 2022, did allow for the introduction of female harvest for the first time since 2013, and this perhaps among other factors generated considerable public input and public concern over the possibility of female harvest.

This was the impetus for a stakeholder survey that was conducted in 2023, that did really surface that there are a variety of important stakeholder perspectives on Adaptive Resource Management of horseshoe crab, in particular looking at red knot shore birds, for whom eggs are an important food source as part of their migration patterns.

Looking at the interest of commercial bait fishermen who rely on horseshoe crab. Looking at the interest of biomedical industry and the collection of blood for the creation of a clotting agent that is important to human health, and as we learned in the Workshop, also shore communities that really care about the welfare of the horseshoe crab for its intrinsic value.

A lot of the different interests around this resource, and as result of what was sort of surfaced in the survey, there was a sense that having a workshop that would bring a small group of people around the table to kind of go deeper in their dialogue, really more fully understand one another's perspectives, and see where there might be areas of common ground, was identified as the next step. We can move into the Workshop development. Again, the Board recognized the need for multistakeholder dialogue, to explore objectives and management approaches for the Delaware Bay horseshoe crab fishery. I can say as the facilitator and mediator who was brought in to support this process, there was really a very open sense of wanting to really

understand what degree of common ground or shared interest might be uncovered over a day and a half of intensive dialogue.

To support that goal there was a decision to retain a mutual third party, and that is the support that I provided as the facilitator. To say a little bit about my own background, I am a human cultural geographer, who worked for many years for about 12 years with the Institute for Engagement and Negotiation at the University of Virginia, which has a 40 plus year history in environmental mediation.

Now I do similar work as a consultant through my own LLC, but basically have worked, particularly in Virginia and the Mid-Atlantic region on a whole variety of issues. About a year ago, was selected as the mediator/facilitator to work on, sort of a similar workshop around menhaden in the Chesapeake Bay.

I have some fisheries background, but again was brought on more for my process expertise than for my subject matter expertise. One of the suggestions that I made when we started the process of designing the Workshop was to have sort of an assessment phase, which consisted of conducting some open-ended interviews with a subset of participants who could sort of represent the stakeholder interests.

The purpose of that was really to bring me up to speed further in the issues, and to inform design of the Workshop, to try and support really constructive and productive dialogue. As an overview of the stakeholder groups were convened in this Workshop, we had bait fishery, harvesters and dealers, and bait users. We had members of the environmental NGO community, the biomedical industry, horseshoe crab and shorebird biologists, and state resource managers.

We had a total of 12 stakeholders and then 8 staff around the table for a combined total of 20 voices at this Workshop. The staff who participated were there to really lend their technical assistance and expertise, and at times weighed in on some of the consensus building, and at other times abstained.

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The Board will review the minutes during its next meeting.

We sort of left that to their discretion. I really just want to take a moment to thank all of the individuals who participated in the Workshop.

It really was a very robust and collegial dialogue over the day and a half that we were together, and really felt that people leaned in and did very good work together. The purpose of the Workshop, as we had defined it. This purpose was really refined in consultation with the ASMFC staff that convened the Workshop, and then with the insights from those assessment interviews I mentioned.

But we defined sort of three layers of purpose or goals for the Workshop. One was really to increase understanding of the various stakeholder perspectives and interests. There was recognition that there have been a fair amount of public input and public discourse around the issues. There has been a survey, but perhaps there had not yet been an opportunity for stakeholders to themselves ask direct questions of one another, and really be listening for deeper understanding. We also, and this was an issue that was really substantiated by the assessment interviews. We wanted to provide a contact for greater understanding of current horseshoe crab modeling. There was a recognition that the science and the way the science is described, can sometimes be difficult to explain, especially to lay audiences and to the public.

There was a desire to at least increase the collective shared understanding of the current modeling approach and the science, the scientific inputs, and data, for those who were around the table. Then the final objective was to really identify, what were concerns, what were the alternative ideas and suggestions, and what were the areas of possible common ground for horseshoe crab management that this group of 20 people could identify over a day and a half.

I had proposed, and the group took up and affirmed during the Workshop, a consensus building process, which basically can be used as a way to surface areas of agreement and disagreement, and to encourage participants to be in sort of a solutions mindset. The dialogue process, in addition to

establishing this baseline knowledge and understanding through technical presentations at its outset.

Most of the Workshop was really about building consensus through this process. The way it looked was individual participants in the group, with my support as a facilitator, would essentially bring ideas to the table, proposals or recommendations. Then we would go through an iterative process of essentially seeing where everybody in the room stood around those ideas.

I've had people put up one finger when they wanted to indicate full support for an idea, two fingers when they wanted to support an idea, or they were willing to support an idea. But they did want the group to know that they had questions and concerns. Then I think this word is actually inverted, so it would be three fingers indicated full support, two, indicated support, but with questions and concern, and one finger would indicate you cannot support, given too many questions and concerns.

It doesn't really matter, but if you do review the report that was provided, you'll see that inversion of the numbers. But basically, this consensus building process allows for this kind of gradient of agreement, where folks can see, okay how serious is the opposition to an idea, or it may be how much support might there be in the room for an idea.

Once we sort of test where people are at with a given idea, the process then became very much an iterative dialogue, where I as the facilitator would turn to those who objected to the idea, and ask them to share more about their objection, and if possible, to share how they might modify the proposal or their recommendation or the idea, to get them closer to support.

We had a really rich iterative process of kind of working through several proposals and several recommendation ideas. We arrived at several areas of common ground this way, as well as several areas where there was really robust dialogue, but common ground or consensus-based common

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ground, which indicate all threes or twos, there is nobody sort of completely opposing the idea, was not quite reached, but there was robust dialogue. At the end of each day at the Workshop we did also have public participation, public input which was captured in the report as well. From here, having explained the process, I will move into some of the key findings of that consensus building effort. There were five statements or recommendations around which the people in the room achieved consensus or broad agreement. Now, as a reminder, some people may have abstained from providing their one, two or three, kind of indication of agreement for these statements.

Typically, some of the staff may have abstained because they felt that it was not really in their purview. Like in this organic process we essentially had nobody who fully objected to these ideas. The first three are on this slide. One was that participants put out there, they would like to know whether the group could agree that the horseshoe crab population had in fact increased in the Delaware Bay since 2010, and there was consensus in the Workshop that this was in fact the case.

There was also a consensus recommendation developed that the ASMFC should conduct outreach to gather the essential concerns of key stakeholders. There was a sense that it would be important to gain a deeper understanding, especially if those stakeholder groups, communities, or networks that had greater concerns around the ARM model.

Then another area of agreement that ASMFC should devote some resources towards improving science communication about the ARM, including optimizing existing channels for engaging with the public. To give some context for that, there was robust dialogue about the need for just better science communication about this modeling, but also recognition that there might be many existing channels within the ASMFC that could be activated to do this kind of work.

Okay, so one of the really interesting outcomes, in terms of the consensus agreements, was that there

was a recommendation to use current ASMFC processes to refine the ARM reward and utility functions with stakeholder input. As I recall, this was an idea that some of the scientists around the table strongly advocated for as a very appropriate and very useful sort of sphere of influence, where stakeholders could really shape the data going into the ARM. This idea did achieve consensus.

Looking at my notes and looking at the report, we had around 7 participants who registered full support for this idea, and another 5 who registered that they would support it, perhaps with some questions and concerns. We did have, again robust dialogue around each of these. In the report that was prepared, we have an overview of each of them, and then additional sort of notes from the dialogue in the appendix.

Then the final consensus statement was that the ASMFC should continue to run the ARM by default, with a recommendation to pause female harvest in the meantime, while the other recommendations, the other consensus states recommendations are implemented, and stakeholder input is further considered.

This was probably one of the most significant areas of common ground achieved in the Workshop, essentially a decision to continue to run the ARM. There was this affirmation that Adaptive Resource Management is desired. But a default recommendation to pause female harvest for now, while these other ideas are implemented. From there we can move into areas where consensus was not reached. Each of these areas are worth mentioning and worth including because there was such robust dialogue. In the report on the Workshop, we include the sort of breakdown of votes, the three, two, one for each of these, so reviewers of the report can get a sense of how much disagreement or objection was there.

But essentially, consensus was not reached on the idea that female harvest is appropriate under some circumstances. For this one we had two participants who registered a cannot support, too many questions and concerns, which in this three,

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two, one consensus model would be a one. They cited that the case for expanding the female harvest has not been adequately justified, that there are remaining concerns with the model.

They cited an understanding that perhaps red knots really need a “super abundance” of eggs, that may exceed what will be deemed as sustainable level for horseshoe crab. Really a desire to represent the interest of NGO members that might not have been around the table was also one of the reasons.

Also, a concern that more time might be needed to fully assess data about female horseshoe crab abundance and red knot population trends. Sort of just a more cautious sense that we’ve only recently turned the corner with population of horseshoe crab, and should be cautious. Those were some of the reasons that consensus was not reached around this.

I will say that 11 participants registered full support at that first bullet. The next one was the idea that the ASMFC should revert to a Harvest Control Rule, and not use Adaptive Resource Management. This was really interesting, because we actually had all participants who participated in this consensus test, there were 12 of them who registered a 1, meaning that they cannot support this idea.

In a way it was not a consensus achieved, but it was sort of a default affirmation that there is a preference for Adaptive Resource Management. I think that that was one of the open questions going into the Workshop, so that was a very interesting finding. The next area of dialogue where consensus was not reached was around the idea that we should pause running the ARM to focus on modeling for male-only harvest, based in science.

The idea behind this recommendation was really to value the time and the resources devoted by the modelers, and recognize that perhaps if we’re not going to fully follow the sort of recommendations that come out of the model, it might make sense to kind of pause Adaptive Resource Management.

Most of the participants who consensus tested for this said that they could not support it, so that was 7. We only had 1 person registering full support of this idea. It really came down to not wanting to relinquish Adaptive Resource Management, really valuing that approach, even if there are some concerns about the implications for the recommendation of female harvest.

Then the next one captured on the screen is around a suggestion to really work on a conflict resolution process with those NGOs who have the most objection to some of the outcomes of the ARM model. There was extensive discussion about this. We did have 7 participants who fully supported, another 2 who would support with questions and concerns, but 3 participants registered that they could not support it. The primary concern really was that there would be a perception of unfairness for the ASMFC to hold private meetings with some but not all stakeholder groups or communities, and that this might discredit and undermine the rigorous external peer review process in place, to evaluate the science of the ARM Framework.

This sort of segued into, you know where we did achieve consensus, which was around finding processes and using existing channels within the ASMFC to really listen deeply to what the stakeholder concerns are. Those were the areas where consensus was achieved, and the areas of robust dialogue, where we did have efforts to craft consensus proposals, but we didn’t quite get there, in terms of full common ground.

The conclusion of the Workshop was very memorable for me as the facilitator, because we went around the room, and the participants really universally affirmed that the Workshop had met its core goals. We have achieved an increased understanding of the various stakeholder perspectives and interests. Folks have had a chance to really listen to one another and to gain new insight into the issues, and to each other’s interest and perspectives. There was also agreement echoed around the table that there was an improved and increased understanding of the current horseshoe crab modeling, thanks in large

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part to some excellent technical presentations that staff provided, and to the dialogue that ensued.

There was generally just an appreciation for the collegiality, for the professional respect, for the positive dialogue, as folks surfaced their concerns, their ideas and worked to really, worked quite earnestly to uncover where there might be areas of common ground, despite sort of a context of some conflicts around how this resource should be managed.

From here I'll segue into just at a high level introducing some of the recommendation ideas that came from the Workshop, and then Caitlin Starks will step in and provide a little more flesh on the bones, as a member of the ASMFC staff who understands better how these recommendations could be implemented.

At a high level there were many potential next steps that were discussed through the Workshop. Some of these really relate to those consensus agreements. You see the key ideas on this slide, so the first is to initiate an addendum for an interim solution, around how the ARM modeling would proceed.

The second is to really have dialogue with key stakeholders to identify "essential concerns." That was the phrasing that really came out of the Workshop, a sincere desire to kind of go even deeper in understanding what's really at the core of these concerns. The third, initiate a process to develop alternative reward and utility functions for stakeholder engagement.

This seemed to be a really rich opportunity where stakeholders could truly shape how the ARM Framework is implemented, in ways that are also very helpful to the scientists running the model. There were also recommendations and ideas around evaluating the membership of the Advisory Panel, and whether there might be opportunities to make the Panel even more representative of the range of stakeholder concerns. Lots of interest around efforts to improve science communication about the ARM, especially through using existing

channels that might not be fully optimized within the ASMFC. With that, I think Caitlin is going to come up and go over each of these in more detail.

MS. CAITLIN STARKS: Thanks, Kristina. Just to add a little more to these recommendations. The first suggested next step was to initiate an addendum to establish an interim solution for setting specifications, while the other workshop recommendations related to the ARM are addressed. The consensus of the Workshop participants was that the ARM should continue to be used, but that female harvest should be paused during the time needed to address those other recommendations.

To achieve this an addendum could be used to allow for setting multiyear specifications, based on the ARM as an interim solution, so that female harvest could be set to 0 for a longer period than 1 year, to allow for additional work on the ARM to be done. If the Board initiated an addendum today, it could be completed before next fall, so that it could be used during the specification setting process for 2026 harvest.

Then the next consensus-based suggestion is to begin a dialogue with stakeholders, such as the environmental NGOs and others that were not able to be at the Workshop, acknowledging that the participation of the Workshop was limited to allow for more in-depth discussion. Setting up a process for dialogue with other stakeholders would provide an opportunity to build a more holistic understanding of the ARM Framework and the key concerns that stakeholders would like to see addressed, and also space for exploring some solutions or alternative methods.

The format of this dialogue would really dictate the resources required, but as an example the Commission could start by engaging with stakeholder in a series of webinar meetings, which would not require a lot of resources. The next suggestion addresses the recommendation that the ARM reward and utility function should be refined with stakeholder input, using current ASMFC processes.

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The reward and utility functions are components of the ARM that essentially translate the management objectives into equations that solve for the recommended harvest from the ARM, given the horseshoe crab and red knot population data. The Workshop discussion concluded that these functions should be evaluated to see what changes could be made, so that they might better align with stakeholders concerns and values.

The process for doing this could take place through our typical committee meetings, if they are tasked by the Board to do that, and stakeholder engagement can be built into those meetings. I want to note that reviewing and coming up with modifications to consider for those rewarding utility functions will take time and resources, and it would probably require at least another in-person meeting, as well as multiple webinar meetings to really work through any changes. Then ultimately, if there are changes that the Board wants to pursue, a management action would be needed to adopt those changes.

Then the last two suggestions are a little bit easier to accomplish. First is the evaluating the Advisory Panel membership, to make sure there is adequate representation for all of the stakeholder groups, and this could begin any time really, so staff can work with the states to look at who is currently on the AP for each of the states, and consider any changes. Another possibility would be to consider adding additional seats to this AP that specifically would be for those nontraditional stakeholders like the environmental NGOs.

Then our last one, the Workshop participants agree that there is a need for efforts to improve the science communication around the ARM Framework, because it is a very challenging thing to explain and understand. Another area where efforts could be focused in improving communication is around the Commission's channels and processes for public engagement, to increase the general public's awareness of when and how they can provide meaningful input on management.

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This seems like it could be an opportunity, where the environmental NGOs with an interest in horseshoe crab management could collaborate with the Commission, to help disseminate some information, and also provide insight on how our communication about the ARM could be improved. With that I am done, and Kristina and I can answer questions.

CHAIR DAVIS: Thank you, Dr. Weaver, for that excellent report out on the Workshop proceedings, and thanks to Caitlin for providing some clarity on actions the Board could take, coming out of the Workshop. Let's start by looking around the room and online, to see if anybody from the Board has questions for Dr. Weaver or Caitlin about any of the information that was just presented. I'm not seeing any hands, so hallmark of a great presentation, answered all the questions. I will look around the room at this point to see if anybody has a motion or any other recommendations for action. Dan McKiernan.

MR. DANIEL MCKIERNAN: Just a brief question. If Caitlin or anyone else who was involved could explain the reward and utility functions, especially for those who don't follow the ARM so closely.

MS. STARKS: I'm going to kick this one to our Chair of the ARM Committee, John Sweka.

DR. JOHN SWEKA: Yes, the reward function in this whole scheme is essentially what we want to maximize, and we get reward from both the harvest of horseshoe crabs and the abundance of red knots. In a perfect world you have high harvest of crab and you have high abundance of red knot. How we get to the reward function is through the utility functions.

The utility function is described, how much value is placed upon harvest or bird abundance, based upon the stakeholder values. In terms of crabs, it's a proportion of maximum harvest. If we're in a state where we can harvest 210,000 females and 500,000 males, that utility is equal to 1, or 100 percent.

On the red knot side of things, the utility is 0 at our current abundance of red knot, and then once we approach 81,900 birds, which is a population threshold that was settled or agreed upon by all stakeholders' years ago. Once we hit 90 percent of that 81,900 threshold, then red knots are to have utility. Then it increases to one once you surpass that threshold. The reward function is the combination of both for utilities. Then within the ARM Framework, we have what is also known as the Harvest Policy Function. Granted there is a lot of functions here that are very confusing.

The Harvest Policy Functions are actually what we solve for. Those are mathematical equations, that tell us then what the optimal solution is, given the abundance of crabs and the abundance of birds at a particular point in time, and that is the Harvest that we should implement for our next recommendation for the next harvest season.

CHAIR DAVIS: Bill Hyatt.

MR. WILLIAM HYATT: Just a question I've been mulling over since the presentation. The last of the recommendations was a recommendation to increase science communication with sort of like the conclusion to collaborate with NGOs might be a great way to do that. In thinking about that, I said, oh that sounds like it just brings up all the issues that might be at loggerheads with some of the NGO community on.

Kind of thinking that while that was a simple statement of the solution, the concept was that that would be actually the last in line after some of those preceding recommendations, increasing stakeholder involvement, increasing membership on the Advisory Panel, et cetera, were implemented and brought to fruition. Am I kind of thinking of that correctly, or was there any discussion of how that recommendation might roll out?

MS. STARKS: Kristina, feel free to jump in if you have a better memory, but I think when these recommendations were developed and discussed at the Workshop, there wasn't really an order given to them. As we just presented them, there is not

necessarily an order there either. Up to the Board how we want to approach these things.

But I do think they are not necessarily mutually exclusive, I think you could improve the communications and those relationships with the NGOs, to try and think forward about how to better communicate these things while you're also working on solving the other questions.

DR. WEAVER: Yes, I can just add to that, Caitlin. There was a lot of creative dialogue around, you know what could be possible if there was a major investment in science communications, like hiring someone with that expertise or you know there were sort of creative brainstorming around it over the course of the Workshop really. It was a definite theme.

But you know, I think as folks recognized, really there might be existing channels within the ASMFC where this could really be shored up. One of the ways that the environmental NGOs, and I think the other stakeholders as well could be useful, is in clarifying what is confusing. What about the existing ways of explaining the science might be difficult?

In particular, even some of the scientists around the table were sort of acknowledging that they find it difficult to then explain to members of the public. Even if they have a sense of understanding, they have difficulty explaining it further, so that environmental NGOs might have a better sense of what has been difficult to grasp among their stakeholders and networks. Then the other piece related to this was not exactly the science communications, but an opportunity to broadcast more clearly to environmental NGOs and to the public, what are the existing channels for the public to engage with all of this?

That those channels may not be fully understood or utilized, and that could be a communications issue. Again, one of the ways of kind of getting at that would be to better understand for those environmental NGOs and others, where is that breakdown in understanding happening, in terms of

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really recognizing how they can engage. Hope that is helpful.

CHAIR DAVIS: Thank you, Caitlin, and Kristina. Again, I'll look around the room to see if anybody has a motion or a suggestion for how to move forward formally out of the Workshop. John Clark.

MR. JOHN CLARK: Let me use my brain power and see if I can get something up on the screen. Okay, here we go. Yes, I would like to **move to initiate and addendum to consider the ability to set multi-year specifications for male-only horseshoe crab harvest of Delaware Bay-origin Horseshoe Crab based on the ARM Framework.**

CHAIR DAVIS: I'll look around the room to see if there is a second to the motion. Dan McKiernan.

MR. CLARK: Caitlin, didn't we have a little more added to that?

MS. STARKS: Did you want to add to the end of that, John?

MR. CLARK: Yes, and as Mike pointed out, it should be, yes to the end of that I also wanted to add on there, or an alternative male-only harvest specification setting method. I guess I'm kind of doing this on the fly here, but I can speak to it after we have it set.

CHAIR DAVIS: Okay, John, does what is on the screen right now reflect the motion you wanted to make?

MR. CLARK: Yes, it does, Mr. Chair

CHAIR DAVIS: Dan McKiernan, the seconder is indicating he is good with that as well. We have a motion on the Board. I'll turn it over to John to ask if he wants to provide some rationale.

MR. CLARK: Yes, I do, thank you very much, Mr. Chair. As we heard from the report on the Workshop, which was really an excellent dialogue and much appreciation to the staff from ASMFC, John and Kristen for the great explanations of the

ARM model, and to Kristina for the great job of facilitating that.

As we, I think all understood, the question of female harvest is quite a difficult question right now for all the states that are part of the Delaware Bay resource. We thought that this way we would still have the ARM set up, but we wouldn't have to go through all the work of setting specs that would include female specs every year, and I know that just running the ARM every year is a lot of work. This way the thinking is that it will be up to the Board to set how many years in advance we could do this. But based on what we've been doing in recent years with the 500,000 quota of male horseshoe crabs that can be taken, which is what, less than 2 percent of the estimated population of males out there that we could handle this safely for several years, before we would have to run an ARM again.

During that time, it might become more apparent that perhaps female harvest could be allowed, and then we could run the ARM again. The last part of that, there are states that are harvesting some of the Delaware Bay origin horseshoe crabs, but also other horseshoe crabs. That was put on there so that perhaps the Technical Committee and the Stock Assessment Subcommittee might come up with a method just for estimating a male-only harvest and specification.

If that is what we are going to be doing, that would take into account what those states, for example Maryland and Virginia, are harvesting. That is kind of the rationale here of a way to hopefully not get us into the situation like we're getting every year now, where as soon as the recommendations come out and there is that female harvest on their recommendation.

It really sets off strong reactions from certain people, so I thought by doing this perhaps we could at least calm things down, and move ahead while we're working on the reward and utility functions, and see the next iteration of the ARM, and then get back and look at the whole package again.

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CHAIR DAVIS: Dan, I'll turn to you as the seconder of the motion to see if you want to add any rationale.

MR. McKIERNAN: No thanks, I simply seconded to support our colleague at the ground zero.

CHAIR DAVIS: I'll turn to the Board and see if there is any discussion on the motion. Joe Cimino.

MR. JOE CIMINO: I think this gets at the heart of what the Workshop kind of concluded. I think it's important to telegraph that if it is going to be male only that we have the ability to do that for multi years, so that the public has that understanding that as Caitlin said, that this is a good idea to help us move forward with the stakeholder input and other work that we need to address possible changes to the ARM in the future. It also signals to those that are working on the ARM that they have some time to work on it as we move forward. I fully support the motion.

CHAIR DAVIS: Rick Jacobson.

MR. RICK JACOBSON: I am inclined to support the motion as well. I think what I've seen over the last couple of years is a consistent sentiment toward a male harvest only, in spite of the recommendations coming out of the ARM itself. That said, in spite of my inclination to support the motion, I would want to hope that the Commission and the Board does not allow itself to be complacent in engaging with the public on this issue moving forward, that we stay engaged with the concerned constituents, NGOs et cetera, so that as we do take up a new decision point some number of years down the road, it doesn't come as any surprise to anyone, whatever our new position might be.

CHAIR DAVIS: Mike Luisi.

MR. MICHAEL LUISI: I certainly support the attempt here to go forward and to initiate the addendum for multiyear specifications, it's something that I've supported in other fisheries. I think the multiyear specification setting is a cost savings, a resource savings process, that allows us to set the stage, not

only for us and the staff that work on these plans, but for the industry as well to know what's coming a few years from now. My only question, and I anticipate that if at the end of this when we are working on a multiyear specification process.

Caitlin, do you have any thoughts as to whether or not there would be any type of review? Let's say we set the specs for three years. Are we just going to ride those three years out, or do you see us checking along the way to make sure something hasn't changed enough for us to reconsider what we said. But by doing that work that would be a kind of checks and balance, does that offset all of the savings and the resource savings and staff time, does one offset the other?

MS. STARKS: I think it is up to the Board whether or not you would specify that you want the ARM to be run every year, even if you're setting specifications for three years at a time. That would be up to you all. I do think it kind of would negate the cost savings part of it, because ARM being run is resources that we have to use.

There is going to be an update every year from the Virginia Tech Trawl Survey, which is not going to be run through the ARM, if you all don't want to run the ARM every year, but it will at least provide an indication of where the trawl indices are going from year to year.

MR. LUISI: Just a quick follow up to that. That makes sense. In thinking about this though, and maybe John, maybe you can help me understand. Let's say five years pass, it's almost 2030 and we're having this discussion again. However, the red knot population and the horseshoe crab population have skyrocketed, for some reason.

We find ourselves in a position to possibly consider multiyear specifications on something beyond just male only. To continue with the addendum and to have it evolve with the change in management, is that something that would need to be specified in this motion, or would there have to be a whole new addendum if we were going to do a multiyear specification process for both male and female?

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MS. STARKS: I believe that if you specify here that you want the addendum to be male only and that is what ends up being approved down the line, if this continues going forward. Then you would be limited to male only and you would need a new addendum. It is definitely up to you how you craft this draft addendum, and how that would impact your need to do a future addendum.

CHAIR DAVIS: Toni, go ahead.

MS. TONI KERNS: I think I'm hearing folks not clearly understanding, I think, what this motion is saying. I think what this motion is saying is you're getting an additional tool in the toolbox. You have your ARM, and the process that you use to set specifications every year through the ARM right now. You are adding another tool in the tool box, or two or three tools, depending on what these alternative methods turn out to be.

The Board can then decide which of the tools you're going to use to set your specifications. If you approve something that says you can set male only for three years, then the Board would run the ARM, do your three-year specification, and then after the third year I'm assuming that this addendum is going to say, you need to run the ARM again at that time, and then you'll then again decide, am I going to use the method we have right now, or am I going to use some multiyear method that gets approved through this document?

MS. STARKS: I think the clarification maybe that Mike is looking for is about this male only part. If in three years after they set specifications with male only harvest, and hypothetically the ARM is run again and the female population, male population have exploded, and they want to set female harvest, then it would be limited to one year at a time without a new addendum.

CHAIR DAVIS: Does that clear it up, Mike?

MR. LUISI: Yes, thank you, and as long as we have the option down the road, without having to start a whole new addendum to consider the female

harvest. As John mentioned, you know some states are not harvesting 100 percent of their crabs from the Delaware Bay origin. I think the answer satisfies looking forward into the future and what tools we would have.

CHAIR DAVIS: I'll go to Eric Reid next.

MR. ERIC REID: Following on the last two speakers. The language we have now says we are going to do the ARM or male only. Does that limit us moving forward? Should it be and/or?

MS. STARKS: It says male only harvest based on the ARM Framework or an alternative male only harvest specification setting method, so both of them are only males in this particular motion, ARM or we'll do the specs for male only harvest.

MR. REID: Okay, thank you.

CHAIR DAVIS: John, did you have your hand up before?

MR. CLARK: No thanks, Mr. Chair, I was just going to respond to Mike, but Caitlin and Toni covered it beautifully.

CHAIR DAVIS: Dan McKiernan.

MR. MCKIERNAN: Will the addendum document clarify the process by which there could be a female quota in the future? I am seeing Toni nodding her head. Thanks.

MS. STARKS: We can certainly do that with your instruction.

MR. MCKIERNAN: I would recommend that.

CHAIR DAVIS: Duly noted. All right, I'll look around the table to see if anybody else from the Board has a comment. Do we have anybody online? Provide an opportunity for public comment if there is anybody in the room from the public who would like to comment on this motion, or anybody online, go ahead and raise your hand.

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All right, not seeing any more hands, we'll go ahead and move the question. I didn't hear anybody speak in opposition to this motion, so I'll start off by asking, **is anybody opposed to this motion?** Okay, not seeing any hands, **any abstentions for the record? I see Georgia and Florida abstaining and, South Carolina, Georgia and Florida, thanks. This motion passes by consent with 3 abstentions as noted.** Go ahead, John.

MR. CLARK: Caitlin, did we need a motion about asking the ARM Subcommittee to review the reward and utility functions, or is that just something we can task and ask them to do?

MS. STARKS: I think you can task the ARM Subcommittee to get together and discuss what input would be needed to think about modifying those functions, and then come back to the Board.

MS. KERNS: John, I think in speaking with members of that group, that it is not a simple task just to redo that. It takes a significant amount of time. If you are interested in understanding like, what it means to do what was in Caitlin's recommendation slide then that group can come back and give you some better understanding of that. But to actually do it is a much bigger thing.

MR. CLARK: Right, my point was just, does the ARM Subcommittee need any further motion to proceed. While we're doing the multiyear specifications, my assumption is that they will be working on the reward and utility functions with, you know we're getting input and all that. It could be a lengthy process, and just curious as to whether we have to ask for that to be done specifically, or if that is just going to proceed at this point.

MS. STARKS: The intent of the recommendation from the Workshop, I think is to get input from stakeholders and to have a better understanding of where to go with those reward and utility functions. It might be helpful for the ARM Subcommittee to meet on its own to discuss what type of guidance would help them know where to go with those.

Then if they come back to the Board with some description of that process, maybe at that point the Board could direct them to do something specific with those, or consider certain changes to those functions based on the stakeholder's input. Because there is that other recommendation for engaging with stakeholder about their key concerns.

MR. CLARK: But in other words, you don't need any specific input from the Board right now to proceed with.

MS. STARKS: If they are going to meet then yes, we would want a task for them to meet.

MR. CLARK: Well, in that case. Okay, so not a motion just a recommendation to task the ARM Subcommittee with reviewing the reward and utility functions, discuss what input from stakeholder groups would be needed to provide direction on changes.

CHAIR DAVIS: I'll look to the Board to see if there is any discussion on that idea that John brought up, or any opposition on the Board to that tasking. Not seeing any hands, I don't think we have any hands online, so we'll consider that the will of the Board. Thanks, John. Mike Luisi.

MR. LUISI: Regarding the recommendations that came from the Workshop, the other recommendations. Is there anything we need to do? Does the Board need to approve those as paths forward?

MS. STARKS: I don't think anything else requires a motion or action, but I can move forward with affirmation from the Board on looking into the Advisory Panel membership, and we can continue to think about how we would engage the stakeholders in some sort of dialogue. I guess, if that is the intent of the Board, if you want to move forward with that recommendation or the others, then it would be good to have that clear on the record.

MR. LUISI: With that could I move? Do you want another motion, or should I just say yes, that all sounded great, and hope everyone else says the same thing?

CHAIR DAVIS: I think it's more the latter than the former. Essentially, you know if anyone on the Board has any objections to those two ideas that Mike just raised and Caitlin discussed, speak now or forever hold your peace, or we'll consider that the will of the Board to move forward with exploring the Advisory Panel membership. Right, moving forward with exploring avenues for more dialogue with stakeholders. Also, if anyone has any additional thoughts or ideas along those lines, feel free to share them at this point. Okay, not seeing any hands, so we'll consider that also the will of the Board by consent to move forward with those two items. Roy Miller.

MR. ROY W. MILLER: I'm wondering if we have a definition of what success in managing these two resources looks like. Do we have a clear understanding of our ultimate goal, in terms of, let's say numbers of female horseshoe crabs, numbers of red knots, and if so, how will we know when we have achieved success or conversely? Even though we've bought some time for, I've heard the word three years thrown around here. At what point will we know we have met the concerns of the NGOs? What defines success?

CHAIR DAVIS: It's a fair question, Roy, almost seems like a question for happy hour or the hour after happy hour. I wish I had a good answer for you, I don't. I'll look to see if anyone up here at the table has some thoughts they want to share, or maybe somebody else out there on the Board has some thoughts along those lines. Mike Luisi.

MR. LUISI: I don't have an answer. I know that this was something that we discussed, you know during the time that we all spent at this Workshop, whether we were in the meeting or outside the meeting. Success and the thoughts about what success looks like, was something that we were all a bit challenged by.

Because I think no matter, depending on where you're coming from, there is a different level of success, and if you took everyone's successes and stacked them all together, and if you had to achieve that, there would be no more ocean and it would just be horseshoe crabs, and the birds would be like pterodactyls coming down and picking you up and flying you away.

There are a whole different level of what success looks like in different eyes, and that was a challenge at this group we had. We had a little bit of everybody scattered throughout. Success on the commercial industry, they would like to see some female harvest back. The red knot bird groups want to see a flourishing biomass of red knot.

It was a challenge. I don't know that we're going to ever find something that we can just check to say we've succeeded, but I think the conversations that we've had, the ability to sit with one another and learn to make adjustments to things when we are considering others' opinions about what success is. I think that is success, honestly. We've come a long way and I'm looking forward to continuing working on this process for the future. I'll stop there, thanks.

CHAIR DAVIS: Thanks for that, Mike. Does anyone else have any thoughts to share on that topic? Go ahead, John.

DR. SWEKA: Just to speak to Mr. Miller's question about what are the target numbers. I can speak to some of the numbers within the current ARM Framework, and where things have value. For red knots it is 81,900 birds. That is basically, based on how many birds there were out there in the early nineties, original aerial count numbers of birds, some fraction of that.

From the original ARM it got ramped up, so we were thinking there were approximately 90,000 birds using the Delaware Bay back in the early nineties. In the original ARM Framework it was said, okay, if we get back to half of that we will be happy. That is still based on the aerial count numbers, so half of that would have been about 45,000.

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Then we started to use the mark-resight estimate of birds, realizing that the aerial counts are less than what is actually using the Delaware Bay. Then we, using the ratios, we ramped that up to 81,900 birds, and that was when essentially the shorebirds stakeholder group would feel comfortable. In our utility functions for red knots, there is zero value to the number of birds out there. Essentially, stakeholders are unhappy when there is less than 81,900 birds. Once you hit 81,900 birds, then we're happy. That satisfies the desires of the shorebird stakeholder group. That is where the shorebird, or all stakeholders where their values are in place in the ARM is through those utility functions. But 81,900 birds, we're happy. You can kind of think of that as a success, you know where utility is equal to one. In terms of horseshoes crabs, we don't have a typical population threshold where, okay now you can harvest, now you can't harvest. We used in the previous ARM version, there was 11.2 million females.

That is when we said, okay, female harvest is now okay. Well, we've tripped that, we're beyond that, and that was one of the problems with the original ARM was that we would automatically go to the maximum harvest. The way the current revised ARM is formulated, there is not a trigger there, there is not a set number of crabs, where you can have harvest.

Essentially, what we want to do is maximize the allowable harvest, so it is proportion of maximum harvest. We can have up to 210,000 females and 500,00 males, and we assume that females are worth twice as much as males. The combination of both sex harvest, what it the proportion of the maximum value that we have from harvest.

We try to get to that, you try to maximize that, as long as it doesn't cause harm to red knots, and red knots are not limited by horseshoe crabs. There is really not a population goal for horseshoe crabs, it's more of a harvest goal, as long as it doesn't impale or impair red knot population growth. Hopefully that kind of sets us up for what we may consider a success.

MR. MILLER: Thank you, Dr. Sweka, that helps clarify it for me.

CHAIR DAVIS: All right, in the interest of time, I'm going to move on from this discussion. I want to check really quickly before we move on from this agenda item that there are no other additional actions or motions from the Board on this agenda item dealing with the Workshop. I'm not seeing any hands, so we'll go ahead and move on to our next item on the agenda, which is to set 2025 Delaware Bay Bait Harvest Specifications, and we're going to start off here with a presentation from John Sweka.

REVIEW HORSESHOE CRAB AND RED KNOT ABUNDANCE ESTIMATES AND MODEL RESULTS FROM THE ARM FRAMEWORK

DR. SWEKA: The Adaptive Resource Management Model was revised and accepted by the Board for management use in 2022, and it formulated the most recent Addendum VIII for fisheries management plan, and it's used annually to produce a bait harvest recommendation for the Delaware Bay area.

Maximum, as we said previously today, the maximum harvest that could be recommended is 210,000 females and 500,000 males. Last year the ARM recommendation was 175,000 females and 500,000 males, but the Board elected to implement a 0 female harvest. The objective statement of the ARM Framework is to manage harvest of horseshoe crabs in the Delaware Bay to maximize harvest but also maintain ecosystem integrity, provide adequate stopover habitat for migrating shorebirds, and ensure that the abundance of horseshoe crabs is not limiting red knot stopover populations or slowing recovery.

The data that is used in the ARM annually, to make a harvest recommendation, is the red knot population estimates from the mark-resight analysis that is conducted by USGS, Jim Lyons in particular. Then also, the horseshoe crab population estimates from the Catch Multiple Survey Model. Input to this model include the Virginia Tech Trawl Survey, the

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Delaware Adult Finfish Trawl Survey, New Jersey Ocean Trawl and bait landings, discard estimates and biomedical mortality. Here we have the red knot population estimates through time. You can see there has been some fluctuation. In the most recent years, 2023 and 2024, we've gone from 39,361 birds up to 46,127, so a slight increase in 2024.

I will note that when we make our annual recommendations, we look backwards two years, so we're using the 2023 mark-resight estimates, in order to make harvest recommendations for 2025. We would be using that 39,361 number, but we show the 2024 estimates here just for your reference.

The actual bait landings or total landings of females, which are comprised of bait, dead discards from other fisheries, as well as coastwide biomedical mortality is depicted in this draft through time. You can see that the number of females that were harvested for bait decreased after the initial ARM or the original ARM was implemented in 2012. We've been at low levels since.

The reason why there are still some bait landings is because some of Virginia's crabs are assumed to be of Delaware origin, but still much less than the historic numbers. The dead discards from other fisheries have fluctuated and varied from year to year. We've put a lot of effort into trying to estimate dead discards from other fisheries, but again, the data is highly variable. Coastwide biomedical mortality has tended to increase through time.

Here we have the same time series but for males, and you can see once the original ARM was implemented the bait landings of males went up slightly. Although we're allowed upwards of 500,000 Delaware Bay origin males, you can see from this graph that even the actual number that are harvested by the bait industry is still less than 500,000 in the Delaware Bay area. Again, discards and biomedical mortality on this graph. Here is a graph of our female indices of abundance, and you can see that the Virginia Tech

mature crabs and the New Jersey Ocean Trawl crab females have greatly increased through time. In fact, the New Jersey Ocean Trawl has recorded its two highest catches of female horseshoe crabs in the last two years.

The Delaware Adult Trawl Survey, females from that survey have increased up until about 2018, and then have shown a slight decrease since then. The circled area here is somewhat problematic, and I'll discuss this further. In the Virginia Tech Trawl Survey over the past four years there has been a very low abundance of newly mature crabs.

These are crabs that are also known as primiparous crabs. They have just become mature and will spawn the following spring, and they've been low for the past four years. Moving on to our male indices of horseshoe crab abundance, again Virginia Tech, New Jersey Trawl, both have increased in recent years, and again from the New Jersey Trawl Survey, the two highest recorded catches have come in the last two years.

Like the females, the Delaware Adult Trawl peaked in 2018 and has been a bit lower since. But the interesting thing is with Virginia Tech newly mature males. They don't show the same decrease as the newly mature females have in the most recent four years; in fact, they are at their highest abundance yet. This newly mature problem from Virginia Tech, we saw 0 female newly matures in 2022, so this presents a huge problem for our Catch Multiple Survey Analysis Model that ultimately estimates the abundance of horseshoe crabs. The CMSA is a simple stage-based model that sums the newly mature and mature crabs and subtracts harvest and natural mortality, and predicts a population next year. It simply will not run if you have an estimate of 0 newly mature individuals going into the model as input.

We've discussed possible reasons for these low numbers of newly mature females from Virginia Tech for a number of years now. The three possible hypotheses we've discussed in the past, could be catchability, maybe it differs between newly mature males and newly mature females now. A

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recruitment failure event, which would mean just no recruitment for multiple years, starting at about 2010.

This seems unlikely because we still see newly mature males' recruitment. The third hypothesis is an identification issue. Perhaps these newly mature females are being classified as some other life stage, or some other state of female. Last year we developed a method to correct for this possibility of misidentification.

Historical data indicated that newly mature females comprised approximately 20 percent of the total mature females, and when I say total mature, I'm talking the newly mature plus mature. What we did was we saw the newly mature and mature Virginia Tech estimates for 2019 to 2021, assumed that 20 percent were newly mature and 80 percent were mature, and then just reportion the total mature numbers.

We used the adjusted female numbers in the Catch Multiple Survey Analysis to then estimate the total female population size. Since that time, through conversations with Virginia Tech staff, as well as the boat captain that actually conducts the survey, we realized that newly mature females were most likely being misclassified as immature, not as mature.

We saw this increase in mature crabs, or fully mature female crabs through time were double. Perhaps the reason why it's increasing so much is because newly matures are getting misclassified as fully matures. Turns out this really wasn't the case when we dived more deeply into the issue and discussed it with Virginia Tech staff and the boat captain.

What is likely happening is the increase in abundance of crabs makes processing a representative subsample more difficult. Not as many nonmature female crabs were probed for the presence of eggs as probably should have been in most recent years. The staff that are collecting the crabs on the boat, they just get a lot of crabs and have to process them as quickly as they can. Perhaps they are missing the newly mature crabs.

At the end of the day we've come to the conclusion that our correction method for 2023 was actually wrong.

We pulled the newly matures out of the mature group, when they should have been pulled out of the immature group. How do we correct for this? We know our method that we used last year is wrong, but based on the biology of the crab, how do we get an increase in mature females, but yet get this absence of newly mature females? It's just mathematically and biologically impossible. We put it to question, can we infer female newly matures from the male newly matures? If we think about the life history of horseshoe crab, after hatching there is really no reason to believe that natural mortality would differ between the sexes during the immature stages. Males will mature earlier than females, and the newly mature stage only lasts one year. Since the newly mature males in Year t , and the newly mature females in Year $t + 1$, represent the same cohort of crab, there should be some positive relationship between the two.

Also, the number of newly mature females in Year $t + 1$ should be somewhat less than the number of newly mature males in Year t , because they would have one more years' worth of natural mortality prior to becoming newly mature. When we look back through the time series of data from Virginia Tech up to 2018, prior to when we see this big decrease in newly mature females. We actually do see that positive relationship. Here we have plotted the number of newly mature females at time $t + 1$ versus the number of mature males at time t .

We see that there is a strong positive relationship between the two, and also the slope of that line is slightly less than 1, which is indicative of an additional years' worth of natural mortality before the females become newly mature. If we use this relationship band to correct the newly mature estimates coming from the Virginia Tech Trawl Survey it does change numbers, and it does actually increase numbers.

The columns here on the far left in yellow, these are what are actually observed and estimated by

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Virginia Tech. For example, these are in millions of horseshoe crabs, so for example in 2019, we would have 240,000 newly mature females. By using our new corrected method for correction, this would then increase to 2.72 million newly mature females.

Now, it does increase the total number of crabs that we think that are out there, which some may view as biasing the numbers, and certainly we don't like to do this. But we have to recognize that what we're observing from Virginia Tech seems to be biologically impossible. In an ideal situation we would revert back to using Virginia Tech estimates as they are provided by the trawl survey directly. You know, that would be a priority.

But in the interim, we do need to use some sort of a correction. I will also note that this correction will need to be made next year, because Virginia Tech estimated 0 newly mature females again in the fall of 2023, it was the same time it was the highest number of total mature females over any time. Again, it doesn't make sense that we're getting no newly matures, but yet our matures are at an all-time high.

If we use our corrected numbers in the Catch Multiple Survey Analysis, these are the results in our population estimates of mature females. I have both the CMSA runs with and without coastwide biomedical mortality, and you can see that the biomedical mortality really makes no difference at all. The two projections or two predictions of total abundance of female horseshoe crabs are nearly identical between their two scenarios.

In our last year here the Virginia Tech Trawl Survey population estimate from the swept area abundance was 11.54 million females, and our CMSA estimate is 16.6 million females in 2023. For mature males, again similar to females were at pretty high abundance. We don't have to use any kind of newly mature adjustment for males. The Virginia Tech population estimate was 25.4 million males in the terminal year and 30.4 million males from the Catch Multiple Survey Analysis. Once again, essentially no difference at all between inclusion or exclusion of biomedical mortality.

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Given these estimates of birds and crabs, our harvest recommendation is based on our Harvest Policy Functions that were optimized in the ARM revision. As per Addendum VIII, we then round down our recommended harvest to the nearest 25,000 crabs. This is an effort to further protect confidential biomedical data. For 2025, the recommended ARM harvest would be 500,000 males and 175,000 females.

Then when we also account for Maryland and Virginia crabs not being of total Delaware Bay origin, these are the final total quotas, according to the Allocation Scheme within the Addendum. You can see that in the end, the total quota ends up being slightly higher than the Delaware Bay origin quota. In total it would be 513,000 males and 185,000 females. At this time, I'll turn it over to Caitlin, who can discuss setting the specifications.

SET 2025 SPECIFICATIONS

MS. STARKS: Thank you, John. My part is very brief. This is the Board action for consideration today, so you are considering setting harvest specifications for 2025 harvest for the Delaware Bay origin crabs. I did want to put up a table of what exactly the Board did last year, just so you have this as a point of comparison. Last year the Board implemented 0 female harvest as opposed to the recommended 175,000, and 500,000 males. This is the breakdown with the allocations that are in Addendum VIII.

CHAIR DAVIS: Thank you, John, and Caitlin. Start off by looking around to see if anybody has any questions for John and Caitlin about the information that was presented. Okay, I'm not seeing any hands, so I'll ask if anybody has a motion relative to specifications. Joe Cimino.

MR. CIMINO: I'll move that Dr. Davis has to stick around for at least another three years, so status quo on Dr. Davis. **Move to accept the 2025 Adaptive Resource Management harvest specifications with 500,000 males and no female harvest of Delaware Bay-origin crabs. In addition, the 2:1 offset will be added to MD's and VA's allocations due to the no-female harvest.**

CHAIR DAVIS: Thank you, Joe, I see John Clark raising his hand to second. I'll turn back to Joe to see if you want to provide any rationale as the maker of the motion.

MR. CIMINO: I personally believe that we need to continue to express caution. I am very supportive of revisiting; you know what we were trying to seek out of the ARM model. I'm encouraged. I think we're seeing some positive trends. But I think we've got a long way to go.

CHAIR DAVIS: John, any additional rationale?

MR. CLARK: No, I think we'll just continue doing what we've been doing, thanks.

CHAIR DAVIS: I'll look to the Board, see if there is any discussion on the motion. No hands online, I take it. Okay, we'll go ahead and move the question. I'll start by asking, **are there any objections to this motion?** Not seeing any hands, I'll ask if there are **any abstentions for the record.** Okay, I'll see if I can get this right this time. **Florida, Georgia, and South Carolina abstaining. All right, so this motion passes by consent with 3 abstentions as noted.** I'll look to Caitlin, but I believe that concludes the business on that agenda item.

CONSIDER APPROVAL OF FISHERY MANAGEMENT PLAN REVIEW AND STATE COMPLIANCE REPORTS FOR 2023 FISHING YEAR

CHAIR DAVIS: Okay, moving on to the next item on our agenda, Considering Approval of Fishery Management Plan Review and State Compliance Reports for 2023. I'll turn it over to Caitlin.

MS. STARKS: I'll go through this somewhat briefly. This is the management history for the Horseshoe Crab FMP. The FMP was originally approved in 1998, and it has been modified by eight addenda, and the most recent of those is Addendum VIII, which was approved last year to adopt the ARM revision for setting the Delaware Bay harvest specifications, which was just used.

This next figure shows the annual values of reported horseshoe crab bait harvest in orange, biomedical collections in light blue, and the estimated biomedical mortality in dark blue. These are in millions of crabs. You'll see the bait landings since about 2003 have fluctuated around the same levels, and in the last eight years or so, there has been an increasing trend in the biomedical collection, which is light blue bars, and the mortality, which is the dark blue.

The total reported bait harvest for 2023 was 738,789 crabs, excluding the confidential landings for Florida and the 2023 landings represent a 29 percent increase from the 2022 landings. They are still well below the Commission's coastwide quota for horseshoe crabs, which is 1.59 million crabs, as well as the total state-imposed quota, which is 1.03 million crabs.

The states of Maryland, Delaware, Massachusetts, New York, and Virginia make up 99 percent of the 2023 coastwide landings, and Maryland, Delaware and Massachusetts harvest the highest numbers. For biomedical in 2023, the number of crabs collected for the sole purpose of LAL production in the biomedical industry was 1,113,644 crabs.

This is a 22 percent increase from the 2022 numbers. The estimated biomedical mortality was 178,232 crabs, and this number includes the observed mortalities that are reported by each state, plus 15 percent of the total number of crabs bled. The biomedical mortality represents about 19 percent of the total directed mortality for horseshoe crab in 2023, which is about 917,000 crabs.

Compared to 2022, in 2023 there was an increase to the overall mortality, including both state harvest and biomedical mortality. Here you can see the overall mortality as a total area of this graph, with the orange area representing the mortality from bait harvest and the blue area representing the estimated biomedical mortality, so you can see how these two relate to each other at scale.

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For de minimis status, states can qualify if their combined average bait landings for the last two years are less than 1 percent of the coastwide state landings for the same two-year period. South Carolina, Georgia, and Florida requested and meet the criteria for de minimis status. The Plan Review Team had a few notes to highlight from the Compliance Report reviews.

First, the Delaware state bait landings exceeded the state quota in 2023, so their 2024 quota was decreased to account for that. Connecticut also, as of October 1, 2023, the state prohibited all hand harvest of horseshoe crab and their eggs. In addition, the New York State Legislature is currently considering a bill that would prohibit all commercial and biomedical harvest of horseshoe crabs. The status of that bill is that it passed the state Senate and next would be considered by the Governor if my information is still correct. Then lastly, for 2023, Massachusetts also reduced their state-imposed quota to 140,000 crabs.

Additionally, while they were reviewing the state compliance reports, the PRT Noted that Maryland regulations allow horseshoe crab harvest starting May 1, whereas no harvest of Delaware Bay origin crabs is allowed by other states from January 1 to June 7 in the Delaware Bay Region. The PRT had some concerns that this, is creating a little bit of an inconsistency within the Delaware Bay Region, and additionally, that January 8 to June closure provision for New Jersey, Delaware, and Maryland, it came from Addendum VI. But according to Addendum VI, the season closure provision expired in April, 2013, so I'm not bringing this up because Maryland has incorrect regulations, but just as a note from the PRT that it's inconsistent with the other states. But Addenda VII and VIII do not contain any seasonal provision.

The PRT is really just looking to the Board to clarify whether this season closure provisions were intentionally or unintentionally excluded from the latter addenda, and if anything needs to be considered regarding those seasons. For the PRT recommendations, this relates back to the last slide, the first one relating back to the issue of the

seasonal harvest closures for the Delaware Bay Region.

The PRT also continues to recommend the Commission prioritize finding long-term funding for the Virginia Tech Trawl Survey, since this is providing critical data for our current management program. It's currently ongoing this year. Then the last recommendation here is that we should be working toward getting annual estimates of horseshoe crab discards, dead discards from other fisheries.

Then with regard to the state compliance, there is only one minor issue that the PRT noted, and that is that the compliance report for Massachusetts was not submitted by the July 1st deadline. Other than that, all of the states and jurisdictions appear to be in compliance with the requirements of the FMP. The PRT recommends approval of the state compliance reports and de minimis requests, and the FMP review for the 2023 fishing year.

CHAIR DAVIS: Any questions from the Board on FMP Review and state compliance reports for the 2023 fishing year? John Clark.

MR. CLARK: Thank you, Caitlin, for that great report. I am just curious to the point about the closure from January 1st to June 7th. To put that back in the FMP could that be made part of the Addendum we are considering about setting the multi-year specs?

MS. STARKS: Yes, I think that would be within the Board's purview.

MR. CLARK: May I make a motion to make that recommendation?

CHAIR DAVIS: Go ahead, John.

MR. CLARK: Yes, I would like to move that the closure dates for horseshoe crab harvest for Delaware Bay origin horseshoe crabs from January 1 to June 7 be put into the proposed addendum that we will be starting as of today. I don't know how you want to word that, but just wanted to put that

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back in. If I can get a second for that I'll just speak to it.

CHAIR DAVIS: I'm going to wait until we have the motion up on the board, and make sure it reflects your intent. Sure, while we're waiting, go ahead, Dan.

MR. McKIERNAN: While we're waiting, maybe John could explain to me, if Maryland is having a season outside of the prescribed closure, and that closure is designed to protect Delaware Bay origin crabs. If those crabs are coming on the beach in Maryland, does that suggest that they are not Delaware Bay origin? What is the concept of Delaware Bay origin, and how does that work, relative to the adjacent states?

MR. CLARK: I don't mean to speak for Maryland, but from what I understand from Maryland, they don't allow beach harvest. But this is just there could have been harvest of females that would be coming from other methods, dredges, trawls, I don't know what might be used. But once I get a second, I can speak more to it.

CHAIR DAVIS: John, I'm going to ask you to go ahead and read this motion into the record, if it reflects your intent.

MR. CLARK: Sure, **move that the draft addendum initiated today also consider establishing a season start date of June 8 for the Delaware Bay region**, and yes, that does capture it.

CHAIR DAVIS: I see Ray Kane seconding. John, do you want to provide any additional rationale?

MR. CLARK: Thank you, yes. I know that I'm sure the harvest coming from Maryland before June 7 is probably minimal, but it is a perception issue. You know the more any harvest of mature female horseshoe crabs before the birds, the red knots get here and while the red knots are here, of course. There are that many less sweet, sweet horseshoe crab eggs on the beach for the red knots. We want to leave as many of them as we can, and so by

having a uniform June 7 start date to the harvest season, I think it would help.

CHAIR DAVIS: I'll turn to Ray and see if you want to provide any additional rationale.

MR. RAYMOND W. KANE: No, I seconded for the purpose of discussion, thank you.

CHAIR DAVIS: Mike Luisi, go ahead.

MR. LUISI: I guess the question is, if by supporting this are we, John, are you suggesting that the May 1st harvest period for which crabs could be harvested from non-Delaware Bay origin. Not that we can determine that by looking at the crab, but in practice Maryland, Virginia, as you get further away from the epicenter from the center of Delaware Bay there are fewer and fewer crabs that are from that origin. They are coming from other places. Is this saying that that May 1st start date is off the books entirely?

MR. CLARK: Well, Mike, this would just put an option into the Addendum, to do this to create a uniform date. I think during the process we could have a lot more discussion about it. But I just would like to see it at least considered in the Addendum.

CHAIR DAVIS: Is that good, Mike?

MR. LUISI: Yes, I'll support it as far as it going into the Addendum, as long as it's just the option. We can have a time to talk about how that fleshes itself out.

CHAIR DAVIS: Look around the table to see if there are any additional hands. Joe Cimino.

MR. CIMINO: I'm supportive of the motion. I'm also curious if it would be more accurate to say reestablishing. But I would hope that without going too far down a rabbit hole that there could be some explanation on whether or not it was ever intended to be dropped in the first place, as we start to look back to it.

CHAIR DAVIS: Any additional discussion on the motion? I take it we don't have any hands online. I'll ask if there are any objections to this motion. Go ahead, Dan.

MR. McKIERNAN: Point of clarification. I think June 7th is the last of the closed period, as opposed to the open date. Is there some confusion about the June 7th date?

MR. CLARK: Good catch, Dan. Yes, actually, June 7 is the last closure date, season is open on June 8.

CHAIR DAVIS: Okay, so you want to modify the motion to June 8, I'll look to Ray Kane, see if he is okay with that. John, do you want to reread the motion into the record?

MR. CLARK: With pleasure. **Move that the draft addendum initiated today also consider establishing a season start date of June 8 for the Delaware Bay region.**

CHAIR DAVIS: Again, I'll turn to the Board to see if there are any objections to this motion. Not seeing any abstentions for the record. I'm seeing **abstention from Florida, South Carolina and Georgia. This motion passes by consent with 3 abstentions as noted.** Okay, so we still need a motion to approve the FMP Review and Compliance Reports. Mike Luisi.

MR. LUISI: I would be happy to make that for you, Mr. Chairman, since it is on the board. **Move to approve the Horseshoe Crab FMP Review for the 2023 fishing year, state compliance reports, and *de minimis* status for South Carolina, Georgia, and Florida.**

CHAIR DAVIS: Thanks, Mike, and I see a second from Pat Geer. Any discussion on this motion? Okay, not seeing any hands, any objections to this motion? Any abstentions for the record? None, so this **motion passes by unanimous consent.**

ELECT VICE-CHAIR

CHAIR DAVIS: Okay, so I think we are on to our final item on the agenda, which is to elect a Vice-Chair for this Board. I see Eric Reid's hand up.

MR. REID: I have a point of order, Mr. Chairman. Mr. Cimino had a motion to make sure that you stayed for three years in your position. I didn't get the disposition of that particular motion, which I would be happy to second at this point.

CHAIR DAVIS: I'm going to use my prerogative as Board Chair and not entertain that motion at this time. We are looking for a Vice-Chair for this Board. As Joe was alluding to, I will be stepping down as the Chair of this Board after this meeting, so this is an exciting opportunity for rapid advancement here, folks. I'll look to see if somebody has a motion and wants to nominate somebody as the Vice-Chair of this Board. Dan McKiernan.

MR. McKIERNAN: **I would like to nominate Eric Reid as the next Chairman of this Board.**

CHAIR DAVIS: Very good, do I have a second for that motion? Mike Luisi. Any discussion on the motion whatsoever? Okay, not seeing any hands, any objections? All right, seeing none; congratulations, Eric, and thank you.

MR. REID: I was going to have to run my own personal success model, because I think it might have to change from what it was when I got up this morning. But thank you.

ADJOURNMENT

CHAIR DAVIS: That brings us to the end of our agenda. I'll ask if there is any other business to come before this Board? All right, not seeing any hands, I'll entertain a motion to adjourn. So moved by a bunch of folks, this Board stands adjourned. Thank you.

(Whereupon the meeting adjourned at 4:44 p.m. on October 21, 2024)

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The Board will review the minutes during its next meeting.

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Atlantic States Marine Fisheries Commission

**DRAFT ADDENDUM IX TO THE HORSESHOE CRAB FISHERY
MANAGEMENT PLAN**

Multi-Year Specifications for Male-only Harvest in the Delaware Bay Region



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

January 2025



Sustainable and Cooperative Management of Atlantic Coastal Fisheries

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1.0 Introduction

The Atlantic States Marine Fisheries Commission's (ASMFC) Horseshoe Crab Management Board (Board) approved the Interstate Fishery Management Plan for Horseshoe Crabs (FMP) in October 1998. The goal of the FMP includes management of horseshoe crab populations for continued use by current and future generations of the fishing and non-fishing public, including the biomedical industry, scientific and educational researchers, migratory shorebirds, and other dependent fish and wildlife, including federally listed sea turtles. ASMFC maintains primary management authority for horseshoe crabs in state and federal waters. The management unit for horseshoe crabs extends from Maine through the east coast of Florida.

Additions and changes to the FMP have been adopted by the Board through eight addenda. The Board approved Addendum I (2000), establishing a coastwide, state-by-state annual quota system to reduce horseshoe crab landings. Addendum I also included a recommendation to the federal government to create the Carl N. Shuster Jr. Horseshoe Crab Reserve. The Board approved Addendum II (2001), establishing criteria for voluntary quota transfers between states. Addenda III (2004) and IV (2006) required additional restrictions on the bait harvest of horseshoe crabs of Delaware Bay-origin and expanded the biomedical monitoring requirements. Addenda V (2008) and VI (2010) extended the restrictions within Addendum IV. The provisions of Addendum VI were set to expire after April 30, 2013. Addendum VII (2012) replaced the Addendum VI requirements by establishing a management program for the Delaware Bay Region (i.e., coastal and bay waters of New Jersey and Delaware, and coastal waters only of Maryland and Virginia), the Adaptive Resource Management (ARM) Framework. Addendum VIII (2022) implemented the 2021 Revision to the ARM Framework.

Draft Addendum IX considers adding an additional specifications tool for the Delaware Bay region that would allow the Board to set specifications for male-only harvest for multiple years. It also considers reestablishing seasonal harvest restrictions for the Delaware Bay region bait fishery.

2.0 Overview

2.1 Statement of the Problem

The Board initiated Draft Addendum IX in October 2024 to consider allowing for multi-year specifications for male-only harvest in the Delaware Bay Region states of New Jersey, Delaware, Maryland, and Virginia. Since 2013, the first year the ARM Framework was used to set specifications for harvest of Delaware-bay origin horseshoe crabs, the Board has maintained zero female harvest. When the 2021 ARM Framework Revision was adopted for management use in 2022 through Addendum VIII (ASMFC 2024), the possibility of female harvest elicited widespread public concern. Acknowledging these concerns, the Board has continued to establish zero female harvest annually despite the ARM Framework output including a limited amount of female harvest since 2022.

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In July 2024, the Commission held a stakeholder workshop including representatives from environmental NGOs, fishing industry, biomedical industry, bird and horseshoe crab scientists, and resource managers to generate recommendations for Board consideration regarding horseshoe crab management in the Delaware Bay region. A key consensus recommendation developed at the workshop was to continue running the ARM Framework but pause female horseshoe crab harvest while several additional recommendations are considered and implemented. Multi-year specifications for male-only harvest in the Delaware Bay Region states would alleviate concerns about female harvest while the Board considers possible changes to the Delaware Bay management program.

Additionally, state staff recently identified that seasonal harvest restrictions established for the Delaware Bay states under Addenda IV-VI were not included in Addendum VII. Based on review of Board discussions during the development of Addendum VII, it appears the omission of the seasonal provisions, which prohibited the directed harvest of horseshoe crabs of Delaware Bay-origin from January 1 through June 7, was an oversight. Therefore, this Addendum also considers whether to reestablish the provisions of Addendum IV-VI that would restrict directed harvest during the beginning of the year and the spawning season.

2.2 Background

In response to public concern regarding the horseshoe crab population and its ecological role in the Delaware Bay, the Board adopted a multi-species approach to managing the commercial horseshoe crab bait fishery in the region. Addendum VII was approved in February 2012, implementing the Adaptive Resource Management (ARM) Framework for use during the 2013 fishing season and beyond. The Framework considers the abundance levels of horseshoe crabs and shorebirds (specifically, the rufa red knot) in determining the appropriate harvest level for the Delaware Bay states of New Jersey, Delaware, Maryland, and Virginia (east of the COLREGS). Since 2013, the Board has annually reviewed recommended harvest levels from the ARM Subcommittee, who run the ARM model, and specified harvest levels for the following year in New Jersey, Delaware, Maryland, and Virginia.

In 2021, a revision to the ARM Framework was completed and peer reviewed. The revision updated and improved the ARM model with an additional decade of data on shorebirds and horseshoe crabs in the Delaware Bay region, and advancements in modeling software and techniques, including recommendations from the original peer review. Addendum VIII was approved in 2022 to allow the use of the 2021 Revision of the ARM Framework (ASMFC 2021) in setting annual bait harvest specifications for horseshoe crabs of Delaware Bay-origin.

During the public comment period on Addendum VIII, over 30,000 comments were submitted by the public opposing the adoption of the ARM Revision in large part because the results of the revised model run for the 2023 fishing year allowed for a limited amount of female horseshoe crab by the bait fishery for the first time since ARM implementation. In response to the widespread concern, the Board chose to implement zero female horseshoe crab harvest for the 2023 season, despite the ARM model output including limited female harvest. Given the

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apparent differences in stakeholder opinions on female harvest, in 2023 the Board conducted a survey of stakeholders including bait harvesters and dealers, biomedical fishery and industry participants, and environmental groups to better understand their diverse perspectives and values, and whether changes to horseshoe crab management for the Delaware Bay region should be considered.

The results of the survey confirmed that the various stakeholder groups hold divergent values and perspectives related to horseshoe crab management. Commercial industry participants indicated they still value the harvest of female horseshoe crabs, though it has not been permitted in the Delaware Bay region since 2012. Researchers and environmental groups tended to value the protection of female horseshoe crabs and the ecological role of horseshoe crabs as a food source for shorebirds over the fishery. Considering these conflicting values, the ASMFC held a stakeholder workshop in July 2024 with participants from all stakeholder groups to discuss management objectives for the Delaware Bay region horseshoe crab fishery¹.

The main purpose of the workshop was to increase understanding of various stakeholder perspectives and identify essential concerns and areas of common ground for horseshoe crab management. An important finding from the workshop was that participants from all stakeholder groups affirmed a preference for adaptive management over other approaches. However, it is clear there is a need to engage stakeholders in a process to evaluate and reconsider aspects of the ARM Framework to better address stakeholder concerns and values. Following the workshop recommendations, the Board agreed to move forward with considering potential changes to the ARM Framework with stakeholder input.

The workshop discussions also emphasized the need for an interim management approach while the Board gathers information from stakeholders and considers modifying the ARM Framework. Although the workshop participants all agreed the ARM should continue to be used while additional recommendations are addressed, they expressed a desire for more certainty around future harvest levels. Specifically, the participants agreed it would be preferable to set the female harvest quota to zero for the time needed to address other recommendations. The management program does not currently allow for horseshoe crab bait harvest specifications to be set for multiple years. Draft Addendum IX aims to address the workshop recommendations by allowing for male-only harvest of Delaware Bay-origin horseshoe crabs to be established for multiple years based on the ARM Framework.

3.0 Management Options

Draft Addendum IX considers two management issues:

1. Multi-year harvest specifications for male-only harvest
2. Harvest season restrictions

¹ The final report on the July 2024 Horseshoe Crab Management Objectives Workshop can be found here: https://asmfc.org/uploads/file/6736403aHSCMgmtObjectivesWorkshopReport_Oct2024.pdf

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When the Board takes 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.

3.1 Issue 1: Multi-year Specifications

The Board is seeking public input on whether to allow multi-year specification setting for male-only harvest of Delaware Bay-origin horseshoe crabs. Status quo would not allow multi-year specification setting, while Option B would allow for specifications to be set for multiple years.

If Option B is selected, the Board would also have to select either sub option B1 or B2 to establish whether the maximum allowable male-only harvest would be managed based on the male:female sex ratio of horseshoe crabs on spawning beaches. This method would allow the Board to control male-only harvest based on annual fishery-independent surveys, without requiring the ARM Framework to be used.

Option A: Status Quo

This option would maintain the current management program established under Addendum VIII. The Board would continue to annually consider the output of the ARM Framework and set bait harvest specifications for the next year, as detailed in Section 3.0 of Addendum VIII.

Option B: Allow multi-year specifications for male-only bait harvest horseshoe crabs of Delaware Bay-origin for a maximum of 3 years at a time

This option would allow the Board to set harvest specifications based on the ARM Framework for male-only bait harvest of horseshoe crabs for the Delaware Bay states (New Jersey, Delaware, Maryland and Virginia) for multiple years at a time. Under this option the Board could choose to set specifications for up to three years. Multi-year specifications would only be allowed for male-only harvest; if any female harvest were included then specifications could only be established for a single year.

The process for setting specifications would remain similar to the current process established under Addendum VIII. Specifically, the Board would review the output of the ARM Framework in the fall of a given year and set harvest limits for the following year, or years. For example, in 2025, the Board would review the ARM Framework output recommendation for 2026 harvest. The Board would then consider whether to adopt the ARM Framework output for males and females for the following fishing year or set different harvest limits, such as adopting zero female harvest instead of the ARM-recommended female harvest limit. If the Board does not choose to allow any female harvest, then it could opt to set specifications for male-only harvest for either the 2026 fishing year only, the 2026 and 2027 fishing years, or the 2026-2028 fishing years based on the ARM Framework recommendation in the fall of 2025.

If multi-year specifications are adopted, the process would differ in interim years. For example, if the Board sets specifications for three years, then in years one and two no Board action

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would be required to establish specifications for years two and three. In the interim years, the Board would review updated data from the Delaware Bay horseshoe crab and shorebird surveys (i.e., the Virginia Tech Trawl Survey, horseshoe crab spawning surveys, red knot aerial and ground surveys). The full ARM process would not occur in interim years, meaning the Board would not review a new horseshoe crab population estimate nor an ARM Framework recommendation in interim years. If there were concern that the established specifications would be likely to negatively affect the population of horseshoe crabs and/or red knots, then the Board could take voluntary action to change the harvest limits for the following year.

If selected, the provisions of this option would be in place through 2031, and a new addendum would be required to set multi-year specifications after 2031. However, the Board may choose to replace Addendum IX with another addendum or amendment to the FMP prior to 2031. If Addendum IX expires and the Board does not take management action to follow Addendum IX, then harvest specifications setting would revert to the process established in Addendum VIII and specifications would be set annually based on the ARM Framework.

The flowchart in Figure 1 outlines the process for setting harvest specifications if this option is adopted.

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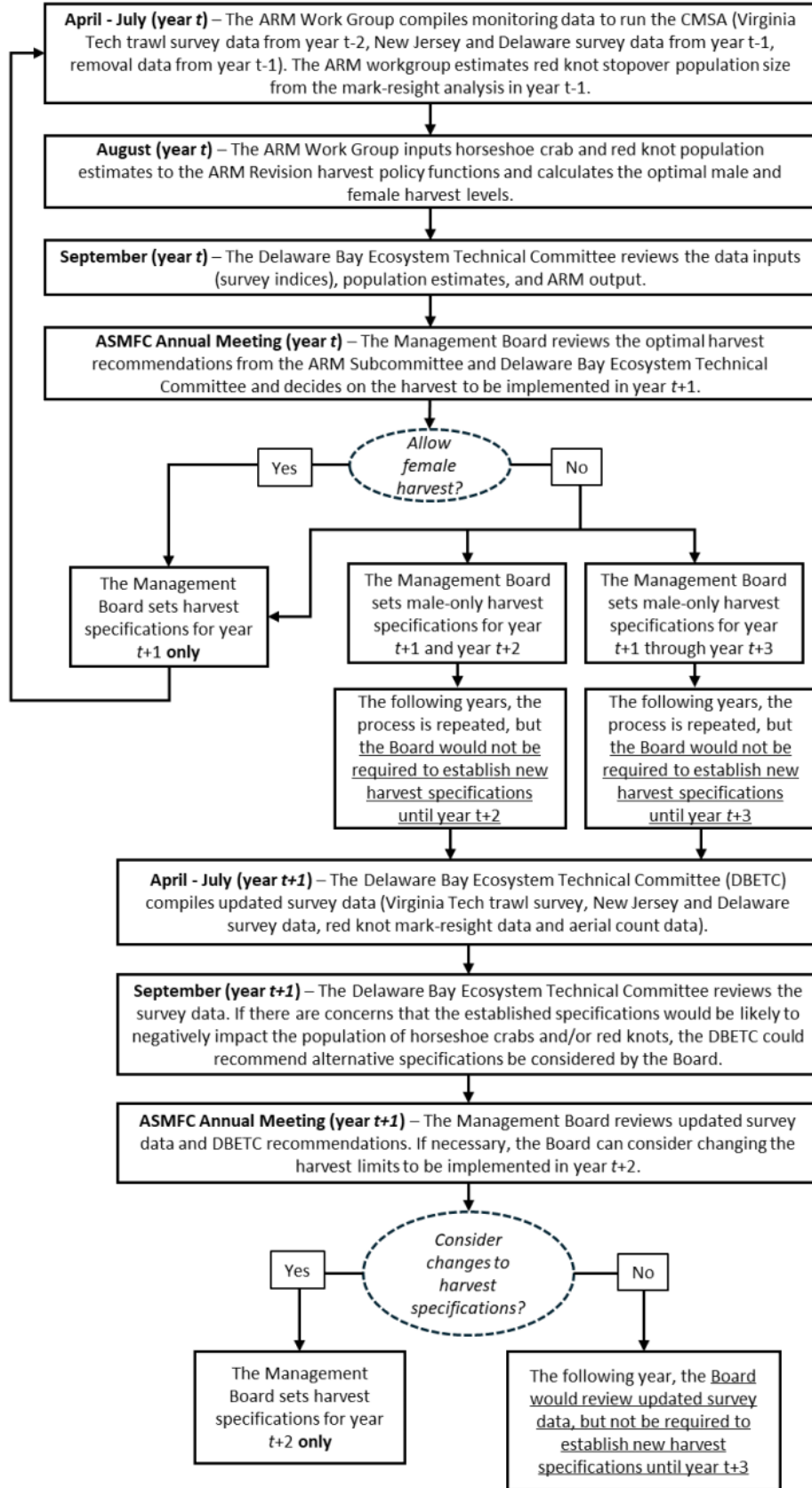


Figure 1. Proposed multi-year specifications setting process.

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Sub-option B1: No requirement to reduce male harvest limit based on spawning sex ratio

Under Sub-option B1, the Management Board would not be required to reduce male harvest based on the sex ratio of horseshoe crabs on the spawning beaches observed in the annual Delaware Bay spawning survey.

Sub-option B2: In interim years, male horseshoe crab harvest must be reduced if spawning beach survey results indicate a male:female sex ratio below 3:1.

If this option is selected, in interim years of multi-year specifications (i.e., years when the ARM Framework is not run) the Board would adjust male-only harvest specifications based on the male:female sex ratio of spawning horseshoe crabs on beaches observed in the bay-wide spawning survey. A target sex ratio would be set at 3:1 and a threshold sex ratio set at 2:1. If the sex ratio is above 3:1, the maximum harvest of 500,000 Delaware Bay origin males would be permitted. Between the target and threshold, the maximum allowable male harvest would be reduced as the ratio decreases and would be zero if the sex ratio were to decrease to 2:1 or less (Figure 2). Maximum male harvest levels based on the spawner sex ratio are defined in Table 1.

There is no direct link between male horseshoe crab abundance and red knot population dynamics. The only way male abundance could limit red knot population growth would be if the operational male:female sex ratio on the spawning beaches dropped to a point at which not all eggs were fertilized. Although satellite males can fertilize as many eggs as attached males (Brockman et al. 2000), 96 – 100% of eggs are fertilized whether or not satellite males are present (Brockman 1990). Some males are not capable of amplexus because of their condition (Brockman and Smith 2009) and females will tend not to nest unless they are in amplexus with a male. Therefore, an operational sex ratio skewed toward males is needed to ensure fertilization of eggs. If the operational sex ratio should drop below 2:1, there is a chance of incomplete fertilization of the eggs deposited by females and future recruitment of horseshoe crabs could decline. As long as the sex ratio on the spawning beaches remains greater than 2:1, there is no biological mechanism for male abundance to limit red knot population growth. Given this effect of male crabs on the population dynamics of both species, a simple harvest control rule could be used to manage male-only harvest as a function of the spawning beach sex ratio.

Sex ratio data is collected and reported annually through the bay-wide horseshoe crab spawning survey. The average sex ratio on the spawning beaches was 4.2 from 1999 – 2019 (Figure 3). The lowest sex ratio over that period was 3.1 males to 1 female, and it has generally showed an increasing trend through time despite male-only harvest since 2013.

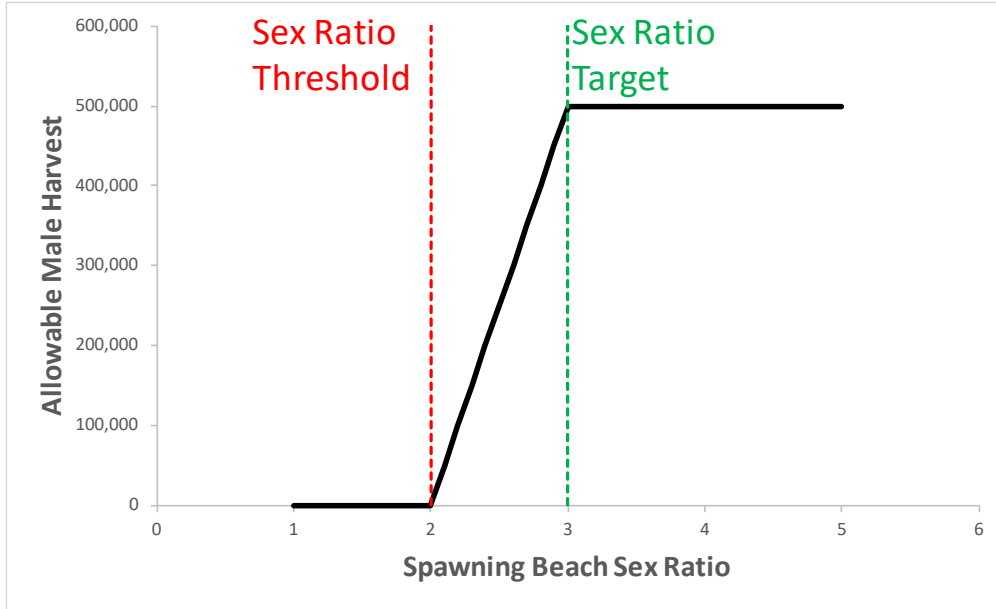


Figure 2. Harvest level of male horseshoe crabs as a function of the sex ratio (M:F) on the spawning beaches, as proposed under sub-option B2. When the sex ratio is >3:1, the maximum allowable harvest of males is 500,000 Delaware Bay-origin crabs. As the sex ratio decreases below 3:1, the maximum allowable male harvest would decrease. If the sex ratio declines to 2:1 or less, no male harvest would be permitted.

Table 1. Maximum harvest level of male horseshoe crabs based on the sex ratio (M:F) on the Delaware Bay spawning beaches, as proposed under Sub-option B2.

Observed Male:Female Sex Ratio	Maximum Allowable Male Harvest
≤2.0:1	0
2.1:1	50,000
2.2:1	100,000
2.3:1	150,000
2.4:1	200,000
2.5:1	250,000
2.6:1	300,000
2.7:1	350,000
2.8:1	400,000
2.9:1	450,000
≥3.0:1	500,000

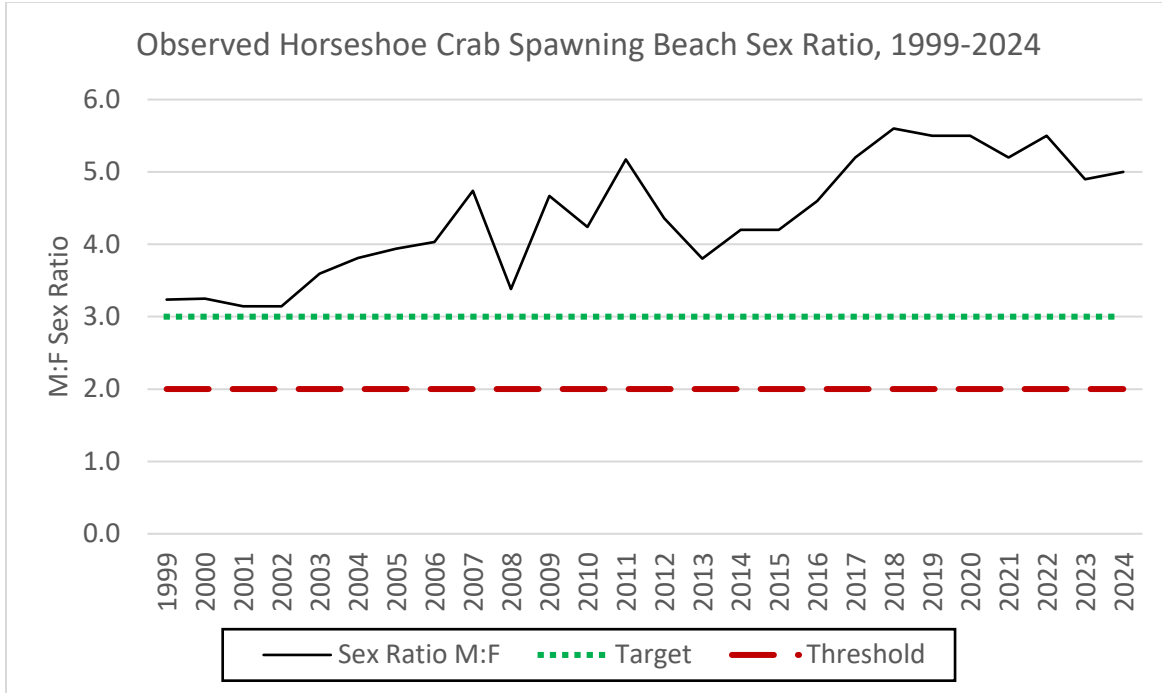


Figure 3. Average annual spawning sex ratio observed during Delaware Bay horseshoe crab spawning beach survey.

3.2 Issue 2: Seasonal Harvest Restrictions

The Board is seeking public input on whether to reestablish seasonal harvest restrictions for directed harvest of Delaware Bay-origin horseshoe crabs. Addenda IV-VI included provisions to restrict horseshoe crab harvest in the Delaware Bay states during the beginning of the year and the spawning season. Specifically, the provision prohibited directed harvest from January 1 through June 7, inclusive, for New Jersey, Delaware, and Maryland, and prohibited the landing of horseshoe crabs in Virginia from federal waters from January 1 through June 7. These seasonal provisions expired after April 30, 2013, and were not included in Addendum VII. However, based on Board discussions during the development of Addendum VII it appears there was intent to include the same seasonal harvest provisions in Addendum VII, but they were inadvertently omitted. Currently, the harvest season for the directed bait fishery in the Delaware Bay region is as established in Addendum III, which states, “New Jersey, Delaware and Maryland shall prohibit the harvest and landing of horseshoe crabs for bait from May 1 through June 7, inclusive” (ASMFC 2004).

Status quo would not change the current requirements, while Option B would prohibit directed harvest in of Delaware Bay-origin horseshoe crabs from January 1 through June 7, as was specified in Addenda IV-VI.

Option A: Status Quo

Under this option, there would be no change to the current regulations regarding seasonal restrictions. Therefore, if adopted this option would maintain a closed season for bait harvest

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of horseshoe crabs in and around Delaware Bay during peak horseshoe crab spawning. New Jersey, Delaware and Maryland would be required to prohibit the harvest and landing of horseshoe crabs for bait from May 1 through June 7, inclusive. This includes all landings for bait, whether directed or as bycatch.

Option B: Reestablish seasonal harvest restrictions of Addendum IV-VI

If adopted, this option would prohibit directed harvest and landing of all horseshoe crabs in New Jersey, Delaware, and Maryland from January 1 through June 7. It would also prohibit the landing of horseshoe crabs in Virginia from federal waters from January 1 through June 7.

4.0 Compliance

TBD

5.0 Literature Cited

- ASMFC. 2004. Addendum III to the Fishery Management Plan for Horseshoe Crab. Fishery Management Report of the Atlantic States Marine Fisheries Commission. Arlington, VA. 14 pp.
- ASMFC. 2019. 2019 Horseshoe Crab Benchmark Stock Assessment. Arlington, VA. 271 pp.
- ASMFC. 2021. Revision to the Framework for Adaptive Management of Horseshoe Crab Harvest in the Delaware Bay Inclusive of Red Knot Conservation and Peer Review Report. Arlington, VA. 302 pp.
- ASMFC. 2022. Addendum VIII to the Fishery Management Plan for Horseshoe Crab. Fishery Management Report of the Atlantic States Marine Fisheries Commission. Arlington, VA. 12 pp.
- Brockmann HJ (1990) Mating behavior of horseshoe crabs, *Limulus polyphemus*. Behaviour 114:206–220.
- Brockman, H.J., C. Nguyen, and W. Potts. 2000. Paternity in horseshoe crabs when spawning in multiple male groups. Animal Behavior 60:837-849.
- Brockman, H.J. and M.D. Smith. 2009. Reproductive competition and sexual selection. In: Tanacredi, J.T, M.D. Smith (eds.) Biology and Conservation of Horseshoe Crabs. Springer, New York, pp. 199- 221.

Horseshoe Crab Advisory Panel

Bolded names await Board approval

Massachusetts

David Meservey (comm/inshore otter trawl)
P.O. Box 128
South Chatham, MA 02659
Phone: 508.237.4366
dmese@yahoo.com
Appt Confirmed 8/3/22

Participation: Active; 100% attendance

Chair, Brett Hoffmeister (biomedical)
Associates of Cape Cod
124 Bernard East St Jean Drive
Falmouth MA 02536
Phone (day): 508.444.1426
BHoffmeister@acciusa.com
Appt Confirmed 2/3/16
Appt. Reconfirmed 8/18

Participation: Active; 100% attendance

Rhode Island

Vacancy (comm/otter trawl)

New York

John L. Turner (conservation)
10 Clark Boulevard
Massapequa, NY 11762
Phone (day): 631.451.6455
Phone (eve): 516.797.9786
jturner@seatuck.org
Appt. Confirmed 2/10/05
Appt Reconfirmed 5/10

Participation: Inactive; 43% attendance rate since 2016; absent the last two meetings, with 2019 being the last meeting attended

Vacancy – commercial pot

New Jersey

Benjie Swan (biomedical)
Limuli Laboratories
Dias Creek, 5 Bay Avenue
Cape May Courthouse, NJ 08210-2556
Phone: 609.465.6552
Swan24@verizon.net
Appt. Confirmed 8/5/10

Participation: Active; 100% attendance

Sam Martin (comm. mobile tending gear/bomedical harvest)
985 Ocean Drive
Cape May, NJ 08204
Phone: 609.381.8892
smartin@atlanticcapes.com
Appt Confirmed 10/16/23
Participation: Unknown

Delaware

Jordan Giuttari (comm. pot)
3337 Main Street
Bowers Beach, DE 19946
Phone: 302.233.4694
DelBaySeafood@gmail.com
Appt Confirmed 8/3/22

Participation: Inactive; did not attend the only meeting held since his appointment

Matthew Sarver (ecologist; Chair of DE Ornithological Society)
6 Walnut Ridge Road
Wilmington, DE 19807
Phone: 724.689.5845
matt@sarverecological.com
Appt Confirmed 8/3/22

Participation: Inactive; did not attend the only meeting held since his appointment

Maryland

George Topping (comm/trawl)
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Salisbury, MD 21804
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george@zztopping.com
Appt. Confirmed 5/16

Participation: Active; 71% attendance rate since 2016; has participated in the last meetings

Jeffrey Eutsler (comm/trawl)
11933 Gray's Corner Road
Berlin, MD 21811
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tandje1@comcast.net
Appt. Confirmed 2/4/98

Appt. Reconfirmed 10/02; 10/06; 5/10
Participation: Inactive; 14% attendance rate since 2016; last meeting attended was in 2016

Allen L. Burgenson (biomedical)
8875 Hawbottom Road
Middletown, MD 21769
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allen.burgenson@lonza.com
Appt. Confirmed 8/21/08
past chair
Participation: Active; 100% attendance

Virginia

Richard B. Robins, Jr. (processor/dealer)
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Virginia Beach, VA 23455
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Phone (eve): 757.363.9506
richardbrobins@gmail.com
Appt. Confirmed: 2/9/00
Appt. Reconfirmed 1/2/06; 5/10
Participation: Inactive; 29% attendance rate since 2016; last meeting attended was in 2017

Christina M. Lecker (biomedical)
FUJIFILM Wako Chemicals U.S.A. Corporation,
LAL Division
Plant Manager - Cape Charles Facility
301 Patrick Henry Avenue
Cape Charles, VA 23310
Phone: 757-331-4240, 757-331-2026
FAX: 757-331-2046
christina.lecker@fujifilm.com
Appt. Confirmed 10/21/2020
Participation: Active; 100% attendance since appointment

1 vacancy - comm/pot/conch

South Carolina

Nora Blair (biomedical)
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1852 Cheshire Drive
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843.276.7819
Nora.Blair@crl.com
Appt. Confirmed 5/1/19

Participation: Active; 100% attendance since appointment

Vacancy - comm/pot/trawl

Nontraditional Stakeholders

Jeff Shenot
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Phone: 301.580.4524
JUGBAY@msn.com
Appt. Confirmed 8/2018
Participation: Inactive; 25% attendance since appointment; has not attended the last 3 meetings

Walker Golder
Executive Director, Coastal Land Trust
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Wilmington, NC 28412
Office: 910.790.4524 x2060
Cell: 910.619.6244
walker@coastallandtrust.org
Appt. Confirmed 8/2018
Participation: 50% attendance rate since appointment; did not attend 2024 meeting

Atlantic States Marine Fisheries Commission

Sciaenids Management Board

February 4, 2025

2:15 – 2:45 p.m.

Draft Agenda

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

- | | |
|---|-----------|
| 1. Welcome/Call to Order (<i>D. Haymans</i>) | 2:15 p.m. |
| 2. Board Consent | 2:15 p.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from October 2024 | |
| 3. Public Comment | 2:15 p.m. |
| 4. Update on Board Tasks to Red Drum Technical Committee (<i>J. Kipp</i>) | 2:20 p.m. |
| 5. Elect Vice-Chair Action | 2:40 p.m. |
| 6. Other Business/Adjourn | 2:45 p.m. |

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

MEETING OVERVIEW

Sciaenids Management Board
February 4, 2025
2:15 p.m. – 2:45 p.m.

Chair: Doug Haymans (GA) Assumed Chairmanship: 02/24	Technical Committee Chairs: Black Drum: Harry Rickabaugh (MD) Atlantic Croaker: Vacant Red Drum: Ethan Simpson (VA) Spot: Harry Rickabaugh (MD)	Law Enforcement Committee Representative: Col. Matthew Rogers (VA)
Vice Chair: Vacant	Advisory Panel Chair: Craig Freeman (VA)	Previous Board Meeting: October 22, 2024
Voting Members: NJ, DE, MD, PRFC, VA, NC, SC, GA, FL, NMFS (10 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2024

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

4. Progress on Board Tasks to the Red Drum Technical Committee (2:20-2:40 p.m.)

Background

- The Red Drum Benchmark Stock Assessment and Peer Review Report was approved for management use by the Sciaenids Management Board (Board) in October 2024.
- To evaluate potential paths forward for red drum management, the Board tasked the Red Drum Technical Committee (TC) with 1) estimating the catch reduction necessary to achieve a 40% spawning potential ratio (SPR), the management target defined in the FMP, in the southern stock and providing options of changes to bag and slot size limits in South Carolina, Georgia, and Florida to achieve the reduction; 2) clarifying interpretation of the “Moderate Action” outcome from the traffic light analysis; and 3) developing methods for estimating bag and slot size limit regulation change impacts on the northern stock.
- The Red Drum TC met on November 7, 2024 to begin discussion of these tasks. A Working Group was formed to discuss methods to calculate catch reductions, which met on November 20, 2024 and January 13, 2025. The Working Group has completed methods and tools for estimating catch reductions using slot size limit, bag limit, and vessel limit changes. The methods will be approved and the tools will be used by the TC to provide advice on regulation changes to the Board at its meeting in May 2025.

Presentations

- Presentation of Red Drum Technical Committee Progress by J. Kipp

5. Elect Vice-Chair (2:40-2:45 p.m.) Action

6. Other Business/Adjourn

Sciaenids Management Board

Activity level: High

Committee Overlap Score: Moderate (American Eel TC, Cobia TC, Horseshoe Crab TC, Weakfish TC)

Committee Task List

- Atlantic Croaker and Spot SAS – Conduct Atlantic Croaker and Spot Benchmark Assessments
- Black Drum TC – Update annual indicators
- Atlantic Croaker TC – Gather data and assist with Atlantic Croaker Benchmark Assessment; Conduct Traffic Light Analysis
- Spot TC – Gather data and assist with Spot Benchmark Assessment; Conduct Traffic Light Analysis
- Atlantic Croaker TC/PRT – July 1: Compliance Reports Due
- Red Drum TC/PRT – July 1: Compliance Reports Due
- Black Drum TC/PRT – August 1: Compliance Reports Due
- Spotted Seatrout PRT – September 1: Compliance Reports Due
- Spot TC/PRT – November 1: Compliance Reports Due

TC Members:

Atlantic Croaker: Tracey Bauer (ASMFC), Stacy VanMorter (NJ), Devon Scott (DE), Harry Rickabaugh (MD), Ingrid Braun (PRFC), Catherine Wilhelm (VA), Willow Patten (NC), Margaret Finch (SC), Dawn Franco (GA), Halie OFarrell (FL)

Black Drum: Harry Rickabaugh (MD, Chair), Jeff Kipp (ASMFC), Tracey Bauer (ASMFC), Jennifer Pyle (NJ), Jordan Zimmerman (DE), Ethan Simpson (VA), Chris Stewart (NC), Chris McDonough (SC), Ryan Harrell (GA), Rebecca Scott (FL)

Red Drum: Ethan Simpson (VA, Chair), Jeff Kipp (ASMFC), Tracey Bauer (ASMFC), Alissa Wilson (NJ), Matthew Jargowsky (MD), Cara Kowalchuk (NC, Vice-Chair), Joey Ballenger (SC), Chris Kalinowsky (GA), Sarah Burnsed (FL)

Spot: Harry Rickabaugh (MD, Chair), Jeff Kipp (ASMFC), Tracey Bauer (ASMFC), Stacy VanMorter (NJ), Devon Scott (DE), Ingrid Braun (PRFC), Catherine Wilhelm (VA), Willow Patten (NC), Michelle Willis (SC), Britney Hall (GA), Halie OFarrell (FL)

Plan Review Team Members:

Atlantic Croaker: Harry Rickabaugh (MD), Ingrid Braun (PRFC), Ethan Simpson (VA), Willow Patten (NC), Chris McDonough (SC), Tracey Bauer (ASMFC)

Black Drum: Jordan Zimmerman (DE), Chris Stewart (NC), Chris McDonough (SC), Tracey Bauer (ASMFC)

Red Drum: Matthew Jargowsky (MD), Ethan Simpson (VA), Cara Kowalchuk (NC), Joey Ballenger (SC), Matt Kenworthy (FL), Tracey Bauer (ASMFC)

Spot: Harry Rickabaugh (MD), Ethan Simpson (VA), Chris McDonough (SC), Dawn Franco (GA), Tracey Bauer (ASMFC)

Spotted Seatrout: Tracey Bauer (ASMFC), Samantha MacQuesten (NJ), Lucas Pensinger (NC), Brad Floyd (SC), Chris Kalinowsky (GA)

SAS Members:

Red Drum: Joey Ballenger (SC, Chair), Jeff Kipp (ASMFC), Tracey Bauer (ASMFC), Angela Giuliano (MD), CJ Schlick (SC), Jared Flowers (GA), Chris Swanson (FL), Ethan Simpson (VA)

Atlantic Croaker and Spot: Jeff Kipp (ASMFC), Tracey Bauer (ASMFC), Harry Rickabaugh (MD), Brooke Lowman (VA), Trey Mace (MD), Margaret Finch (SC), CJ Schlick (SC)

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
SCIAENIDS MANAGEMENT BOARD**

Webinar

October 3, 2024

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

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INDEX OF MOTIONS

1. **Approval of Agenda** by consent (Page 1).
2. **Approval of Proceedings** of August 6, 2024 by consent (Page 1).
3. **Move to adjourn** by consent (Page 19).

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

ATTENDANCE

Board Members

Jeff Brust, NJ, proxy for J. Cimino (AA)	Ben Dyar, SC, proxy for Sen. Cromer (LA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (GA)	Doug Haymans, GA (AA)
John Clark, DE (AA)	Spud Woodward, GA (GA)
Roy Miller, DE (GA)	Carolyn Belcher, GA, proxy for Rep. Rhodes (LA)
Lynn Fegley, MD (AA)	Erika Burgess, FL, proxy for J. McCawley (AA)
David Sikorski, MD, proxy for Del. Stein (LA)	Gary Jennings, FL (GA)
Ethan Simpson, VA, proxy for J. Green (AA)	Ron Owens, PRFC
Chris Batsavage, NC, proxy for K. Rawls (AA)	Andy Strelcheck, NMFS
Chad Thomas, NC, proxy for Rep. Wray (LA)	Jack McGovern, NMFS

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

Staff

Robert Beal	Tina Berger	Jainita Patel
Toni Kerns	Tracey Bauer	Katie Drew

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

The Sciaenids Management Board of the Atlantic States Marine Fisheries Commission convened via webinar; Thursday, October 3, 2024, and was called to order at 9:00 a.m. by Chairman Doug Haymans.

CALL TO ORDER

CHAIR DOUG HAYMANS: It is nine o'clock, and I'll call the Sciaenids Management Board meeting to order. Welcome and good morning to everyone. For our friends on the call who may have experienced some wind and rain this week, I hope you have fared well and are recovering quickly.

APPROVAL OF AGENDA

CHAIR HAYMANS: First order of business is Approval of the Agenda. We are primarily here today to listen to the Dr. Jason McNamee show with Risk and Uncertainty and then some discussion about red drum in that. Are there any additional items to be added to the agenda? Hearing none; we'll consider the agenda approved as is.

APPROVAL OF PROCEEDINGS

CHAIR HAYMANS: We also received a copy of the proceedings from this past August. Does anybody have any additions or corrections to the proceedings? Hearing none; we'll accept the proceedings as presented.

PUBLIC COMMENT

CHAIR HAYMANS: Next on the agenda is the public comment opportunity. I can't see hands, so Tracey handles all of this. Tracey, are there any members of the public who would like to comment on anything outside of the agenda?

MS. TRACEY BAUER: I currently see no hands.

CHAIR HAYMANS: Excellent, I love it moving along smoothly.

RISK AND UNCERTAINTY TOOL

CHAIR HAYMANS: Okay, so next Dr. McNamee is going to provide us with a Review of Risk and Uncertainty, and then Jainita is going to follow with

a discussion on red drum inputs to that Risk and Uncertainty Tool, and that should take us about an hour and a half to two hours, so get your coffee and sit back, relax and Jason, it's all yours.

DR. JASON McNAMEE: Thank you very much, Mr. Chair. Good morning, everyone, and thanks for making some space for us today to talk to you a little bit about the risk and uncertainty work that we will be undergoing with red drum, as that discussion comes out. Just a quick little background, talking a little bit about where we're at with the Risk and Uncertainty Decision Tool and how this will kind of play out for the red drum.

The Risk and Uncertainty Decision Tool incorporates a variety of information related to risk and uncertainty, and so there are these technical inputs that are in the tool, and we will go through those in great detail here as we're going through the slides. Those are the technical inputs. But to go along with that, and this is actually the real policy part of the tool are what we call weights. What the weights do is it gives more or less importance to the different technical inputs that are in the Decision Tool. We kind of marry these two things together and we'll talk about what the output represents here in a bit. We take this weighted input; this weighted technical input and it gives us in the end a probability of achieving some management target. An example would be you have some probability of achieving your F target.

We can then take that recommended probability and we can use that with projections to develop management options, in this really kind of transparent and informed way. The graphic at the bottom of the slide here just represents the process, a kind of really simplified version of it. You've got the Board, top left-hand side there, the Board is going to be responsible for setting the weights, because it is your policy that we're implementing here.

That is where we're going to spend our time on talking about today. The Board sets up the weighting, the technical folks, both the economic and social science folks, along with the fishery's

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technical folks and the Advisory Panels, they provide input into the technical inputs. The Board can also adjust those if warranted, if somebody really objects to how something was characterized by the technical folks, they have that control.

But the idea is that information generally isn't controversial, it's coming out of the assessment. I mean it might be controversial but it's coming out of the assessment. It's a number that gets kind of plugged in. When we get into the social science and the economic stuff, there may be a little bit more to think about there.

But long story short, the technical inputs will be put in by your technical folks. Those get married with the weighting, run through the Decision Tool, out comes your recommended probability to then be a kind of little feedback loop on the left-hand side of the slide there, just indicates that this process is dynamic and it can evolve over time.

We have the weighting, those are the focus for today's discussion, it's that red box there on the left-hand side of that same graphic. The idea will be that you all will take a survey, it's going to be sent out, we'll talk some more about that here in a bit. You'll get a survey, you are going to take that survey, and we are going to synthesize that and bring it forward at the annual meeting for you all to look at.

The technical input part of it, this is changes like the current status of a component of the biology, the ecology, the fishery. Again, these are scored by the Technical Committee or the Committee for Economic and Social Science, and then there is additional Board and Advisory Panel input as needed. One way to think about this is a stock status technical input would be the probability that overfishing is occurring, so that was just one vision.

Then another example is a management uncertainty technical input could be a score of, since it is going to be like on a Likert score or Likert scale type of a thing. For management uncertainty we could put in a score of 5, which means there is a

lot of management uncertainty, and that would be due to something like illegal fishing activities.

I'm not saying this is the case for red drum, we're just giving you an example of what these different components mean. Those are the technical inputs, and then the weightings are how important each of the technical inputs are to the Board in the context of your risk consideration. This is your policy. Based on the Board preferences, and as an example, if the Board considered stock status to be twice as important as management uncertainty, you could weight the stock status component twice as much as the management uncertainty component.

You get to implement the things that you feel are most important for this specific fishery. This is just another graphic, and this is actually important, because this is what is unique about our process relative to what you may have experienced with some of the federal risk policy processes. In general, I don't know that this is universally true, but in general the federal risk policies tend to only add a buffer, so add precaution onto the management approach.

The one that we have built allows you to go in both directions, so you can get actually less precautionary if you want, based on some pieces of information. Generally speaking, I'll describe the graphic here. At the top you see this continuum that goes from the left to the right, but it pivots off of that central dot there.

I'm looking at the arrows up at the top. If you're moving to the left, and you're looking down at the slide, that is moving in the direction of being more precautionary. I don't know if precautionary is a word, so more cautious. If you move to the right of the dot when you're looking down at the slide, that is being less cautious, more risk from the past.

The middle is the default, which, just to keep things simple here we'll call that at 50 percent. Often that is kind of like our starting point, in fact Magnuson, which we're not bound by here, but in the Magnuson context, and you may be familiar with this from your federal interaction. It can't be less

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than, you can't have less than 50 percent probability of achieving your target, and usually that is your starting point. We'll use that as our starting point here as well.

Then if you look at the colored arrows as you go down the list, those are the different technical input, and you can see most of them would push you in the direction of being more cautious with your management. However, you see at the very bottom some of the socioeconomic elements that are in here, and there are four in total, two for commercial, two for recreational.

A component of those pushes you in the other direction. In other words, you could end up in a situation where you would be less cautious than 50 percent if you had high risk to fishing communities, for instance, or high economic impact. This is pretty unique with the process that we have created here.

Just by way of an example here, let's say again that up at the top there you have more precautionary, you have less precautionary. The default not in the middle anymore, it's kind of moved over to the right, and that is just so we could fit stuff on here. But let's say you had, we're talking about two things here, management uncertainty and model uncertainty, so two things here.

If they were both equally weighted for these two things, they would push us equally to the left here to being in the more precautionary direction there. You can see the light blue and the dark blue arrows are the same size. That would be an equal weighting situation. But if you click one more forward here, and then one more. In this case, if we wanted to, if we put twice the weight on the model uncertainty part, if we thought that was really important. What you see is that the management uncertainty would push us in the same amount as before, but now the model uncertainty would push us twice as far over to the left. Again, things can go in the opposite direction as well in some circumstances.

Here is a little bit about the Weighting Input Process. We're going to review the components of

the Decision Tool one by one. I won't dwell on them, but it's just a chance for you to see each of the components and ask questions if you would like. But here is our rubric that we'll use. We're going to review the type of information that is used for the technical input, and then we'll answer any Board questions about that component, so that is going to be in the presentation today.

Following that you will get the survey that I mentioned earlier in the presentation, and we'll talk more about what that entails here in a minute. Each poll question, or in this case it will be a survey question, it will ask the Board members to rate the importance of that particular component.

For instance, we'll be asking you explicitly to rate the importance of management uncertainty as one of their components. You'll be doing that relative to the other components of the Decision Tool. As an example, if you would like all, if you think they are all important and all equally important, there is an opportunity within the survey to answer the survey questions with equally important, and it shows up on our scale as the Number 3 choice in the middle there.

Then we're going to take all of your scores across the Board, we're going to average them, and that is going to produce our preliminary weight. This is just an overview of all of the components, you can kind of see them in a table format. We have them broken up here into categories, so we've got stock status, kind of your standard SSB and F threshold target stuff.

Then we have additional types of uncertainty like model uncertainty, and those are the featured model diagnostics and things like that. We have management uncertainty, how good are we at actually managing the fishery, and that environmental uncertainty, how susceptible is this particular species to the environment and changes in the environment.

This is another really nice part of our process is we are explicitly incorporating climate issues into this process. You know we talk about those things a lot,

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but they are not really built in, in a way that is really robust at this point. Here is a situation where we can explicitly build in climate change effects for instance, into our process. Not only climate change effects, but we've got an additional risk here, and that is the ecosystem or trophic importance of the particular species that we're working with.

That is another one that is kind of unique to what we're doing here. Then finally we have short term and long-term socioeconomic effect for both commercial and recreational fisheries, again, another really nice and unique part of the tool that we've developed. Here is the part where I'm going to start going one-by-one through the different components here. Now for the red drum situation you have two stocks. The way the survey is split up is you'll have, what is it, it's New Jersey through North Carolina as one set of questions, and then South Carolina through Florida as the second set of questions. It's kind of like double duty for you folks in answering these questions. I don't know if there is uniqueness to the different stock areas, but we've provided you with that flexibility to kind of build that.

If there are differences between the two stock areas you can build that into the way that you do the weightings, which is kind of cool. But I don't have that so we don't have to do that for this part, so just keep that in mind. In the survey you will see the ability to answer for both stock units, but not two in my presentation. I'm just kind of going through kind of a bare bone's component.

What I'm going to do is I'm going to stop after each slide here, and just see if folks have any questions, and so I'm hoping, you know Tracey or somebody can help me. I can't see the hands, so I'm hoping somebody else can help with that part, and I'm happy to answer any questions. The first is stock status.

The technical component here is, is the stock below the biomass threshold, so this is the threshold question, and so the technical input for this will be the probability from the stock assessment if the stock is below the biomass threshold. This is

biomass, this is threshold. The weighting question that we'll see in the survey is, relative to the other components of the Decision Tool, how important is whether or not the stock is below the biomass threshold to you?

Then you can see the scale there. Just to reemphasize, to indicate that you would like all of the components to be weighted equally, you could put in a score of 3, but then actually there is an additional work element for you all in the survey, and that is the additional note there. We're asking you why you scored that particular input in the way that you did. Tracey or Jainita could correct me if I'm wrong on this, but I think if you don't feel like writing you don't have to fill those parts out if you don't want.

But it is helpful if you will at least offer ones where you really thought about it, because it's going to help us improve this and make sure that we're asking the questions in the right way, or giving the right background information for you. You know if you will take the time to offer a couple of thoughts in those spots, we would appreciate it. First, I'll pause for questions on this one, although I think it's pretty straightforward.

MS. BAUER: Yes, I'm currently seeing no questions.

DR. McNAMEE: Okay, moving forward here. The next technical component is, is the stock below the biomass target? The last slide was about the threshold, here we're talking about the target. The technical input is the probability from the stock assessment that the stock is below the biomass target. The question that you'll get is relative to the other components of the Decision Tool, how important is whether or not the stock is below the biomass target to you, and it's the same scale as the last slide. We'll pause there, see if there are any questions.

MS. BAUER: I am seeing no questions at the moment.

DR. McNAMEE: Moving on, next is about fishing mortality, same structure here. Maybe I'll go

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threshold to target and then to questions. Here is about fishing mortality, is it above the threshold? The technical input will be the probability from the assessment that fishing mortality is above the threshold.

The question again relative to the other components of the Decision Tool. How important is whether or not the fishing mortality is above the threshold, same scale as before. Next slide, the same thing for the target, all of the same information here. But in this case, it will be the technical input as the probability from the assessment that the fishing mortality is above the target, as opposed to the threshold. Any question on the fishing mortality one?

MS. TONI KERNS: Hey, Jason, it's Toni. Just a quick, not necessarily for the fishing mortality, but I just want to make sure I'm remembering this correctly, because I did get a question. Everybody gets to, each Commissioner gets to fill out their own questionnaire, right, or the overall process, or is it by state?

DR. McNAMEE: No, I think, well, Tracey and/or Jainita or Katie can correct me if I'm wrong, but I think everybody is going to get the survey and individually take the survey, so it will be by Board member. It should only be Board members.

MS. KERNS: Right, right, right, okay, thank you. I should say full Board members like all the partners. Anybody that is on the Board gets to take it.

DR. McNAMEE: Yes, exactly.

MS. KERNS: Andy had his hand up as well.

MR. ANDY STRELCHECK: Yes, for clarity with the biomass and fishing mortality question. The presumption here is that this question, for example, fishing mortality would be above the target but below the threshold so in between the two. Is that correct, or are you just saying above the target could be a little soft?

DR. McNAMEE: In the case of fishing mortality, you are going from the bottom up, right? You've got your target first and then your threshold. You've got an opportunity to, you know if you are okay with it being above the target but not the threshold you could weight it accordingly. If it's above the threshold that might give you more concern, so you might weight that one higher than the target. Yes, you've got both questions.

MS. BAUER: Erika has her hand raised.

MS. ERIKA BURGESS: Jason, is this intended to be generic for the Risk and Uncertainty Tool or is this supposed to be specific to red fish? The reason why I'm asking is, the Board does not set thresholds and targets for F for red fish. Can you help me apply this to this specific fishery?

DR. McNAMEE: Yes, so I will answer your first question. It is specific to red drum, so that is how this is built. The tool itself, the questions are the same across species, but how you weight the tools, and obviously how the technical inputs get done are specific to the species. I'm looking for help from Tracey or Jainita or Katie with respect to how this applies to red drum, whether maybe it's only the threshold for this one. I'm not sure how that is set up.

DR. KATIE DREW: I was just going to say, great question. I think at this point, you know we are collecting this information from more of a theoretical standpoint about how you feel about the red drum fishery and these factors, and the tool is designed that if a factor does not apply, we can remove that or zero that out from the tool.

For example, if we do not have a fishing mortality target or threshold, that will be removed from the final score. You know you guys can still put that information in to say, it would be important for me to consider how high, you know where that F is, if we had that information. But since we don't, we'll remove that from the tool, but we'll just sort of have that information going forward.

For example, if we are able to develop a model that does have an F target and an F threshold, then we can have that sort of weighting information to go forward with. But at this point, you know if we're missing a specific component of that tool, it would be removed or zeroed out. For example, in this case, are we missing a target? Are we missing a threshold? We can fold that maybe into model uncertainty or management uncertainty if we would like.

But we can zero those out or similarly, if you have a species that does not have a commercial fishery, you could remove that socioeconomic component, et cetera. We'll go through and fill everything out, but the parts of it that do not specifically apply to the species that you're working on, in this case red drum, will be sort of zeroed out and removed from the tool, and not count for that probability in the end. But we're still interested in collecting this information in a standardized way.

DR. McNAMEE: Does that make sense, Erika?

MS. BURGESS: I appreciate the explanation, thank you.

DR. McNAMEE: Any other hands?

MS. BAUER: I'm seeing no other hands.

DR. McNAMEE: Now we're moving on to model uncertainty. The technical component here is how much model uncertainty is there with input for the qualitative score, based on information such as these kinds of assessment diagnostic means like retrospective patterns, sensitivity runs, model fits, things like that.

Then the technical folks will be populating that technical input, but what we're looking for from the Board is for you to weight how important this aspect is to you. The question that you'll get is relative to the other components of the Decision Tool, how important is model uncertainty, same scale that you've been looking at all along, so pause for questions on that one.

MS. BAUER: I am seeing no raised hands.

DR. McNAMEE: If you think of something after, like no problem if you want to bounce back. I'll keep this moving here for now. The next is management uncertainty. The technical component here is how much management uncertainty is there for this fishery. The technical input will be a qualitative score based on information such as past management performance, if there is a lot of illegal fishing activity on this particular fishery, our ability to regulate removals.

You can think about something that has a high recreational component to it. You might have more uncertainty in that if they've had a high commercial component, less uncertainty about that kind of thing, our ability to monitor the fishery compliance, those sorts of thing. That is the technical input there.

The question will be, how important is management uncertainty within this fishery in the grand scheme of all of these things that we're looking at, same scale that we've been looking at all along. We'll pause for questions on management uncertainty. While you're thinking, this is one of the ones that I think the Advisory Panel could be really helpful on, kind of giving insight into those on the Board, members know this really well also.

MS. BAUER: I am seeing no hands.

DR. McNAMEE: Environmental uncertainty, so the component here is how much environmental uncertainty is there for this fishery? The technical input is a qualitative score based on information such as environmental drivers of recruitment, habitat loss, climate change vulnerability, predator/prey dependence and natural mortality if it's not accounted for in the assessment model. You know something like if we think natural mortality is changing a lot over time that is not accounted for in the assessment model. That is the technical input for this one.

The question is, how important is environmental uncertainty for this fishery. If you think we've got

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big swings in recruitment going on, those are the types of things that are really hard to capture with an assessment model, if there is some external driver of that. This gives you an opportunity if that is important in this fishery, you can weight this accordingly, and the scale is the same as you have been looking at all along, so I'll pause for questions.

MS. BAUER: Seeing no raised hand.

DR. McNAMEE: Ecosystem trophic importance, here I built this off of the tautog example that we did, and I left the tautog in there, sorry. How important is, not tautog but red drum, to the ecosystem or other key species? Maybe the responses are kind of similar for these, I don't know. The technical input here is a qualitative score based on red drums. I could have sworn I fixed that, on red drum's role in maintaining other key species in the ecosystem.

In other words, other important fish species or threatened or endangered species, things like that. Is this species important to the ecosystem services or ecosystem function? That is this particular element about an ecosystem different than the possible cut. How important is ecosystem or trophic importance for red drum is the question, and the scale is the same that we've been looking at. Any questions?

MS. BAUER: Seeing no raised hands.

DR. McNAMEE: We have now, we're moving into the socioeconomic criteria, and there are four of these. You've got two for recreational, two for commercial. We broke them up, and this is based on the advice from the Committee for Economic and Social Science, when we kind of ran all of this stuff by them.

You have both short term and long-term effects for each of the rec and the commercial fisheries. This first one is the short-term commercial. Maybe I'll kind of go commercial and then I'll go through rec. This is short-term commercial. The technical input is it's a score based on total ex-vessel value, community dependence, a community dependence

indicator, the scale of the potential management change, in other words the percent change to harvest, produced by the other components of the Decision Tool, and the anticipated effect on the community.

It's sort of a synthetic score that is going to be based on a number of these criteria, and these all came from our economic and social science experts. Typically, a harvest reduction, if that is what is required, has a negative effect in the short term. Typically, what you would do with this one, as you populate it with information is it would be pushing back against the more precautionary management approach.

It would be trying to mitigate some of the pain to the community by making things less precautionary, so pushing back with direction. The question here is how important are short term socioeconomic effects on commercial fishery, same scale. Flip to the next slide, I think this will be a long-term commercial and socioeconomic impact. This one, that is the question, what is the long-term socio and economic effect of the proposed management change on the commercial fishery?

Again, you'll have the synthetic score based on ex-vessel value, community dependence, the scale of the management change and the anticipated effect on the community. Typically, a harvest reduction will have a long-term positive effect on the population. Meaning if you withhold harvest now, the population will be bigger in the future. That is kind of the concept there.

This typically adds to the recommended probability, or it makes you more cautious in your management. The weighting question here is how important are long-term socioeconomic effects on the commercial fishery. That is the approach here is you have a short-term, that kind of immediate team, and then you have a longer term. You take a little pain in the short term and things will get better in the future is kind of the concept. Both of those are in the tool, and it allows you to weight those things. Any questions on those?

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MS. BAUER: Doug has his hand raised.

CHAIR HAYMANS: Jason, I think I heard you say this really early on, but in the southern region, where there is no commercial fishery, this question will not be in the survey, correct?

DR. McNAMEE: Yes, I think that is a good question, and thank you for that. That is what Katie, I think it was Katie I was talking before. That is what she indicated is, we'll have you go through and kind of work through all of these, but when there is no commercial component here, we can sort of remove those. That is a nice thing about the approach we're using is there is a palliative component where you can ask in general or remove them and the tool still works. Yes, Doug, we remove if there is no commercial fishery.

CHAIR HAYMANS: Thank you, and the second part of that question then is for the northern region. There is only one state I think that has a commercial fishery, North Carolina, I think, so how is it affected by the fact that there is only one state out of seven that have a commercial fishery yet?

DR. McNAMEE: Good question. That is actually the nice aspect of the two stock units being broken out, so you'll be able to answer them separately in the survey, so that is one attribute. Then yes, it comes down to, I would think the way the Board members can think about it is, you know if the commercial fishery, I don't know much about this fishery.

If it's one state and it's really small, maybe that is how you kind of score these things with that in mind. Maybe it's more important that you think about the long term than the short term, seeing as how you know the fishery is so small. However, the folks in that particular state might feel differently about that, right, it's their folks and they will have that direct interaction with those folks.

They might populate that, because maybe it's a really small community and it will have really detrimental effects for that. They can populate that. Their position will be to upweight that. In the end we'll have a preliminary weighting, but you're

going to review that as a Board, and if that one, say ranks or scaled really low, as far as a weighting, they could plead their case to the rest of the Board and make an adjustment there, there in that final vetting of the weightings.

MS. BAUER: Ethan had his hand up for a second.

MR. ETHAN SIMPSON: If it does make you feel better, Virginia does also have a commercial fishery for red drum, and between North Carolina and Virginia, being the two states that primarily participate in this fishery in general on the northern stock. Both of them do have commercial fisheries, and this is relatively small in the grand scheme of things, but an active commercial fishery for both states.

DR. McNAMEE: Right, right, so that is perfect and you all have that insight and can make those weightings accordingly.

MS. BAUER: Ben Dyer has his hand up.

MR. BEN DYER: This is more sort of not specific to red drum, but kind of looking at this tool moving forward, and just kind of thinking steps down the road if we utilize it further. I'm calling up and looking at these socioeconomic criteria in the Excel Spreadsheet Risk and Uncertainty Tool, and it looks like they have actually set thresholds for where that very low, low moderate, depending on ex-vessel value but it's for coastwide, or regionwide I would assume. We're looking at this when we're filling this out as individual management, we're kind of, this is more or a question I guess than a statement. We're looking at this from the whole stock, and it says coastwide, and then actually the community dependence is a percentage of the top ten communities for that region or coastwide.

We would need to know what those top ten communities are for that region, and what percentages that is in ranking. Would that be the same for everybody if we're looking at it coastwide? If it is a percentage of the top ten communities coastwide, would that be the same across the

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Board, or do we look at this more individually state-specific and how it affects us individually?

DR. McNAMEE: That's a great question. I think when, first I'll start by saying that these criteria that I put together, they were looking in the macro lens, they were looking across everything. I'll look for some help, as far as exactly how it was approached for red drum specifically, but I think the answer to Doug's question a moment ago is relevant here again.

Remember, this is about the weighting, not necessarily the technical input. You know regardless of how the technical input gets populated, if you think it's important for Virginia, you would upweight one of these or both of them or whatever. That would just give those elements more weight in the overall tool. The actual technical inputs, I'm going to phone a friend on this one and see if Tracey, Jainita or Katie wants to weigh in on how it was populated for red drum. I'm not hearing anything.

DR. DREW: I'm going to say this. Generally, I'll make a comment here and then I'll look to Jainita, who coordinated with the CESS on this. This was done on a regional basis, so we have a score for the northern region and a score for the southern region, I believe. It is kind of like you could have, obviously you can have a situation where, as we were saying before, the community, if it's a small community, a small overall regional or coastwide, the community dependence could be low, et cetera.

The effect of that sort of larger scale could be small, but what is going to upweight it or down weight it is the part that the Board is filling out, in terms of how important it is. I think as you go through this you don't at this point need to worry about what the technical input is, and we are presenting you with sort of, you guys at this point don't know what the results of the stock assessment are.

You don't know how these things have been weighted, and we kind of want to get your opinion, I would say like in a vacuum almost, about like not thinking about what the final answer is, but just

thinking about how these things relate to each other, and what is most important when you make a management decision, in terms of what level of risk you are willing to accept, et cetera.

But we will have the chance to go back at the Board meeting to look at both the weightings, and then to look at these kinds of socioeconomic factors, where as we've discussed in other cases. It can be hard to come up with a hard number on some of these questions, because we don't have the socioeconomic data that we have doesn't fully capture everything that is important about that species, or it doesn't fully capture the real economic value or impact on the community. Just because we're still trying to improve our socioeconomic data. As you go through, and if you look at the score that the CESS has provided, this is an area where the management board will have an opportunity down the road to kind of comment on and modify both the technical input and the weightings.

I guess in the short term you don't necessarily need to worry about what the exact score is or how that was done for this survey. We'll cover all of that at the Board meeting later this month, and give you guys a chance to weigh in on it at that point if that helps. I don't know if Jainita has anything to add, in terms of what the CESS specifically was looking at for red drum.

MS. JAINITA PATEL: That's a great question. As you all have noticed, this tool has a lot of big parts. We have the TC; we have the CESS and then we have you all. The CESS is or the Committee on Economics and Social Science's role is sort of twofold. They first assess both stocks, sort of without the idea of management change in mind, or without the idea of just like sort of ranking the socioeconomics based on community dependence, and recreational dependence and things like that.

After those factors are independently assessed, if management action is anticipated, they will then go back and sort of discuss amongst themselves what factors to consider, in terms of long term and short-term change. We are still in that process, so we

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don't have all the factors laid out at the moment, which is why we will be revisiting this tool and the report that comes out of this tool at the Board meeting, and probably at one meeting after that as well, just to give the other Committees time to sort of lay out their reasoning and determine what factors they want to include to specifically calibrate this tool for red drum, if that helps.

DR. McNAMEE: Any questions?

MS. BAUER: I see no other hands raised.

DR. McNAMEE: Let's move on to recreational. Same kind of structure here. You've got your short term, socioeconomic effects of some proposed management action on the recreational fishery. Here are the technical inputs, again we'll do kind of a score based on a number of factors, based on total directed trips, community dependence, the scale again, so that is similar to the commercial runs, a scale of the actual change, and the effect on the community.

Same thing here, where the short-term affects tend to be ones that we want to push back and being less precautionary. You know if we're going to have this kind of short-term ping if it's a negative outcome from the stock assessment information. Same thing here, I'll have you flip to the next slide. Long term as well, again it's another synthetic score. It's based again on the same criteria, so the directed trips, dependence of the community. They are like a recreational, like a party and charter group that is super dependent on this particular fishery, that kind of thing.

Scale of the change and community effect. Same exact concept as for the commercial sector, but you can think about it in the context of the recreational sector. Here it sounds like from earlier questions that there is a lot more recreational users of this resource than commercial. You get a chance to sort of parse these things out, which I think is helpful, gives you some flexibility to deal with the nuances of the fishery. Questions on the recreational stuff?

MS. BAUER: Spud Woodward has his hand raised.

MR. A. G. "SPUD" WOODWARD: Kind of following up on what Doug was talking about. You know while we do not have a directed commercial fishery, in terms of harvest or sale in the south region, we do have a for-hire sector that is highly dependent on access and opportunity to red drum. Would it be possible, and you mentioned the word parse.

Instead of having the commercial sector input in this, we have a separate one for for-hire component of the recreational sector and for private recreational, because I think the responses might be different, in terms of how this weighting is. It may or may not, but I think that would be a useful separation, at least for the south region.

DR. McNAMEE: That is an awesome insight here. I think we will definitely log that comment. But I'll note that the current tool lumped in for-hire with the recreational sector. I think in the short term here, the way to approach this per your comment would be to just consider that, even though you think there might be differences between private and for-hire.

If you think it can be bad, like really bad for the for-hire, then to apply it in that way, you know across the entire recreational sector. It's not, you know I think your questions, I mean really you would want to treat them separate, and so we'll think on that. But right now, there is only the kind of single recreational, well the two recreational components. Those recreational components are supposed to encompass for-hire as well.

MR. WOODWARD: Okay, thanks.

DR. McNAMEE: Other questions?

MS. BAUER: No other hands raised.

DR. McNAMEE: I'll look to the next slide, which I think might be it. Yes, so next step. You all will take the online survey with the questions that we just walked through, and remember that sort of split into these two stock components. We will then after you all take them, we're going to take those scores, we're going to average them up and we will

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produce these preliminary weightings, and we will review those with you at the annual meeting.

You can approve those, make adjustments, you know whatever you want to do as a Board. Then we're going to compile the preliminary Risk and Uncertainty Report with the technical inputs from the Technical Committee, the CESS and then we'll kind of put those all together for you again, and we'll have you review those at the annual meeting.

Between now and the annual meeting there will be a bunch of work by you and folks behind the scenes here, and then you'll have a bunch of stuff to look at, at the annual meeting. That I believe is it. Flip to the next slide just to confirm, exactly. Happy to circle back on anything and take any other questions that may have popped into your head as we've been going along.

MS. BAUER: John Clark has his hand raised.

MR. JOHN CLARK: Thanks for the presentation, Jay. Just curious for a state. If you don't really have an opinion about some of these, is it best not to answer the survey at all? I mean Delaware, to even call us a minor factor in the red drum fishery is kind of overstating it. I mean we get a few caught each year recreationally, but that is about it.

Just wondering what has more of an effect on the survey? I mean would you want somebody in a state that really is not a factor in this to answer all these questions? Do you just put equal weighting for everything or is it best just to leave some of these blank, or to say, you know, I'm not answering this survey because I just really don't have an opinion on these?

DR. McNAMEE: It's a great question, John. I won't tell you what to do, of course, but I will offer you some advice. I think you have a couple of options there. The kind of "do no harm" version of this would be to just kind of score everything equally, so that you would fill it out as equal importance for all of these things. If you don't know, for instance, because you don't have a good sense of that because you don't have a big fishery in your state or

whatever. That is one option. I think maybe I should have started like that.

I am pretty sure we let all of the Board members, this is your policy, so we want all of the Board members to weigh in, in some fashion. One way is to just equally weight them, and that will kind of a "do no harm" approach to it, and the other way you could do it is to say, maybe you don't have a vested interest in the socioeconomic stuff.

But you learned a thing or two about stock assessments and biology and those sorts of things over the years, and so you might want to upweight those components relative to the socioeconomic ones, or something like that. I think you've got a couple of options there, but we really would like all of the Board members to weigh in, because it is a Board policy. That is what this is supposed to represent.

MS. PATEL: I'm sorry, Jay, can I jump in here just to maybe add one more thing to answer John's question? One thing that I don't think was apparent from this is that there is an NA option on the survey. If there is something that you really like not sure how it applies, or you are just not quite certain how to answer it, because you don't have any experience with say the northern stock, if you're working out of Georgia, right?

If you do end up picking that NA option, we would encourage you to pick a score from 1 to 5, but if you are just really unsure and you picked that NA option, it will just give more weight to the scores of the other folks that scored that question. In a sense, like your vote will be counted by just giving more credence to other people's opinion for that question. That is also another option you can take if you don't want to hit equally likely throughout for those questions. Just something to keep in mind.

MR. CLARK: Thanks, that is really helpful. Thank you.

DR. McNAMEE: Yes, sorry, I didn't realize there was an NA.

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MS. BAUER: Chris Batsavage.

MR. CHRIS BATSAVAGE: I guess this question goes to the situation Erika asked about where we don't have maybe overfished and overfishing determinations for a stock, and if there isn't those Risk and Uncertainty factors just don't work into the final assessment here. But we do have, at least in the past had other ways of measuring some kind of stock status.

Like there is escapement into the adult populations, and that is not asked for here. I guess my question is, if we don't have overfished and overfishing determinations for a particular stock, how does that impact the overall Risk and Uncertainty score without the stock status methods here?

DR. McNAMEE: Thanks for the question, Chris. I think we've sort of talked about this in the context of like data limited species. That is on the radar. We've not really set those. We thought about it a lot. I think in this case we were thinking we were going to have concentrated information from an assessment, so that is kind of the approach here.

However, yes maybe some component is missing. We indicated that in the end, you know you can think, maybe in the future you will have an assessment. I think you should think like longer term with this stuff, so if it were available how would you feel about it? Kind of score it in that way, but if it doesn't currently exist, we can drop those out.

We talked about that part already. But I know I'm sort of dancing around your question a little bit, trying to think of a good answer. But I think you know in a situation like that, I think we need to think about it a little differently for like a data limited situation and you know I think we will go back and think more about that, and offer some guidance on those situations. But you know, Jainita, Katie, Tracey. If anybody wants to jump in, I just don't know this fishery really well, so that is why I'm kind of hesitant with the wording.

MS. BAUER: Yes, I can jump in here really quick, and this is going back to Erika's question earlier. But Amendment 2 for red drum does include an overfishing definition, both target and threshold. We will – technically in our document there isn't any spawning stock biomass reference points, but in this upcoming assessment we will be proposing some. I would include more information in the e-mail we sent out, but at least for definitely overfishing, and that is in Amendment 2 if that helps at all.

DR. DREW: Yes, and just to, I think build on what Jay was saying, which is that we envision this as like, this is sort of like the first part of a larger Risk and Uncertainty Policy, where what we're ranking and then what comes out of this is really only applicable when we have a stock assessment model. Essentially that can be projections. What comes out of this will be the probability that our management actions will strive to achieve, which means that basically when you're setting a quota you are going to set it that has a specific X percent probability of achieving your F target, or we're going to have a rebuilding plan that has an X percent probability of rebuilding by this year. That X percent probability is what is coming out of this tool. Obviously, if we don't have a model that can do projections or can predict our probability of rebuilding, what comes out of this tool is not really going to be useful.

I mean we would have it, but it is not something that we could then apply. If we get to a situation where we are for some of our species, where we have a formal model that can do projections, this tool is not really super helpful, and we need to develop that data limited side of this tool a little more in depth.

I think as you guys are going through, you know whether this tool is useful or not will depend on the results of the stock assessment, which you guys haven't seen yet, and so you know, we don't want to spoil that surprise or we don't want you guys to be thinking necessarily about what are the results, what is coming, what is our stock status, et cetera. We want you to be thinking about this more

abstractly, high level. What are the important factors for making management decision? Then, depending on the results of the stock assessment, in terms of what models were approved. We'll be able to use this tool or not use this tool, depending on those outcomes, which will all be discussed in October. I think at this point, you know as we go through and rank this, think about it more theoretically and abstractly, and then we'll be able to translate that into a more concrete result, once we have the full picture available for everybody, if that helps.

CHAIR HAYMANS: Okay, thank you for that. Anybody else before we move to the next topic?

MS. BAUER: I am not seeing any other hands.

CHAIR HAYMANS: Okay, Tracey, I have 10:10. I appreciate that momentary break. By ten o'clock in the morning I've had three cups of coffee. I need to make room for the fourth.

DISCUSS RECOMMENDATIONS ON INPUTS TO THE RISK AND UNCERTAINTY TOOL FOR RED DRUM

CHAIR HAYMANS: I'm good to proceed if you guys are.

MS. BAUER: Sounds good. I'm going to switch over the screen to the survey, and Jainita is going to walk us through what the SurveyMonkey survey looks like.

MS. PATEL: While Tracey pulls that up, hi everyone, thank you all for joining us this morning, and thank you to Jay for that really great breakdown of what the Risk and Uncertainty sort of Policy and Tool cover and look like. The second part of this meeting is going to be twofold. I wanted to both give you all a chance to look at the survey, so it does not take you by surprise when you open that link.

You know just to go over, if you have any questions about the way things are worded or formatted, and in addition to that, as we go through this I would like to give you all an opportunity to talk to your fellow Board members about potential things to

consider, based on your experience and based on things that are specific to your state or to your stock that you might want to bring to the attention of your other members, as they are going through the survey. For example, when we get to the part about ecosystem importance or trophic importance and know something for those species that might be a factor, either climate change, and species distribution, it sort of impacts each state differently. But if that is something that you feel strongly about, or you think that your fellow Board members should consider, please feel free to hop in and let them know, so that they can also consider it when filling out the survey.

That being said, I know that we just threw a lot of information at you over the last hour, and you might need time to digest this. If you can't think of anything that you would like to bring to the attention of the Board, you can feel free to just sort of listen, and we will be reviewing all of your inputs as a group together during the annual meeting.

At that point you will have the Technical Committee's inputs as well as the Socioeconomic inputs as well. At that point, depending on what the scores are, as a group we can discuss the weightings and see if you would like to make any changes after you have all of the information from the other committees, and see the results of the survey.

With that in mind, I will pause at the end of each section, just to give you all a chance to comment if you have any thoughts that are specific to red drum when it comes to that component. Looking at the survey here. This is just sort of the home page. It kind of reiterates a lot of the information that Jay already talked about.

It also gives an overview of sort of, you know if you rank certain aspects higher than the other, what that will mean for the precautionary approach that you may want to take in the future. One other thing, sorry before I begin, is that it was brought to my attention a couple days ago that when it comes to the Commission's Risk and Uncertainty Policy, a lot of the Councils also have a risk policy and for the

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most part for the Councils at least, those policies are fairly binding.

As of right now, because red drum is sort of the first species that we are running through this fully, you know management action is anticipated for this species. We are sort of taking this as a trial approach. We sort of wanted to see what you all's thoughts were on the process, after we run through the weightings, and get all the inputs from the different committees, and see what that final probability is.

As of right now that probability is going to be a recommendation to help inform management decision if it is not currently binding. But with that in mind, we would like you to take this survey as if it were, just to give us a better sense of how well this process works, and how useful it will be for you all.

With that in mind, going through the first page of this. We sort of have a breakdown of what Jay already told us, and then at the bottom there is a note that this will be filled out for both the northern stock and the southern stock, so New Jersey through North Carolina and then South Carolina to Florida.

In the beginning it will just have your name and your e-mail to index. The first aspect of this is stock status, and I feel like we talked about this a little bit during Jay's presentation. But as we scroll through this you will notice that the first part of this section asks about New Jersey to North Carolina as it relates to biomass, as well as fishing mortality. You have an option to give your reasoning for what your ranking was, in terms of importance. This reasoning is optional, but I would highly recommend that you all fill it out, even if you are uncertain about the exact motivations behind why you picked a certain ranking for that factor.

I just think that it will be really helpful when writing the report at the end of, you know after we have a probability there will be a report that has all the justifications by the TC and the CESS, as well as you all, to give a better idea of all of the reasoning that went into that final probability. Having that would be extremely helpful.

Yes, you have your five options and you have NA, and Tracey you can scroll down so the Board can see the rest of this page, where it also talks about the southern stock in the second half of this page. With that in mind, does anyone have anything that they would sort of like to put on the table immediately for red drum when it comes to these two?

I know we haven't seen the stock assessment yet, but if there is anything that you would like your fellow Board members to keep in mind when ranking for fishing mortality and biomass. I do not see any hands. We can always go back to different portions of the survey if anyone thinks of anything later on. Definitely don't be shy, feel free to chime in.

This is model uncertainty. Again, this is sort of related to the stock assessment, but I've looked at the factors that were listed in Jay's presentation, so you have them as a reference. You have retrospective patterning, sensitivity runs, model fits, and things like that. You also have a copy of the tool that was handed out in meeting materials, so feel free to use that as a reference as well.

If you're wondering some examples that the TC or the CESS used in potentially determining their inputs. You can sort of see what types of things to consider when ranking the importance or when giving your weightings for model uncertainty. As with the first part of the tool we have New Jersey to North Carolina, so the northern stock, reasoning for that as well as the model uncertainty for the southern stock and for your reasoning for that.

Does anyone have any thoughts about model uncertainty or things that you would like to put on the table for the Board to consider for red drum when filling in their weightings for this? I know we have some members of the TC on the call as well, so if any of you would like to maybe chime in, that would also, I mean feel free.

Okay, I'm not seeing any hands that is totally fine. Like I said, we will be reviewing a lot of this as a

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group at the annual meeting as well. This is the management uncertainty portion. Again, I have listed some of the factors that you might want to include when you are thinking about your weightings for each of these questions.

Then for the first part of this we have New Jersey to North Carolina, northern stock, as well as for your reasoning for management uncertainty or your ranking of management uncertainty for that stock. Then we have South Carolina to Florida or the southern stock, and you have your five options as well as NA. Like I said earlier, if you end up picking NA, like I said we strongly encourage you to pick 1 through 5, but if you're really not sure, vote for NA, and it will just give your other Board members a little bit more weight in their responses for this. Then of course you have your box to give your reasoning for this. Is there anything, you know either for the northern stock or for the southern stock, in terms of management, that anyone would like to chime in about that is either state specific or stock specific that you would like your fellow Board members to consider, when adding their weightings for this? I see a hand. Chris.

MR. BATSAVAGE: Thanks, Jainita. Specific to the northern stock, in terms of recreational catch estimates, although red drum are covered pretty well by MRIP in states where there are big fisheries and they are commonly caught. As you know, they are found all the way up to New Jersey, and probably starting to be found in relatively larger numbers, or more available at least, with warmer water temps.

Even though the MRIP estimates that you see are relatively low and sporadic, there could be more catches actually occurring, they just aren't captured through MRIP, because it would probably at this point be a rare even species. I think states in the northern region, I guess Board members in general, so let's keep management uncertainty in mind, as far as recreational catch estimates of red drum, because I think once you get north of Virginia, I don't know how well MRIP is characterizing the recreational catch that is occurring there.

MS. PATEL: Yes, thanks, Chris, that is an excellent point. Does anyone have anything else; you know either for the northern or for the southern stock that they would like to address, in terms of management uncertainty? Okay, I am not seeing any hands. Moving right along then, so environmental uncertainty. Again, this was a hot topic amongst the TC when we ended up talking about this, just because there are quite a few things to consider here.

But as with the other portions of the tool, I've sort of given you a few things to consider in the top text there. But after reading through that, scroll down and you will see the Option to rank environmental uncertainty for New Jersey to North Carolina, and then your reasoning, and then as well for the southern stock, South Carolina to Florida, and give your reasoning for that as well. I see a few hands here. I think I saw Erika first, and then Chris. Go ahead, Erika.

MS. BURGESS: I'm not sure whether this falls under the management or assessment, and I'm sorry, I had to step away during the assessment, so I couldn't determine then. But I think overall, with this stock of fish and this fishery, it is a different and unique, based in the fact that for most of us the fishery is operating and targeting and retaining only juveniles in the fishery, and the spawning stock is essentially off the table for harvest.

We don't really have a good understanding or a good way to understand what spawning stock biomass is. There is no good survey to monitor that, or to develop a reliable estimate of what that is. That provides some level of management uncertainty, but also definitely assessment uncertainty as well. For those of you who are less familiar with the fishery, if you're up north, that is something to keep in mind that this fishery primarily is targeting subadults.

MS. PATEL: Thank you, Erika, Chris.

MR. BATSAVAGE: Regarding the environmental uncertainty, we have a juvenile survey for red drum that is used in the northern region stock

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assessment. It's only in North Carolina, but it applies to the whole stock. We've noticed, or we've seen over the years that year class strength is definitely driven by environmental conditions. This might be maybe oversimplifying it, but it seems like when we have hurricanes either hit or come very close to North Carolina, we get good recruitment classes of red drum following that up and this is sporadic.

You can get good year classes; you get bad year classes. That is probably why red drum live to be 60 years old up here. But I think that is just something to keep in mind, as far as the environmental uncertainty questions here, is there definitely appears to be a link with year class strength and environmental conditions for drum, at least for the northern stock.

MS. PATEL: All good things to consider for both the northern and the southern stock, when it comes to management and environmental uncertainty. Does anyone have any other comments, or any other things to consider, when it comes to the uncertainties we've covered so far, model, management or environmental? Okay, not seeing any, so we can go to the next page then.

Okay, so we have ecosystem and trophic importance as well. Again, we have some of the factors listed here as things to consider in the top text there. Things like role in maintaining other key species, importance, threat to other species, and then importance to ecosystem functions in general. If you scroll down, we can see we have a New Jersey to North Carolina questions, and then the southern stock, South Carolina to Florida.

Does anyone have anything about potentially the biology or the trophic importance of the species that they would like the rest of the Board to consider? Okay, not seeing any hands. I think we can move on to socioeconomics. The way that this is set up for this survey is that it first is going to ask you about the short-term socioeconomic considerations for both the commercial and the recreational fishery.

Then after that it will ask you about the long-term considerations. I don't know why it's squished up there, but it does in that block of text there are factors to consider when it comes to socioeconomic considerations. Just as a reminder that we're technically not rating the impact of management change on socioeconomics, but more so rating the economic impact of being more precautionary when making any long-term changes.

Don't think of like specific management actions, but if we are being more precautionary, how would that impact both the socio and the economic aspects of that stock above that region. For the first part of short-term socioeconomics, we have recreational changes to the northern stock, and then the second question is commercial changes to the northern stock.

Then I, just to reduce the amount of writing you have to have, I sort of made one box for the northern stock recreational and commercial reasoning, and you can, you know depending on how important a commercial fishery is to your state or to your region, you can always sort of outline or give more reasoning for one or the other, depending on the situation there. Similarly, we have the same question of recreational and commercial for short term change from South Carolina to Florida, and a box at the bottom that allows you to give your reasoning for that as well. Again, this is just for short term. Does anyone have anything they would like to speak on for the, I guess socio. Let's go through long-term changes first, and then we can ask if anyone has any things to consider for the socioeconomics. Yes, very similar here, some factors to think about for the long-term socioeconomic impact.

Again, very similar questions, just with a little bit of a longer timeline in mind. We have the northern stocks recreational importance first, and then the commercial importance for the northern stock, as well as for your reasoning. Then at the bottom we have the same questions present for the southern stock. I see a hand from Spud, go ahead, Spud.

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MR. WOODWARD: I think it's worth mentioning, and it's applicable, I guess to both stocks, and that is as I mentioned earlier, you know the importance of this fish for the for-hire sector has grown, and it's grown in importance for the part of the recreational sector. Some of this due to the fact that as access and opportunity on some of the offshore species has changed and continue to change, due to restrictions in harvest.

We've seen effort shifting to the inshore fishing, and so it is becoming much more important economically to all the businesses that support recreational fishing, whether it be for-hire or the private recreational sector. Sort of the context for how we evaluate the impacts on management action is changing, and probably will continue to change in the long term, as these other restrictions in access and opportunity are made manifest.

MS. PATEL: Does anyone have any other things that they would like to put on the table for the Board to consider for socioeconomics, both short term and long term? Okay, I'm not seeing any other hands. Does anyone have any other, I guess general thoughts, when filling this out for red drum. If there is anything that you are not quite sure where it fits, in terms of uncertainty, but you would still like to present it? Doug, go ahead.

CHAIR HAYMANS: There are some really general questions from the survey to make sure we're all clear. Southern region answers southern questions, northern region answers northern questions, not all of the survey, correct?

MS. PATEL: Great question. You know, Katie, feel free to jump in, because Katie and Jay were the original creators of this tool. But according to my understanding, it is best if all Board members fill out the entire survey to the best of their ability. That being said, you do have that NA option that you can use, if you are definitely, like if you have no idea how to answer a question or if you don't know if there is anyone that you can consult to answer your question, I would suggest that you pick that.

CHAIR HAYMANS: Yes, I know you're cutting in and out.

MS. PATEL: If it's not a stock that you work on and you would just like to hand it off to your other Board member who have this, I'm sorry, can you hear me?

CHAIR HAYMANS: Well, you were cutting in and out, I missed a few words.

DR. DREW: I think just to add on to that. I think you can think of this as what we're really trying to get at is, if you were at the Board and re really trying to get at is, if you were at the Board and you are making a management decision, and there is sort of like two quota options on the table. What are you thinking about when you are deciding on a management action like that?

If you're in the south you are still going to have to vote for something to happen in the north, and vice versa. You are thinking about what is management uncertainty? What is stock status? How precautionary should we be, versus how conscious of socioeconomic impacts should we be, when we are making these decisions?

Part of the goal of this tool is just to get these thoughts and that whole process out of your brains and onto the paper, and into a more transparent process. It's true that in the south, you know you may not have as much understanding or don't fully grasp the nuances of the northern ecosystem or the northern fishery, but presumably you're still going to be balancing these factors when you're thinking about what is the right management choice for that region.

The Board is voting as a group on these final management actions, and so we're trying to get you to articulate how are you weighing socioeconomic factors versus stock status, versus sources of uncertainty, when you're deciding on a final management action, so that we can sort of quantify that better and make this a more transparent process.

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For sure the NA option is there if you feel like you need to use it. That kind of like, it's all equally important to me option is there if you need to use it for each region. But I think you guys probably do have more thoughts than you realize about what is important when making a management decision for both regions.

Even if you're not specifically from one region or the other, I guess that is the mindset that we would like you to go into with this. For sure, again, we are doing this a little bit in isolation, to kind of get your thoughts out, and then we'll have a larger discussion about it, and refine these weightings at the next Board meeting. Hopefully that helps.

CHAIR HAYMANS: It does, and I appreciate your thorough answer. I think that the results of this survey will be food for good discussion regarding the decisions we've made in the most recent meeting. This will help us decide how we move forward when we manage each other's fisheries. I can't find the words right now, but thank you for that answer.

MS. PATEL: Yes, and thank you, Katie for stepping in. I'm not quite sure what happened to my microphone there, but that was a great and very thorough answer. I see another hand, Erika.

MS. BURGESS: Yes, this is on the same topic, and I appreciate Katie's answer. But I have to say, I feel slightly uncomfortable about what staff is asking the Board members to do. Four of those, at least four of the FWC's approach to participation in ASMFC is kind of hands off when stocks don't cross our lines. I feel like this is asking us to go a different direction.

I prefer to have more Board discussion on our comfort with doing it, and whether our actual interest is to just respond to the survey for the stocks in our area or the stock in our area. I would love to hear other Board members thoughts.

MS. PATEL: Chris, go ahead.

MR. BATSAVAGE: Yes, just speaking for myself, I plan on answering the survey question for both stocks. I am more familiar with the northern stock, so I will probably take advantage of the NA button for a couple of the questions for the southern stock. I mean, I kind of view this as some other species that have a wide range.

But we have management decisions to make for a particular region that for North Carolina may not be, but we all vote as a Board for that, so it makes sense for the entire Board to fill out this survey to the best of their ability for both stocks, regardless of what state they are in.

MS. PATEL: Andy, go ahead.

MR. STRELCHECK: Yes, and I would take a similar approach, but there are certainly going to be things that I will probably list as NA. I guess I'm thinking of this, yes there are differences in the stock, so I'm not real familiar with the northern portion of the stock, but the choices for kind of deciding risk and how we would consider that may likely be fairly similar from one region to the next, with some obvious deviations in the fisheries where I don't have obviously solid understanding on the information.

MS. PATEL: Would anyone else like to speak to Erika's question? Go ahead, Doug, sorry I didn't see that.

CHAIR HAYMANS: I'm sorry, my hand was still raised from the last time. But I guess we are going to have a discussion at probably Executive Committee or Policy Board over topics that may touch this. We'll hold all this discussion until then. But it is discussion, and I hope that everybody kind of comes ready for that.

MS. PATEL: Okay, does anyone have any last comments before we sort of wrap up this portion of the meeting? Erika, is your hand still raised from last time, or would you like to speak? Oh, okay, thank you. All right, so in that case, I don't see any other hands. This survey, one thing to note that we

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learned with the TC, is that if you hit done it will not let you refill out the survey, you get one link.

When you sit down to do this, I would recommend either just keeping it open in a tab, and you know you can take as long as you need, but if you hit done just either reach out to me or Tracey, and we can send you a new link, just because it will not let you go back and change your answers after a certain point. Just something to keep in mind, but other than that, unless Katie or Tracey, unless you have any other comments that sort of wraps up what I had in mind for the discussion and the survey review portion of this meeting.

CHAIR HAYMANS: Thank you very much, Jainita, that was great. Tracey, do you see any other hands or anybody else who has comments?

MS. BAUER: There are no other hands raised.

OTHER BUSINESS

CHAIR HAYMANS: Is there any other business then to come before the Board, anybody anything else? Okay, well thank you all for your time this morning. Thank you to Jason and Jainita for your presentations, and I'll look forward to receiving the survey and seeing the results. Everybody, have a great day.

(Whereupon the meeting adjourned at 10:30 a.m. on Thursday, October 3, 2024.)

**DRAFT PROCEEDINGS OF THE
ATLANTIC STATES MARINE FISHERIES COMMISSION
SCIAENIDS MANAGEMENT BOARD**

**The Westin
Annapolis, Maryland
Hybrid Meeting**

October 22, 2024

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The Board will review the minutes during its next meeting.

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Adjourn.....36

INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).
2. **Move to accept the 2024 Red Drum Benchmark Stock Assessment and Peer Review Report for management use** (Page 16). Motion by Ben Dyar; second by Pat Geer. Motion passes by consent (Page 16).
3. **Motion to request the Stock Assessment Subcommittee/Technical Committee to produce the static spawning potential ratio for a range of slot size limits (between 14” and 27”) associated with bag limits ranging from 0 to 5 fish per person for: (a) the southern region and/or (b) SC, GA, FL individually** (Page 17). Motion made by Ben Dyar; second by Spud Woodward. Motion approved by unanimous consent (Page 19).
4. **Move to approve the Black Drum FMP Review and state compliance reports for the 2023 fishing year.** Motion made by Spud Woodward and seconded by Malcolm Rhodes (Page 35). Motion carries by unanimous consent (Page 35).
5. **Move to approve the Spotted Seatrout FMP Review for the 2023 fishing year, state compliance reports, and de minimum status for New Jersey and Delaware.** Motion made by Spud Woodward, second by Joe Cimino (page 36). Motion carries by unanimous consent (Page 36).
6. **Move to adjourn** by consent (Page 36).

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ATTENDANCE

Board Members

Joe Cimino, NJ (AA)	Jerry Mannen, NC (GA)
Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)	Ben Dyar, SC, proxy for Blaik Keppler (AA)
John Clark, DE (AA)	Mel Bell, SC, proxy for Sen. Cromer (LA)
Roy Miller, DE (GA)	Malcolm Rhodes, SC (GA)
Carrie Kennedy, MD, proxy for Lynn Fegley (AA)	Doug Haymans, GA (AA)
David Sikorski, MD, proxy for Del. Stein (LA)	Spud Woodward, GA (GA)
Robert Brown, MD, proxy for Russ Dize (GA)	Erika Burgess, FL, proxy for J. McCawley (AA)
Pat Geer, VA, proxy for Jamie Green (AA)	Gary Jennings, FL (GA)
James Minor, VA (GA)	Ron Owens, PRFC
Chris Batsavage, NC, proxy for Kathy Rawls (AA)	Jack McGovern, NMFS
Chad Thomas, NC, proxy for Rep. Wray (LA)	

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

Ex-Officio Members

Harry Rickabaugh, Black Drum & Spot TC Chair	Craig Freeman, AP Chair
Joey Ballenger, Red Drum SAS Chair	Col. Matthew Rogers, LEC Representative

Staff

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

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The Sciaenids Management Board of the Atlantic States Marine Fisheries Commission convened in the Capitol Ballroom via hybrid meeting, in-person, and webinar; Tuesday, October 22, 2024, and was called to order at 8:30 a.m. by Chair Doug Haymans.

CALL TO ORDER

CHAIR DOUG HAYMANS: Good morning, everyone, my name is Doug Haymans, I am the Chair for the Sciaenids Management Board, and I'll call this Board to order.

APPROVAL OF AGENDA

CHAIR HAYMANS: Taking a quick look at the agenda. You've had a chance to review the agenda, are there any additions to the agenda? Seeing none; we'll consider it approved by consent.

PUBLIC COMMENTS

CHAIR HAYMANS: Next, we'll ask for any Public Comment on items or topics that are not on the agenda. Is there anyone in the audience with comment, anyone in the online world? No one in the ethernet.

CONSIDER 2024 RED DRUM BENCHMARK STOCK ASSESSMENT AND PEER REVIEW REPORT

CHAIR HAYMANS: With that we shall move right into the business of the day, which is Consideration of the 2024 Red Drum Benchmark Stock Assessment and Peer Review. With that I will hand it over to the esteemed Dr. Ballenger.

DR. JOSEPH C. BALLENGER: Thanks, guys, for having me here today and giving me the opportunity to talk about some of the work that we've been doing for the last several years regarding the red drum stock assessment. Before I get started, I just want to point out that this product represents the hard work from both ASMFC Red Drum Stock Assessment

Subcommittee and ASMFC Red Drum Technical Committee, with the names of those currently serving on the committees shown here. As well, no surprise to this Board, I think it is important to go ahead and remind folks that red drum fisheries along the Atlantic coast are primarily recreational in nature. Being exclusively so since the mid-1980s for the southern population, and with a greater than 90 percent of annual removals occurring via recreational fisheries for the northern population in recent years.

Red drum had a relatively long assessment history along the Atlantic coast, with early assessments using forward projecting virtual population analyses, before transitioning to a custom statistical catch at age model starting with SEDAR 18 in 2019. From here the analysts in SEDAR 44 attempted to transition to using an integrated age structured model formulated in a stock synthesis framework, though ultimately this model was not accepted for management use.

As I said, we sort of reverted back. SEDAR 44 Stock Assessment Subcommittee reverted back and updated the SCA used during SEDAR 18 in the ASMFC 2017 report. I'll also just point out that we transitioned from assessing the Atlantic coast red drum as a unit stock along the Atlantic coast to a southern and northern stock, beginning with Vaughan 1996. This stock definition does persist through today's assessment as well. The results of the most recent ASMFC assessment suggest that neither stock was experiencing overfishing in the terminal year of the assessment, which was 2013.

However, this assessment could not determine overfished status based on SSB, given the use of an Age 7 plus group in the model, which resulted in a large amount of adult recruitment biomass that cannot be tracked, making estimates of SSB changes through time unreliable. Despite the models being accepted for management use, there was a high degree of uncertainty regarding the fishing mortality and spawning potential ratios in the terminal year of that assessment, making a determination of overfishing status highly uncertain.

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Further, the models rely on some heavily and highly influential external data analyses, and had other significant criticisms identified during the peer reviews of SEDAR 24 and ASMFC 2017. To prepare ourselves for the current benchmark, we conducted a simulation assessment to evaluate the performance of different models, in regards to determining stock status, including biomass levels using three different modeling frameworks.

Model free stock indicators, which would be analogous to a traffic light analysis approach, we'll show a little bit later on. A juvenile population dynamics model, which was analogous to the customs physical catch at age used during ASMFC 2017, and then an integrated stock population dynamics model, which is analogous to the model we're going to be showing from stock synthesis, the primary results we are going to be focusing on today, at least for the southern stock.

These results underwent independent peer review, with the most pertinent final recommendations being not continuing pursuit of the custom statistical catch at age model, which was used in SEDAR 18 and ASMFC 2017, because of inherent biases in stock status determination that we could not resolve in that model.

To prioritize instead for development of the stock synthesis models, results suggesting the output parameters could be used for stock status determination, including metrics related to spawning stock biomass and SSB status. With the idea being in the view of the review panel, the ability of SS to provide an SSB status and major advancement relative to the previous assessments.

Last but not least, they suggested the model free traffic light analysis should continue to be developed as a complementary analysis, and developed being they may prove useful in the interim, between formal updates to the stock

synthesis models. These results were accepted for management use by the Standards Board in May of 2022, and that guidance was used to guide the assessment results being presented today.

Before I go into the results, I want to briefly discuss the reference points the SAS used for stock status determinations during discussions of both the stock synthesis models and the traffic light analysis. For overfishing determination, the current interstate fishery management plan defines overfishing threshold as SPR 30 percent, while a target SPR is SPR 40 percent. The F benchmarks were in terms of Age 2 fish, and are levels of fishing mortality that achieves the SPR but the same percentage. Currently, an overfished status reference point is not defined in the interstate fishery management plan. However, the transition of stock synthesis framework tracking the full age structure of the population in this framework, and results of assimilation assessment suggests these models can and do actively track changes in SSB through time, and hence, should be able to provide an overfished stock status determination.

Here the SAS propose using analogous SSB 30 percent and SSB 40 percent as an appropriate threshold and target for overfished status determination. These SSB benchmarks are at levels of SSB associated with a stock fished to equilibrium as a SDR of the same percentage. For status determination consistent with previous assessments, we used 3 year running averages with terminal year status being based on the average SPR and spawning stock biomass during the years 2019, 2020, and 2021.

While we do have some SPR estimates for 2022 and SSB estimates for 2022 and 2023, these were heavily reliant on preliminary 2022 fishing year data. With individual datasets missing either all of partial data related to length and/or age compositions. Of note, the simulation assessment reviewers recommend tracking both annual and 3-year average for stock status determinations, and we did provide both in the report in figures shown later on.

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With a TLA analysis low reference points using these model free indicators are currently defined in the fisheries management plan, nor was guidance provided on operational reference points provided here in the simulation assessment. However, TLA fishery performance was evaluated for its ability to indicate an overfishing condition, defined as the known simulated population experiencing F greater than F 30 percent.

While the adult abundance metric was evaluated for its ability to indicate an overfished condition, defined as a simulated population SSB falling below SSB 30 percent. There is an indirect relationship between the TLA threshold extending and the fishery management plan F threshold and proposed SSB threshold.

That said, the operational reference points provided herein were developed by the SAS in the current assessment, with overfishing being defined as occurring when the fishery performance metric, which takes into account a ratio of catch, the fishery independent subadult indices was red in any of the past three years.

The SAS defined an overfished status determination when adult abundance and metrics based on adult relative abundance trends was red in any of the past three years, and then the SAS went on to identify three additional potential management action triggers, which I'll let you guys read through here, with the intent of making these model free indicators, in general more responsive to changes in the population when there were concerning trends in the stock.

With that background information in mind, I'll now jump directly into the primary results of the current assessment, with final stock status determination for the southern population being primarily based on the results of the stock synthesis analysis, though it was supported by three complementary analysis, a traffic light analysis, which provided direct stock status determinations itself, as well as two additional

analysis that thinks we use a Skate Data Limited Control Rule Method and a Cormack-Jolly-Seber Tag Recapture Model. In the sake of time here I'm only going to present sort of the main results from the stock synthesis and TLA analysis. I do have some slides on the Skate method and the Cormack-Jolly-Seber Models. If you all are interested, I am happy to pull it up at the end.

For the southern model we had a catch series going back to the 1981 fishing year, where the fishing year was defined as running from September 1 through August 31, which was a little bit of a change from previous assessments, but better aligns with the spawning season of the red drum population, as well as when the fishery is being operated throughout the year.

These catch data streams by states were able to be split into harvest and release time series. We separated the catch data streams by state, as each state that comprised the southern population may regulate some changes independently, with regulations across blocks of years not being broadly consistent across states.

Further, all three states had large recreational fleets that contributed significantly to the fishery. To get at total recreational removals, we assumed an 8 percent discard mortality rate for released fish, which was also consistent with what had been used in ASMFC 2017, SEDAR 44, and I think as far back as SEDAR 18 as well.

Herein I'm starting to show a plot, showing annual fishing gear removals by fleet component, with the fleets going, and I'm only showing data through the 1990 fishing year thus far. The fleet scope is very small. Commercial harvest, which is that very thin dark greenish thing on the bottom, followed by three direct harvest recreational fleets, and then the three recreational discard fleets, one for each state.

What we see is in this early period of the assessment history is we see a rapid decrease in removals in the early to mid-1980s, with 3-year average peak removals declining from 2.3 million

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fish being removed annually from 1983 to 1985, to about 700,000 fish being removed annually during that 3-year period from 1988 to 1990.

Since then, we've seen increasing removals since the mid-1980s across the region, removals meeting and exceeding early 1980s removals since the early 2010s, peaking at about 2.5 million fish being removed annually during the period 2016 through 2018 from the southern population, represented by that red dashed line. Not dashed, but horizontal line.

Other data sources available for the southern population included 10 considered fishery independent indices, of which 7 were retained in the final SS model and 8 in the TLA analysis. These represented a mixture and they will be color coated, recruitment, subadult and adult surveys from South Carolina, from Georgia, and from Florida. Those with the strike through were ultimately not included on southern based SS Model, though the Georgia Longline Survey was retained and the traffic light analysis at an adult abundance metric.

Each of these indices were standardized to account for extraneous covariate effects on the catchability, at the time of individual collections of red drum. Previous assessments, while they had generally used these same indices, included them as straight nominal indices. In other words, they used the less arithmetic mean catches per unit effort, which does not account for environmental conditions or unintended survey distributional changes in the potential effects on catchability. This represented a significant advancement in index treatment relative to previous assessments, with such standardization becoming common practice in most contemporary stock assessments.

I believe the other source showed the trends by sort of index type of the surveys. Here I'm showing the 3 southern population recruitment indices. We had an early South Carolina Rotenone Survey and then two more

contemporary, Florida 21.3-meter Haul Seine and the Georgia Gillnet Survey.

What I'm showing here is that broadly speaking, when they are during a period of overlap the recruitment surveys are in agreement with each other, as far as trends are concerned. Here I'm showing the similar graph but focusing on the southern population's subadult indices, starting with historic South Carolina Stop Net Survey, and then South Carolina Trammel Net Survey and the Florida 183-meter Haul Seine Survey, and once again you are seeing that broad agreement regarding the index trends in the subadult population for red drum.

Then last but not least here are the three available adult abundance indices, although two of these three were dropped from the final stock synthesis model, that being the historic longline and the Georgia longline. What you see is that at least known as period of overlap, the South Carolina longline survey was generally suggesting a stable to decreasing population throughout the time series, while the Georgia longline survey is suggesting a potential increase in population through the late 2010s, followed by decreased sets.

Then when we look at this relative to our other data sources, it seemed that the South Carolina Longline Survey was more in agreement with a long-term trend of subadult indices than the Georgia Longline Survey. When each fishery dependent catch data streams, along with the fisheries independent data are combined, it means we got catch, discard, abundance index, length composition, age composition and conditional age at length composition data available throughout the time series.

With that I'll jump into the main results of the southern population stock synthesis model. When we look at estimates of fishing mortality by fleets, generally speaking we are seeing fishing mortality in Florida represented by the red line, being greater than that in South Carolina, which is the blue line, which is generally greater than or equal to the fishing exploitation rate in Georgia, the yellow line.

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Further we see that in all three states the F has increased since the late 1980s and early 1990s, lows in all three fleets, and we observed that recent peaks in fishing mortality at the state levels, and hence exploitation is at or above levels observed in the early 1980s represented by the horizontal dash line.

When these F patterns are combined with estimates of selectivity and retention across sizes and ages, and are translated in estimates of spawning potential ratio, we get a time series shown here with an annual SPR represented by the green line with open circles, with 95 percent confidence intervals represented by the dash, and then a three-year average being represented by the gold line. I'll just note that while this time series does extend through the 2022 fishing year, as I noted previously, for stock status determination the SAS used the three-year average in 2021. It's basically, ignore that data showing up in that red.

This time series of SPR shows the SPR was below the management threshold of 30 percent in the early 1980s. The early management actions and subsequent reductions in catch allow for an ending of overfishing and a rebuilding of SPR through early 1990s, where it reached levels of 0.6 for the population. The four sources slow the decent to levels below 0.3 at the annual scale in 10 of 12 years since 2010. Then all years since 2013.

Similar 3-year average SPR suggests overfishing of the stock again in 2014, with a 3-year average SPR from 2019 to 2021, being 0.207. Similarly, the SS model produces a time series of spawning stock biomass that can be compared to an SSB threshold, that is what I'm depicting here with both annual estimates, once again in that green line with 95 percent confidence intervals represented by the dashes, and the 3-year average being represented by the gold line.

Similarly, once again note that while the model produces an SSB estimate for 2022, for stock

status determination we base SSB and its overfished status only through the 2021 data. Here the SSB is shown relative to the SSB 30 percent threshold reference point estimating the model, such that the stock is considered overfished when relative SSB falls below 1.

We notice a few things with regards to spawning stock biomass. First, annual estimates are much smoother through time, reflecting the integration of many years of reproductively active females in the population, and hence slow expected change in spawning stock biomass you would expect.

Given this relative SSB increase from low, severely depressed overfished levels in the 1980s through the 1990s, in 2020s though the rate of change does slow in the 2000s. Since the 2000s relative to SSB decreases steadily from the late 2000s through the terminal year, as SPR continues to decrease, such that by 2020 a 3-year average relative to SSB suggests the stock has once again transitioned to an overfished stock status, which was maintained through the terminal year of the assessment.

At 2021, the terminal year stock status gave a relative SSB a 0.881. The SAS included 9 sensitivity runs in the assessment report, and invited the reviewers to assess the stability of stock status determinations in the time series of SPR and spawning stock biomass the various influential assumptions. This included looking at the model to different model configurations and assumptions.

MRIP catch estimates including a sensitivity run where we reduce recreational catches by 30 percent, based on preliminary guidance from MRIP staff and the pilot study they conducted to date, although we won't know the final results of that until at least 2026. That subset regarding natural mortality, and then the impact assuming these different descending limb selectivity patterns for the recreational fleets, with one basically allowing less selectivity on large fish and narrower goal, and the other more selectivity on larger fish a wider goal. Overall, all of these sensitivity analysis for these very similar SPR and relative SSB trends, it's a little hard to see here, but the base model is in a

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light blue, sort of in the center of all the data points on both of these figures on the right. With the other SPR and SSB trends when get the sensitivity analysis being represented by the other colored lines.

The largest variability was regards to when the model suggested spawning stock biomass which was the lower right figure had increased above threshold levels, as the stock was rebuilding in the 1990s. With the timing and rebuilding in 1990 varies from as early as 1990, that higher natural mortality scenario, which implies you could fish the population harder through 1997, and a lower M scenario, which implies you could cause overfishing and hence overfished conditions at lower pressures.

Notably, the terminal year overfishing status did not differ across any of these runs, while a terminal year SSB status only changed for the run using a later start year, which has short time series to estimate the correct scale for spawning stock biomass. You see it is right at that overfished limit in the bottom right there in the terminal year.

Now I went through the stock synthesis base model. Let's see how the traffic light analysis approach was also reviewed as part of the simulation assessment. Lines that we regard as the stock status determination it trends, and so did the population exploitation. Very briefly, as in a simulation assessment, we focus our efforts to the traffic light analysis using three Model 3 indicators.

On the left is recruitment indicator, which uses a recruitment signals available from our fishery independent recruitment surveys. In the middle a fishery performance indicator, which devise the annual removals of slot sized fish divided by slot size fishery independent survey indices of abundance to develop a relative exploitation, and hence F indicator for the subadult population.

Then an adult abundance indicator on the right, which uses fishery independent adult index data, and can be thought of a metric for spawning stock biomass. For each of these indicators we use a reference period from 1991 through 2013. Per the most recent accepted assessment for management use with a period where the southern population was likely not experiencing overfishing and not overfished, with these results being broadly supported by the results of the current stock synthesis models.

Further, a grid search which is used by some of the simulation assessment and the TLA performance therein, to determine the number of years and threshold levels for percent red, to minimize the bias in stock status determination. This combination varied by metric and stock, with recruitment suggesting that only one year be represented in the terminal year by this sort of slightly shaded final year. In 2021, at threshold with red at 0.05 was indicative of poor recruitment.

Threshold is represented by the horizontal black line. For fishery performance it suggested six consecutive years or red exceeding the 0.52 threshold level should elicit a management trigger. Then for adult abundance the grid source suggested nine consecutive years of red exceeding a 0.78 threshold, so it listed a management trigger, though they named a precautionary management and given the life history of red drum, the SAS recommended having the threshold to 0.39, which is the lot they are just showing here. For the next slide it is important to note that a yellow status is calculated when the annual estimate is either yellow or red in all years in the shaded block, excuse me, all six years of the fishery performance metric.

You only get an elevated action when the metric gets red in all years. What becomes apparent, before I go into the next slide is the indication of declining trends in all three southern stock characteristics, with recruitment indicators being red every year from 2010 through 2022, in 21 of the last 28 years since 1995, fishery performance being red every year from 2013 through 2022, and yellow or red every year since 2002, and adult abundance

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showing a decreasing proportion, green since the mid-2010s.

When action levels are tabulated across the terminal years of assessment and consideration of the number of years to trigger it in threshold levels, you observe that both the recruitment and fishery performance metrics suggested elevated action in the terminal year, 2021, while the adult abundance metric suggested moderate action.

Based on the reference points developed by the SAS, these results indicate the stock was experiencing overfishing in the terminal year of the assessment, as fishery performance was red for at least one of the last three years. In actuality, it was red in all three of the terminal years. This is consistent with the terminal year stock status determination from the primary stock assessment for this model.

Regarding SSB status, TLA analysis based on the preliminary reference points developed by the SAS, suggests the southern population was not overfished in the terminal year, as adult abundance was not red for at least one of their last three years. This does differ from the overfished status determination from the SS model, though it is important to note that the SS model suggests the stock had just recently come fishing from an overfished state.

This is consistent with two additional TLA management triggers identified by the SAS that were triggered, though we did not relate these to specific stock status determinations. First both fishery performance and adult abundance were yellow and/or red in each of the past three years, which the SAS interpreted as a sign of increasing catch and/or decreasing subadult abundance, which would jeopardize the abundance of adults in the future.

The second, recruitment was red and adult abundance was yellow in each of the past three years, which the SAS interpreted as a sign of consistent below average recruitment,

increasing the chance of future decline in adult abundance. That sort of concludes the information that I built in for the southern population, and now we will transition to the northern population.

While we intended a Stock Synthesis Model and also the Skate Method, note the SAS made stock status determinations for the northern population using results from the traffic light analysis. In the case of SS and Skate results, these should be viewed as complementary analyses here. Beginning with the general data available, for the northern model we had catch series going back to the 1981 fishing year through the 2022 fishing year, with catch split into commercial and recreational fleets. For the commercial fishery we separated the catch into two time series, one representing catches made by the Commercial Gillnet and Beach Seine Fleet in the other catches made out of other commercial gears fleet, with a commercial gillnet and beach seine fleet being further subdivided into a time series of direct harvest and dead discards. For the recreational fishery, catches were once again combined across all states in the northern populations, with catches primarily derived from North Carolina and Virginia, with the catch trends once again being split as in the southern model into a harvest and released time series.

The total recreational removals being calculated in a certain population by applying an 8 percent discard mortality rate to released fish. On the left I'm showing the time series of recreational harvest, recreational dead discards and commercial gillnet discards in numbers of fish, which is the analysis of the plot I showed for the southern population.

Throughout this time series we observe a period of decreasing removals in the early 1990s, with a three-year average number of fish removed annually declining from about 430,000 fish to a little over 150,000 fish by 1996. Since the mid-1990s harvest has been increasing and has exceeded a late 1980s annual harvest since the late 2010s, with a peak of 1.08 million fish removed annually from northern population via the recreational and commercial gillnet discard fleets, from 2011 to 2013.

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Now I want to bring you to the commercial harvest fleets on the right, unfortunately we only have catch information available from these fleets, available in harvest weight for the units in metric tons. Also shown by the horizontal dash line is a 250,000-pound commercial cap has been in place since 1990s.

It is important to realize the commercial harvest shown here represents a fraction of recreational removals. The recreational removals representing greater than 90 percent of annual removals over the last 10 years. Commercial harvest, with this in mind the time series commercial harvest suggests steady to decreasing harvest throughout the time series, for removals in most recent years being below the 250,000-pound cap.

Other data sources available for the northern population included 3 fishery independent indices from North Carolina. This is and continues to be one of the data limitations from the northern model. Not having survey data for the population outside of North Carolina, and hence the North Carolina abundance trends is being used to represent an entire stock's abundance trends.

As known for the southern population, each of these indices were standardized to account for extraneous covariate effects on catchability, with the resulting indices being shown here. Going up on the top left the Recruitment Survey, in the middle is the Subadult Survey and in the bottom right is the North Carolina Longline Survey.

When these fishery dependent catch data streams along with the fishery independent data are combined, once again it means we had catch, discard, index, composition data available from throughout the time series. Unfortunately, the SAS was not able to develop a Base Stock Synthesis Model, due to uncertainty and instability in the northern stock assessed model. This ultimately led the SAS to determine the model should not be used for

stock status determination. Instead, in the report we presented two alternative models that independently each showed some troubling diagnostics, but collectively may give an indication of the trend in F, SPR and spawning stock biomass observed in the northern population. On the first we determined the Estimated Selectivity Model, with this model suggesting narrow selectivity for the recreational fleet, and low selectivity for large sized fish, which was in conflict with published literature and expert opinion.

This model also proved highly unstable and had convergence issues. The second model we termed the Hybrid Selectivity Model. This model fits the selectivity of the commercial gillnet beach seine and recreational fleets, based on expert opinion, that ultimately suggested a less productive northern population.

Despite very different model scales, similar trends in F and SPR were suggested by each of these two models. Thus, it appears both models are picking up on the same trend of increasing F throughout the time series, even if model scale is uncertain. With F being shown on the left, and corresponding the relative spawning potential ratio being shown on the right.

Given these concerns for the stock synthesis model, the SAS decided to use the results of the TLA analysis for stock status determination. Similar to the southern population the northern stock TLA analysis focused on the same three Model Free Indicators, recruitment, fishery performance, and adult abundance.

Here instead of the 1991 through 2013 reference period we use a 1996 through 2013 reference period, which once again was supported by the results of the current assessment that has been recommended for use for management. Before going into stock status determinations, I do want to draw attention to the recent decline, a higher proportion red in fishery performance.

This would be consistent with the increasing exploitation, which was suggested by the Stock

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Synthesis Model, which is being shown here in the middle graph. When action levels are tabulated across the terminal years of the assessment, and consideration of the number of years the trigger and threshold levels, they observed that both recruitment and fishery performance metrics suggested moderate action in the terminal year, while the adult abundance metric suggested no action.

Based on reference points the SAS developed, this would lead to the conclusion the northern population as neither overfished nor experiencing overfishing. Despite these stock status findings, the SAS did note multiple years of yellow fishery performance and the increasing frequency of yellow for recruitment as areas to watch, as these could be early signs of over exploitation.

Last but not least, as far as future research, we recommended that the next assessment be conducted as a benchmark in 2029, with data through the 2027 fishing year, and update to the Traffic Light Analysis every two years between the assessments. Primary research recommendations being to resource the correct data on recreational discards, size structure, which continues to be a data limitation, expand tag-recapture analyses to states outside of South Carolina, develop surveys tracking subadults in Virginia and adults in Florida and Virginia, and conduct studies to estimate movement rates to support spatial models. With that I would be happy to answer any questions now, or I think we had decided that we'll probably do.

CHAIR HAYMANS: We'll do the questions for you now. All right, wow, thank you, Joey, Dr. Ballenger. Mr. Brown, you've had your card all vertical the whole meeting. Do you have a question from the start, Sir?

MR. ROBERT T. BROWN: Yes, I may want to talk about the northern stock.

CHAIR HAYMANS: Okay, perfect, that is what I would like to do is, let's have questions on the northern stock first, walk through those, then we'll go to the southern stock if that's okay. Okay, go ahead.

MR. BROWN: Okay, I'm a commercial fisherman on the Potomac River or a tributary of the Chesapeake Bay in the state of Maryland. What we've been seeing over the past number of years. When I started fishing with my brother back in 1964, when I got out of grade school, we didn't even know what a red fish was.

Then they came in, back in the eighties you might see one, two in the nineties, nothing to speak of. Over the past three, four, five years the number of red drum that we have in the state of Maryland on the western shore and on the eastern shore and on the Potomac River has raised dramatically.

Just the other day, I was fishing one of my pound nets and we call them bulls, they are the big fish, they are about anywhere from 42 to 50 inches long. I had like 15 of them in one net, 8 in another, 6. We've been dealing with these large fish like that. With this number of fish, maybe it's due to the climate change that they are coming into the Chesapeake Bay that we never saw before, because we've seen all types of different fish.

But just on my way up here last night I had a fisherman who fishes a pound net just on inside of mine, wanted to know if I fished my net. I told him no. He said while I just turned loose approximately 2,000 pounds of, he calls them puppy drums is what we call them up there, and they were a range in he said from about 15 to 19 inches long.

They've been catching them on the eastern shore in a number of places, the chop tank, the little chop tank down in the Sound. You can go catch on hook and line any amount that you want. These fish are building more and more every year. They are also, they love crabs, and crabs is one of our main things.

When you keep protecting, we've got a five fish creel limit, and we're getting charged with dead

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discards. I was just told that in Maryland our commercial harvest was 342 pounds, but yet we've got this large amount of dead discards we've got. I would like for us at the next meeting being able to go in and discuss this, and see where we're at, and reevaluate this for the simple reason.

The Bay is changing, the weather is changing. We've even got white shrimp we're catching in our rivers now. It's full amounts, showing up more and more, and we have started a fishery for the white shrimp. We need to be able to change with the times, and we need to do, as far as all these dead discards that we have at the present time, we should be allowed to sell most of those instead of having them float up and down the Bay, that is a waste of resource. I would like to have a discussion on this at our next meeting if we could possibly have it. Thank you.

CHAIR HAYMANS: Tracey has got a note to that effect. There was no question and that was more of a comment statement, right? No correction directly.

MR. BROWN: Well, my question is why are we letting all these dead discards, if we are getting charged for this many and we have that many. If we are releasing them and they are dead, why can't we keep them? Why should our limit stay at a 5 fish creel? A commercial fishery doesn't have a creel limit. They may have a quota, but they don't have a creel limit. I think this needs to be addressed and it should be put on the agenda for the next meeting.

CHAIR HAYMANS: Thank you, Sir, and welcome to the world of red snapper. Mr. Geer.

MR. PATRICK GEER: I do have a question. The recreational dead discard is 8 percent, is that for both the north and the south?

DR. BALLENGER: Correct.

MR. GEER: What is that rate for commercial?

DR. BALLENGER: Five percent for observed live releases, and I think that is the gillnet fishery, correct?

MR. GEER: That's only from North Carolina data or does that include Chesapeake Bay data?

DR. BALLENGER: I think it's just North Carolina data.

MR. GEER: I thank you.

CHAIR HAYMANS: Chris Batsavage.

MR. CHRIS BATSAVAGE: I have some question for the stock delineation where that boundary is. I think the report discussed looking at where that might be instead of just North Carolina, South Carolina border and there was some analysis on separation possibly occurring around the White Oak River part of North Carolina, which is kind of that almost in towards the southeastern part of the state. Was the analysis determined that it was pretty definitive that the boundary is pretty much at the state line, or is there kind of general uncertainty, as far as exactly where that stock delineation might be?

DR. BALLENGER: Yes, you're correct. We did try to look into that stock delineation to see about some finer scale, potential delineation. The stock delineation is primarily based off of a genetics research study that had data or samples from north of Cape Hatteras and then off of South Carolina, but very few are sort of from that southern North Carolina region. Unfortunately, we did some life history analyses to see if we could better refine that. We just didn't have the data to be able to better refine at this point in time. But it was a research recommendation to continue looking into that.

CHAIR HAYMANS: Any other questions on the northern portion? Seeing none, any online? I guess there are no Commissioners online. Southern report questions. Erika.

MS. ERIKA BURGESS: Thank you, Dr. Ballenger, and thank you to you and the team, both the SAS and

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the TC for doing this work. I have a question about a comment that you made earlier on in your presentation on the southern stock, and that was SSB can track changes in patterns. I'm wondering, is this SS3 Model producing something that gives us a relative change over time of SSB, or if we can actually get an actual magnitude of SSB for the stock? Can you confirm that what data was used to generate the SSB estimate for the southern stock?

DR. BALLENGER: I may ask Jeff to step in here a little bit, but I'll try to tackle this first. Based on the results of the simulation assessment, that was one of the main things that we wanted to investigate from the simulation assessment, was whether an SS Model that tracked a full age structure of the population was capable of thriving an SSB status determination.

The results from the simulation assessment, which simulated datasets comparable to what we have in the assessment we're using today, did suggest we could come up with an SSB status using the data which we should have in hand. That was supported by the findings of the simulation assessment, and confirmed by the Review Panel who reviewed that assessment. With the primary changes being that we expanded the age structure from adding a 7 plus group to the full age structure in the stock synthesis model.

Relative to the 2013 terminal year assessment, we also had a near 20-year longline surveys providing some information on the adult abundance stock, as well as more comfort that the signals coming through the subadult indices regarding relative year class strength in selectivity patterns, were aligning with the observed longline trends we were seeing. In the end the southern population assessment used, as far as an adult abundance survey the South Carolina Longline Survey.

We did consider a Georgia Longline Survey as well. It appeared to be in conflict with both the South Carolina dataset as well as the subadult

indices, and the signals of year class strength coming through there as well. That was dropped from the final SS model, but then we also did have information from the adults coming from the age structure being applied from the subadult indices, and as they transition to the adult population. I don't know if you want to add anything.

MR. JEFF J. KIPP: I'll start on the question about confidence in the absolute magnitude of SSB estimates. I think it is a typical characteristic of these assessment models that you have more confidence in abundance trends than absolute magnitude. I would say that holds here, but I don't think we saw any diagnostics that indicated that the SSB magnitudes that were being estimated were inaccurate.

MS. BURGESS: A couple follow ups. The only adult index that we have is for South Carolina that was used in the assessment, and we don't know where the actual abundance, spawning stock abundance is centered for this stock use. But we don't know it's location, so we could be sampling the core, we could be sampling a small amount, we could be sampling something that is representative of the whole, but right now we don't know.

Then you said that one of the things that made you more confident in the SSB estimate was that it tracked with what you saw in the subadult indices. But am I correct to state that the steepness that you used in the model was that there was no relationship between adult abundance and recruitment?

DR. BALLENGER: Correct, we did use fixed steepness at 0.99, which applies just deviations around the average level of recruitment. Yes, that is correct, there is no formal spawner recruit relationship incorporated into the model. I can't remember the first part of your question.

MS. BURGESS: The first part was just summing up what I heard.

DR. BALLENGER: That's what I thought, I couldn't remember the question there.

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MS. BURGESS: The question was about steepness, and then so based on your years of experience in fishery stock assessment scientists, given all the great things that SS3 can do and can estimate, beyond things that other models can't. Do you have greater confidence in SPR and F or in the SSB estimate? Where does your confidence lie?

DR. BALLENGER: I think as far as what you're, I'm speaking from my personal, I was looking at Jeff to make sure that he agreed here, but yes, I think obviously we probably have more confidence in the SPR trends or the SPR level than the SSB levels, just because that is the more data rich component of the assessment.

CHAIR HAYMANS: Any others? Okay, thank you. Thank you for that presentation. Next, we're going to move into the point-counterpoint or the punch-counterpunch. Pat is going to present the Peer Review Panel Report, and then Joey is going to come back with the SAS Review to that, and then we will have those two presentations followed by questions for both. Pat.

MR. PATRICK A. CAMPFIELD: We're going to present the SEDAR Review Panel's conclusions and recommendations in evaluating the red drum stock assessment. Here on behalf of the Chairman, who could not participate today for a couple of different reasons. But to jump right into it, in terms of the review process, we wanted to thank Southeast Data and Assessment Review staff for facilitating and coordinating the review.

The panel consisted of four scientists, the Chair, Dr. Gavin Fay, from University of Massachusetts, Dr. Geoff Tingley from New Zealand, Kotaro Ono from Norway, and Dr. Katyana Vert-Pre from Arizona State. The last three reviewers are from the Center for Independent Experts. They were recruited for their expertise in marine fish ecology and population dynamics models, as well as recreational fisheries and tagging data analysis,

and perhaps most importantly catch-at-age models, notably the Stock Synthesis Modeling Platform. I will summarize their finding relative to each term of reference, the first being to evaluate the Assessment Committee's responses to the simulation assessment recommendations, and that different review panel that was conducted in 2022.

Their conclusions are that the Southern Stock Synthesis Model Performance was encouraging and produced unbiased estimates. They had a lot of confidence in the SS Model for the southern stock, and that the follow up work on the traffic light analysis reference points using a revised grid search was successfully completed in the current assessment.

For the longer-term future assessment work, the Panel recommended testing the SS Model performance over multiple scenarios using data without observation error. The second term of reference was to evaluate the data used in the stock assessment. In a nutshell, the Review Panel commended the SAS for very thorough work in gathering and vetting all available red drum data.

The Assessment Committee provided valid justification for excluding select data sources, and they commended the SAS on their holistic thinking to include data for different red drum life stages. Another notable improvement in the current assessment and the input data were a patchwork of recreational discard length data that the Assessment Committee synthesized to address a notable information gap.

However, more of that data, recreational discard length data, needs to be collected in the future, very critical for red drum assessments. In terms of recommendations for future assessments, the Panel thought that the Assessment Committee should reconsider their use of scale-based age data. Typically, those are only useful for the first few years, but they thought that that would be utilized more fully within the assessment analyses.

The Panel also had some strong opinions about index standardization, notably in future work to

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incorporate survey spatial temporal changes, as well as explore habitat variables like temperature and salinity and their influence on drum abundance. The third term of reference, which is to evaluate the assessment methods and models.

The Panel concluded that the Stock Synthesis Model specification values was well justified, and that for the southern stock the SS Model is most appropriate for characterizing the population. Very flexible modeling platform and approach, and a good choice for integrating a variety of data sources that we have for drum.

Similar thoughts for the traffic light analysis and the northern stock, and they deemed that to be the most appropriate analytical approach for the northern population. The Panel's recommendations for future work, we already touched on steepness in stock recruitment function, but they encouraged the SAS to reconsider that steepness value of the slope of the curve in stock recruitment function.

Also, future work on exploring different reference periods for the range of years used in the traffic light analysis, and to improve their justification for the adult abundance threshold in the TLA. The fourth term of reference was to evaluate the model diagnostic analyses, including sensitivity and retrospective analyses. In conclusion the Panel thought that the SS Diagnostic Analyses were very comprehensive and in most runs the model converged successfully, as shown in the plot below. Out of 200 model runs only a handful of times did the model not converge on similar results.

The Sensitivity Analyses for the TLA were deemed sufficient. However, again the Review Panel thought that the standardized indices residual pattern showed some poor diagnostics that should be worked through in future assessments. There were minor retrospective patterns in SSB and fishing mortality and SPR, but when compared to stock assessments for

other species the Panel had no concerns about retrospective patterns.

The fifth term of reference was to evaluate the methods used to characterize uncertainty. In a nutshell, the Review Panel thought that the Assessment Committee did this very thoroughly, and we should have confidence in the results for the SS Model. Also, because the traffic light analysis was conducted for the southern model, it provided similar stock status or trends in indications of concern for the southern stock.

During the Review Workshop, SAS completed additional model runs that were requested by the Panel, and the outputs were within the range or the confidence intervals of the base run, again building confidence in the southern outputs. A lot of review panels recommend management strategy evaluations that is essentially another simulation framework or tool, and this Panel did as well for red drum. But they thought an MSE might be useful to inform the selection of the reference points for the TLA.

The next term of reference was to recommend best estimates for stock biomass abundance and exploitation. In short, the Panel agreed with the Assessment Committee that for the southern stock an SS Model produced the best estimates of biomass, fishing mortality and SPR. For the northern stock although the Stock Syntheses Models did not converge, that means you don't have SSB estimates there, the traffic light analysis is reliable as a qualitative indicator for the three indicators that Joey presented on.

Again, they had recommendations about future work and index standardization, but they also thought that the Assessment Committee was very thorough in the approach that they took to standardizing indices, as Joey highlighted that hadn't been done in past red drum stock assessments, so that is an advance in the current assessment.

Also, for future assessment work, although the SS Model did not converge consistently for the

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northern population, perhaps as time series get longer that modeling may improve, and so the Panel thought that the SS Model should continue to be worked on for the northern stock as well. The next term of reference was to evaluate the choice of reference points and estimation methods, and recommend stock status.

Again, in short, the Panel agreed with the reference points that were presented in the stock assessment, including the reference period used for the TLA. The Review Panel agrees with the status determinations from the assessment for each region. To wrap up, TOR 9 covers the research recommendations. In addition to those that Joey highlighted from the Assessment Committee, again the Review Panel encouraged exploring different approaches for index standardization, as well as continuing to utilize the simulation framework that was developed in 2022. It's really a powerful tool to build on, notably to test reference point selection, as well as what's called a value of information analysis to prioritize future data collection, to tell us which surveys are most useful for tracking drum trends.

Joey highlighted the tagging studies analyses that are pretty data rich for red drum. The one sort of minor recommendation from the reviewers was to evaluate different mortality associated with tagging, given that the tagging studies use different gears to catch drum. Finally, to evaluate seasonal population dynamics for each regional population that is also capable or possible within the stock synthesis framework.

For the next term of reference regarding the timing of future stock assessments, again in short, the Review Panel largely agreed with the Assessment Committee, next benchmark in five years, do a TLA update every two years. They are encouraging, again, index standardization exploration.

They thought if that could be done in the next year or two if that is feasible, then to go ahead with that. But also recognize that the standardization they did already was pretty thorough. Then again, as Joey mentioned, there is a new MRIP pilot study and those recreational data may change, so when they become available to consider rerunning the SS Model for the southern stock, and see if the catches differ significantly.

To conclude, in terms of the Review Panel's remarks, the new stock assessment represents substantial process in characterizing red drum stocks, notably a stock synthesis model provision of SSB and F and SPR for the southern stock. They found that the SS Model is suitable for management advice in the south, and the Panel agreed with the overfished status and overfishing conclusion.

For the northern stock they agreed that the TLA is suitable for management advice and the status determinations there. Finally, that the Stock Assessment Subcommittee and the Technical Committee should be commended for very thorough examination of all the data, extensive model development and utilizing the simulation framework, which is a first among the Commission stock assessments. I'll stop there, Mr. Chair.

CHAIR HAYMANS: Thanks, Pat for dealing with the SAS response.

DR. BALLENGER: I'll be much briefer here than my original presentation, but unfortunately the Review Report was not received by the SAS until well after the initial deadline, meaning the SAS could not review and seek clarification or provide a response if necessary. Hence, hopefully all you guys saw that we provide a response in the supplemental materials, which I'm summarizing here.

Basically, we just want to clarify a couple things and give it a little bit more context regarding some of the comments that were made in the Review Panel Report. The first thing being there was conflicting advice on stock recruit steepness, which Erika, Ms. Burgess asked about earlier. Basically, coming out of the simulation assessment, we had been

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recommended by that Review Panel to fix steepness at 0.99, although we had initially explored and built the model using a steepness of 0.84. Hence, we took the recommendation coming out of the simulation assessment fixed stock recruit steepness to that 0.99 value for the base model run in the southern population.

Pat said during the Review Workshop the Review Committee asked us to provide a run of what would happen if we did fix it at that 0.84 value or we had also investigated a run where we freely estimated steepness as well. With it fixed at that 0.84 value, which was basically shown to have no impact on stock status, we got very similar SSB and SPR around results in the same stock status determination.

When we tried to freely estimate steepness, it basically went back to that upper bound at 0.99 in virtual that solution. For index data, although there were concerns regarding the index data and its potential spatial temporal patterns in that, we had a Review Workshop to provide some data suggesting that the Index Data was shown to correspond spatially and between age classes, through several different plots and different techniques.

Then also, we provided several requested sensitivity runs that showed no impact of overfishing stock status. Although two runs showed SSB status did change the SSB in the terminal year was right at that threshold level, with the same declining trend as observed in the SSB base model. I think I mentioned earlier in the base model, SSB status was 0.881, and those two other ones that went to 1.08 and 1.025 or something like that, I mean just right at that point.

One run with SSB at threshold included an alternative index that one of the reviewers developed during the Workshop, but had inadequate time to evaluate and considerations to develop, and we didn't necessarily feel it was representative of the true index trend for that

survey. The TLA reference period was based on the best scientific information available.

But without the review panel providing alternative recommendation, and we did test the sensitivity of a TLA results through a sensitivity analysis and for the results being shown to be largely insensitive. Then the final one the SAS does not believe a 2025 assessment update will change conclusions of the current assessment, based off the preliminary work we had done and the response to this model to these alternative configurations through sensitivity analysis. I think that's all I've got.

CHAIR HAYMANS: Are there questions for either Pat or Joey on the Peer Review Report or the SAS Report response? Seeing none. Oh, I'm sorry, Mr. Brown.

MR. BROWN: Yes, was the Chesapeake Bay included into the assessment?

DR. BALLENGER: What data we had available from the Chesapeake Bay was included in the assessment, so all the catch and removal data, harvest data and discard data was included. Unfortunately, we do not have any fishery independent survey from outside of the North Carolina region from the northern population.

MR. BROWN: Okay, would it be possible in the future to have it explored into the Chesapeake Bay? I mean it' the second largest estuary into the world and the amount of fish we've got there, and I'm big on that rockfish we have trouble having reference points in there also.

DR. BALLENGER: Yes, I think it was a research recommendation from both the SAS and the Review Panel is to encourage the development of survey data from outside of the North Carolina region, including the Chesapeake Bay, meaning Virginia, Maryland, elsewhere, so we can look at the abundance trends in those regions.

MR. BROWN: Thank you.

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CHAIR. HAYMANS: Anyone else? Okay, so now I guess we need to have a discussion or consideration of acceptance of the stock assessment and peer review. Any discussions? Anyone interested in making a motion to that effect? We may have one on the screen. Yes, Ben.

MR. BEN DYAR: Chair, I would like to make a motion. **Move to accept the 2024 Red Drum Benchmark Stock Assessment and Peer Review Report for management use.**

CHAIR HAYMANS: Is there a second, Pat Geer. Ben, any additional discussion?

MR. DYAR: No, I just want to thank all the work that the SAS did and the Peer Review Panel for developing and looking at all these indices and all the reports. I appreciate it, thank you.

CHAIR HAYMANS: Secunder have anything to add?

MR. GEER: Yes, Mr. Chairman. Thank you, Assesment Team. I think they did a great job. Mr. Brown has brought up a good point about we're seeing more and more red drum in Chesapeake Bay, along with other species as well. I have been trying to get, I'm glad that is one of the recommendations to try to have some of these surveys in the Bay, because it's going to cost money, but we need to do that. If this is becoming such a primary fishery, and not only in Virginia but in Maryland and Potomac River as well, we need to have this information.

We really don't have anything other than catch and effort data from the recreational and commercial fisheries, so we need a longline survey. We need a trammel net or a gillnet survey, similar to what they have in the south. I'm glad that is one of the recommendations and I just wanted to reiterate that and say that I'm stressing that we need to get that information.

CHAIR HAYMANS: I did find it interesting, Mr. Geer, when you left Georgia about 7 years ago there was a live well in the back of your U-Haul. I'm just curious as to whether you hauled any of those puppy drums to Virginia.

MR. GEER: You really want me to answer that?

CHAIR HAYMANS: I know your affinity for kayak fishing for red drum. **Okay, any additional serious discussion about the motion? Seeing none; is there any opposition to the motion? Any abstentions? Seeing none; we will accept this motion by consensus, or unanimous consent.** Now the real matter at hand is how do we consider this for management response? What are we going to do about the overfished, overfishing status? Does anyone have any thoughts on how we're going to use the assessment moving forward? I'm looking to the far end of the table. Ben.

MR. DYAR: Interested to see and to be able to use this for management use in the southern region. I have a motion I would like to propose. I don't know if we have that ready.

CHAIR HAYMANS: Before you read that, Ben, just a statement that I'll make, and I was thinking about. SAS has recommended perhaps an update in '25, right? Is that what I just heard you say?

DR. BALLENGER: No, the SAS is recommending not to do an update in 2025, because there isn't going to be a whole lot of new information and we're not expecting the index data, and we're not going to have any new recreational update from MRIP survey, as far as the impact of potential effort changes until 2026 even weighs. We were recommending a 2029 benchmark with 2027 terminal year, with potentially a TLA update in 2027, I believe.

CHAIR HAYMANS: Okay, I misread that, because that is exactly what I was thinking was waiting for what we see as the new MRIP calibration or estimate, in addition to maybe seeing the impacts of Florida's changes after the terminal year of this

assessment may make a big impact, so maybe '27. Ben, go ahead, sorry.

MR. DYAR: I make a **motion to request the Stock Assessment SAS/TC to produce the static spawning potential ratio for a range of slot size limits (between 14" and 27") associated with bag limits ranging from 0 to 5 fish per person for: (a) the southern region and/or (b) South Carolina, Georgia, Florida individually.**

CHAIR HAYMANS: Is there a second? Spud, yes, Mel is from the same so Spud is on second. That was Mr. Woodward with the second. Additional discussion on that one? Mr. Batsavage.

MR. BATSAVAGE: I think it's a great suggestion and support the motion. A question, could a similar analysis be done for the northern population, even though we don't have a stock synthesis model running for that assessment, just the traffic light? Is that something that could also be done for the northern?

CHAIR HAYMANS: Dr. Ballenger.

DR. BALLENGER: I think Jeff and I have had some discussions about this. We've got to even think about the southern population, how we're going to implement this to do this, as far as an update. I think for the northern population it is going to be difficult, because the TLA analysis is more of a qualitative indicator. It's a little bit harder to determine how a bag limit or size limit change is likely to affect that indicator moving forward. I don't know if you have any additional thoughts.

MR. KIPP: Yes, I think it would look like a different analysis. I mean we could do some bag limit analyses on the MRIP data alone, looking at recreational impacts, I think that is probably the best you could do. I don't know that we could quantify what kind of changes to SPR those would have, like we worked for the southern stock with an SS Model.

MR. BATSAVAGE: All right, thanks, I'll come back to that, wait for this motion to be dispensed. But I think some sort of analysis from the TC and SAS on what can be done in the northern population would be worth exploring, but it sounds different than what we're talking about here, so I'll just wait.

CHAIR HAYMANS: Any other discussion on the motion? Erika.

MS. BURGESS: One thing that I think might be fun for the TC to deal with as they tackle this is the assessment ended, the terminal year ended August, 2021, I believe, and then in September 1, 2022, Florida implemented major changes to our recreational limits for red drum. We manage red drum at a regional scale in Florida, with the northeast region being the top four counties, essentially of the state, and then the Indian River Lagoon being the next region.

Outside of the Indian River Lagoon they've got a Southeast Region that goes to the Florida Keys. I think, if I have the ability to divine what was happening and driving a lot of the assessment. Habitat issues in the Indian River Lagoon were of concern to the state of Florida at the same time as the assessment was wrapping up.

We saw declines in catch rates, decline in our abundance indices, although these abundance indices for the IRL were not used in the stock assessment, and the state responded by making red fish catch and release only in the Indian River Lagoon. Two-thirds of our coastline essentially is 0 retention for red fish.

Then in the northeast part of the state we cut our bag limit and vessel limit in half. It will be interesting to see how the TC handles projections with a change for what was in the model, and then what is currently in play now. I would love to have some discussion or response from the TC when we get these tables back, to see how that was handled.

CHAIR HAYMANS: If I could add on to that. When you're able to do this that we're asking, you're doing it based on data that was in the assessment.

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The table is essentially two years old. It may show that Florida has already done what this table may request them to do, right? It's not pulling new data from Florida that got put into it, is that right?

DR. BALLENGER: Yes, I'll clarify one thing. The assessment used data through August of 2023, at least the preliminary data that we had, because the fishing year 2022 data would have been September 1, 2022 through August 31, 2023. However, we had only preliminary data on some of the survey data.

We have full age data available as well as, I don't think the Florida indices were able to be updated through that 2022 terminal year. For that reason, we recommended only using through the 2021 terminal year for stock status determination, which would have ended in August 31 of 2022. Right about the time that those regulation changes went into place. You're correct, those were not accounted for sort of in the model terminal year estimates. I think going to your point, I think the intent, I mean we'll have to talk about this as a SAS and TC, would be basically use the data through that 2021 terminal year and look at the effects. If through that data what changes in size and bag limits would have had. In that instance we should see the potential effects of any bag and size limit. Well, I think it was mainly bag we touched, and Florida had it correct in the most recent would have likely had on the population moving forward.

CHAIR HAYMANS: I have John Clark.

MR. JOHN CLARK: No concern with the motion, just kind of curious. Has this species always been managed with a slot limit? If so, it doesn't seem to have achieved the purpose of the slot is suppose to allow more spawners out there so that we have smooth out recruitment somewhat. I mean, couldn't we overfish just as well with a minimum size? It would be less of a burden on both anglers and enforcement.

CHAIR HAYMANS: It's been managed for the slot as long as I can remember, but Erika, do you have a point?

MS. BURGESS: I might challenge Pat's affinity for this species myself, but this truly is a management success story, we went from two coasts of the U.S. being overfished and completely depleted for this stock when ASMFC the southern states, on the coast of the Atlantic and the Gulf of Mexico.

Congress stepping in and basically created a moratorium for this fishery, and for very conservative management measures, managing for an SPR, rebuilt this from no overfished, because we fished on those adults, to a fishery now what we've got ages through Age 3, which is a really well rebuilt stock.

The decision and the history of this fishery is that it was decided that we would manage for these high SPRs for catch and abundance, and we would constrain ourselves to an inshore fishery, based on the life history of these fish. No harvest in the EEZ, which is where the majority of the adults are. The adults only come inshore seasonally for spawning.

What we're fishing on is Age, depending on your state, Age 1 through Age 4 fish. In the state of Florida our slot limit is so narrow we're fishing on fish within a year's class most often. We want to preserve this fishery for the important recreational fishery it is, and decided to leave those spawning adults be, and have them contribute for inshore fishery. I don't think there is any appetite for changing away from a slot.

CHAIR HAYMANS: I absolutely agree with that from the Georgia perspective. John, again?

MR. CLARK: Thank you, Erika, it's just I have experience with the fish going way back to the overfishing days in the Gulf. I remember, I was working for Texas Forrest and Wildlife back then, and we were stocking red drum by the millions. But that was during the black and red fish craze, when they were trawling all the big red drum out of the Gulf. I was just curious, I mean I have no, obviously I

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don't mind doing it this way. I was just curious if there was any way to perhaps hypothesize what would happen if just a minimum size was used, rather than a slot.

CHAIR HAYMANS: Before I call the question, just a question to TC. Just ask ballpark for when we might see this.

DR. BALLENGER: Probably the May meeting, I think you've got the spring meeting or winter meeting before then. In the spring meeting might be a reasonable timeframe to have these projections completed.

CHAIR HAYMANS: Good, thank you. Time for question and answer. **Any opposition to the motion? Seeing none; any abstentions? Seeing none; motion passes by consent, or unanimous consent.** All right, wow that was easier than I thought. Seeing as how we're slightly ahead of schedule. Mr. Batsavage.

MR. BATSAVAGE: I just want to come back to some thoughts on the northern population. I don't need necessarily a motion, I guess we can just get Board consensus, head nodded or whatever. Look at some different bag limit analyses for the northern range, possibly looking at any benefits to dropping that maximum size limit in the northern range to allow those fish to escape the slot and enter kind of that protected zone a little quicker.

Also, if the TC and SAS can provide some more information, as far as what moderate action means in the traffic light analysis. I didn't ask that during the Q and A, although there might be something we maybe get a little more information back when we revisit this again, to determine what is the most appropriate management action to take.

CHAIR HAYMANS: Yes, I see Tracey is feverishly copying all that down so we've got that sort of as an action item for the TC forming. Very good, anything else? All right, so before we move into the discussion of the Risk and

Uncertainty Tool, my blood pressure medicine is kicking in, so why don't we all take a five-minute recess. We'll come back in five minutes.

(Whereupon a recess was taken.)

RISK AND UNCERTAINTY TOOL INPUTS FOR RED DRUM

CHAIR HAYMANS: Let's get back to it. Dr. Drew is going to pull up her presentation and we'll get going. Next, we're going to have a discussion of the Risk and Uncertainty Tool Inputs for Red Drum, and Dr. Drew is going to lead us through that. All yours.

DR. KATIE DREW: I'm just going to give a quick overview of some of the background on the tool, the basic inputs for the tool, and the results of the weighting that the Board provided, and then sort of go into what that means, what the outputs are, and how the Board could potentially use this tool going forward. As a reminder, ASMFC is pilot testing this Risk and Uncertainty Tool with the red drum assessment.

We did try to pilot test this with the tautog assessment earlier, a couple years ago. But it turned out the tautog assessment did not need to take any management action as a result of that assessment, and so while we go through the weightings part and the technical input part, we did not end up to need to fully use the tool. We didn't need to use any of the output of that tool, and so it kind of fizzled out as a testing experiment. We're on to red drum now, and we are testing this out further with this assessment and this Board. Just as a reminder, the Board is not obligated to use this tool as any part of this process. This is an option that we are putting forward for the Board to consider and to test out, and to then either use it or not use it to provide feedback via the Policy Board. The goals of this tool are to provide a more structured framework around risk and uncertainty for Board discussions, and to provide more transparency on the factors that go into final management decisions.

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The risk and uncertainty tool has two components. One is the technical input, which are scores from the Technical Committee and the Committee on Economic and Social Science, which score various factors. For the Technical Committee, they are scoring stock status, how uncertain the assessment model is, how much management and environmental uncertainty there is, and sort of the relative ecosystem importance of the species in question.

Then the CESS is scoring information on the commercial and recreational importance, as well as the short- and long-term socioeconomic impact of the proposed management. Within the tool the scores for stock status and uncertainty essentially will encourage an additional buffer to the management action, that it will sort of push management action to be more precautionary.

However, the socioeconomic component sort of pushed back on that potential buffer or that potential precautionary approach. They essentially provide a way for the Board to accept a higher risk level, in order to mitigate potential negative socioeconomic impacts. The second component of this tool is the Board weight.

Those scores are provided by our various technical committees, and then the Board scores how important each factor is when making the decision. Basically, this is trying to get at how do you balance, how did you the Board as decision makers balance the question of stock status, uncertainty, and potential socioeconomic impacts when you are setting a quota or setting a regulation change.

The goal again is to provide this overall transparency to say, we are selecting a level of risk that matches our management objectives, and that management objective is sort of realized through putting more weight or less weight on these different factors that influence our decision. The output of this tool is a combination of those technical weights, so how

much uncertainty is there, how negative, or positive is stock status?

How negative or positive are the socioeconomic impacts combined with those Board weights, to provide a recommended risk tolerance level that management action should strive to achieve. What does that mean exactly? For red drum, for example, in the south overfishing is occurring, according to our most recent stock assessment. In this case, F needs to be reduced to the F target. How much of a reduction in removals is necessary to achieve that F target next year?

There is uncertainty in this process, right, and our projections aren't necessarily saying here is the one right answer, it's saying for any given reduction there is the possibility, here is your probability of achieving that F rate. If you take no reduction there is a low probability that you will achieve F target, and this is risky. However, if you close the fishery completely there is a high probability that you will achieve the F target. This is very precautionary. You'll have a high probability of the management outcome that you want. But obviously, there would be significant short-term socio and economic impacts. You want to take a reduction that has a probability of achieving that F target. Somewhere in between those two extremes, between very likely, very unlikely, somewhere there is the right answer. But what is that in between? What is that right answer? Is it 50 percent, is it 60 percent? Is it 45 percent?

This tool will provide a recommended probability of achieving that F target based on stock status, various forms of uncertainty, and the socioeconomic considerations, all of which is weighted by what the Board considers most and least important. As a note, this tool is really only useful for data rich assessments with the capacity to do projections.

This is sort of the first module in the Commission's larger, ideally, risk and uncertainty policy. We're focused on this sort of data rich scenario where we have a model that can do projections and use this actual input. I think down the road the Commission

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would like to develop this policy further, to deal with the data poor stock, poor stocks that don't have a traditional model. But we're not there yet, so we're focused on this small component of what will hopefully become a larger risk and uncertainty policy or risk and uncertainty tool.

But in the meantime, this means that we can use this tool for the southern stock but not the northern stock. We did do the scores and the weights for both regions for comparison, but the output from this tool can't really be used in that traffic light framework the way it can be used in the stock synthesis framework.

Now I'm going to go over the technical input scores. Again, these were provided by the TC and the CESS. In these figures we're going to have our southern region in orange and our northern region in blue, and so scores are provided for both. Stock status scores basically are in four considerations. What is your probability of being below the FMP threshold, so that is what your probability that you are overfished.

What is your probability that you are below the SSB target, then what is your probability that you are above the F threshold, that is what is the probability of overfishing occurring, and then what is your probability of being above the F target. In the northern region you can see that the northern region was not overfished and not experiencing overfishing. The probability that it's overfished is 0.

The TC did consider that there was a small likelihood that they were below the target, based on the trends in the available data, and in the northern region they were not experiencing overfishing, so that probability of overfishing is 0. But based on trends in removals in the data they think there is a high probability that they are above the F target.

Meanwhile in the south the stock was overfished, so in this case the Stock Assessment Subcommittee did not develop the exact

probabilities, it just said overfished and overfishing is occurring. It gets a 1 for being overfished, and obviously if you're below that SSB threshold you are also below that SSB target, so that gets a 1 as well.

Similarly with the overfishing, you get a 1 because overfishing is occurring, and if overfishing is occurring you are also above that F target, so that gets a 1 as well. These are probably the most straightforward, just output right from the stock assessment. The next component is the sort of other risk and uncertainty factors. This includes model uncertainty, and in this case, you can see that there is more model uncertainty in the north than there is in the south, so that while the south does have some uncertainty associated with that SS Model, there is more in the north because we're relying on this qualitative traffic light approach that is not able to fully synthesize the data that is available.

There is also the question of management uncertainty. In this case the TC was really considering things like the fact that this is a predominantly recreational species, which makes it harder to control total removals, and means there is more uncertainty from the MRIP PSEs and things like that. In the north you can see that is slightly higher, but in the south slightly lower, but not too different.

Environmental uncertainty, the TC was considering things like the effect of climate change on recruitment, as well as population dynamics and the population range for both the north and the south. It scored fairly high, because I think the TC doesn't have a strong sense of whether the climate change and other environmental impacts are going to be a net positive or a net negative, in terms of recruitment and in terms of whether this stock is simply moving north, or whether it is actually able to expand its range and increase its population size.

That was probably the highest source of uncertainty here is what is the potential productivity of the stock into the future. Then ecosystem importance, which scored here as somewhat lower than the others, in terms of, this is an important part of the

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ecosystem, a benthic predator, but maybe not a keystone predator that is important to the overall function of the ecosystem or more important than other species to the overall ecosystem.

It got scored a little higher in the south, mainly because that is where sort of the core of the population is, there is a larger biomass down there, and so the TC believed that the overall economic importance or impact would be larger in the south than in the north, where it has more competitors to the big ecological niche.

Then the socioeconomic factors are basically commercial ex-vessel value, commercial fishery dependent, recreational desirability and recreational dependent. These are calculated by the CESS as a function of basically sort of the available data that we can collect on this species, in terms of value and in terms of how much it is targeted in the recreational fishery data, or reported as targeted, and how much of those landings are coming from various communities within each region.

Perhaps unsurprisingly, the commercial value and the commercial community fishery dependent are rated relatively low for both regions, and recreational desirability and recreational dependence are rated higher for both regions. The one thing that we are missing from the scores right now is the socioeconomic impacts of the proposed reductions, namely because we don't know what the proposed reductions are yet.

We need to know sort of what the scale of that cut will be, in order to be able to score the overall short term and long-term impacts for both the commercial and the recreational fishery. I'll talk a little bit once we get to the end about sort of the next steps, but this will be another step that will sort of feed into this process. The preliminary output that I am showing today does not include this component. When we come back with the Board reflected analyses it will include this

component. Initial Board weightings were gathered via a survey of Board members.

We had 11 Commissioners respond, 4 from the southern region, and 7 from the northern region. In terms of the basically all of those factors that the TC and the CESS scored, I am now going to tell you how important the Board thought they were overall, in terms of how you should consider them in management decision.

I am presenting a sort of histogram of the various responses from people who filled this out. Some people, as you recall, perhaps if you took the survey, we did ask, what are your thoughts on the importance of this for the northern region and what are your thoughts on the importance of this for the southern region. Some people chose not to respond for one region or the other, and so the total sample size or total number of counts for each section is not going to be the same across regions.

But basically, the overall response from each region, as well as the average weight for each region. As a reminder, higher weight means we are going to put more emphasis on that component, so it gets multiplied by that score, and will lead to more weight on that component within the overall function.

I'm just going to provide in addition to the scores some comments from Board members about what they were considering when they thought about these different SSB statuses. What we have here on the top is whether or not stock is below the biomass threshold, how important is that and then whether or not the stock is below the biomass target, and how important is that.

I think what you can take away from this is, that the Board as a whole put more weight on whether or not you are below the biomass threshold than whether or not you are below the target. This was basically saying people commented on things like it's important to avoid that overfished state and red drum life history and management could make it difficult to rebuild.

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The lower weight, some people put a lower weight on both of these components, and saying that because of the high uncertainty in the SSB estimates and the SSB status. In addition, people thought that it put more weight on avoiding that overfished condition than on the target condition, mostly saying that a target is nice to achieve, but it's not that important overfished or not overfished threshold.

Where you are relative to the target got a lower weight than where you are relative to the threshold. Similarly for the F status, we're seeing here where you are relative to the F threshold on top, and where you are relative to the F target on the bottom. Again, comments on, it is important to avoid that overfishing status, and that the F estimates are more reliable than the SSB estimates.

Some people put more weight on those than on the SSB component. Again, more weight on the overfishing, you know where you are relative to that threshold than where you are relative to that target. Other factors, in terms of model uncertainty. People were considering the data availability, including and as well as MRIP uncertainty, the potential for that cryptic SSB that we have less of a handle on what's happening with the offshore adult population. Overall, similar results, slightly people were putting more weight on that model uncertainty for the south than for the north.

For management uncertainty considering sort of sporadic availability in the north could mean it's harder to get data on removals, as well as harder to control those removals, versus better MRIP data in the south to get a better estimate of removals, but also noted that this is a high catch and release fishery, which means management options, in terms of size limits or bag limits are going to potentially have less of an effect on controlling F.

In this case there was higher management uncertainty in the north compared to the south,

partly reflecting that sort of sporadic nature of the north versus the south catches. Again, with the environmental uncertainty that was sort of equally weighted almost in both regions, compared to some of the other factors it's sort of right in the middle.

It's mostly because people were commenting again that it's unclear what the impact will be on the stock in either region, that we know the environmental effects are potentially important and there is uncertainty here, but it's hard to say what direction that will go. Then in terms of ecosystem importance, that was weighted relatively low for both regions in people emphasizing that it's not a keystone predator, and so obviously while it has some ecological importance, that is not going to be a major component of management decision.

Then in terms of the socioeconomics, this is short term effects across the top for the recreational fishery on the left and the commercial fishery on the right, and the long-term effects on the bottom. You can see in general the recreational short term and long-term effects were rated more highly for both regions than the commercial effects, mostly just out of consideration that the commercial fishery is an extremely small component of overall removals for both regions.

There are also people were commenting that again, this is a large catch and release component to the recreational fishery. Things like bag limits or size limits may actually have less of an impact on that overall fishery, in terms of demand or in terms of trips for those management changes. This is sort of the average weights of all of those factors across regions, with the north on the top and the south on the bottom.

You can see basically that what is coming out is sort of the highest weight would be that stock status, where you are relative to the threshold, and where you are for both the fishing mortality and the SSB, and then the short term and long-term socioeconomic impacts for the recreational fishery were coming out sort of the highest, and then the lowest was that kind of ecosystem importance and the effect on the commercial fishery.

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When you combine all of that together, what you're getting is again this probability of what should your management action achieve. How likely should we be to achieve that F target, in order to take into account stock status and uncertainty and socioeconomic impact. What you can see is sort of, maybe you can see that it's hard to tell on this screen, it's basically the negative stock status in the south and that higher uncertainty is pushing that probability into the more conservative or precautionary range. For example, the Magnuson-Stevens says you should never have a probability below 50 percent. That 50 percent is generally the starting point for our analogies, and compared to that sort of if everything was great for the stock, if we were not overfished, if there was very low uncertainty, very low environmental impacts, et cetera, then we would be starting at 50 percent.

The uncertainty in the stock status is pushing this probability into a more precautionary approach at this point. However, this does not include the socioeconomic criteria, which will sort of push back on that buffer. We will update these scores once we have an idea of the overall socioeconomic impact of trying to achieve, for example, a 68 percent probability of achieving that F target.

The northern scores are on here. You can see that they recommend less of a buffer, because the stock status is more positive in the north that you are not overfished and not overfishing, although you have some probability of being on the wrong side of the target for both statuses. But you can see that impact of the negative stock status in the north pushing you to be more precautionary, I'm sorry, in the south pushing you to be more precautionary for this region.

What is happening next? First of all, well this can happen in any order really, but we're going to have a Board discussion on weight. We provided the survey as a way to get a starting point for what people are thinking. But that is

not the final answer. The Board can discuss at this meeting if they would like to adjust any of those weights, or you can wait until the tool is updated with the final socioeconomic scores, and have that discussion then, or you can do both.

You can have a discussion now and you can have a discussion when you see the scores again. The TC will do the projections with the recommended probability for the south to estimate that reduction needed. The CESS will then update the socioeconomic scores with that information, and that will then buffer it and recommend a different probability, and the TC will do another set of projections with that probability.

The TC has also been tasked by the Board to look at some sort of do this the other way, start out with some management options and calculate a reduction, and then they can provide you with the impacts of that reduction on the stock, and provide that relative to sort of the score, so that you get an idea of how risky each of those scenarios are relative to sort of what this tool is recommending. Again, this is a final reminder.

The Board is not obligated under our process to use this tool, so you can use the recommended probabilities that come out of this tool as is. You can adjust those weights to get a probability that is more consistent with your management objectives, so you can say, I want to put a higher weight on stock status, and have a higher probability of achieving the F target or, I want to put a higher weight on the socioeconomic component, and accept a lower probability in order to offset potential negative socioeconomic considerations.

You can also choose another probability without the tool, but in that case, I think we would recommend that at least you explain your choices on that front, and I think this gives you sort of a framework to say, here are the things we're thinking about, and because of that we're going to choose this probability. These are some options that you can have, going forward, you don't have to make a decision at this meeting. You don't even have to

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provide additional input at this meeting if you don't want to.

But in the end, after this whole process has gone through, we would like to be back on the tool at the end to help the Policy Board decide how to proceed with this tool, whether this is something we continue to use for our more data rich species, or whether it needs to be revised or reconsidered. With that I am happy to take any questions.

CHAIR HAYMANS: I have a couple. Because we have a northern and a southern stock, how much crossover did you see between regions?

DR. DREW: In terms of Board members? I didn't actually count that. We definitely had people only responded for their region, but then some people responded for all the regions as well. I think probably what you should consider in this, the tool is designed to sort of elicit the considerations that you think about when you are basically voting on something.

I think if you would abstain from a vote on measures for one region, then you can abstain from this tool. But if you are going to vote on measures for another region, it makes sense to fill out this tool, in the sense to kind of explain what you are considering when you are making those management decisions, if that helps.

CHAIR HAYMANS: You said 11 Commissioners filled it out, out of the possible, I guess there are 13 votes, but if there are 3 Commissioners, so there are 39. Do you see if more Commissioners had filled it out maybe there would have been a different response, or was that enough?

DR. DREW: I would say I think it's enough for a starting point, but I would definitely say the final decision on these weights is up to the Board. Even if you did not necessarily fill it out now, you can also see there wasn't a big difference in the weights across those different

categories, compared to these all-equal weights.

I think partly sometimes that is because you can see some people voted high and some people voted low, and you sort of end up back at the middle, or in other cases people agreed, generally on maybe a 4, and so are close to a 3 and it wasn't that different. I think more input is always good, especially at the survey level where you can sort of think about this without the influence of your fellow commissioners. But as a starting point I think it was a relatively good response rate and range of response.

CHAIR HAYMANS: Thank you, Erika.

MS. BURGESS: Thank you, Katie, for going through this for us. I have to admit that this risk and uncertainty tool and the results that were presented today just aren't intuitive to me, so I've got lots of questions. At the end of your presentation, you talked about the results of the risk and uncertainty tool informing reductions. Can you explain more what that means, because in my mind I think of reductions for buffers to be reducing a cap, and in this fishery, we don't manage with a cap. What do you mean by reductions?

DR. DREW: Right, in this case, as you said, we don't have a cap we have instead those management bag and size limit options. The example I think would be, and I'm going to say right up front, I'm just making up numbers here. I am not part of the red drum assessment so I have no idea where these numbers are coming from.

I don't want to imply in any way that for example, let's say the projections say, in order to have a 50 percent probability of achieving F target you need 20 percent lower removals next year, in order to be at the F target, compared to where you are at the end of the assessment. In that case, generally what we would do would be to go through and say, okay, to get a 20 percent reduction in removals we need to go from a slot limit of X to Y.

We're going to come down an inch or we're going to change the bag and size limit. We're going to change the bag limit, we're going to adjust that slot

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limit, and we predict that will give us a 20 percent reduction in removals. That is your sort of starting point, and in that case, I think you could then say, well what if we manage for the socioeconomic impact of that size limit change or that bag limit change.

Maybe it's negligible. Maybe for a predominantly catch and release fishery the socioeconomic impact is small, and people will still be taking those trips or they'll just be focused on the catch and release component. In that case, if the impact is small then you won't need to take a smaller reduction essentially, so that you would say maybe we stay at the 20 percent or maybe we would take an 18 percent reduction instead.

Versus if you look at the potential management change and say, this is going to have a big impact on the fishery. For example, we definitely get a lot of impact or comments on striped bass about changing, pushing that minimum size limit up is going to impact the shore fishery, it's going to impact the for-hire fishery. There is going to be negative socioeconomic consequences to this proposed management change.

In that case if there is a big impact you can say, we're going to, instead of taking that big 20 percent reduction we'll maybe aim for a 15 percent reduction. Maybe that means your slot limit doesn't go down quite so far, or maybe your vessel limit doesn't change quite so much. I'll take a lower reduction, which will have a lower probability of achieving that F target, so it's slightly more risky, but it lets us offset some of that negative socioeconomic impact in the final management actions. Did that help?

MS. BURGESS: Somewhat. You're talking about reducing or adding to the likelihood of achieving your target.

DR. DREW: Both of them are connected, so we're looking at the percent reduction that you're going to strive to achieve, because again,

we're not setting a cap, we're just saying we're going to take a set of management actions of options that the TC feels is likely to produce this level of a reduction. Essentially that is almost like your cap. But we don't think of it as a cap, but that is essentially the TC is saying, this level of removals is what we need to hit in order to have the acceptable probability of achieving that F target. That is going to be some level lower than we were in the last year of the assessment. That is where the reduction comes into.

Then if you take a lower reduction that translates through into less restrictive management. But then it also translates through into a lower probability of achieving your F target, because you're taking less of a cut than your initial probability would suggest you need to. I don't know if this is necessarily translating.

CHAIR HAYMANS: Ben.

MR. DYAR: Katie, so in the presentation we were given a week ago, I remember on the graph it had a big arrow on the left-hand side, it kind of came back up. It was kind of explained that this might be a fluid process, and you mentioned that. I kind of thing you alluded to it. What I'm getting at is, we can project or assume as managers what the impacts might be socioeconomically.

But once we really realize what we give those projections back, how that really is going to affect them socioeconomically, depending on what the different options might be. In those discussions as we move forward, once we get those projections, are we able to come back and kind of reweight this to some degree, if you will. I don't know if I'm using the right terms or not, but then if we choose to use this management tool, once we see those, we can then set a different level if we so choose.

DR. DREW: Yes, absolutely. Like we recognize that number one, this is still being pilot tested, and so this is brand new to everybody, and then number two, we recognize that it is not super intuitive to say, I put a 3 here and now I have to have a 60 percent probability of achieving F target. There is

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definitely we want the Board to have the ability to go through and basically have this conversation about, okay now that I've seen what happens if we try to achieve a 60 percent probability, I'm not comfortable with that.

I want to push back, either I don't think this is conservative enough, or I think this is too conservative, and so I want to adjust what factors. You know I'm putting a higher weight on stock status, which would become more precautionary, or I'm putting a higher weight on socioeconomic inputs, which would mean it's less precautionary. For sure there are points as we come back and tell you guys about, okay here is the potential impact of this probability.

You guys have the ability to adjust that, so that what comes out in the end is a number that you're comfortable with. We're not trying to, I think, force you guys to pick a number that you're not comfortable with. Instead, we want to have the conversation about, why did you pick this number.

Like I think when we, a lot of times, part of the impetus for this tool was that the TC does a bunch of these numbers, it throws a bunch of numbers up on the screen and the Board is like, I pick that option. Option B, that is the one I'm going to go for, and it's like well, why Option B and not Option C or D. I think part of this is trying to get at the conversation about, why are you being more risky or why are you being more precautionary, in a way that is trying to articulate that discussion for the Board itself, and then for the public, and just create more transparency around that process. We don't want to like lock you into a specific number that you're not comfortable with. We just want you guys to maybe articulate more clearly and transparently what number you are comfortable with and what factors went into that decision, if that makes sense.

MR. DYAR: Yes, thank you, that was the perfect answer, I appreciate it. Follow up to that. If we're getting potential projections on a

southern regional scale and also into state by state. If it ends up being a state-by-state path that we go down, can we use this tool on a state-by-state basis?

DR. DREW: Yes. I would say, I think you are kind of still going to be, the reductions will happen on a state-by-state basis, and then you're going to sort of pool up to like the whole stock unit, so we won't be saying, in South Carolina your probability of achieving the F target is this. Instead, we'll be saying, with the reductions, and I should probably be looking at Jeff and Joey to make eye contact.

But my vision is that we will instead be saying, you know here is the reduction and South Carolina will achieve this, combined with the reduction in Georgia, combined with the reduction in Florida. Overall, for the southern region your total reduction will be Y, and this is the probability of achieving F target for that stock.

Then I think you can look and say, similarly, this has too much of an impact in South Carolina, so we're going to try to kind of adjust for a lower reduction, have a larger buffer or a smaller buffer on that reduction, and then pool that back up again, so that you can look at sort of in each state you can consider what happens if you make that reduction larger or smaller, and then translate that back up to the regional population and say, what is the effect of that combination of reductions or in achieving that regional F target.

CHAIR HAYMANS: Any other questions? Ben, go ahead.

MR. DYAR: Just for clarity, and this is separate from the last couple questions, but you did say in this presentation the southeast socioeconomic responses were not included, so all those socioeconomic responses we saw were from the northern region? Is that correct?

DR. DREW: No, what is happening is sort of like there are two components for the socioeconomic, which is like how important is it to the community, what are your landings, and that is sort of, I guess I

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would say relatively constant. We can calculate that right now. Then the next component is, what is the impact of the management change that you're going to produce. We don't know what the management action will be at this point.

We can instead, when the TC runs through their various options and says, okay, here is the option for size limits, here is the option for the bag limit for the south. Then we can talk to the socioeconomic committee and say, what is the impact of that proposed management change on the community, and that score is empty right now, and that will be filled in as part of this process. That is really the part that sort of buffers that more precautionary component, or I guess reduces the buffer on the precautionary component.

CHAIR HAYMANS: Anyone else? John Clark.

MR. CLARK: Just briefly, Katie, you've probably gone over this before. The minimum is still 50 percent, right, so that is like a baseline or could it go below 50 percent?

DR. DREW: It can go below 50 percent. The tool is currently set up to not require that, and so I think it is up to the Board to consider, you know what is the lower minimum that you are comfortable with, and that can be part of the discussion. But we, unlike the Magnuson-Stevens Act, do not specify a lower bound on that, for good or for ill.

CHAIR HAYMANS: Okay, good discussion. I think we'll probably see it again and have some more discussion once we get some results back from the TC. Erika.

MS. BURGESS: I was holding discussion until after questions. Are we going to have discussion?

CHAIR HAYMANS: Yes, Ma'am, go ahead.

MS. BURGESS: I mentioned that parts of this were not intuitive to me, and one of the parts of the responses from the survey, we started the discussion when the presentation was given to the Board about how to use the risk and uncertainty tool, and what we should be thinking about as we provided our responses, and we discussed whether it was appropriate for states and representatives from states outside of the stock's region to provide inputs on the other region.

Would we know enough about the stock and the region to be able to answer these questions. I think this first round of results really showed us there is a problem with that. If you go to the slide that showed the importance of the commercial fishery, there were responses weighting the importance of the commercial fishery, the southern stock, as having a value.

We also saw in the TC or the technical inputs that there was a value of the commercial stock in the sort of sense of uncertainty tools, and that is like a basis. Yet we have no commercial fishery in the southern stock, so that invalidates all of the responses, considering we have, to me, that is my interpretation.

We had four responses from the south, yet when we got to responses like SSB et cetera, there are 11 responses on the southern stock. That means 5 commissioners from outside of the southern stock weighed in to give the importance of SSB. We just had the Stock Assessment Chair say that the value of SSB for this stock is not as meaningful as F, yet SSB was rated really high, based on commissioner inputs.

Intuitively, the results of what we were presented here today don't make sense to how it would be informative to management, or would support management decisions to me about this stock and this fishery. At a minimum, next time we review this, I would like to see the results working out with commissioners' responses for the south being the risk and uncertainty tool that the southern stock would be considering, and the responses from

commissioners for the north being what they would consider for their management.

DR. DREW: I mean we can absolutely provide that broken out. But I guess I would also look to the Board to say, is it the expectation of the Board that the south will not vote on northern management action, and the north will not vote on the southern management action, or not. Is the entire Board voting on management action for each region?

I don't know, I think that is up to the Board, but I think it's just a matter of where you're voting and where you're abstaining would influence, you know how those scores are calculated. I mean we can definitely provide both options for this, but I think the reason we opened it to both regions are that we have the expectation that members from both regions will be voting on both regions. But if that is not the case then we can adapt the tool and the responses accordingly.

CHAIR HAYMANS: Thoughts on that. Spud.

MR. SPUD WOODWARD: Yes, I think what confounded this is I think some responders self-chose to N/A and others didn't, so you don't have any uniformity in the way people are engaging themselves in this. I think there is a fundamental question that we need to ask ourselves is, how are we going to do that?

Because I think there is a sensitivity that especially in a situation where we've got such a dichotomy here in the stock status results. You know we've got obviously the need to take measures to reduce fishing mortality in the south, not necessarily in the north. Even though that is just Chris saying there may be some discussion of sort of voluntarily taking actions.

I think when we get down to the actually doing it, I would personally think that the region that is being affected should be the one who has the input on their fate. That is the way I look at it,

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and so I think it's important if we're going to use this tool that we have standard rules of engagement, so that we know who is engaging and how they're engaging on this.

CHAIR HAYMANS: Is there anyone on the opposite side of that. Chris Batsavage.

MR. BATSAVAGE: This is sounding like an issue much bigger than red drum and Sciaenids Board, because that is really not how any other management board operates at ASMFC, thinking about Summer Flounder, Scup and Black Sea Bass, but we have regional management, and all the member states vote on that.

Striped bass to a certain extent, where we had different management measures. I don't know if we're prepared to set the rules of engagement for who is allowed to vote on what for this particular species and board, because this goes kind of beyond what I envisioned we were supposed to do at ASMFC, but I'll leave that to others, as far as what they think.

CHAIR HAYMANS: I think that as we get towards tomorrow morning and maybe Policy that we'll begin a discussion on that topic. It may run a few meetings. Any other thoughts? Yes, Ma'am, Carrie.

MS. CARRIE KENNEDY: Yes, Carrie Kennedy, from Maryland. I think I hear your concern. As Maryland I did provide my thoughts on risk and uncertainty on the southern stock. I did rank those. But I will say that I felt like I didn't know enough or have enough information, and I felt like it was more important and appropriate that the southern states weighted or gapped to have more weight in the socioeconomic information.

But I do see this as a guide, and not something that we're held to. Because we had an opportunity to comment on what was motivating us, I took the time to provide those comments. But because, unlike the councils that are, you know mandated to follow these things, and we aren't. I felt like it was a good sort of way to take the temperature of what the administrative commissioners were thinking,

without binding us to act in any particular way or another.

CHAIR HAYMANS: Thank you for that, anybody else? Crickets. Yes, Sir, Jeff.

MR. JEFF KAELIN: I appreciate Chris's comments, and another example of a management plan that has states voting where they have a de minimis interest in the fishery is Atlantic menhaden. I mean I think is just the way this place operates. I don't know why we go down the road where only certain commissioners that are part of the Board would be able to have a vote where other ones wouldn't. It doesn't really make any sense to me.

CHAIR HAYMANS: Roy.

MR. ROY W. MILLER: Just a follow up on what Jeff said and Chris said. We're flirting with changing our procedures here, and I want to make sure we do this mindfully. Many of the species that the state of Delaware votes on represent minimal contributions to our sport or commercial fisheries, and yet our vote counts. Are we proposing that only those states within the prime region of a particular species, only those votes should count? I'm just a little concerned about changing our procedure that we've historically used, but without giving it a lot of thought.

CHAIR HAYMANS: Yes, and I think a lot of thought it to come, a discussion is going to come. But you know the actions of another species board at the last meeting really brought all this to light. Where there were states that had relatively no fishery, but yet were on the Board, made decisions that affected other areas, right? That is what has opened this can, and I think we need a lot of discussion about this, but I don't think anything we're going to do today is going to affect that.

There is a lot of us probably that have a Commission history, and perhaps we need a

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little history lesson on where things have been. We need to look at things like declared interest, and whether states that have declared, how are you declared and should those who are on a board but don't have declared interest vote on an issue. All of that I think, we'll start that discussion tomorrow and see where it goes from there. Mel.

MR. MEL BELL: I appreciate Jeff and Chris's comments, but I think with this particular example we're dealing with two separate stocks; you know the assessment with two different stocks. With menhaden it is one stock. We do have states that are de minimis that vote, obviously. But in this case, in the point that Erika made about the commercial.

We have no commercial fishery, so our folks commenting on that do have commercial options commenting on that, it just kind of confuses things a little bit in the score, how you might weight things. But it's two different stocks in this case, whereas in other cases it's one coastwide stock that we manage. I think that's why it's a little more sensitive right now, in terms of developing this tool and the use of the tool, and who provides input for the scores on the tool.

CHAIR HAYMANS: Erika.

MS. BURGESS: Mel, you kind of went where I was going. There is a discussion of regional management where you're splitting up a single stock, but we're talking about different stocks here. I understand why it might be difficult for folks to separate the two arguments, but specific to this tool is where I would like to stay in this Board meeting, because I think the other conversations are better fit for another venue.

We have this tool that is supposed to inform risk and uncertainty in how we weight it, yet we have people who are unformed providing information into risk and uncertainty, because if you were informed on the southern stock, you would know that there was no commercial fishery. It's kind of like junk-in, junk-out.

I would prefer to have informed opinions guiding risk and uncertainty versus guesses, and I too, Carrie, did respond to the north and provided those justifications, because I thought it would provide a good way for us to look at and talk about, okay if someone outside the stock is commenting on what it might be up there, I said why I made those references, and I think it would be really interesting to look at.

Is the outsider perspective similar to those who responded within the state? Is it different? I think that would provide value to the tool itself and how it's used in the future. But for the purpose of this when we're looking at risk and uncertainty of a stock level, weighting a commercial fishery is important in a place where it doesn't exist, that is meaningless.

DR. DREW: In that case, right, then where there is no commercial fishery then that part of the score will get zeroed out. We're looking at sort of two separate components, which is number one, how important is it? How risky is, how uncertain is the assessment? What is the stock status, and then the separate component is, when you're thinking about a management decision, how do these play out?

You can say, I think considering the commercial importance is as important as considering the recreational importance, like the weights are equal, but because there is no commercial fishery that gets zeroed out, and sort of the only component then that is part of it is the recreational component. There is that aspect of it. However, there is also the aspect of, I would like to even down weight that even further, so maybe there is a very small commercial component in the north, for example, but we would say, because it's a smaller component the economic impact of management action on that fishery is going to get down weighted further through our weightings, versus considering it equal to the recreational component. I think we can definitely, you know I think this is a good conversation to have.

In terms of like how we are thinking about presenting this information and for the next round we can definitely provide sort of, here is the northern people's scores on these two regions, here is the southern representative scores on these two regions, and are there differences? I mean obviously we only got like four responses from the southern region, so it's a little bit of, you know the sample size is low. But again, the survey is just the starting point.

If we're looking at this then I think the Board has the option to consider, we would like to hear more about, we will change our weightings to better match the other region, because we think that is what is important. But if everybody is voting on both regions, then presumably there is some sort of mental consideration of those different factors going into that vote in the end, that we would like to try to capture and articulate, as opposed to just a mystery black box process that leads to the final vote. But I think these are definitely good things to consider as we develop this tool, and how this tool is presented and used going forward.

CONSIDER ANNUAL UPDATE TO BLACK DRUM INDICATORS

CHAIR HAYMANS: Good discussion on the tool, good questions, and I think a good primer for later on in the week. Thanks for keeping us on track and we'll move on to the next agenda item, which is Considering the Annual Update to Black Drum Indicators, and Harry Rickabaugh from Maryland.

MR. HARRY RICKABAUGH: I'm Harry Rickabaugh from Maryland Department of Natural Resources, I'm the current Black Drum TC Chair. I'm going to give you the update for the indicators. I'm going to go over a couple of slides, just to give the background really quick of what we're doing and how we got here.

Following the 2023 Assessment the black drum stock was determined to be not overfished and overfishing was not occurring. That was through 2020, which was the terminal year of the assessment. During that assessment, indicators

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were identified and we used to monitor the stock in between assessments.

During that time, those indicators did not appear to be overall negative. There was a lack of contrast in the black drum datasets, coupled with the high uncertainty and the model base estimates. Due to that factor, the TC recommended monitoring those empirical stock indicators annually between assessments, and the Board agreed to annually monitoring those as a trigger only assessment.

These don't trigger management action; it only would trigger an updated assessment. Currently the assessment is schedule to be done in 2027, but should we see a negative trend the TC can recommend expediting that assessment. The indicators are divided into basically three categories, and within those three categories many of them are divided into two regions. There is the Mid-Atlantic Region, which is Virginia north, and the Southern Region, which is North Carolina south. For the abundance indices the Mid-Atlantic Region only has YOY indices, just for the young of the year. There are no adult indices or subadult indices in the Mid-Atlantic. For the South Atlantic there is AYY indices an age 0 to 1 combined indices, and a subadult indices. But we also have a coastwide exploitable abundance metric as well. That is based on the MRIP CPUE that we developed.

The next category is the range expansion indicator, and that is not used as an overall stock abundance indicator, but it's just to see if the species is using the northern part of its range more frequently than it has historically. Then finally we have the fishery catch information, which is basically the recreational live releases, recreational harvest and commercial landings.

Those are again structured by region. We had the first data update last year, which was data added on for 2021 and 2022, past the last assessment. Those showed mixed signs of stability and declines. But overall, the TC was

not concerned and did not recommend a change to the assessment schedule at that time.

The Sciaenids Board at the last meeting also did request the TC consider their frequency of these updates, whether they need to be annual or on a longer timeframe, considering the long lifespan of the species. Currently this update will only have one additional year of data, that is the 2023 data, and for each of these figures I'm going to be showing moving forward, all of them will have a dashed line across them, that is going to be the time series mean.

The abundance indicators will all be structured like the ones you see here, which are standardized to their mean, so these are not the actual index values. They are standardized to the mean so we can see the trend between the indices on the same scale. All of the graphs are going to have these black dots connected by the black lines. Those are the data that was available during the last assessment, and the red dots with the red lines will be the data that is being added since the last assessment.

For the Mid-Atlantic Region, which is currently on the screen, these are all again, young of the year indices. You can see that they are basically varied around their time series mean, with the top two panels and the lower left panel being from the Delaware Bay Region. Those were lowest or below their time series mean in 2021, and 2023, but above the time series mean in 2022.

The lower right panel is the Maryland coastal days seine survey, and that has the reverse trend of being above the time series mean in 2021 and 2023, and below the time series mean in 2022. The next slide here has the South Atlantic abundance indices, and for this again there are one of each juvenile and age 01 and a subadult. All of these were below the time series mean of 2023.

Two of these indicators did increase though throughout the update period, those were the 01 abundance and the YOY index, one on the left side of your screen and one on the right side of your screen. The subadult index was above its time

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series mean in 2021, but fell to just below its time series mean and was pretty stable in 2022 and 2023.

The next indicator is the exploitable abundance indicator, and again this is the MRIP CPUE, during the assessment time period again in black you can see it generally increased, kind of stabilized near the end of the time period, and then we saw a decline to below the mean in 2021. Since then, it has increased, and the 2023 value was above the time series mean and approaching the value of the terminal year of the assessment. Again, this is the only index that is used in the model. Now we'll move into the range expansion indicator, and it was not available in 2021. You can see the 2022 and 2023 values were very similar and below the mean.

This seems to indicate that the young of the year black drum are not currently using the northern region anymore than they have kind of earlier in the time series. We could have some spikes in the middle of the time series, and we'll continue to monitor this obviously into the future. Now we're going to move on to the catch information. These are not standardized to their mean.

This particular one is live releases and it is in numbers of fish, so you can see the scale between the northern region and the southern region. Southern region catches a greater number of fish than the northern region, and they've varied around the time series mean of the Mid-Atlantic, it was slightly below the time series mean of 2023.

The figure there looks like it's right on the line, it was just below the time series mean in the terminal year, and the South Atlantic remained above the time series mean for all update years. It did increase for the first time in five years in 2023. We were seeing a declining trend in recreational releases in the South Atlantic. That did reverse in 2023, and that point is above the terminal point of the assessment.

Then we have recreational harvest. This one is in millions of pounds, and again the South Atlantic even by weight catches more fish or harvest in pounds and just as a reminder, the Mid-Atlantic predominantly targets larger adult fish and South Atlantic subadult fish. The recreational harvest varied slightly during the update years.

They've been pretty stable for both regions with all the update years being below the time series mean, and the levels of terminal year of the assessment for the Mid-Atlantic, and all three years being above the time series mean in the terminal year of the assessment for the South Atlantic. Then the last figure I have here we have the commercial landings. These are in thousands of pounds, so a lower level of landings than the recreational harvest.

They are more equal between the two regions in weight, and the commercial landings just had a similar pattern to recreational landings with the Mid-Atlantic all three years being below the time series mean, and with the South Atlantic all three years being above the time series mean. The terminal year, 2023 value for the South Atlantic was a marked increase. It is the highest value since 2008.

Overall, the indicator showed similar conditions for the terminal year of the assessment, with some signs of increases in the South Atlantic. Increases in catch in the South Atlantic are likely driven by increases in effort and targeting in the South Atlantic Region, particularly in the recreational fishery.

TC members from the South Atlantic said they believe this was due to increased targeting, effort being shifted from other recreational species have had more regulations put on recently, particularly summer flounder. There was some TC concern for the southern region over these increases, as to whether they are positive, in other words, it's an increase in abundance or it's an increase in effort. We don't have the information to really tease that out, but there is a little bit of concern there, so I think we need to watch moving into the future. The

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decreased commercial landings in the Mid-Atlantic are primarily due to market demand.

There has been a reduced effort in that commercial fishery, particularly in Delaware Bay. Delaware has also lost a lot of its aging capability, because they were aging from the commercial fishery. Since that effort is dropped, they've been unable to collect the age samples they have in the past. The overall recommendation from the TC is not to have an advanced timeline for the stock assessment.

They did discuss the Board's request to decide whether this needs to be an annual update or we can do it on a longer timeframe. We also discussed how we probably wouldn't want to do an update the year before an assessment, because the assessment is basically going to get triggered for the next year anyway, so we would be starting that assessment, and we would also be probably beginning to gather data for the assessment. To put time and energy into an update, we would prefer not to do it the year before an assessment is already scheduled.

The TC is recommending, the last two bullets are kind of combined, that we don't do the next update until 2026, so we'll wait for an additional two years of data, and then we will push the stock assessment back one year to 2028. That will allow us, the TC discussed this quite a bit, but even though the MRIP data should be available for 2027 assessment, we really wanted to make sure that was available for this species, it's primary recreational species.

It is also likely we will have no new data streams, we still will be dependent for our adult/exploitable biomass index being a MRIP index, because there are no other fishery independent indices on the adult stock. Since we're so reliant on that data, we would like to have the most recent updates available, so to be sure that is going to happen we would like to

push that back to 2028. With that I can take any questions.

CHAIR HAYMANS: Any questions for Harry? Is there any discussion or input for them regarding their recommendations? I don't think we need a motion. Chris Batsavage.

MR. BATSAVAGE: I support the TCs recommendations to just do the updates every two years and move the stock assessment back on the schedule, so we are not working on two things at once, but I think it makes a lot of sense, since this is largely a recreational fishery, to ensure that the newer recalibrated catch estimates from MRIP are available and online so those could be used in the assessment. Moving it back a year I think just increase the chance of that data being ready in time for the model if I understand the TCs recommendation correctly.

CONSIDER BLACK DRUM AND SPOTTED SEATROUT FMP PLAN REVIEWS AND STATE COMPLIANCE REPORTS FOR THE 2023 FISHING YEAR

CHAIR HAYMANS: Yes, thank you for that affirmation. Anyone else? Okay, well, I think we can accept the TCs recommendations and thank you very much, Harry. All right, next agenda item is Consideration of the Black Drum and Spotted Seatrout Fishery Management Plan Reviews and State Compliance Reports for 2023. Tracey this is you.

MS. TRACEY BAUER: I'll be really briefly going through the FMP reviews for both of the species, and I can take questions at the end I think, then look to motions at the very end once I finish. I'll be starting off with black drum, but I will just be sticking to the PRT recommendations because of our previous agenda item.

The PRT found no inconsistencies among states, with regard to the FMP requirements, and black drum had no de minimis requests, I think as usual. Thus, the PRT simply recommends the approval of the state compliance reports. Additional research and monitoring recommendations, as always can be

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found in the 2023 black drum assessment and peer review report.

Moving on to spotted sea trout. Spotted sea trout is currently managed under the Omnibus Amendment to the Spanish Mackerel, Spot and Spotted Seatrout FMP, and that should put into place that 12-inch full length minimum size limit and comparable mesh size requirements, along with establishing adaptive management.

In regard to stock status, as a reminder there is no coastwide assessment of spotted sea trout, and the PRT has not recommended one due to the life history of the species and the availability of data, but there is that 2019 Florida spotted sea trout stock assessment update in recent years, and the 2022 North Carolina spotted sea trout stock assessment.

For Florida, I believe they're in the middle of working on a benchmark stock assessment, which should be completed by the end of this year. North Carolina is currently in process of reviewing the spotted sea trout FMP there in that state, and Amendment 1 should be completed within the next year or so as well.

Really brief summary of the status of the fishery, starting with an overview of the commercial and recreational harvest. This figure shows coastwide recreational and commercial spotted seatrout harvest by year, in millions of pounds, with the blue bars being commercial harvest and the green bars being recreational harvest.

In the last ten years from 2014 to 2023, commercial landings averaged approximately 450,000 pounds, and in 2023 commercial landings totaled 522,000 pounds, which was a 31 percent decrease from a previous peak in 2021. Recreational harvest is generally without trends through the time series from 2019 through 2022, recreational harvest was relatively high, averaging about 6.6 million pounds or 3.9 million fish.

However, recreational harvest in 2023 declined by approximately 40 percent from this average to about 4.3 million pounds or 2.4 million fish. I will now move on to just a little more information on, specifically the recreational fishery. This figure compares recreational catch, harvest and releases in millions of fish from 1981 through 2023, and over the last 42 years or so, recreational catch of spotted sea trout has been released has shown an upward trend, increasing from about 4 million fish in 1981 to over 31 million fish in 2018.

It has remained high through 2022, but in 2023 similar trend, recreational catch declined by 37 percent from the previous year to 16 million fish, which is the lowest recreational catch since 2008. The number of fish released has averaged about 19 million fish in the last 10 years. In 2023 about 14 million fish were released, which is a 38 percent decline from the previous year. Moving on to PRT recommendations. Once again, the PRT found no inconsistencies among states with regard to the FMP requirements, and recommended approval of state compliance reports and de minimis status for New Jersey and Delaware. Additional research and monitoring recommendations can also be found in the FMP review document. I think with that I can take any questions.

CHAIR HAYMANS: Questions on the reviews for Tracey? Okay, seeing none; is there a motion to accept? Would someone like to read it, Spud.

MR. WOODWARD: Put it back up, please, my memory is not that good.

MS. BAUER: Spud, just so you are not surprised, I was planning on doing two separate motions, the two different species.

MR. WOODWARD: **Move to approve the Black Drum FMP Review and state compliance reports for the 2023 fishing year.**

CHAIR HAYMANS: We've got Malcolm with a second. Discussion. Opposition. Abstentions. **Motion carries by unanimous consent**, okay and a second motion.

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MR. WOODWARD: **I move to approve the Spotted Seatrout FMP Review for the 2023 fishing year, state compliance reports, and de minimis status for New Jersey and Delaware.**

CHAIR HAYMANS: Okay, and Joe Cimino with a second. Any discussion, any opposition, abstentions. Seeing none; **that motion also carries**. All right, thank you very much, I didn't hear any Other Business when we start that meeting so I think that concludes the business of this Board.

ADJOURN

Is there a motion for adjournment? I hear one, is there a second, I see one. We are adjourned, thank you.

Atlantic States Marine Fisheries Commission

Atlantic Striped Bass Management Board

February 4, 2025

3:00 – 5:00 p.m.

Draft Agenda

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

1. Welcome/Call to Order (*M. Ware*) 3:00 p.m.
2. Board Consent 3:00 p.m.
 - Approval of Agenda
 - Approval of Proceedings from December 2024
3. Public Comment 3:05 p.m.
4. Review and Consider Stock Assessment Schedule 3:15 p.m.
 - Review Timeline for 2027 Benchmark Stock Assessment and Technical Committee Recommendation on Assessment Schedule (*K. Drew*)
 - Consider Whether to Conduct 2026 Stock Assessment Update **Possible Action**
5. Discuss Scope of Draft Addendum III for 2026 Measures 3:45 p.m.
 - Review Timeline and Initial Scope (*E. Franke*)
 - Provide Guidance to Plan Development Team
6. Other Business/Adjourn 5:00 p.m.

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

MEETING OVERVIEW

Atlantic Striped Bass Management Board
February 4, 2025
3:00 – 5:00 p.m.

Chair: Megan Ware (ME) Assumed Chairmanship: 1/24	Technical Committee Chair: Tyler Grabowski (PA)	Law Enforcement Committee Rep: Sgt. Jeff Mercer (RI)
Vice Chair: Chris Batsavage (NC)	Advisory Panel Chair: Vacant	Previous Board Meeting: December 16, 2024
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, NMFS, USFWS (16 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from December 2024

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

4. Stock Assessment Schedule (3:15-3:45 p.m.) Possible Action

Background

- Work on the 2027 Benchmark Stock Assessment for Atlantic Striped Bass will begin in 2025 and is scheduled to be presented to the Board in May or August 2027.
- A 2026 Stock Assessment Update is tentatively scheduled as well.
- The Technical Committee (TC) and Stock Assessment Subcommittee (SAS) met to discuss concerns about the timing of the 2026 Assessment Update since it would directly overlap with work on the 2027 Benchmark Assessment (**Supplemental Materials**).

Presentations

- Overview of stock assessment timeline and TC recommendation by K. Drew

Board action for consideration at this meeting

- Consider whether to conduct a 2026 stock assessment update

5. Draft Addendum III (3:45-5:00 p.m.)

Background

- After receiving updated projections and potential 2025 management options in the [December 2024 TC Report](#), the Board maintained status quo measures for 2025 and initiated an addendum to consider 2026 management measures to support stock rebuilding.
- Board guidance on the scope of potential management options for 2026 is needed to inform the Plan Development Team's (PDT) analyses (**Briefing Materials**).

Presentations

- Overview of timeline and initial scope of Draft Addendum III by E. Franke

Board guidance for consideration at this meeting

- Provide guidance to the PDT for Draft Addendum III

5. Other Business/Adjourn (5:00 p.m.)

Atlantic Striped Bass

Activity level: High

Committee Overlap Score: Medium (TC/SAS/TSC overlaps with BERP, Atlantic menhaden, American eel, horseshoe crab, shad/river herring)

Committee Task List

- TC-SAS – Begin work on 2027 Benchmark Stock Assessment, including Data Workshop and Methods Workshop in 2025
- TC – June 15: Annual compliance reports due and data deadline for benchmark assessment
- TC – Conduct analyses for Draft Addendum III, including projections with preliminary 2024 data to inform potential reduction and reviewing size-bag-season analysis

TC Members: Tyler Grabowski (PA, Chair), Michael Brown (ME), Gary Nelson (MA), Nicole Lengyel Costa (RI), Kurt Gottschall (CT), Caitlin Craig (NY), Brendan Harrison (NJ), Margaret Conroy (DE), Alexei Sharov (MD), Luke Lyon (DC), Ingrid Braun-Ricks (PRFC), Shakira Goffe (VA), Charlton Godwin (NC), Jeremy McCargo (NC), Tony Wood (NMFS), John Ellis (USFWS)

SAS Members: 2027 Benchmark SAS to be considered and approved by the Board

Tagging Subcommittee (TSC) Members: Angela Giuliano (MD), Beth Versak (MD), Brendan Harrison (NJ), Gary Nelson (MA), Ian Park (DE), Jessica Best (NY), Victoria Lecce (USFWS), Julien Martin (USGS)

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

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

December 16, 2024

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

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INDEX OF MOTIONS

1. **Approval of agenda** by consent (Page 1).
2. **Approval of Proceedings of October 23, 2024** by consent (Page 1).
3. **Main Motion**
Move to initiate an addendum to support striped bass rebuilding by 2029 in consideration of 2024 recreational and commercial mortality while balancing socioeconomic impacts. Options should include, if needed, a range of overall reductions, consideration of recreational versus commercial contributions to the reductions, recreational season and size changes taking into account regional variability of availability, and no harvest vs no target closures. Final action shall be taken at the Summer 2025 meeting to be in place for the 2026 recreational and commercial fisheries (Page 17). Motion by Adam Nowalsky; second by John Clark. Motion amended.

Motion to Substitute

Move to substitute to take Board action to implement in 2025 recreational season closures to achieve a 9% reduction and decrease the commercial quotas by 9%. The recreational season closures will be implemented regionally, as follows:

- **Maine–Rhode Island: no-harvest closures of 22 days in Wave 3 plus the number of days needed in Wave 5 to achieve a combined 9% reduction across both Waves, to be implemented in uniform dates across the region.**
- **Connecticut–North Carolina: no-harvest closures of the same number of days in Wave 2 and Wave 6 needed to achieve a combined 9% reduction across both Waves, to be implemented in uniform dates across the region.**
- **Chesapeake Bay:**
Maryland no-targeting closure of 22 days in Wave 4 to lengthen the existing closure [9% reduction as calculated with “striped bass only trips eliminated” assumption]. Virginia no-harvest closure of 18 days at the end of Wave 6 [9% reduction].
- **New York, Pennsylvania, and Delaware area-specific fisheries: seasonal closures to achieve 9% reductions.**

The regions/states will submit implementation plans for Board approval at the Winter 2025 Meeting Week. If a region can’t decide on uniform dates, the Board will make the selection. The implementation deadline is April 1, 2025.

Motion by Nichola Meserve; second by Cheri Patterson (Page 19). Motion amended.

Motion to Amend the Main Motion

Motion to amend to replace “at the summer” with “by the annual” (Page 25). Motion by Mike Luisi; second by Pat Geer. Motion passes (12 in favor, 2 opposed, 2 abstentions) (Page 28).

Main Motion as Amended

Move to initiate an addendum to support striped bass rebuilding by 2029 in consideration of 2024 recreational and commercial mortality while balancing socioeconomic impacts. Options should include, if needed, a range of overall reductions, consideration of recreational versus commercial contributions to the reductions, recreational season and size changes taking into account regional variability of availability, and no harvest vs no target closures. Final action shall be taken by the 2025 Annual Meeting to be in place for the 2026 recreational and commercial fisheries.

These minutes are draft and subject to approval by the Atlantic Striped Bass Management Board.

The Board will review the minutes during its next meeting.

Motion to Amend the Substitute Motion

Move to amend the commercial reductions by replacing 9% with 1% (Page 29). Motion by Jeff Kaelin; second by Emerson Hasbrouck. Motion fails (7 in favor, 7 opposed, 2 abstentions) (Page 33).

Motion to Substitute

Move to substitute to take Board action to implement in 2025 recreational season closures to achieve a 9% reduction and decrease the commercial quotas by 9%. The recreational season closures will be implemented regionally, as follows:

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Motion to Amend the Substitute Motion

Move to amend the commercial reduction by replacing 9% with 5% (Page 33). Motion by Emerson Hasbrouck, second by Raymond Kane. Motion passes (10 in favor, 4 opposed, 2 abstentions) (Page 34).

Motion to Substitute as Amended

Move to substitute to take Board action to implement in 2025 recreational season closures to achieve a 9% reduction and decrease the commercial quotas by 5%. The recreational season closures will be implemented regionally, as follows:

- **Maine–Rhode Island: no-harvest closures of 22 days in Wave 3 plus the number of days needed in Wave 5 to achieve a combined 9% reduction across both Waves, to be implemented in uniform dates across the region.**
- **Connecticut–North Carolina: no-harvest closures of the same number of days in Wave 2 and Wave 6 needed to achieve a combined 9% reduction across both Waves, to be implemented in uniform dates across the region.**
- **Chesapeake Bay:**
Maryland no-targeting closure of 22 days in Wave 4 to lengthen the existing closure [9% reduction as calculated with “striped bass only trips eliminated” assumption]. Virginia no-harvest closure of 18 days at the end of Wave 6 [9% reduction].
- **New York, Pennsylvania, and Delaware area-specific fisheries: seasonal closures to achieve 9% reductions.**

The regions/states will submit implementation plans for Board approval at the Winter 2025 Meeting Week. If a region can’t decide on uniform dates, the Board will make the selection. The implementation deadline is April 1, 2025.

These minutes are draft and subject to approval by the Atlantic Striped Bass Management Board.

The Board will review the minutes during its next meeting.

Motion to Amend the Substitute Motion

For the area specific fisheries, move to amend to add after seasonal closures “or size limit changes” (Page 36). Motion by John Clark; second by Nichola Meserve. Motion passes (13 in favor, 1 opposed, 2 abstentions) (Page 36).

Motion to Substitute as Amended

Move to substitute to take Board action to implement in 2025 recreational season closures to achieve a 9% reduction and decrease the commercial quotas by 5%. The recreational season closures will be implemented regionally, as follows:

- **Maine–Rhode Island: no-harvest closures of 22 days in Wave 3 plus the number of days needed in Wave 5 to achieve a combined 9% reduction across both Waves, to be implemented in uniform dates across the region.**
- **Connecticut–North Carolina: no-harvest closures of the same number of days in Wave 2 and Wave 6 needed to achieve a combined 9% reduction across both Waves, to be implemented in uniform dates across the region.**
- **Chesapeake Bay:**
Maryland no-targeting closure of 22 days in Wave 4 to lengthen the existing closure [9% reduction as calculated with “striped bass only trips eliminated” assumption]. Virginia no-harvest closure of 18 days at the end of Wave 6 [9% reduction].
- **New York, Pennsylvania, and Delaware area-specific fisheries: seasonal closures or size limit changes to achieve 9% reductions.**

The regions/states will submit implementation plans for Board approval at the Winter 2025 Meeting Week. If a region can’t decide on uniform dates, the Board will make the selection. The implementation deadline is April 1, 2025.

Motion to Amend the Substitute Motion

Under Maryland Chesapeake Bay, move to amend to add “and or no harvest” and strike of 22 days (Page 36). Motion by Dave Sikorski; second by Dennis Abbott. Motion approved by consent (Page 37).

Motion to Substitute as Amended

Move to substitute to take Board action to implement in 2025 recreational season closures to achieve a 9% reduction and decrease the commercial quotas by 5%. The recreational season closures will be implemented regionally, as follows:

- **Maine–Rhode Island: no-harvest closures of 22 days in Wave 3 plus the number of days needed in Wave 5 to achieve a combined 9% reduction across both waves, to be implemented in uniform dates across the region**
- **Connecticut–North Carolina: no-harvest closures of the same number of days in Wave 2 and Wave 6 needed to achieve a combined 9% reduction across both Waves, to be implemented in uniform dates across the region**
- **Chesapeake Bay:**
Maryland no-targeting closure and or no harvest in Wave 4 to lengthen the existing closure [9% reduction as calculated with “striped bass only trips eliminated” assumption]. VA no-harvest closure of 18 days at the end of Wave 6 [9% reduction].
- **New York, Pennsylvania, and Delaware area-specific fisheries: seasonal closures or size limit changes to achieve 9% reductions.**

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The Board will review the minutes during its next meeting.

The regions/states will submit implementation plans for Board approval at the Winter 2025 Meeting Week. If a region can't decide on uniform dates, the Board will make the selection. The implementation deadline is April 1, 2025.

Motion to Amend the Substitute Motion

For Maine—Rhode Island, Connecticut—North Carolina, and Virginia Chesapeake Bay, move to amend to add “and or no targeting closures” and strike “of 22 days,” and “of 18 days” and “of the same number of days” (Page 38). Motion by Adam Nowalsky; second by Emerson Hasbrouck. Motion passes (9 in favor, 5 opposed, 2 abstentions) (Page 40).

Motion to Substitute as Amended

Move to substitute to take Board action to implement in 2025 recreational season closures to achieve a 9% reduction and decrease the commercial quotas by 5%. The recreational season closures will be implemented regionally, as follows:

- **Maine—Rhode Island: no-harvest closures and or no targeting closures in Wave 3 plus the number of days needed in Wave 5 to achieve a combined 9% reduction across both waves, to be implemented in uniform dates across the region**
- **Connecticut—North Carolina: no-harvest closures and or no targeting closures in Wave 2 and Wave 6 needed to achieve a combined 9% reduction across both Waves, to be implemented in uniform dates across the region**
- **Chesapeake Bay: Maryland no-targeting closure and or no harvest in Wave 4 to lengthen the existing closure [9% reduction as calculated with “striped bass only trips eliminated” assumption]. Virginia no-harvest closure and or no targeting closures at the end of Wave 6 [9% reduction].**
- **New York, Pennsylvania, and Delaware area-specific fisheries: seasonal closures or size limit changes to achieve 9% reductions.**

The regions/states will submit implementation plans for Board approval at the Winter 2025 Meeting Week. If a region can't decide on uniform dates, the Board will make the selection. The implementation deadline is April 1, 2025.

Motion fails (4 in favor, 11 opposed, 1 null) (Page 49).

Main Motion as Amended

Move to initiate an addendum to support striped bass rebuilding by 2029 in consideration of 2024 recreational and commercial mortality while balancing socioeconomic impacts. Options should include, if needed, a range of overall reductions, consideration of recreational versus commercial contributions to the reductions, recreational season and size changes taking into account regional variability of availability, and no harvest versus no target closures. Final action shall be taken by the annual 2025 meeting to be in place for the 2026 rec and comm fisheries. Motion passes (14 in favor, 2 opposed) (Page 50).

4. **Move to adjourn by consent (Page 50).**

ATTENDANCE

Board Members

Megan Ware, ME, proxy for P. Keliher (AA)	Adam Nowalsky, NJ, proxy for Sen. Gopal (LA)
Rep. Allison Hepler, ME (LA)	Kris Kuhn, PA, Proxy for T. Schaeffer (AA)
Cheri Patterson, NH (AA)	Loren Lustig, PA (G)
Doug Grout, NH (GA)	John Clark, DE (AA)
Dennis Abbott, NH, proxy for Sen. Watters (LA)	Roy Miller, DE (GA)
Nichola Meserve, MA, proxy for D. McKiernan (AA)	Craig Pugh, DE, proxy for Rep. Carson (LA)
Raymond Kane, MA (GA)	Michael Luisi, MD, proxy for L. Fegley (AA)
Jason McNamee, RI (AA)	Robert Brown, MD, proxy for R. Dize (GA)
David Borden, RI (GA)	David Sikorski, MD, proxy for Del. Stein (LA)
Eric Reid, RI, proxy for Sen. Sosnowski (LA)	Pat Geer, VA, proxy for J. Green (AA)
Matt Gates, CT, proxy for J. Davis (AA)	James Minor, VA (GA)
Bill Hyatt, CT (GA)	Chris Batsavage, NC, proxy for K. Rawls (AA)
Craig Miner, CT proxy for Rep. Gresko, CT (LA)	Chad Thomas, NC, proxy for Rep. Wray (LA)
Marty Gary, NY (AA)	Ronald Owen, PRFC
Emerson Hasbrouck, NY (GA)	Daniel Ryan, DC, proxy for R. Cloyd
Jim Gilmore, NY, proxy for Assbly. Thiele (LA)	Rick Jacobson, US FWS
Joe Cimino, NY (AA)	Max Appelman, NOAA
Jeff Kaelin, NJ (GA)	

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

Ex-Officio Members

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

Staff

Bob Beal	Tina Berger	Katie Drew
Toni Kerns	Emilie Franke	Madeline Musante

The Atlantic Striped Bass Management Board of the Atlantic States Marine Fisheries Commission convened in the Jefferson Ballroom of the Westin Crystal City Hotel, Arlington, Virginia, via hybrid meeting, in-person and webinar; Monday, December 16, 2024, and was called to order at 10:00 a.m. by Chair Megan Ware.

CALL TO ORDER

CHAIR MEGAN WARE: Good morning, everyone, it is ten o'clock on the dot, so we're going to go ahead and call the Striped Bass Board to order this morning. My name is Megan Ware; I'll be chairing today.

APPROVAL OF AGENDA

CHAIR WARE: We'll start with Approval of the Agenda. Are there any modifications or additions to today's agenda? Seeing none; we'll approve that by consent.

APPROVAL OF PROCEEDINGS

CHAIR WARE: We have proceedings from our October 2024 meeting, are there any edits to those proceedings? Seeing none; those are approved by consent.

PUBLIC COMMENT

CHAIR WARE: We now have Public Comment, so this is for items not on the agenda. If you're hoping to comment on potential Board action today or any response to the 2024 Stock Assessment, I would ask you to hold that comment. I will try and take a few public comments when we get into motions today. I'm not seeing any in the room. We have two hands raised on the webinar, so we're just going to take those two hands. Tom Fote, we'll start with you, you have three minutes.

MR. THOMAS P. FOTE: Thank you, very much. My history with striped bass management goes back 30 years and I may have seen watching the ups and downs of this fishery. We have made drastic cuts in both the commercial and the recreational fishery every year, emergency

action and going through the addendum process.

The management tools ASMFC is using does not consider reasons why we have poor recruitment. There are a number of signs that show the effects of endocrine disruptors in estrogen in the water that are causing problems with the sexual development of male species nationwide. One study done on smallmouth bass in the Potomac showed the male smallmouth bass were having sexual development problems, and some were trying to lay eggs.

This is just one of the three studies that were in my written comments. The known studies have shown the same problems are nationwide, and now we have studies that are even affecting male sperm counts. In the Chesapeake Bay we are harvesting smaller fish. They may not have the numbers in poundage, but these harvesters are catching a lot more fish and a lot of them are males. Is it a male shortage? ASMFC needs to review the hatcheries account during the early rebuilding period. Striped bass were raised in pristine waters without pollutants, they were just tagged and released. Those tagged bass showed up in numbers on the spawning grounds where it probably took place. In my written comments I have touched a couple articles on hatcheries past and current. In closing, to get hatcheries to do those necessary research problems, to know what is causing a lot of recruitment, will cost money. The crisis in the seventies made Congress vote in a bipartisan way is Congressman Walter Jones from North Carolina, Congressman Studds from Massachusetts and Senator Chafee from Rhode Island that put in the bill funding research and hatcheries through the Fish and Wildlife Service and the National Marine Fisheries Service. We need this kind of bipartisan support again. We cannot keep going down the same path that does not work. We need to start raising fish in hatcheries to supplement those viable male striped bass populations in spawning grounds.

I had my public comment, I put a lot more information out there. I really like that your Board is basically allowing me to basically make these comments. I really think that we have a real problem with the male population and we should

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be looking into it. Thank you very much for giving me, I only used two and a half minutes, and that's hard, I'm going half a minute under.

CHAIR WARE: Thanks, Tom, appreciate it. I think your connection is a little rough, so if you're at your house and you want to comment again, it might be good to move your laptop or computer closer to the Wi-Fi portal thingy, if possible. But I think we got the gist of it, Tom, so thank you.

MR. FOTE: It's in my written comments.

CHAIR WARE: You already submitted written comment, great, thank you, Tom. Next, I have Mike Spinney.

MR. MIKE SPINNEY: I want to speak on behalf of myself and the group I represent, Stripers Forever. The elephant in the room today is the notion that we can achieve a restoration of wild Atlantic striped bass just so long as we nibble at the edges of meaningful action for the sake of equity, when it is obvious to everyone.

CHAIR WARE: I'm going to ask you to just focus your comments on things not related to potential Board action today. Thanks.

MR. SPINNEY: I will do that. When it is obvious to everyone that trying to please every user-group isn't working. None of the user groups are pleased, and striped bass continue to disappear from the coast. Meanwhile, in the place that nature saw fit to combine the factors that would have it produce as much as three quarters of the migrating population of striped bass, we find the biggest obstacle to the fish's recovery.

The irony is that in 1985, Maryland recognized it had an outside share of the responsibility to protect striped bass, and it led the way. Today that same place fights against progress and hides from its responsibility behind the term equity. I know that many of the delegates to the ASMFC Striped Bass Technical Committee

are as frustrated as tens of thousands of anglers at this fact. I ask, which of you will finally stand up and say, to hell with equity, and lead the way. Thank you!

CHAIR WARE: Thanks, Mike. That concludes our public comment today.

CONSIDER MANAGEMENT RESPONSE TO STOCK PROJECTIONS

CHAIR WARE: We're going to move right along to Agenda Item 4, which is going through the presentations and considering a potential Board action. Just to kind of tee up how we're going to work on this, I think Tyler is going to give the TC presentation.

We'll pause after that for questions, and I'm just going to encourage everyone to focus on questions that are critical to being able to vote today. We have seen this a couple of times now, if you've been on any of the AP webinars, informational webinars, then we'll have a quick presentation from Emilie and then we'll get into discussion. Tyler, I will pass it to you.

TECHNICAL COMMITTEE REPORT ON UPDATED STOCK PROJECTIONS AND 2025 MANAGEMENT CONSIDERATIONS

MR. TYLER GRABOWSKI: Like Madam Chair said, Emilie has given this presentation two times, so hopefully at least everyone has seen it once or twice. Hopefully she did a much better job. We'll just get right into it. This presentation is going to go through the background of why we're here, looking at the projections and reductions, potential options for management. Then we'll move into questions to finish up the presentation.

A little bit about the background. In October we presented that the 2024 Stock Assessment Update found that the stock remained overfished but was not currently experiencing overfishing. Through that the stock rebuilding deadline is 2029, and so with the most likely projection scenario in the assessment report indicating that fishing mortality

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will increase in 2025, the probability of rebuilding the stock by 2029 is less than 50 percent.

Again, coming back from the Stock Assessment Update that is where that came from. Since the Assessment Report indicated that it would be less than 50 percent chance of rebuilding would occur by 2029, the management board can change management action measures through a Board action without initiating an addendum.

The Technical Committee at that October Board meeting was tasked with updating the projections and developing the 2025 management options. Moving into the projections and reductions discussion, so Task 1A was to update the assessment projections with additional data to determine the 2025 reduction needed to achieve a 50 percent probability of rebuilding the stock by 2029.

Then the Board also tasked the TC with extra projections for comparison only. The most likely projection scenario of interest from the TC indicated that low fishery removals would occur in 2024 followed by an increase in fishing mortality in 2025, as the 2018-year class moved into the current slot, and then a decrease and/or stabilization of F from 2026 through 2029.

The TC noted that there are three components to consider. What data are used to update the 2024 removals, how high will F increase in 2025, and how low will F decrease in the subsequent years from 2026 through 2029? The first step was to estimate this year's fishery removals under the current Addendum II measures. The Assessment Report extrapolated preliminary MRIP data from Waves 2 and 3, March and April and May and June, to estimate the 2024 removals, and it found that the 2024 removals would be estimated at roughly 3.89 million fish and a fishing mortality rate of 0.13, with the updated MRIP data from Wave 4, the total removals in 2024 actually decreased to 3.67 million fish, roughly. The fishing mortality

dropped to 0.12. Assuming no management intervention, F estimated to increase in 2025 due to the 2018s entering the ocean slot limit.

The TC assumed that F would increase by roughly 17 percent in 2025, and this is the same magnitude as was seen from 2021 to 2023, with the 2015s entering that current narrow slot of 28 to less than 31 inches. Then one note is that this may be an overestimate, since the 2018s are not as strong as the 2015-year class.

The 2025 increase could take the rebuilding trajectory offtrack unless F in the subsequent years of 2026 through 2029 is low enough to offset the projected increase in 2025. Assuming F decreases and stabilizes from 2026 through 2029, due to the 2018-year class growing out of the slot, and no strong year classes behind it.

How low will F decrease in those subsequent years? Will it be low enough to offset that 2025 increase that is expected? The next few slides will show the different fishing mortality scenarios. These scenarios here will be clustered around the gray line, which is F rebuild, as you can see in the bottom between the red and green, which is the constant F rate needed to achieve at least a 50 percent probability of reaching the target by 2029.

You can see that the F rebuild is below both the target and threshold, which are the red lines, the dashed and solid lines above it. This first scenario is from 2024 Assessment Update. Then you can see that the starting point of fishing mortality in 2024 is F rebuild, followed by the subsequent increase in 2025 and then decreasing back to F rebuild for the subsequent 2026 through 2029.

In this scenario, the 2025 increase took the rebuilding trajectory off track, so that there would be a projected 43 percent chance of rebuilding, which would require a 14 percent reduction to the fishery to increase that probability up to 50 percent. This next slide is looking at this dashed line using the updated Wave 4 MRIP data.

Again, you can see first that fishing mortality decreased, or was projected to be lower in 2024

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using that updated MRIP data. Again, followed by the subsequent 17 percent increase in 2025, and then decreasing back down to the current projected fishing mortality rate using the updated MRIP Wave 4 data.

Under this scenario the probability of rebuilding is 57 percent, and so no reduction would be needed. Finally, this is the last scenario, 1A Subsection 2, and it's somewhat in the middle there in that, again, we see that the Wave 4 MRIP data is the starting point, so again fishing mortality is lower in 2024, again, followed by an increase in 2026.

But then the magnitude of drop from '25 to 2026 through 2029, doesn't return to its current projected Wave 4 levels, and it only returns to F rebuild. Again, this scenario would take it off track of the rebuilding trajectory with a 46 percent chance of rebuilding, which would require an 8 percent reduction to achieve the goal of 50 percent rebuilding by 2029. This table just summarizes what I went through and what is included in the Assessment Report, highlighting the scenarios using different MRIP data, using different starting fishing mortality rates, and a subsequent probability of rebuilding associated with each of these scenarios, and in the subsequent reduction in removals for 2025. They range from 0 percent to 14 percent.

This is just a graph highlighting the spawning stock biomass trajectory, again, going through each of the scenarios with the original projections in the black line, the Scenario 1, which is the orange line, and Scenario 2, which is the blue line. We're expecting spawning stock biomass to increase towards the target, it's just a question of which side of the target you could be on by 2029.

This is an updated graph that Katie pulled together, and so this just kind of illustrates the uncertainty around spawning stock biomass in 2029. This figure shows the distribution of spawning stock biomass for each trajectory, not

just the median value that was presented in the previous slide.

The distributions of spawning stock biomass for all scenarios include the spawning stock biomass target, with more of the runs in the original projection in the gray portion being below the target and more of the runs in Task 1A (1) for the yellow being above the target. Just to note for the spawning stock biomass threshold, all scenarios have a less than 1 percent chance of being below the threshold.

Kind of to summarize the probability of achieving rebuilding by 2029 range from 57 percent to 43 percent across the three primary scenarios, which would equate to a roughly 0 percent reduction to up to a 14 percent reduction. The TC at our recent meetings noted that all three scenarios represented a credible range of what may happen in the next couple years.

The Board should consider its risk tolerance when considering potential management responses for 2025 and beyond. The level of risk the Board is willing to accept, with respect to resource status, economic loss, and persistent modeling uncertainty due to annual management changes, is a management decision.

Just looking further into smaller reductions and overall uncertainty with these various models and projections, we'll move into a couple slides. Management changes designed to achieve small changes, in essence reductions less than 10 percent, would be difficult to measure, given the uncertainty in the MRIP estimates that are used in these models.

Reductions less than 10 percent would not be statistically distinguishable from the status quo. One difference in the projection scenarios is the 2024 starting point, whether it's based on Waves 2 and 3, or Waves 2 through 4. Using Waves 2 through 4 to predict total removals for the entire year does not always result in a more accurate estimate than using Waves 2 and 3.

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In recent years using Wave 2 through 4 data sometimes overestimated removals, and in other instances underestimated removals. Then recently, we updated the next graph with Wave 5 data, and this also indicated lower removals in 2024. You can see on the right-hand side of the graph, in 2024, in the upside-down purple triangle, using Waves 2 through 5 MRIP estimates for removals. You can see that is below both Waves 2 through 3 estimates and 2 through 4 estimates highlighting those removals in 2024 using this updated projection is lower than what has been presented to the Board.

There is also uncertainty with all of this, in that angler behavior and fish availability are certainly still sources of uncertainty in management. The magnitude of the increase in 2025, while the TC projected it to be at roughly 17 percent, and the decrease in 2026 through 2029. They are both highly uncertain in that what may actually happen moving forward.

One other note is that projections always assume a constant F from 2026 through 2029. However, this fishery has shown it is difficult to maintain a constant F from year to year, and it's difficult to predict how F will vary in these subsequent years. There is also some uncertainty around how well the 2024 selectivity curve represents actual selectivity, and what would benefit the uncertainty in this aspect is additional years of data under the same management regulations would inform a better estimate of selectivity for upcoming assessments in the future.

Moving into potential management options, there are a couple scenarios that the Board can consider. If reductions were to be taken by the Board there is a potential for either an 8 percent or a 14 percent reduction in this assessment report. This could be split through even reductions to the commercial and recreational sector.

It could be split where the commercial fishery takes no reduction, and then there could also be reductions based on sector contributions to

total removals. The Board indicated any commercial reduction would be considered via a reduction in the commercial quota, and the Board tasked the TC with developing size limit and seasonal closure options for the recreational sector.

There are some tradeoffs of allowing the harvest of larger fish vs maintaining a current slot targeting smaller fish in the ocean, as the current ocean harvest remains in the 28-to-31-inch slot, the remaining larger 2015-year class will be protected, but the incoming 2018-year class will be subject to harvest within this slot.

However, if harvest is shifted to larger fish, the incoming 2018s would be protected, but the larger 2015s would then subsequently be subjected to harvest. This is looking at the various recreational size limits for both the ocean and the Chesapeake Bay, and as you can see, by changing the recreational slot limits in the ocean, very minimal to no reductions relative to the current slot would occur by changing the slot limit or minimum size limits in 2025.

For the Chesapeake Bay, some options do see a larger reduction in total removals relative to the current slot, but then as you can see other options are very minimal, in terms of reductions. The Board asked the TC, what about an ocean size limit below 28 inches, and so the TC analysis results indicated a 2-inch slot limit with sizes below 28 inches would not result in a reduction, but would actually increase removals.

This is logical, considering smaller fish are generally more abundant in that even if it's a poor year class, the fishery develops through time, and these fish have not been exposed to natural and fishing mortality as much as the subsequent older year classes. For this analysis, the 2011-year class was used as a proxy for the 2018-year class. The 2011s are highlighted in yellow and the 2018s are highlighted in blue. The reason the 2011s were used is that the 2011 was a strong year class followed by two weak year classes, similar to what has occurred in 2018, 2019 and 2020. The dash line indicates average recruitment. Just some more

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data. This is presenting the length frequency of the catch in 2018, when the 2011-year class was seven years old.

The yellow bars are the fish harvested, and the blue bars are those released alive. With this data, 90 percent of the striped bass that are caught are released alive, and the majority of harvested fish in the Ocean are above the 28-inch minimum size, which was the regulations in 2018, while the majority of released fish are smaller than 28 inches. Just to kind of summarize this whole concept of strong year classes followed by weak year classes.

This is presenting the Age 5 and Age 6 fish in 2025, and you can see it's compared to the 7-year-olds, which are the 2018s in 2025. You can see that the Age 5 fish will be roughly 24 inches, and the Age 6 fish will be roughly 26 inches, and these two age groups will be as abundant as the current 2018-year class.

It shows even though those weak 2019- and 2020-year classes, even though they are a lower year class, they still will be as abundant as the 2018-year class. In the event that size limits were shifted downwards, anglers who would harvest a 28-to-31-inch fish would still have the same potential of harvesting fish that are in those smaller size bins.

It's unclear whether the biological benefits of reducing harvest of the remaining 2015s and 2018s would outlay the biological risk of targeting immature fish under 28 inches. This is obviously potentially preferred by some stakeholder groups, but the harvest of immature fish would increase, resulting in a loss of spawning potential for the overall stock.

Looking at seasonal closures for the recreational fishery, two themes were considered, in addition to the current existing closures, whether that be a no harvest closure where harvest is prohibited but catch and release fishing is still allowed, and then also a no targeting closure, where all fishing for striped

bass is prohibited, meaning that there will be no catch and release and no harvest on these fish. In looking at the no targeting closures; different assumptions were made for how no targeting closures would reduce releases.

The two scenarios could be that all striped bass trips still occur, but with a new target species. This is to say that all trips previously targeting striped bass, including those targeting striped bass only, would still occur, but would shift to target other species, releasing striped bass, incidentally at a non-targeted rate, or Scenario 2, where all striped bass only trips are eliminated, which would state that trips that only target stripe bass and no other species would no longer occur, or no longer release any striped bass.

To break up these seasonal closures, for the Ocean three different groupings were utilized, a grouping of all states, a grouping from Maine through Massachusetts, and Rhode Island through North Carolina, or a grouping of Maine through New Hampshire, Massachusetts through New Jersey, and then Delaware through North Carolina. Then for the Chesapeake Bay, Maryland and Virginia during the same wave, Maryland and Virginia during different waves, Potomac River Fisheries Commission and District of Colombia can choose to match either of Maryland or Virginia's timings for this. This report included options for various reductions for different waves, and regional state combinations. Just one thing to note, the report was originally posted on December 3rd, and a revised report was updated on December 5th, due to some Chesapeake Bay closure options.

In the original version some options listed closures that exceeded Maryland and/or Virginia's current open seasons. Just as an example in the next couple slides, these are options designed to achieve a 14 percent recreational reduction, assuming an equal commercial reduction. The report also includes options to achieve a 16 percent reduction, assuming no commercial reduction, and then the report also includes region-specific and state-specific reductions.

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These next couple slides are not an exhaustive list of options. The report contains an extensive number of options for the various scenarios, and these are just showing the combinations requiring the shortest closures for 14 percent. The report again, like I stated, includes an option to achieve a 16 percent reduction, but this would lengthen the closures by approximately 3 to 7 days, and some no harvest options are also not possible if a 16 percent reduction was needed.

Appendix 3 includes this more comprehensive list. I don't want to spend too much time on this just highlighting. In the first column the regional breakdown regarding various regions and waves, the second column shows the number of days needed for a no targeting closure, assuming all striped bass trips only are eliminated, which would be the shortest closure option.

The third column shows the number of days needed for a no targeting closure, assuming trips targeting only striped bass still occur, but switch targets and release striped bass at a lower, nontargeted rate, and then the last column shows the number of days needed for a no harvest closure, which is the longest of the three scenarios presented.

Again, just kind of highlighting various scenarios and other different regions and waves, where the first column shows the lowest number of days needed to achieve the reduction with a no targeting closure, and the fourth column if a no harvest closure was enacted for a 14 percent reduction for number of days. Again, a more extensive list is presented in the Appendix.

This is for the Chesapeake Bay, again, highlighting various management actions. Just one thing to note is that if Maryland/Virginia wanted to close the Wave 3 fishery to no harvest, to achieve a 14 percent reduction, it would not be possible. That is just kind of highlighting the various, again scenarios for the Chesapeake Bay.

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Again, following through different waves for different states, a couple scenarios again not possible for the Maryland Wave 6 and Virginia Wave 3, but otherwise possible, showing the difference in days for each state. The Board requested a calculation example for an option combining a size limit change and a seasonal closure.

The benefit of changing to a size limit with such a small estimated reduction may be limited, particularly in contrast to using a single longer seasonal closure to achieve the same higher reduction. Appendix 4 lists the one example that the TC analyzed, where a combination size limit and seasonal closure was analyzed. With that I'll take any questions regarding the TC Assessment Report.

CHAIR WARE: Great, thank you, Tyler, and I want to thank the TC for a truly heroic effort to get all of this ready for us for this December special Board meeting. We're going to go to Board questions, again these are questions that are critical to you being able to vote today, so see if there are any questions. John Clark.

MR. JOHN CLARK: Thank you for the presentation, Tyler. I was just curious, if I recall from the memo, the TC felt that Scenario 1A (1) was the most likely, and that is the one that would have F dropping back to the 2024 F after 2025. Did the TC get a chance to discuss with the Wave 5 data now available, whether that can strengthen their belief that that was the most likely scenario?

MR. GRABOWSKI: That was updated on Friday afternoon, so unfortunately no, no discussions were had. But given the logical nature of that F decreasing in 2025 would bring F down, and then not understanding what it may do. Again, that is where the uncertainty is. We're getting an idea of what is occurring in 2024, but how it moves forward into 2025 and beyond is what were uncertain about. But no, no analyses were conducted given that.

MS. EMILIE FRANKE: Just to your first question, John. I just want to clarify that the TC did not choose any one of the three scenarios to be most

likely. They determined that all three would be credible scenarios for what might happen, so did not select one as the most likely.

CHAIR WARE: Next, I had Bill Hyatt.

MR. WILLIAN HYATT: I note today our discussion is focused on 2029, but throughout the documents that we've been asked to review the point has been made over and over again that we've got to look at this as in the context of what level of risk we're willing to accept. I think this question sort of goes towards the latter. All of the scenarios that were presented, I think four or so, they all converged at the target spawning stock biomass.

My question is, just again for context and level of risk, looking beyond 2029. If the recruitment, if the spawning success remains as low as it has in the last six years, coupled with the low fishing mortality rates that we've had recently. Where would you expect that spawning stock biomass curve that as we're being showed converges around the target. Where would you expect that to go and level off in the long term, after 2029?

DR. KATIE DREW: Great question. I think if recruitment stays sort of low, in terms of like maybe 2020 to 2024 levels, and fishing mortality also stays low, like where we expect to be in 2024. We would stabilize likely somewhere between the target and the threshold. If fishing mortality increases to higher levels, maybe some more to the level that we saw during the height of the fishery under Amendment 6, then the spawning stock biomass could be pushed below the threshold. It's unclear how low it would go. It would depend on; you know the fishing mortality that we see. But under a current low F rate, and current recruitment, it would stabilize somewhere between the target and the threshold.

CHAIR WARE: Emerson Hasbrouck.

MR. EMERSON C. HASBROUCK: Thank you, Tyler, for your presentation. I was going to ask a question about Slide 16, which had projections, rebuilding projections, and my question was going to be about confidence intervals around those curves. Then you went on to Slide 17, which I think is new. I remember seeing that in the original TC Report. Slide 17 may answer my questions, but you went over that pretty quickly. Could you just review that slide again, please? Thank you.

MR. GRABOWSKI: Certainly, so this is projecting where spawning stock biomass is going to be through 10,000 iterations projecting it forward. One way to think of it is, is the likelihood of these 10,000 runs, where each point estimate will be. Given the original projections in the gray, the likelihood more often than not is that the spawning stock biomass will be below the target in 2029.

Whereas in Task 1A (1), of those 10,000 iterations more often than not, the spawning stock biomass would be above the target. It's more or less looking, not necessarily at confidence interval, but looking at potentially the likelihood of being above that. I don't know if Katie wants to further kind of speak to that, but that is more or less.

DR. DREW: Just to add, this was not in the original presentation, but we did get a lot of questions about kind of uncertainty and those asking to see confidence intervals. As you can see, so this is just like a snapshot of 2029 on that graph, and those distributions are overlapping each other a lot, and they're overlapping the target a lot, to help, I think try to answer some of that concern we've heard from the public and the Board and the AP about the uncertainty in 2029.

CHAIR WARE: Doug Grout.

MR. DOUGLAS E. GROUT: Thanks for a tremendous amount of work here. I'll be honest with you, I had very little hope that there would be any kind of a slot limit under the minimum size limit analysis. I thought that was great that you could spend some time putting that together, because that is very informative and helpful.

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I just had one question about that. Clearly, the analysis that you are using you were trying to use a proxy for what the fishery looked like, and you showed the length frequency off of the volunteer angler surveys in there, which you used in your analysis to length frequencies back then. It seems to me from when I've looked at some of the current length frequencies from 2023 from the volunteer angler surveys that is used.

They look very different in my evaluation of it. Is there any way that you could do some analysis, if we were going to look at slot limits below that in the future that would take the most recent volunteer angler surveys and grow them into 2025 or '26, or would that not be really an appropriate way of doing the analysis?

MR. GRABOWSKI: I'll let Katie fully answer this, but more or less, this was such a rapid analysis that there was no real time to kind of combine as much. This was the quickest, fastest way that we could get somewhat of an answer presented to the Board. But certainly, future discussions and analyses can be conducted, at least visited to see what may occur.

But again, given such a short timeline this was the best-case scenario that we could provide. Katie and I discussed this, so I'll let her kind of fully answer the question, but that was more or less the gist of it is that given the short timeline this was the best available data.

DR. DREW: Yes, and just to add onto that, so I guess control expectations as we go forward. Obviously, the Striped Bass Assessment is an age-structured assessment not a length-structured assessment. We can't really move the length frequencies forward, because that is a combination of like the availability of the strength of the year class, as well as the fishery selectivity.

We have generally used those as sort of a snapshot in time. I think maybe there is more

we could do on some of these projections, and developing a length frequency from the age data or the age structure that we're projecting. But it's definitely additional work that would require more time to set up is not a common analysis for us to do.

CHAIR WARE: Max Appelman.

MR. MAX APPELMAN: Can we go back to the slide with the projections and the confidence intervals, because my question is related to this as well? I think looking at this, naturally your brain sort of tries to average these, and you can sort of see that that target divides the overlap almost right down the middle.

Did the TC discuss if it's even appropriate to average the projection scenarios and try to find a middle ground, so that we're not presented with a range of plausible projections to look at instead, give us all sort of like a more confident footing as a starting point for the projections? I don't know if my question is coming across right, but I'm just wondering if there was any discussion about ways that we could sort of look at all these scenarios and try to synthesize it into one potential outcome.

MR. GRABOWSKI: More or less, you're asking if we can combine the original projection for Task 1A (1) and 1A (2) and combine them into one more or less projection? I think given the circumstances of the uncertainty with F, I think that would be somewhat inappropriate, in that combining different F rates to start and then combining different F rates to end.

We're kind of breaking them down piece by piece showing the various scenarios that may occur, so if you combine the three various scenarios it's not really taking the individuality of each scenario, which is the uncertainty of what may happen. But we did not have, from what I recall, any discussions about combining these three different scenarios into somewhat of a median or mean scenario where we think it will be, given the starting points and the endings points from these scenarios. I don't know if Emilie or Katie has anything further to add.

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CHAIR WARE: I have Mike Luisi and then Jeff Kaelin, and then we're going to move to the next presentation.

MR. MICHAEL LUISI: Thank you, Madam Chair, for the opportunity to ask a question. I had this question at the last meeting, but based on the discussion I never had the opportunity to ask. I thought I would ask a question of the folks doing the analysis that we're reviewing today. Highlighting something that I've been asked a lot about, which is crediting states for actions that have been taken since the emergency action was taken.

I'll get to an example in a second, how those actions may be considered as credit in the work that we're considering today. I'll lay this out. There is a table that Tyler put up on the presentation that had seasonal restrictions for the Chesapeake Bay, and in one of those cases there is a 30-dayish closure in Wave 3 for both Maryland and Virginia.

That accomplishes some form of a credit towards the reductions that would be necessary if we decide to take action today. My question gets to, after the emergency actions were initiated and we implemented the slot limit on the coast, Chesapeake Bay and specifically in Maryland, had a trophy fishery season that started on May 1 and went to May 15.

Based on the actions that the Board took, we entirely closed that trophy season to a no targeting for striped bass, outside of any mandate from the Commission. We currently still have those on our books, we just put them forth again for another year for 2025. If we were to take action today and have to consider seasonality as one of the provisions for taking reductions in the Bay.

Is there any way that the work that we did to close the trophy season in May for those first two weeks, is there any credit that the state of Maryland would get from those actions, or are we starting with a clean slate? Depending on

the answer I may have a follow up, but I'm curious, having to answer that question from our stakeholders and I would love to get the feedback on the technical side as to how that might play out.

MS. FRANKE: I'll start. I was present during some of the discussions of the Chesapeake Bay TC members, and trying to think about, right so since the emergency action there was the elimination of the trophy season, the PRFC and Maryland. However, the reductions that the TC is considering are relative to what the regulations that are currently in place, so relative to what regulations were in place for 2024, that is what we're using as our base to take a reduction from.

Since those closures happened prior to 2024 they are already incorporated into what is happening currently in 2024, so in a sense they are already contributing to lower removals in 2024, so there is no specific percent credit for those prior actions. They are already wrapped up into what has happened in 2024.

CHAIR WARE: Jeff Kaelin.

MR. JEFF KAELIN: Thanks a lot, Tyler and Emilie and Katie and your TC people for putting all this together in such a short period of time. My question has to do with the allocation of overall mortality in this fishery between the recreational sector and the commercial sector. What are your current projections about that, and does it make any difference whether you are considering pounds or the number of fish?

MR. GRABOWSKI: I'll defer to Katie on this one.

DR. DREW: For striped bass we don't separate fishing mortality into commercial or recreational, we just do it on whether it happens in the Bay or whether it happens in the Ocean, and the commercial and the recreational are sort of combined into each region. Right now, as we discussed in the past, that the commercial removals are about 10 percent of the total removals, and recreational removals are about 90 percent of the total removals.

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Translates somewhat into, you could think of that as translating into the F in that way, but we don't separate them out, so I can't say F percent of F is commercial versus F percent of F is recreational. In terms of does it matter for pounds versus numbers of fish, it does somewhat, but essentially if we are keeping our commercial size limits the same, then the average size of the fish will be the same, and the numbers of fish that you're reducing by will be the same proportion, effectively.

As long as we're not talking about major changes to the commercial size limit, which would affect the average size of the fish, then they are effectively in numbers, and we are using the recreational numbers in numbers, because the model itself is all done on the basis of numbers of fish, so the currency is consistent across all three, or across the commercial, the recreational and the model.

MR. KAELIN: Okay, so it's still 90-10 like we heard in October.

DR. DREW: Yes, 90-10 comes with the removals, which is the most updated information from the assessment.

MR. KAELIN: Yes, and in this exercise, we're not looking at changing the fish size on the commercial side, we're just looking at the quota reductions. Okay, thank you very much.

CHAIR WARE: Okay, Marty, is it a very quick question?

MR. MARTIN GARY: It is, Madam Chair, thanks. I know you want to move the conversation along. Bill Hyatt's question sort of got to where I wanted to go, but I wasn't 100 percent sure. There is a theme of weak recruitment that is underlying this discussion at this meeting today, and Bill was asking a question, what does that biomass look like relative to the biological reference points. My question was a little bit more specific.

You know as time goes on, if the weak recruitment affects our decision making at this Board year after year, maybe it intensifies, maybe it plateaus. I don't know. I was looking more specifically for, you know looking at our maturity schedule for SSB, you know we assume 45 percent of Age 6 fish are mature, 85 percent of Age 7 fish are mature. Just going forward, for instance, to the Benchmark Stock Assessment in 2027, the terminal year will be 2026. The 2019-year class, that first of those six successive poor recruitment years will be Age 7, so they are just moving into SSB at that time. I'm just really trying to understand how the Board can react to the projections we're getting. We don't really see them coming to SSB later, and I'm not sure I'm couching it the best way I can, but hopefully you understand what I'm asking. I don't know if that's a question for Tyler or Katie, whoever wants to try. I guess it was a decent question, right?

MS. FRANKE: I guess, I think Marty had requested in this most recent Stock Assessment Update that the TC also include projections through 2034, so I think that maybe could answer, partly address your question is, you know the Board of course is working toward this rebuilding goal of 2029, but for the next assessment that Board can definitely request longer term projections to try to get a better idea of what the stock will look like as those lower weak year classes start to come into the SSB.

MR. GARY: Okay, just a final thought. Yes, we did ask for those projections back in August, they were delivered in October. I guess this is just a lot of uncertainty the further out you go, right. There is nothing really, there is no way we can get around that. Okay, thank you.

REVIEW PUBLIC COMMENT SUMMARY

CHAIR WARE: We are going to now move on to Emilie's presentation, which is the public comment summary and the Advisory Panel Report, and then similarly, we're going to focus questions that are critical to being able to vote today.

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MS. FRANKE: Moving into the presentation. I'll go over the Public Comment Summary and Advisory Panel Report on the next slide, but I'll also just briefly review a couple of clarifications on some of the Board decisions. These were in a staff memo in the main meeting materials, so I'll just briefly review those.

On the next slide and then the following slide, just a reminder on the Board Action Provision. As the TC Chair mentioned, as soon as the assessment indicated a less than 50 percent chance of rebuilding the Board can change management measures through Board action without an addendum. Just as a reminder, this does not require the Board to take action at this point, it is up to the Board whether or not to take action at this point.

The requirement is to rebuild the stock to the target by 2029, it is up to the Board how to get there. On the next slide, as far as seasonal closures. If the Board does decide to implement seasonal closures the Board would each decide whether all states in a region would have to have the same closure dates, so all of the options present closures for a particular Wave.

The Board would have to decide if all states would need to have the same closure dates, and the Board would need to think about when that decision needs to be made about what those exact closure dates would be. Then on the next slide, as far as area specific measures for the recreational fishery.

In Addendum II there were a couple of areas that were required to submit area specific management measures, that's the New York Hudson River, the Pennsylvania spring slot fishery and the Delaware summer slot fishery. If the Board does take action today, the Board will have to determine if those three areas will need to take similar action and what the timeline for that would be. The next slide I will get into the Public Comment Summary and Advisory Panel Report. The Chair of the Advisory Panel that position is currently vacant, so I will be giving

that report today. As far as public comment, we received a total of 4,360 public comments as of last Tuesday, December 10.

A total of 40 organizations submitted comments, and 1 of those organization letters included about 1,700 signatories. We received 976 comments for form letters, and then about 1,600 individual comments. Then for the Advisory Panel, the Atlantic Striped Bass AP met last week on December 9 via webinar to discuss the recommendations on the TC Report, and there were 20 AP members in attendance.

The Public Comment Summary and the AP Report are organized by the four primary questions the Board is considering today. As far as the public comment, some of the public comments addressed all four questions directly, some comments addressed one or two questions, and then some comments addressed other striped bass management issues.

I'm going to go through each of the four questions and provide the public comment summary and the AP summary. The first question is, what level of reduction should the Board implement in 2025, if any? What level of risk is the Board willing to accept? On the next slide we see a majority of comments supported keeping a reduction in 2025.

There were also a fair amount of comments that supported status quo. Just to be clear on how this particular question was tallied for the comments, these are comments that explicitly indicated support for taking a reduction or taking action in 2025, or comments explicitly opposed to taking action or support maintaining the status quo.

There were some comments that noted, you know if the Board were to take action, then I would support X management measure. For some comments it was unclear whether or not they supported taking a reduction in the first place. Due to this, these tallies may be an underestimate. We just tried to count those that explicitly said, I support taking action now or I oppose taking action now maintaining the status quo.

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Those that supported taking action now, taking a reduction in 2025, noted the need to act quickly to rebuild the stock by the deadline, especially considering low recruitment. There was concern about if action is not taken now, then there would be a need for more drastic action in the future. Also, comments noted the Board should be risk averse, given the uncertainty in the stock projections.

On the other hand, the comments supporting status quo noted that the current management measures, specifically the narrower slot, are working to rebuild the stock, and more time is needed to see the results of those measures. They also noted that the projections indicate the stock will be close to reaching its rebuilding target with no action, and further restrictions would have negative economic consequences.

Then other comments noted that taking any reduction would not address the underlying environmental factors and other factors contributing to the low recruitment. As far as the AP Report, there were 9 AP members who supported taking a reduction in 2025. They noted that the data point to a declining fishery, including low recruitment in the fishery must be managed to the smaller level. The AP members wanted to avoid taking even larger reduction later by starting now. They noted that not taking action would be the greatest risk.

Some noted taking the full 14 percent reduction, others noted at least 10 percent reduction, and noted that the Board should overall be conservative, given the uncertainty in projections in the low recruitment. There was 1 AP member who could support either an 8 percent reduction, so that was sort of the middle scenario, or could support status quo to get one more year of data before taking action.

On the next slide there were 8 AP members who supported status quo. They noted that any more reductions will put the industry out of business, and that the Board should wait until performance of the current measures can be

evaluated before taking action. They noted that the projection scenarios are not statistically different, and again that taking a reduction does not address the underlying environmental conditions that are contributing to the low recruitment.

They noted that the economic risk to fishing businesses by taking a reduction would outweigh the potential benefit, because it is unclear if the reduction would have a meaningful input on the stock, given the stock projections. They also noted that if there were, for example no targeting closures, other species would not be able to potentially withstand that additional effort. The next question the Board is considering is for any reduction.

How should that reduction be split between the recreational and commercial sectors? On the next slide you can see that most public comment supported both sectors taking a reduction. Most of those comments supported both sectors taking even reductions, so the same percent reduction to each sector. There were a small number of comments that supported each sector taking a reduction based on their contribution to total removals.

For example, that would be the commercial taking closer to a 1 percent reduction and then the recreational sector taking a slightly higher reduction to compensate. In the next slide comments that supported both sectors taking a reduction noted that all sectors should share the burden to rebuild, and there were some comments that supported taking a reduction off of landings instead of off of quota.

Then comments that supported the commercial sector taking no reduction noted that another cut to the commercial sector would not be economically sustainable, and also reiterated that the commercial sector is managed by a hard quota. On the next slide for the AP Report on the sector split there were 5 AP members who supported equal percent reductions, again noting that all sectors should share the burden.

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Three AP members supported no reduction for the commercial fishery, noting the economic concerns, and then 3 AP members supported each sector taking a reduction based on how much to contribute to total removals. Then on the next slide there was 1 AP member who didn't have a preference on the sector split. He noted that the overall reduction is the most important thing to consider. Then 1 AP member noted the importance of considering which sector is contributing to excess fishing mortality, again, reiterating that the commercial fishery is managed by quota and has not been utilizing their full quota, and the recreational fishery has just been increasing over time. On the next slide, the next question is, should the Board change recreational size limits? On the next slide you can see there were about 2,000 comments that supported changing the size limit, and there was a wide variety of recommendations provided in the public comments on how to change the size limit.

On the next slide you can see that some comments supported lowering the size limit below 28 inches to protect the 2015s- and 2018-year classes. On the other hand, there were some comments that specifically opposed moving the size limit below 28 inches, because of the risk of targeting immature fish.

There were comments kind of on both sides there. There were some comments that recommended narrowing the current slot even further, for example 28 to 30 inches for implementing a higher minimum size like a 36 or 40 inch minimum, to protect the incoming 2018-year class.

Then other comments recommended expanding the slot or going back to a 28-inch minimum size to reduce release mortality. As far as the AP, there were no AP members that supported changing the size limit at this point. One AP member noted the science seems to indicate that targeting immature fish would be problematic.

One AP member noted size limit changes could be considered, with some additional time for evaluation of options over the next few years. Finally, the last question the Board is considering is for recreational seasonal closures, should the Board implement no harvest closures or no targeting closures?

On the next slide you can see the columns in blue were comments that supported either no harvest closures or no targeting closures. Kind of in the yellow are comments that opposed either both no harvesting, no targeting closures or just opposed no targeting closures. You can see there were a lot of comments in opposition to closures, but there were some comments in support of particular closure options.

You'll note that for the support of no targeting options, a lot of those comments were specific to no targeting closures in the Chesapeake Bay. On the next slide, those who were opposed to no targeting closures noted that there would be severe economic consequences to local fishing economies if no targeting closures were implemented, and that prohibiting fishing would be a drastic and unnecessary measure that would devastate the fishing industry, and that no targeting closures are unenforceable.

Then those opposed to no harvest closures noted similar economic concerns about that loss to the fishing communities, even with the no harvest closure, also noted that just a no harvest closure would unfairly impact those who prefer to harvest fish, while allowing the catch and release fishery to continue. There were some comments that noted that the particular set of options in the TC Report, they would not support those. But they could support options in the future that were potentially more equitable. On the next slide on that note of equity, there were a lot of comments about the importance of having equitable closures. Comments noted that with the current options, states that have shorter fishing seasons would be disproportionately impacted by a longer closure. They noted that states and regions should take equitable reductions, and there was concern about

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the different regions that were proposed in the TC Report.

Some noting that the regions are too big, the fisheries are too different in all those states in a region, so a closure in one wave might impact one state in the region, but other states in the region wouldn't be impacted at all. There were a lot of comments specific to closures in New Jersey.

There are a lot of comments opposing closures in New Jersey, specifically during October, November and December, noting that this was peak fishing season and it would have devastating economic impacts. Then there were a few comments that noted that if closures had to be implemented, then perhaps they could occur during the spawning season earlier in the year, and not during the peak fishing season.

On the next slide, a couple more public comments here. There were some in support of no harvest closures. They noted that this would be an effective way to reduce fishing mortality while still preserving the ability to fish. Then there were comments in support of no targeting closures. As I mentioned, a lot of these comments were supporting no targeting closures in the Chesapeake Bay when release mortality is high.

But generally, others supported no targeting closures as the only fair way to address both the harvest portion of the fishery and the catch and release portion of the fishery. On the next slide for the Advisory Panel Report, there were 9 AP members who would support no harvest closures, in particular would support them instead of no targeting closures. They noted that anglers could still participate in the fishery during a no harvest closure, the impacts would be less severe from a no harvest closure, as compared to a no targeting closure.

They noted again that there is a lack of other species to target, especially in New England, if

there were a no targeting closure, and again the no targeting closures would be unenforceable and not very practical, given the overlap with other species. There was 1 AP member who specifically noted that he would support a no harvest closure as sort of the first step, but long term would support moving to a no targeting season.

He would support having a season with either a later start date or an earlier end date, instead of having a big closure in the middle of the season. On the next slide there were some AP members who did support no targeting closures. There were 5 AP members, they noted that all components of the recreational fishery should be part of the closures. It wouldn't be equitable to allow catch and release fishing but not allow harvest.

They noted the no targeting closures would be shorter, and they would support these closures when water temperatures are high, and 1 AP member noted the importance of maintaining harvest, especially for shore anglers. Then on the next slide, as I mentioned, the Public Comments there were several concerns about the regional breakdowns in the Ocean, AP members noted the regions were too large, and so as I mentioned, one state would take on the burden of sort of the whole reduction for the region. States in the regions have different peak seasons, and some AP members recommended the closures be evaluated state by state, in order to ensure equity. On the next slide just a couple of other topics raised by the public and the Advisory Panel.

On the next slide in the Public Comments there were a lot of other topics raised, including support for a moratorium, support for eliminating commercial harvest, leading to better understand the causes of low recruitment, additional support for recreational gear restrictions, angler education, concerns about enforcement, some support for managing the for-hire sector separately, and then also concern about the harvest of menhaden. Then finally on the next slide the AP also discussed a few other topics.

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There are some questions about whether the Stock Assessment can identify the spawning origin of different fish. Again, concern the for-hire sector is not managed separately, a comment that the Board should consider the potential values of hatcheries and additional research into the impacts of environmental conditions. Then also concern about the narrow slot currently and the high releases, and then there was some discussion about commercial quota utilization. With that I am happy to take any questions.

CHAIR WARE: Questions from the Board on the AP or Public Comment Summary. I want to thank Emilie, I think we had over 2,000 pages of public comment that staff had to sort through in about three days, another heroic effort from staff to get us that Public Comment Summary, so thank you. Any questions? Yes, Loren Lustig.

MR. LOREN W. LUSTIG: Thank you, Emilie, for a very interesting report. Early in your report you mentioned that there are certain environmental conditions causing low recruitment. Could you be more specific relating to what these conditions are, the primary conditions that are of concern, and where such conditions are most significantly found within the range of the striped bass?

MS. FRANKE: Yes, thanks for that question. I think both at the AP level and in public comments the comments were sort of looking for more research to sort of answer that question is what are the environmental conditions that are really driving the low recruitment that we've been seeing, and I think a lot of the concern is in the Chesapeake Bay

I don't want to sort of get into, I don't have specific examples of what I think would be the most important conditions to consider. I think there is a lot of work in the Bay to sort of look into what has been driving this low recruitment, but I think that's the question from the public and the AP is, there is a need to understand what are the drivers here.

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CHAIR WARE: Emerson Hasbrouck.

MR. HASBROUCK: Thank you, Emilie, for your excellent summary of all of those comments. Listening to your summary, and reading through many of the public comments and the AP Report and speaking with individual fishermen. As a Commissioner in New York, representing all citizens of the state of New York, one of the things that I'm concerned about is equity. A couple of things that I've heard through a lot of the public comment, is that a lot of people say we should take some action here today, and that all sectors need to participate in that reduction. However, there seems to be an exception being made by the public, an exception for catch and release.

Some of the language is that many anglers could still participate in the fishery if catch and release is allowed. But if we're reducing removals, don't we want to reduce all removals? I mean that question, I don't expect you to answer that question. I'm just wondering, if there is some additional information that came out.

Perhaps in the AP or public comment about how are we going to be equitable here with telling some components of the recreational fishery, you can't go fishing, and perhaps a reduction in the commercial fishery, and at the same time saying, oh, but it's okay if we continue to allow a segment of the recreational fishery to keep catching fish and discarding and applying that 9 percent mortality. Was there any discussion about that? I might bring this up further in our discussions later today, thank you.

MS. FRANKE: I think at the AP and as reflected in the Public Comments. I think that just reflects that there are just different values. There were some AP members and some public comments that supported, for example, a no harvest closure to allow the catch and release fishery to continue, while others noted that that would not be equitable from their perspective. I don't really have any additional information, just that I think there are different values among the stakeholders, and I think they both clearly came through.

CONSIDER MANAGEMENT RESPONSE

CHAIR WARE: Those are all the hands for questions that I have, so what I would like to do is move us to Board discussion. I've kind of heard two different ideas on how to move forward. We've received motions for both of those, so what I would like to do is just go right ahead, get those motions on the board. There will be a substitute for one or the other, and then we'll begin our Board discussion from there. Adam, I see your hand raised, do you want to start us out?

MR. ADAM NOWALSKY: Thank you very much, Madam Chair, I'm just wondering if you would go back in time to when you were elected Vice-Chair, if you would like to have nominated someone else at the time. Appreciate the wonderful job you've been doing, as well as everyone from staff, and that includes all members.

This is something, you know when I walked in here today, I saw conversations all around the room. It's not very often to walk in here ahead of something and see those going on. I mean I know everyone talks, but I think what it did to me is it just galvanized that there is still a lot of question about how we should best move forward on this action, and that everyone remains engaged.

The question for me is, how do we best respond to science moving forward here? There is no question that we're all committed, myself included, to keep rebuilding on track. With that in mind, and with a response to a science-based trying to address a number of questions that came up during the TC report and comments, I would like to make the following motion today.

Move to initiate an addendum to support striped bass rebuilding by 2029, in consideration of 2024 recreational and commercial mortality while balancing socioeconomic impacts. Options should include, if needed, a range of overall

reductions, consideration of recreational versus commercial contributions to those reductions, recreational season and size changes, taking into account regional variability of availability, and no harvest versus no target closures. Final action shall be taken at the summer 2025 meeting, to be in place for the 2026 recreational and commercial fishery.

CHAIR WARE: We have a motion by Adam, I saw a second from John Clark. Adam, you gave some rationale, is there anything else you would like to say on the motion?

MR. NOWALSKY: For me, I would just like to point to the TC Report and essentially submit that as the greatest amount of rationale that I have here. From what I heard, any range of reduction from 0 to 14 percent all result in a similar level of credibility in getting us to rebuilding. I want to reiterate that not acting in 2025 is not a no-action alternative.

That by going ahead and taking action for 2025 to be deliberative about how these reductions should take place if needed in 2026, still gives us time to achieve that rebuilding. We've heard that any management change less than 10 percent is essentially indistinguishable as to whether or not it's going to provide any assistance.

We heard that the preliminary data for Waves 2 through 5 now indicate a potentially even lower amount of mortality that has occurred in 2024. I would submit that having the full suite of data about those 2024 removals through Wave 6, puts this Board in the best possible scientific position to make a decision how to keep rebuilding on track for 2029.

We agreed that we would be able to take Board action in the result of getting data. As that data is coming in, we're getting more information, again that suggests that mortality in 2024 is not what we expected, so I think going back to the addendum strategy is a good way to go. We've heard from the TC that additional years of data under the same management measures will better inform the selectivity analyses that are going to take place. We

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also heard the TC used the comment that they performed a rapid analysis.

Is that really the message we want to take to the public for the poster child of Atlantic States Marine Fisheries Commission management that we took action based on rapid analysis? I don't think so. Going ahead, going through the addendum route, that goes ahead and gives us the opportunity to pursue a number of the further analyses that the TC knows that they can perform.

That the public is interested hearing, including different regions, different seasonal options that may be on the table, giving us the full scale of what the 2024 removals are. Again, if this is no action today, this puts us in a place of best understanding where we are, so that we can ultimately achieve our goal of rebuilding by 2029.

CHAIR WARE: John Clark, as seconder, do you want to provide rationale?

MR. CLARK: As usual, Adam has been thorough and eloquent. But I would just also like to emphasize that as was mentioned by Mr. Grabowski, the Technical Committee would benefit from having another year with the same regulations. It would help in the analysis and also just would like to emphasize that as we heard at the annual meeting, the for-hire sector is already struggling with the cuts we've already made, and this would just, taking another cut based on a situation where the most likely scenario seems to be that F will be below the rebuilding F, and we seem to be doing very well in that regard.

I certainly understand the concerns about the lack of recruitment. Looking at the previous history of this species, clearly when the last time the recruitment was this poor was during the rebuilding when SSB was about half of what it is now, and the stock did rebuild. Now will that happen again?

We don't know. But at the same time, I think we're in a situation here, where taking this time to clearly look at all our options, both recreationally and commercially, and put something very fully thought out in place for 2026 would be the way to go, rather than taking a knee jerk action right here.

CHAIR WARE: I'm going to get the second motion up on the table, so Nichola, do you want to make your motion?

MS. NICHOLA MESERVE: Thank you, Madam Chair. I am going to offer an alternative motion that does look at Board action in 2025. I don't think I need to give a big preamble to why. The Advisory Panel, the Public Comment comments, many of them, the majority of the public comment has supported a Board action for 2025.

We've reviewed those already from staff, and those are all the same reasons for taking Board action in 2025. It is a bit longer than the alternative motion, because there are a lot of decision points to make, so before reading it I'm just going to give a little bit of an introduction to it. But what I looked at in the Technical Committee projections was five competing projections that give a range of 0 percent reduction to 14 percent reduction.

They said those are all viable paths forward here, so when you average them out those come to a 9 percent reduction, so that's the number that I focused on for a Board action to reduce removals in 2025, and then it looks at on the commercial side and the recreational side, the motion starts out with equal reductions, I expect some Board debate on that situation.

It then considers a three-region approach to taking seasonal closures to reduce harvest, reduce removals by 9 percent per region. A lot of the comment that we've heard addressed inequity among the regions when it was different number of days, different waves. This approach looks at the same percent reduction by region, and makes a little bit of changes to the regions, again in response to the comments that we received about equity.

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It does not contemplate any changes to the size limits. That was actually one thing that our Advisory Panel was unanimous on, which I think is rare coming from the AP. Again, it's focused on closures, which specifically would be no harvest along the Ocean and a combination of no targeting and no harvest in the Chesapeake Bay, consistent with the types of closures that those states have already implemented. I'm going to make the motion, and then if there is a second to it, I'll provide a little bit more clarity as to some of the specifics of it.

I move to take Board action to implement in 2025 recreational season closures to achieve a 9 percent reduction and decrease the commercial quotas by 9 percent. The recreational season closures will be implemented regionally, as follows.

Maine through Rhode Island, no harvest closure of 22 days in Wave 3, plus the number of days needed in Wave 5, to achieve a combined 9 percent reduction across both waves be implemented in uniform dates across the region. Connecticut to North Carolina, no harvest closures of the same number of days in Wave 2 and Wave 6 needed to achieve a combined 9 percent reduction across both waves be implemented in uniform dates across the region. Chesapeake Bay, Maryland, no targeting closure of 22 days in Wave 4 to lengthen the existing closure (9 percent reduction is calculated with striped bass only trips eliminated assumption.) Virginia, no harvest closure to 18 days at the end of Wave 6 (a 9 percent reduction.) New York, Pennsylvania and Delaware area specific fisheries, seasonal closures to achieve 9 percent reductions. The regions/states will submit implementation plans for Board approval at the winter 2025 meeting week. If a region can't decide on uniform dates the Board will make the selection. Implementation deadline is April 1, 2025.

CHAIR WARE: All right, so we have a motion to substitute from Nichola, is there a second?

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Cheri Patterson. All right, Nichola, some rationale?

MS. MESERVE: Yes, I just wanted to explain a little bit more about the different regions and days and waves that you see in this motion. Starting with the Connecticut/North Carolina region. That was initially analyzed as a Rhode Island through North Carolina region, but given the focus on Waves 2 and Wave 6 as the closure options that were in the document primarily, it seems more equitable to include Rhode Island in the Maine through Massachusetts region, where some closure would impact the state as well.

We don't have the exact analysis of this, but there was interest in closing days in both Wave 2 in the spring and the fall, to provide some more equity within that region. When that was analyzed for Rhode Island through North Carolina that was a 19-day closure in Wave 2 and Wave 6, so I expect it would be very similar to that with moving Rhode Island out of that region, because they don't have that much activity in Wave 2 and Wave 6.

Moving up to the Maine through Rhode Island region. When that was analyzed as Maine through Massachusetts it would be 54 days in Wave 5 in addition to the 22 days in Wave 3 that essentially provides something around a Memorial Day to a Labor Day open season for that Maine through Rhode Island region.

Then moving in to the Chesapeake Bay, the approach here was more state by state in terms of achieving 9 percent reductions, because that would help to align the closures within the Bay that currently exist. Maryland has a summer closure, which could be extended to get the 9 percent reduction. Similarly, Virginia could take days off the end of Waves 6 to better align the closure dates in the Bay from Maryland to Virginia, because currently Maryland closes December 10, and Virginia closes December 31. Then there are those area specific fisheries that would also submit some plans that would have to go through a Technical Committee review and be reviewed by the Board in February, prior to the deadline for implementation. I am offering this as an alternative. There is a lot to

it, I understand that, and a lot to digest. But in essence it's looking for 9 percent closures in three different regions and from the commercial fishery, and I would be happy to take any questions about it.

CHAIR WARE: All right, I'll go to Cheri Patterson as the seconder.

MS. CHERI PATTERSON: Nichola covered things very thoroughly, thank you. Obviously, this is from the public interest that they are supporting more measures to occur in 2025, as opposed to no action. I think this provides something that people can understand and have some equity behind it.

CHAIR WARE: Okay, so just to set the stage here. We have two motions, a motion for an addendum and then a motion to substitute for Board action. What we're now going to do is perfect each of those underlying motions. I'm going to ask Madeline to go to that original underlying motion, which is our motion for an addendum.

This is an opportunity for the Board to make amendments to this underlying motion if you would like to perfect it. We'll perfect both motions, and then we will vote on the motion to substitute. Is everyone clear on the process here? Do you have a question, Bill?

MR. HYATT: I have a comment by way of a question relative to this motion that could lead to perfection, but certainly will lead to, in my case, better understanding. Is it appropriate that that be included at this point?

CHAIR WARE: Yes, I think if you have a question on this underlying motion that would be a good place to start.

MR. HYATT: My question, and it goes to a point that both Adam and John made, and that was made by the Technical Committee is, the benefits of an additional year's worth of data pertaining to the impacts of the 2024 rules and

removals, in terms of understanding. My question, not necessarily to the makers of the motion.

But maybe to the Technical Committee or to Katie is, how significant are these benefits, and are the benefits that you were alluding to in the Technica Committee report run additional years with the data, met by this motion which calls for action, taken at the summer 2025 meeting?

DR. DREW: I think yes, it is difficult to quantify the exact benefits, in terms of reducing uncertainty. I think the benefits would be you get more benefits by maintaining current size limits and maintaining current seasons would maybe have less of an impact, but not none.

But we would assume less impact from changing seasons on what the model is specifically trying to figure out for 2024, than we would get from maintaining current size limits. I think you know how does that play off with sort of the risk to the benefits of taking action. Is it really something we can quantify at this point? I'm not sure if that fully answers your question, or if you wanted to add.

MR. HYATT: Yes, I think the gist of my question was that the Technical Committee made the comment that additional years' worth of data would be beneficial. This is calling for a decision point in summer of 2025, so you certainly would have access to data playing out the current fishing season, but would have very limited or none for 2025 season to put into this now.

DR. DREW: I think the action would be taken in 2026, so we would have 2024 and 2025 under the current regulations, and then so it's having that extra year would definitely be more beneficial than changing for 2025 and having '24 and '25 be different from each other, versus '24 and '25 the same and then figuring out what happens after that.

MR. HYATT: At least in my mind there is a little disconnect, because that says final action should be taken at summer 2025 meeting.

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DR. DREW: I think in place for 2026, so '25 would be under the same set of regulations versus the other option, which is taking action today for new regulations in '25. In that scenario we would have only 2024 as sort of its own special year, and then 2025 something different, versus '24 and '25 being the same in this scenario, and then '26 potentially being different.

MS. FRANKE: Maybe just to jump in to help clarify, maybe I'm not sure if this is what you're getting at, Bill. But I think Katie is referring to the next time we do a stock assessment we'll have, if the Board did an addendum and maintained measures for '25, we'll have '24 and '25 data the same.

However, if you were maybe asking if you're doing this addendum and you're asking what data are we going to have for this addendum. You're nodding your head, then correct, we'll have all of 2024 MRIP data, but we'll have maybe Wave 2 of 2025. For this addendum you would have 2024 data, we wouldn't have '25 data yet.

CHAIR WARE: Okay, so I am looking for perfections to this underlying motion. Mike Luisi, did you have an amendment, I'll say, for this underlying motion?

MR. LUISI: I might, and I wanted to get your thoughts about this. I'll first say that I support this motion. I would like it though, and maybe the question goes to the maker about the goal of the motion. I think for the public to see this and to understand what it is that the Board, if we vote in support of this, are expecting as an outcome.

Something that is not addressed in here, which has been brought up time and time again, is what are we trying to achieve? We are rebuilding by 2029, that's one. But I think what we've discussed, what I would like to potentially see in this. I haven't drafted it yet, but I can

kind of come up with it if you think it's necessary.

But protecting the spawning stock is something that we are trying to do here, and I think it deserves to be identified in this. But also, preventing or working in some way to try to prevent or engage in some way this recruitment issue, and try to do what we can to try to minimize the recruitment failure or the lack thereof of recruitment in the future, in moving on. I don't think it changes the intent, just maybe for the record that's enough. That is what I think we should be working on as we engage in this addendum, and I wanted to put that on the record. I would be happy to add some language if you think it's appropriate or necessary, but I can hold for now, wait and see where that goes. Those are my thoughts.

CHAIR WARE: I'm personally not totally clear on what you would be looking to amend based on that comment. I think at this point we're looking for specifics. If you have a motion to amend that is what we're looking for. Okay, so you're going to hold off. Marty Gary, do you have a perfection, a motion to amend?

MR. GARY: Maybe, we'll see. I'm trying to get to a point where we might consider that, but I was trying to understand, particularly with a substitute. With New York opening in mid-April, April 15 and closing on December 15, so Wave 2, Wave 6 closures. I'm trying to understand how that intersects with the substitute, the intent of the substitute motion, and is it the same number of days, and how do we achieve uniform dates throughout that region? Trying not to complicate it, but I think I need to understand that before we can weigh in.

CHAIR WARE: Okay, let's let Madeline pull up then the motion to substitute, and it sounds like a specific question that you have for the maker of the motion. Is that what you're asking? Okay, so do you want to rephrase or re ask your question to the maker of the motion?

MR. GARY: Sure, thanks. I guess this goes to you, Nichola. With our fishery here in New York opening April 15, closing December 15, so we already have

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15 days into Wave 2 and 15 days off of Wave 6. I'm just trying to understand how your motion impacts that, if at all. Would it be just additional days off of that?

Are all the dates going to be uniform across the region? Understand your motion now moves Rhode Island into the northeastern district. I think that does it. I don't want to overcomplicate it. I can follow later about the Hudson, because that is another item we have to address as well.

MS. MESERVE: My interest would be in creating the uniform closures throughout the region to minimize any type of border issues, shifting of effort and compliance and enforcement. If it meant that the region wanted to overlap with where New York already has its closure, then that would be acceptable to me. But it might be the Board would be reviewing implementation plans in February, and making that final decision.

CHAIR WARE: Marty, does that answer your question?

MR. GARY: Yes, thank you, Madam Chair.

CHAIR WARE: Okay, so we have Madeline take us back to the underlying motion, and again, I'm looking for any perfections i.e. amendments to this underlying motion. David Borden.

MR. DAVID V. BORDEN: I don't have a perfection, but can I ask a question on the underlying motion, so I understand. Let's just assume that this passed today, for the question. When would the staff have to have a public hearing document finished, in order to meet that schedule?

MS. FRANKE: Yes, I can address that. With final action in summer 2025, so that would be August, so we would have to have a Draft Addendum approved for public comment at the May meeting. If this passed, I would anticipate,

if we could get a PDT together quickly, maybe we could come back to the Board in January.

Probably asking for more guidance to then inform drafting the Addendum for approval for public comment in May. I will say, I think we'll also need to have some TC discussion, because we'll need to update projections and that sort of thing. We'll need to have a document approved for public comment in May.

MR. BORDEN: Thank you and then the follow up question is, would the Board at a subsequent meeting have the right to move the implementation deadline?

CHAIR WARE: We're going to have Toni weigh in on that.

MS. TONI KERNS: The implementation deadline would be approved when you approve the document for final approval. It is the goal to be finished in time so you could set the measures for 2026. But if the Board decides to shift the implementation deadline through the approval of the document, then it does that at the time that it gets approved.

CHAIR WARE: I guess maybe I should be asking for questions on the underlying motion or any amendments. Nichola.

MS. MESERVE: I think it's a question for the maker of the motion about the language about you know taking into account regional variability of availability. Maybe this could be a discussion for if this motion passed, would we have some discussion afterwards as to what more we might be looking for, are there different regional configurations that you would like analyzed? Is there specific tasking that might help to get to the document that is of interest to be seen here.

CHAIR WARE: I'll pass that to the maker of the motion. Adam, do you want to answer that?

MR. NOWALSKY: Yes, can I just put up like a little sign here that says the maker has left the meeting

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or something, turn this over to seconder? No, thank you. I am looking forward greatly to perfection of this, so this turns into ownership by the Board. I think ultimately any of these motions, when we take vote on them, having them reflect that they are the property of the Board as opposed to individuals would reflect very well moving forward, so I welcome this process right now.

With regard to the specific question about the line here, taking into account regional variability of availability, yes, those regional configurations are exactly what this phrase was meant to touch on, to ensure that those regions that were set up would be both productive, in terms of responding to ensure that rebuilding takes place by 2029, as well as accounting for any other concerns that individual states may have about being placed in certain regions with other fisheries. I would also state that with regards to the previous question about timing of this, if the part about action being taken by the summer 2025 meeting is a sticking point at all, we can take that out of there.

What I am completely committed to is that final action shall be in place for the 2026 recreational and commercial fisheries. My goal of adding that summer 2025 element was in order to ensure, we've heard multiple times about concerns, particularly about those states that issue tags in the commercial fishery, about making sure that that action be taking place in time.

I don't think it's going to come as any surprise if the substitute motion is actually what takes place, we're going to hear a lot of comments about the changes to the commercial fishery likely aren't going to take place is my guess what we're going to hear about issuance of tags. My goal here is just purely to make sure that everything is in place, recreational fisheries, businesses, know well in advance what changes are coming.

For example, in New Jersey, if we were to go ahead and implement anything about a Wave 2 change to our fishery, that is going to happen basically last minute in New Jersey, which will go ahead and contribute to noncompliance. The two questions that came up here prior to my speaking.

One, happy to seeing that account for regional variability be changed to something that more closely resembles what everyone knows more as the regions. The second element, don't let that summer 2025 be a sticking point. The goal here is to make sure that everything is in place for 2026. If someone wants to change that or staff has feedback as to how to better put that so it's not a sticking point, I am all for it. Thank you very much.

CHAIR WARE: I have Dave Sikorski, and then Ray Kane, and again looking for questions or motions to amend.

MR. DAVID SIKORSKI: I have a question. I think I know the answer, but I wanted to talk about this on the record. Ultimately, we have a Wave 2 closure, at least half of Wave 2 is closed in Maryland, to targeting of striped bass the month of April. This has been something that came about in 2020. We've had it in place now for four years.

It has been a bone of contention by some folks that want access to the fish at that point, and from a conservation perspective, well I had complained about this at many meetings in a row now from a conservation perspective. Ultimately, if this were to pass, my question is, can we take into account current closures that we have, whether they are harvest or nontargeting whatever that may be in Maryland, and sort of reset the deck?

If so, I think that is a very strong way that we can better design our fishery to maintain access and be conservation minded, to make sure some of these fish make it to the rest of you all. But I am concerned that our current regulations will not do that, and that weighs on how I view both of these potential motions. The question is, the rule that is written in the past, can we make changes to

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something, for example like our Wave 2 closure in April.

MS. FRANKE: Thanks, Dave, so I guess a couple things. If there was an addendum passed, the Board could specify how seasons would work in that addendum. In the TC report right now, the analysis indicates that any seasonal closure would be on top of closures that are already happening in the states.

If through the Addendum the Board wanted to give a little bit more flexibility, you know new closures have to be on top of additional closures, or maybe a state if you are indicating there is no targeting program Wave 2, if the state wanted to move that no targeting closure somewhere else. That is up to the Board to determine how to address closures.

Right now, the report says any closure would be on top of what is currently occurring. The Board could modify that in the Addendum. I think it would have to be very clear what the requirement is. Like right now the analysis is any new closure is additional to what's already happening.

I think there would have to be some discussion about if you are changing existing closures how that would play into the analysis. But I mean that is all within the scope of an Addendum. Just to clarify, you had mentioned Wave 2 in Maryland has a no targeting closure. That is currently for the Chesapeake Bay, so for the Ocean for Maryland currently it is an open season, I believe. I just wanted to clarify that.

CHAIR WARE: Next, we have Ray Kane. Ray.

MR. RAYMOND W. KANE: My concern is probably going to go back to the TC on the timeline of this motion, Wave 6, I mean we'll have had our winter meeting, you know in February. You don't get results from Wave 6 until the middle of February, so that gives us the May meeting and then final action at the following meeting.

I'm a little concerned about the timeline, because we know how this goes. We'll get together for the May meeting and things will get postponed and pushed down the road. We've heard from the public already that they want action from this Board. Thank you.

MS. FRANKE: Thanks, Ray, I guess just kind of a question, but I can say yes, the Wave 6 data for 2024 won't become available until the middle of February, so I think if this Addendum were considering a specific percent reduction, that will require the TC to do some projections with the new 2024 data to come up with the options for what would the reduction be.

The TC wouldn't be able to meet until, I don't know, early March, and then the PDT perhaps in the background could be working on, you know what are different regional breakdowns, but right, we wouldn't have a TC report with updated projections with 2024 data, probably until late March. It will be a tight timeline, I think.

CHAIR WARE: All right, Mike Luisi, you're good. I've heard lots of questions, which is great. I have not heard any perfections or amendments, which is totally fine. Mike, you have a motion to amend?

MR. LUISI: I'll be the first one to actually follow through with what it was you were asking for. I think what has already been brought up about the timing of all of this. I know that there are concerns about when final action would be taken, in order to allow for some of the states that start their fishing seasons earlier, to have everything in place and ready to go starting in 2026.

We're one of those states, I know Virginia is as well. I would move to amend to strike the word summer and modify that to annual 2025 meeting, to give us a little more time. Not that it couldn't be done before that, but that would be the end date for which we would make a final decision for 2026.

CHAIR WARE: I think your motion to amend is to replace the word summer with annual.

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MR. LUISI: Well, we could say final action shall be taken by the annual 2025 meeting.

CHAIR WARE: Let's give staff a second to work that up. All right, Mike Luisi, could I get you to read this motion to amend into the record, please.

MR. LUISI: Of course, thank you. **Move to amend to replace at the summer with, by the annual.**

CHAIR WARE: Okay, so we have a motion by Mike Luisi, is there a second? Pat Geer. Mike, do you want to give any other rationale or you're good?

MR. LUISI: I just think the timing is important, it's been an ongoing saga between the states as to when final decisions need to be made. I also understand that in support of this in the work that we're planning, there may be a hiccup along the way. You know the summer 2025 will be here before we know it, I just thought by adding a little extra time, putting an end date to this discussion and the selection of management options for 2026 would be better served in October next year, rather than the summer. It just gives us some more time, that's all.

CHAIR WARE: Pat Geer, as seconder, do you have a rationale?

MR. PAT GEER: I agree with Mike, with the term saga with this, because we've gone through this for a couple years now, where our commercial fisheries in the Chesapeake Bay are starting in January. If we don't get something in place by October, you know we're running into trouble. I'm fine with October, I think that's great. I mean it will still allow us to meet our goals with our commercial fishery in the start of 2026.

CHAIR WARE: Just to focus the Board now, we are in our underlying motion. We have a motion to amend on the timing or potential timing of action under that motion to amend.

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Cheri Patterson, you have your hand up. Do you have a question, it sounded like?

MS. PATTERSON: Yes, I have a question to the makers then the seconder. Forgive me if my memory is not serving me correctly, but I thought that in Board action that late in the year was problematic for Maryland and/or Virginia to actually put something in place for the commercial fishery in the following year.

CHAIR WARE: Go ahead, Mike, and Pat, you can both answer, no problem.

MR. LUISI: Yes, Cheri, it certainly, we need time before the end of the year to prepare for the following year. But I think in talking with Virginia, I think October is a time for when, had we been back in October and made final decision, this past October we would have had those implemented by January 1st. It's moving into December that got things complicated for us.

I think October should be a focal point in moving forward on striped bass management changes, because the states that need to have that little bit of time between the decision and the start of the season, I think it gives us enough time by adding that additional, even though we're adding time to the process, in this case, we still have what we need to get things in place by the start of 2026.

MS. PATTERSON: Okay, thank you.

CHAIR WARE: I'm looking for comments on the motion to amend. Eric Reid and then Emerson Hasbrouck.

MR. ERIC REID: I just have a process question. Here we are with a ton of public comment sitting in front of us, and then I don't know how you did all that work, but anyway, thank you for that. If we initiate an addendum, do we have to go back to the public, which will take time?

MS. FRANKE: Yes, we would have a public comment period for a Draft Addendum.

MR. REID: Okay. That may delay or takes more time. I guess that is my question, can the staff support final action by the annual meeting at the latest or not?

MS. FRANKE: Yes, we could support that. I think it would be within our typical addendum process of having the one meeting cycle to do all the hearings and comments.

MR. REID: Okay, thank you.

CHAIR WARE: Emerson Hasbrouck and then Bill Hyatt.

MR. HASBROUCK: Thank you, I also have a process question, not specifically to the underlying motion or to the amendment, but a process. Whether we implement something today or not, whatever that level may be or if we defer it for another year, and come to some level of reduction.

What is the timing, in terms of, when are we going to know how successful we are here before we get to 2029? If we do something for 2025, will there be an update in 2025 or 2026? If we don't do anything until 2026, are we not going to know until 2028 how we're doing, at which point it's going to be too late to do much of anything else?

DR. DREW: There are two ways to know. One you obviously could do a full assessment update, which we have almost a year on the lag for the data and when we present to you. The other option obviously is just monitoring total removals, and I think we'll know as we did with 2022 where we could see that we had greatly exceeded what we thought the trajectory of the catch was, and we just take emergency action without an update.

I think sort of the timeline to keep in mind is, we are scheduled to complete a benchmark assessment in 2027. We're on the schedule for the June SAW/SARC for 2027. If the Board would like to schedule a full assessment update

sometime prior to that, obviously that is additional work that would place the burden on the TC as we are working through the benchmark. But we also have the ability to just monitor catch, to see if we are aligning with our removals.

Sort of scenarios, in order to see are we roughly on track with our prediction about F increasing and then decreasing or not, would take less time and would maybe be an easier check for the Board, in terms of evaluating our success. But I think the decision about when to have the next assessment update is maybe something that could be discussed at our January winter meeting, in order to decide if we're going to put that on the schedule for 2026, or just wait for the benchmark in 2027.

CHAIR WARE: I still have Bill Hyatt and then Jim Gilmore, I did see your hand on the webinar, so you will be after Bill.

MR. HYATT: This is a follow up to the question on timing that Eric just asked. He asked about whether or not public comment would be included should this motion be approved. With the change that we've made to go from summer 2025 to the annual meeting, my question is, not only would public comment be included, but would that time schedule allow for inclusion of data from Waves 2 and 3? I understand that all of 2024 would be available, but also in my mind, to reap the benefits of the additional timeline, you would need to be able to include Waves 2 to 3 data.

MS. FRANKE: Good question. Wave 3 data for 2025, so that is data for May and June, will become available approximately around August 15, so the answer is no. We would not be able to include that Wave 3 data, because the Board would have to have a Draft Addendum approved for public comment at the August meeting for action at the October meeting, and that Wave 3 data would not be available yet.

CHAIR WARE: Like I said, Jim Gilmore.

MR. JAMES J. GILMORE: It's a clarification or a follow up to what Cheri's question was. Mike's

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response was we should be able to, so I wanted to just make sure we're clear on this. If we do go with this motion, that it would be a requirement to have those in place by 2026. If a state, if there was an issue with implementing those because of the tag, whatever the commercial fishery was. That would raise a noncompliance issue. I was just expecting that to be a yes or no, so back to Cheri's original question. Would both Virginia and Maryland be able to implement those without any problem?

CHAIR WARE: I'll go to Maryland and Virginia.

MR. LUISI: Thank you, Madam Chair, and Jim, yes. The answer is, yes. Unless the annual meeting is somehow postponed until late November, we would be fine, as long as the decision is made in October, if there are any commercial restrictions that we need to incorporate into our management plan for the following year, October is our end all deadline on that, so we'll be fine, as long as it's made in October.

MR. GEER: Jim, in regards to Virginia, yes, we will be able to do it, with an October date we will be able to do it by the end of the year.

MR. GILMORE: All right, thanks, guys.

CHAIR WARE: Next, I have Max Appelman.

MR. APPELMAN: Again, on timeline process. In the motion to amend to switch out summer and annual, would that mean that a PDT would not strive to bring a draft document for approval in May anymore, and would use that as an opportunity for feedback, or could that still be on the table to buy us some wiggle room if that were to not work out?

MS. FRANKE: Yes, I think the PDT could still strive to bring a document to the Board if the Board made it clear that they wanted to see a draft document in May, and I think this just leaves the option open for the Board to take more time to perfect that document and come

back to it, and approve it for public comment in August, or if the Board could make decisions to approve it in May.

I think the PDT still could strive to bring a document by the May meeting if that is the intent of the Board. This motion, if the Board switched it to taking action by the annual, the PDT could still try to bring a document by May, if the Board made that clear that that is what they were looking for in May.

MR. APPELMAN: Yes, without providing my position on any of this, I think that if in the motion it read by the annual, I would still hope that there would be a push to get a document in May if it's possible.

CHAIR WARE: I have Nichola Meserve and then Danny Ryan on the webinar, again focused on the Motion to Amend and then if there are no other hands I think we can start the voting.

MS. MESERVE: I just wanted to ask what the dates of the annual meeting are, they are not currently on the ASMFC webpage. I ask, because this really has been a sticking point for a number of states, and a number of actions as to what the date is. I really want to make sure that it's clear that October, if that is when the Board meeting is, is not going to be an issue. I also think that some of the interest in this addendum though is that it provides for more time to do public education awareness, so bumping things back further into 2025 also erodes the benefit of some of that.

CHAIR WARE: Toni, dates on the annual meeting.

MS. KERNS: I believe the contract was signed last week, or it will be signed this week, it is October 27 through the 30th, so the last week of October.

CHIAR WARE: All right, on the webinar we have Danny Ryan.

MR. DANIEL RYAN: I guess I just have a clarifying question in relation to the question that Bill asked, and I understand that the Wave 3 data won't be available to include and to have public comment on that. But by extending from the summer meeting to

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the annual meeting, does that give the Board and the TC the ability to use the Wave 2 data? Will the Wave 2 data still be available for use if the extension were not in place?

MS. FRANKE: To answer that question, the 2025 Wave 2 data, which would be from March and April, would be available mid-June. Sort of, to Max's earlier question as well, any document the PDT brings forward at the spring meeting in May, will not have any Wave 2 data available. A document that is brought forward for Board approval for public comment in summer could have Wave 2 data available.

MR. RYAN: Thank you, Emilie.

CHAIR WARE: Okay, so I don't have any more hands on my list, so just to focus the Board, we're on the motion to amend. I think we'll do a 30 second caucus, just because there are some states that have Commissioners online, and then we'll vote. I know there is a lot of members of the public online, and we have some in the room that are hoping to comment. Just to set expectations, I will absolutely go to the public when we are considering the underlying motion versus the motion to substitute.

If we have motions on recreational versus commercial, apportionment or tools, I will go to the public. I am not going to on this motion to amend on summer versus annual meeting. But I do want folks to know, I know you're online, and we'll definitely accommodate those comments when we get to some other motions, so a 30 second caucus. All right, is everyone ready to vote?

Actually, we'll ask states with members in the room, you'll be the one raising your hand. I think Danny for D.C., you're on webinar, so we'll look for your hand online. Oh, and U.S. Fish and Wildlife Service also, I think you're only online. All right, so this is on **our motion to amend to replace summer with the annual meeting. All those in favor of the motion to amend.**

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MS. KERNS: Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, North Carolina, Virginia, Potomac River Fisheries Commission, Maryland, Delaware and District of Colombia.

CHAIR WARE: All those opposed.

MS. KERNS: Maine, New Hampshire.

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Any null votes? Okay, so the motion to amend passes 12 to 2 with 2 abstentions. All right, so we now have an amended underlying motion. My goal is to finish perfecting this motion before we go to lunch. Are there any other perfections to this underlying motion on the Addendum? Okay, so Emerson Hasbrouck, do you have a motion to amend?

MR. HASBROUCK: Thank you, I have a question. A question I guess for the maker and the seconder. The first sentence says to support striped bass rebuilding by 2029, in consideration of 2024 recreational and commercial mortality by balancing socioeconomic impacts. What is it that we're going to be balancing those socioeconomic impacts against? Are we balancing those against rebuilding, or are we balancing the socioeconomic impacts to the private angler, as opposed to the for-hire industry as opposed to the commercial sector? It's not clear to me what we're balancing here.

CHAIR WARE: The motion is technically a property of the Board now. Adam, if you would like to respond you can, but otherwise you don't have to.

MR. NOWALSKY: I just want to give you a hug for saying that. I would defer to the Board specifically for that. You know we heard an awful lot from the public. The conversation around this table has been about socioeconomic concerns for a long time. We understand that there are impacts from no harvest versus no target.

We understand that there are impacts about recreational versus commercial. We understand that there are impacts from one region versus another. I think everyone of the options that we are potentially contemplating today, or we would contemplate in this Addendum, has a socioeconomic impact.

I think that this statement is a signal to the public, as well as a message to the PDT to give the Board information to justify our actions with whatever information is available, whatever can be analyzed, to give us information in order to make a decision that best weighs those concerns that we've debated, as well as the public has brought forward to us. That is the best answer I can provide you for myself, I would certainly welcome yourself or any other Board members about further clarifying something they want specifically detailed in this motion with regards to that.

CHAIR WARE: Emerson, you're all set? Joe Cimino, additional perfection?

MR. JOE CIMINO: I mean just to that end. You know the maker of the alternate motion, so to speak, talked about at least one very wide region having all the same closures. I think this gives us the option to explore, should Delaware through North Carolina have a different seasonal closure than Connecticut through New Jersey or Rhode Island through New Jersey, since no motions have passed yet and the regions aren't specifically laid out. But those are economic impacts that could be decided through an addendum process. Where are the appropriate seasons?

CHAIR WARE: I'm not seeing any other hands-on motions to perfect or i.e. amend this underlying motion. What I'm going to ask is that staff put up the motion to substitute on the board. During lunch I would ask folks to think about if you have a motion to amend for a substitute motion.

We'll start with that after lunch, I think we get a half hour for lunch, so 12:40 we're going to be back online. Lunch is provided outside. This is also your opportunity for a bio break, and at 12:40 we will be back here and I will be asking for motions to amend the substitute. Thank you.

(Whereas a lunch break was taken.)

CHAIR WARE: All right, we are calling the Board back into session here after a lunch break. As to remind folks where we are at, we have an underlying motion, which is a motion for an Addendum, we've perfected that motion. We're now working on our motion to substitute and perfecting that. Once both motions are perfected, we will have a Board discussion comparing the two motions. Right now, we're just focused on the motion to substitute, and if there are any amendments to this motion to substitute. Jeff Kaelin.

MR. KAELIN: Yes, thank you, Madam Chair. I do have a motion to amend. That motion would change the first sentence to read, commercial quotas by 1 percent. In other words, the 9 percent recreational cut and the 1 percent commercial cut, which I'll speak to the motion if I get a second.

CHAIR WARE: We're just going to give staff a second to get that up, and then we'll have you read it into the record. Okay, so Jeff, see it's all the way at the bottom there. Yes, hopefully you can see it.

MR. KAELIN: Yes, I **move to amend the commercial reduction by replacing 9 percent with 1 percent.**

CHAIR WARE: It looks like Emerson Hasbrouck is seconding the motion. Some rationale, Jeff?

MR. KAELIN: Yes, you know we talked a minute ago about socioeconomic impacts, and I think this amendment would create equity, fairness and establishes relative accountability for the sectors, based on actual removals.

CHAIR WARE: Emerson, do you have any rationale as a seconder?

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MR. HASBROUCK: Yes, Jeff said it pretty well. I really don't have much to add, other than this more closely represents the contribution by the commercial fishery to total removals.

CHAIR WARE: We're now going to take comments on the motion to amend. John Clark.

MR. CLARK: I am in favor of the motion to amend, but will you still take questions on just the motion itself, because I just wanted to ask the maker of the motion. As usual it's a very thorough, very well-crafted motion by Nichola, but I just had a question as to why 9 percent. You know we heard from the TC that anything less than 10 percent really would be hard to measure. Obviously on the commercial side it would be much easier to measure, but on the recreational side in particular I'm sure it's very much a difficulty there. Just curious about that.

MS. MESERVE: Thank you for that question, John. The 9 percent was based on the average percent reduction of the five projections in Table 1 of the TC memo, so not the lowest, not the highest, trying to compromise and meet somewhere in the middle, still provide for maintaining SSB at a high enough level to support recruitment when the environmental conditions are right, and ward off an increase in fishing mortality that would take us off the rebuilding trajectory. That was the basis in an averaging approach.

CHAIR WARE: Okay, so we are going to focus on the motion to amend. Dave Sikorski, you have a comment?

MR. SIKORSKI: I just want to speak against the motion. I think this Board has had trouble with proportions and percentages in this striped bass fishery in recent years, and I think some of that, the cause of that came from my state and of the jurisdictions in the Bay, coming up with this idea. I think all it does is further weight the ratio of recreational to commercial.

We're already roughly 90/10, but then to multiply it again just completely ignores that proportions and percentages already take care of it. Ten percent of the fish removed are believed to come out of the commercial fishery, so why 1 percent? What does that actually do? Equal percent reductions are easy for people to understand. They are equitable, just by their nature.

We're talking about how many removals we had last year and previous years versus how many we didn't make moving forward, and so undercutting that goal and placing it on less reliable data on the recreational side of things is a mistake. We've done it already, let's stop doing that, and so I speak against this motion.

CHAIR WARE: I'm not seeing any other hands so I am going to go to the public and then we'll come back to the Board. I'll take two comments from the public. I'll look for one in the room and one on the webinar, so in the room, Mike Waine. Keep it at two or three minutes, Mike.

MR. MICHAEL WAINE: Yes, I'll be even shorter, thank you, Madam Chair. Mike Waine with the American Sportfishing Association. I'm just going to echo what Mr. Sikorski said, and this is about being equitable. We've got anybody that contributes to fishing mortality must participate in conservation. I just question if the Board continues to give conservation passes, is it realistic that we'll actually achieve such significant conservation goals in the biological reference points for this fishery. Thanks.

CHAIR WARE: To the webinar I see Marcin Puzio, hopefully I said that name correctly. This is a comment on the motion to amend replacing the commercial reduction with 1 percent. Marcin, you are unmuted, it looks like.

MS. KERNS: Marcin, we can't hear you on our end, so I would recommend checking your microphone connection, and we'll go to the next person, and we'll come back to you.

CHAIR WARE: The next person I had was Joseph Albanese, this is a comment on the motion to amend.

MR. JOSEPH ALBANESE: Yes, hi, my initial question I guess has been answered in the great presentation by Emilie. I just want to say, I think that to some of the cynics that think that the Board doesn't listen to the public, I think Emilie showed that that is not the case at all. She did a great, thorough job capturing all the different comments from the public.

But if I could go back to one slide that you presented, Emilie, I think there was one slide that contradicted another one in the Advisory Panel Report. One slide it said there was 1 AP that seemed to want to maintain the status quo, and then the next follow up slide was that 8 AP supported the status quo, so I wasn't sure which one it would be.

Then lastly, I just wanted to comment that someone once said not to decide is to decide. I don't know who gets credit for that, but I think if the Board does decide to continue with the status quo, I think that is a decision, and that is in compliance with the public, who seems to want the Board to take action. Maintaining a status quo does take action. Anyway, can you answer that contradiction, Emilie?

CHAIR WARE: Hey, Joseph, so we are not in a question phase right now, we're looking for comments on the motion to amend. If you have a comment on the motion to amend, I'll take that, otherwise we're going to move on.

MR. ALBANESE: The previous motion to amend I support, this one I don't. It's too complicated for me, to be honest, I can't make a decision on this one.

CHAIR WARE: Okay, thank you so much. We're going to go back to the Board now. I saw some additional hands go up. Yes, Robert Brown.

MR. ROBERT T. BROWN: I'm opposed to this motion that is on the floor. Last year the commercial fishery just had a 7 percent cut. We haven't even had time enough to see what is the result of that to start with. Back in 2018 we had a 20 percent cut. We had another one in '22, and then we had the 7 percent again last year.

If you look at the commercial fishery, and you look at these, we have less than 9 percent or right at 9 percent now, less than 10, that if you look and see every time that we get a cut, and if you see things getting better, it's not. The reason it is, our percentage is so small, and we are a minority into the fishery now. What is happening is, the small part we're getting is so insignificant, what we are now, it's not maintaining. You can't see where anything is getting better by cutting the commercial fishery. You've got to realize that nobody owns the fish. The commercial fishery doesn't, the recreational doesn't. It belongs to everybody. The person who is not into the water, the person who, say he plays golf on weekends or whatever he may do, and he wants to go out and have fish for dinner.

The commercial fishery are the people who serve that fish to those restaurants. I also heard during some of the testimony here earlier rapid analysis. It was not enough time to do the complete project. They were uncertain of many of the things that may come out of it. We need to take time and do this right. We are opposed to any change, status quo. Thank you.

CHAIR WARE: Just to clarify, I think you would be in favor then of the motion to amend, which is reducing from 9 percent to 1 percent. I just want to make sure it's correct for the record.

MR. BROWN: Well 1 percent is better than 9, but at this rate, we just had 7 percent taken last year. I'm not in favor of no cut at all at this time, thank you.

CHAIR WARE: Got it, thank you very much for that clarification. Dennis, do you have a comment on the Motion to Amend?

MR. DENNIS ABBOTT: It seems to me that replacing 9 percent to 1 percent really will not have an effect, being that the commercial fishery has not been catching their quota for a good number of years. I don't see how they will be affected at all. Surely, we don't want to affect anyone.

But the truth of the matter is, is that in our actions today we could affect a lot of people, and that is the pain that goes along with the condition that the fishery is in. But again, if the commercial side was catching their quota, to me it would be a different story. Then they would realize that cutting 1 percent or some other percentage off the commercial quota really doesn't, from my point of view, does not have an effect.

CHAIR WARE: Nichola Meserve and then John Clark.

MS. MESERVE: My preference is for the 9 percent across the board, but I'm open to considering something a little bit less for the commercial fishery, but 1 percent just doesn't pass as a straight taste test for me, because it is not a meaningful contribution.

CHAIR WARE: John Clark.

MR. CLARK: First, just to Dennis's comment. We do cap our quota and 9 percent or 1 percent would be a reduction to what our fishermen catch, but 1 percent is better than 9 percent, but once again, I think that if this is the route we go, I would prefer to see this. But I think as has been stated many times, commercial fishery we know how much they're catching.

Based on what we've heard today, 9 percent, especially with what we're going to be doing recreationally, we don't know what kind of impact it will have. But 9 percent we know, that takes 9 percent out of the revenue of our fishermen. We've been cutting them and cutting them, and I just don't think it's fair to take the same amount out of both fisheries.

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CHAIR WARE: Jim Gilmore.

MR. GILMORE: Just following along Dennis's comment goes back a few years. In New York the last two years, we harvest out our full commercial quota last year and again, right now we're at 99 percent of our quota. Any reduction to the commercial fishery now is going to have an impact, but that 1 percent I'm not particularly thrilled with. I don't think that maybe is meaningful, but there will be a reduction if we come up with a percentage.

CHAIR WARE: I'm going to see if there are new hands first. I'm only seeing people who have spoken already. Okay, so I'm going to allow Robert T. Brown then Dennis, and then we're going to caucus.

MR. BROWN: Yes, in reply to Dennis. There is a reason why we can't catch our quota is the way because it's in the allocation. Allocation goes through the state. We would have to over allocate our amount of fish to catch it, because some of our fishermen don't fish. We could catch more.

It's not that we're not catching it, it's that we cannot go over our quota, because if we do, we end up and get penalized for the next season. The way it is now, we're coming as close as we can to it without going over it, trying to stay within the means and what we expected part of the Atlantic States Marine Fisheries Commission to keep us in compliance. Thank you.

CHAIR WARE: Dennis.

MR. ABBOTT: I do stand corrected on my statement regarding the quotas in New York and Delaware, but overall, we're still not catching, which means to me that the Chesapeake Bay is probably catching a lesser percentage.

CHAIR WARE: We're going to do a 30 second caucus, and then we're going to vote on our motion to amend. Okay, we are going to vote, so again, this is **voting on the motion to amend, regarding the commercial percent reduction. All those in favor of the motion to amend, please raise your hand.**

MS. KERNS: Rhode Island, New Jersey, Virginia, PRFC, Maryland, Delaware, District of Colombia.

CHAIR WARE: All those opposed to the motion to amend.

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

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Any null votes? The motion to amend fails 7 to 7 with 2 abstentions. Give us a second here to clean this up on the screen and then we'll get back to our discussion. I had heard from Marty Gary that you had a question on the motion. Is that question still out there or are you all set?

MR. GARY: Madam Chair, I wasn't sure of the timing on this, but this is from my earlier conversation I didn't quite close the loop on some of the New York concerns related to this one to the Hudson River. Is this the appropriate time to ask for that clarification?

CHAIR WARE: Let me just see. Are there any other motions on the commercial percent reduction? I'm going to table your question, Marty, until we figure that out. Great, Emerson Hasbrouck, do you have a motion to amend?

MR. HASBROUCK: Yes, **move to amend the commercial reduction by replacing 9 percent with 5 percent.**

CHAIR WARE: We have a second from Ray Kane. Just give us a second, and then I'll go to you for some rationale, Emerson. Okay, so Emerson, I think you had already read that into the record, so move to amend the commercial reduction by replacing 9 percent with 5 percent. Do you have some rationale?

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MR. HASBROUCK: Yes, it's essentially the same rationale for the previous motion, that this more closely reflects the removals or the proportion removals by the commercial fishery.

CHAIR WARE: Great, and Ray Kane, as a seconder do you have any rationale?

MR. KANE: Yes, once again, the commercial fish landed are accounted for. We have hard numbers.

CHAIR WARE: Any new comments on commercial percent reduction from the Board? Okay, I am going to go to the public again, because we have a lot of hands up. Is there anyone in the room that would like to comment on this motion to amend? No, okay, so I'll take, I'm going to go to the webinar first, and the next hand I see is Brian Kelly. This is a comment on the motion to amend.

MR. BRIAN KELLY: Hello, Board, thank you for taking my comment. I am in favor of this motion for the 9 percent reduction in commercial and recreational.

CHAIR WARE: Okay, just to be clear, I think you actually oppose the motion to amend for the 9 percent.

MR. KELLY: Yes, so I would oppose.

CHAIR WARE: Okay, thank you for that clarification. If you have a question, I am going to ask you to hold it, I'm just going to look for comments right now. Yes, turn your question into a comment. That is one strategy.

MR. VICTOR HARTLEY: I'M Victor Hartley from New Jersey. If this motion ends up going to vote down the road, you are going to want to look at New Jersey as its own region, because we're very unique. We have no commercial industry, and we have a recreational industry. They are both the same, so you've got to look at that. New Jersey can't be clumped in with all these other regions, because it would never work.

CHAIR WARE: Thank you for your comment, we'll talk about the regional breakdown in a little bit. I'm

going to bring it back to the Board. Any new comments? Dave Sikorski, a new comment on the motion to amend.

MR. SIKORSKI: The member of the public just kind of reminded me of something that is important for us to consider, where New Jersey has that curve ball when it comes to how they allocate their commercial catch. Maryland did this proportional thing already a couple times over the last few years.

If I'm not mistaken, last year's numbers Bay wide was something like 65 percent/35 percent recreational versus commercial in removals in the Bay. Board members, again, how do you think we should be treating these really small year classes, by giving people passes or not? That is the vote we're making right here. Do we want to conserve the resource that is in the Chesapeake Bay to grow into a future fishery, because our commercial fishery has been catching upwards in the 90-percentile of its quota in normal years.

In fact, our coastal gillnet fishery couldn't have its quota put in place in time in 2024 and exceeded its quota by about 7,000 pounds, which it will pay back. Bottom line is, the only clearcut way to do this is equal percentage reduction of fishing mortality period. Stop the sector to sector to a subgroup nonsense. We need to save fish.

CHAIR WARE: Last comment from Adam Nowalsky, and then does anyone feel like they need a caucus? Okay, so we'll go right to the vote after Adam's comment.

MR. NOWALSKY: Given this follow up motion after the last motion that failed, Madam Chair, would you be able to provide any guidance as to what is your intention on this aspect moving forward? If this motion fails, are you going to allow a motion for say a 7 percent reduction? If this motion passes, are you going to entertain a motion for say a 3 percent reduction instead, or can you provide some guidance as to whether

this is going to put this particular element of the substitute motion to rest?

CHAIR WARE: Future motions on percent reductions are in bounds, as long as it's not one we've considered. I would ask the Board to think about what is a meaningful difference in the percent reduction, in terms of this substitute motion overall. Follow up?

MR. NOWALSKY: That is actually a great segue then to what I would comment on regarding this motion. I'm going to remain opposed to it on the basis of a 9 percent reduction as per the substitute from 10 percent of the fishery is actually, if I'm doing the math right, less than a 1 percent total change in the removals, if I'm doing that math right.

We're now talking about parsing between 1, 5 and 9 percent of the commercial removals. We're talking about an impact to the total removals between 0.1, 0.5, and 0.9 percent. Even given the fact that every fish is supposedly counted on the commercial side. I think what we're talking about here, and the TC would agree is just imperceptible changes.

If there is going to be a reduction here that is considered equitable, it has to be the maximum extent practicable that is equitable from both sides. I think at the 9 percent we're already way below something that is perceptible, and now we're talking about 1 in 5 percent of less than 10 percent of the fishery. This is beyond parsing hairs at this point, Madam Chair, but I appreciate it, thank you. I'll be opposed to this amendment.

CHAIR WARE: Okay, so I didn't see any other hands from Board members, so we're going to move to a vote. Again, we're **voting on the motion to amend, so the 9 percent versus the 5 percent. All those in favor of the motion to amend, please raise your hand.**

MS. KERNS: Massachusetts, Rhode Island, New York, New Jersey, Virginia, Potomac River Fisheries Commission, Maryland, Delaware, New Hampshire, District of Columbia.

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CHAIR WARE: All those opposed.

MS. KERNS: Connecticut, Pennsylvania, North Carolina, Maine.

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Any null votes? The motion to amend passes 10 to 4 with 2 abstentions. Give us a second to update the motion on the board, and we'll move to the next part. Marty, I'm going to you now for your question on the Hudson.

MR. GARY: Okay, thanks, Madam Chair. I would just turn to Nichola to see if I could get some clarity on how the motion impacts the Hudson River Fishery, which as a reminder is a slot limit of 23 and 28 inches, April 1 through November 30, just how you see the motion impacting that. What would be required and what the options would be if this motion were to pass, Nichola.

MS. MESERVE: Similar to Addendum II, where for these specific regional fisheries the states had to submit plans to achieve a percent reduction through a certain type of measures. The intent here would be doing the same thing, specifically with a seasonal closure. The motion doesn't specify any particular wave though, so that is flexible. But you would be looking for implementation plans by the winter meeting that would be for a 9 percent reduction in the Hudson River season length. I understand that there is less data to support these types of proposals, but as in the past the states would do the best that they can to justify the measures that they propose.

MR. GARY: Just a quick follow up, Madam Chair. The process for that would flow through the Technical Committee per usual?

MS. FRANKE: Yes, so we would probably schedule a Technical Committee meeting in

January. We'll work with New York, Pennsylvania and Delaware to determine by what date would be reasonable to get an implementation plan to send to the TC.

CHAIR WARE: John Clark, do you have a question or a motion to amend?

MR. CLARK: Yes, thank you, Megan, but based on what Marty just brought out. I just wanted to make sure I understand it. For Delaware summer fishery we couldn't change the size limit, it's only the season. We would have to take like 9 percent of the days off, is that what it would have to be, because it has to be a seasonal closure?

CHAIR WARE: Based on how I'm reading the motion, I would agree with you that it's seasonal closures to achieve a 9 percent. If you want to move to amend that would be the tool.

MR. CLARK: Well, I don't know at this point. If we could amend it to maybe just add that flexibility to add for these area-specific fisheries, could I amend it to say seasonal or length reductions to achieve 9 percent reduction?

CHAIR WARE: Sure, so you're going to make that motion to amend.

MR. CLARK: Yes, just in case, I don't know what will actually work better for us, but I would like to have that flexibility.

CHAIR WARE: Yes, just give us one second to get that up. A second to the motion? Just to clarify, John, I assume this is for all three of the area specific fisheries?

MR. CLARK: Yes, I just wanted that flexibility, because they are all kind of weird and unique.

CHAIR WARE: John, can I get you to read that motion into the record that starts with the "For the area."

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MR. CLARK: Oh, with pleasure, Madam Chair. **For the area specific fisheries move to amend to add after seasonal closures, or size limit changes.**

CHAIR WARE: That's a motion by John Clark, we had a second from Nichola Meserve. You could give some rationale, John, are you all set on anything else?

MR. CLARK: No, I think it's been covered, thank you.

CHAIR WARE: Nichola, anything? All good. Any comments on the motion to amend? Seeing none; does anyone need a caucus? Okay, we're going to try something wild. Is there any opposition to the motion to amend? There is, so we're going to do a roll call vote. **We're voting on the motion to amend. This is adding size limit changes for area specific fisheries. All those in favor, please, raise your hand.**

MS. KERNS: Massachusetts, Rhode Island, Connecticut, New York, Pennsylvania, North Carolina, Virginia, Potomac River Fisheries Commission, Maryland, Delaware, Maine, New Hampshire, District of Colombia.

CHAIR WARE: All those opposed.

MS. KERNS: New Jersey.

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Any null votes? Okay, the motion to amend passes 13 to 1 with 2 abstentions. Again, give us a second to update the substitute motion, and we'll continue on. We are still working to perfect our motion to substitute. I had a hand from Dave Sikorski. Do you have a motion to amend? Go for it.

MR. SIKORSKI: This is for the Maryland portion of the motion. I am going to speak to my intent,

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and then we can figure out how we do it right. My intent is that it would be that Maryland has the option of no targeting or targeting, to include no targeting or not include no targeting, and then continue to do that in Wave 4 to reach the goal here. But if we add harvest closure. Let me start over. I wanted to say that MD can use no targeting or harvest, or a combination of the two, to achieve however many days we need to get a 9 percent reduction.

CHAIR WARE: I suggest then maybe after no targeting you write and/or no harvest, and then I think it would be striking of 22 days. Does that match what you're going for?

MR. SIKORSKI: Yes.

CHAIR WARE: Okay, give us a second to get that up. While we're working to get that up, can I just get a sense from the Board. Are there any other motions to amend that folks are hoping to make? Okay, Adam, could I ask you to start writing that on a piece of paper, and then we could give it to staff? Thank you. Question for me, yes.

DR. JASON McNAMEE: Is there an opportunity to ask a clarifying question as well?

CHAIR WARE: On the motion to amend that we're talking about now, or just in general?

DR. McNAMEE: Sorry, it will be after the motion to amend.

CHAIR WARE: Yes, I will go to you after we dispense with this motion to amend. Dave, can I get you to read into the record your motion to amend?

MR. SIKORSKI: Yes, Ma'am. **Under MD Chesapeake Bay, move to amend to add "and/or no harvest" and strike "of 22 days."** The intent here is to land a 9 percent less fish killed by using a combination of no targeting or no harvest.

CHAIR WARE: Is there a second to the motion, Dennis Abbott. Dave, do you have any other rationale or you're good?

MR. SIKORSKI: Yes, thank you. Ultimately losing days on the water has been a major issue for our for-hire sector. Some of the stuff I've talked about in every single meeting since I've joined this Board is related to closing days on the water when we're not saving fish, and Maryland has done that effectively in April.

Ultimately, our industry is at a breaking point within our fisheries, at a point where they are really unfortunately not catching much, folks. My gut tells me that in reality we're going to save enough fish, but not completely gut what is left of our recreational fishing community, if we can find some balance between no harvest days and no targeting days.

I think it's really important, and something I've heard from the public, and specifically business owners, is that the no targeting thing, while it seems like it makes sense, especially on our paper exercise here. Ultimately it sends out a certain tone to the public too, in a number of trips that could be great trips that people enjoy, that fuel economy aren't happening when people hear the words no targeting.

As our Board has struggled with it, I would not want to prescribe it the way the original motion does, and force Maryland to add more no targeting, and I think it's only fair that we have an opportunity to balance the no harvest and no targeting before we ultimately decide what to do. Thank you.

CHAIR WARE: Dennis, as seconder, anything else to add? You're good, excellent. Okay, so we have a motion to amend to and/or, let's say the no harvest option for Maryland Chesapeake Bay management tools. Is there any discussion on this motion? Okay, I'll go to the public for one hand. I did say I would go out to the public when we talk about different management tools. I'll see on the webinar, the next hand I have is Mark Ellis, this is commenting on the motion to amend, so either no harvest or no targeting closures in Maryland in the Bay.

MR. MARK ELLIS: Comment is on the motion specifically. I think a no targeting closure is going to absolutely disrupt the recreational industry that supports this fishery, in terms of the hotels, restaurants, other bookings, tackle, what have you. I really don't understand on this motion or the other motion, that is why we keep going back and forth, because we're taking out the very fish that are going to rebuild this stock by not continuing to share the recreational and commercial reductions.

CHAIR WARE: Thanks, Mark, I'll bring it back to the Board, last chance for comments on this motion to amend. Seeing none; again, we'll try something wild. **Is there any objection to the motion to amend? Seeing none; we will approve the motion to amend by consent.** Next, I had a question from Jason McNamee. You have a question on the motion to substitute?

DR. McNAMEE: I think I'm good, Madam Chair, thank you.

CHAIR WARE: Love it, excellent. Adam, I'll go to you. Are you ready to make your motion to amend?

MR. NOWALSKY: Well, that depends on how quickly staff has processed what I had previously sent to them.

CHAIR WARE: We just got it, give us a second.

MR. NOWALSKY: While they're working on that, let me just go ahead and start speaking to it, if you would like me to, or if you prefer me to wait I will, Madam Chair.

CHAIR WARE: I think, Adam, I am going to have you just start talking about your motion and the general concept as they start to write it up, because I think it may take a minute to write that up. But if you want to describe what you're aiming for that would be great.

MR. NOWALSKY: Great, thank you. The motion that I will be making momentarily will focus on the no harvest element of the two regions, as well as the Virginia portion in the Chesapeake Bay. Specifically,

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I would like to see that language be consistent with the motion that we just passed for Maryland.

I would like to see no harvest replaced in the two regions, as well as the Virginia portion of Chesapeake Bay with consistent language that refers to no harvest or no targeting closures. There was a lot of debate during the AP and as well as the public comments about no harvest and no targeting. They both have pros, they both have cons.

Obviously, the no targeting aspect is something that has generated a lot of discussion amongst people who have for a long time advocated for conservation at all cost, are now pulling back from that stance to some degree, when they are faced with being directly affected by the need for conservation. Whereas, the no harvest aspect only comes with the caveat of longer seasonal closures, more impactful as a result of that than what the no targeting closures implement.

If we're going to go ahead and offer one geographic locale an opportunity here to discuss no targeting or no harvest, in terms of what their constituents best feel represents their needs. I think it would be appropriate to extend that to all of the geographic regions discussed in this motion.

CHAIR WARE: That was perfectly timed, Adam, because we are ready to go on your motion to amend, if you would like to read it into the record.

MR. NOWALSKY: For Maine to Rhode Island Region, Connecticut to North Carolina Region and the Virginia/Chesapeake Bay Region, move to amend to add "and/or no targeting closures," and strike of "22 days and of 18 days."

CHAIR WARE: Great, thank you, Adam, and we had a second from Emerson Hasbrouck. We're

now going to discuss this motion to amend. Yes, Roy Miller.

MR. ROY W. MILLER: It is not clear to me how this motion and the previously passed motion apply to the Potomac River Fisheries Commission. Can you enlighten me in that regard?

MS. FRANKE: Yes, so the Potomac River Fisheries Commission and the District of Columbia can each choose to match either Maryland or Virginia's closure.

CHAIR WARE: Emerson, my apologies. I should have gone to you as seconder, so I'll let you go next.

MR. HASBROUCK: Quite all right, no problem, we're moving along just fine here. This motion addresses an issue that has been concerning me, and that issue is equity and inequity. You know reading through the public comment, the public comment summary, the AP Report, speaking with fishermen, and as the Commissioner representing all citizens in the state of New York. I see that there is an inequity here in not addressing catch and release.

We know that catch and release doesn't remove as many fish, and when I say remove, I don't mean just harvest, I mean dead discards as well. But a lot of the comment is that everybody needs to sacrifice, because everybody will benefit. But then there is always the caveat, except we can't have no targeting, because by not having no targeting it provides an opportunity for anglers to continue fishing.

To me that is somewhat disingenuous, and I know that no targeting is difficult to enforce. But we've been ignoring the removals by people who continue to target striped bass during closed seasons and otherwise. Catch and release, I'm not against catch and release fishing, I think it is very good and it helps to reduce total number of discards.

However, that fishery, so minimum sizes don't impact that fishery, because they are not keeping fish. Maximum sizes don't impact that fishery. Slot sizes don't impact that fishery and seasons don't,

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and that was particularly clear through the public comment that it doesn't matter to them what the season is, just don't include no targeting, because we want to keep fishing. I've heard it from Commissioners around the table here several times today that we all need to participate in rebuilding, and I agree with that. That is why I seconded this motion.

CHAIR WARE: We just have a clarification from staff for Adam.

MS. FRANKE: In your motion, in the original motion it says for Connecticut to North Carolina, closures of the same number of days in Wave 2 and Wave 6. Were you also intending to strike that so it doesn't have to be the same number of days, or were you intending to keep that?

MR. NOWALSKY: I would say strike that, but just leave the combination. The intention would be to leave the combination of Wave 3 and Wave 5 for Maine to Rhode Island, and leave the combination of Wave 2 and Wave 6 for Connecticut to North Carolina.

MS. FRANKE: Thank you.

CHAIR WARE: I'm going to go to our next comment. Adam, we will have you reread that when it's back up on the screen, and I'll let you comment at that point when you reread. Chris Batsavage, you're next.

MR. CHRIS BATSAVAGE: Just so I understand for this Amendment if it would be applied. No targeting and no harvest would be applied regionwide, right? We're not trying to parse out which states and which region would have no targeting versus no harvest, if I understand this correctly, right?

CHAIR WARE: That is my understanding, that the region would have to decide which tool, it's not each state choosing which tool.

MR. BATSAVAGE: Great, thanks, I guess where my concern comes with this particular

application of no targeting is the Recreational Release Mortality Workgroup spent a lot of time on this issue, and we explored several different examples of no targeting closures for striped bass, as well as other species. They seemed like the ones that were, I guess most effective, were more limited in time and space.

Although we concluded that there could be some uses for no targeting closures in the striped bass fishery. We definitely kind of cautioned against doing them in a widespread level, especially right off the bat, where I think in some of these other no targeting closures that we explored were in place for a while, and it took time for them to become effective. I'm just worried that some regions will be taking less days closed, and thinking it would have the conservation benefit that it may not actually have.

CHAIR WARE: All right, Adam, I think we are ready for you to reread that motion into the record.

MR. NOWALSKY: For Maine to Rhode Island, Connecticut to North Carolina, and Virginia Chesapeake Bay, move to amend to add "and/or no targeting closures," and strike "of 22 days, and of 18 days, and of the same number of days."

CHAIR WARE: Do you have a comment you wanted to make?

MR. NOWALSKY: Yes, a comment regarding the no targeting aspect here. I appreciate Chris bringing up that point about the work the Workgroup did that I was also part of. I think with the purpose of these waves here are in large part because of the opportunity they present, particularly in the springtime. It's a spawning area, a time of congregation and that fall is certainly a high time of fishing activity. With regards to that Workgroup's work, I think this is a very targeted time with a reason for doing so. I would also offer a personal experience from just this past Saturday, fishing around the three-mile line. While I understand that this Board, the Workgroup has looked at a lot of enforcement in general. There is not a whole lot of cases made on the enforcement of no targeting, and

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that is a true statement. But this is an area of structure, just over three miles off Atlantic City, New Jersey, that had been a very popular area for the past few weeks. He took a Saturday in December, shortly after a high period of fishing, where Coast Guard Station Atlantic City just happened to be out doing some drills that day.

Guess what? There was nobody there striped-bass fishing on Saturday. While I understand that we talked a lot about the no targeting provisions that we don't have the cases to fall back on, the no targeting provision is a very effective conservation tool in the toolbox that limits the mortality on these fish through release fishing.

CHAIR WARE: Nichola Meserve and then last comment will be Emerson Hasbrouck.

MS. MESERVE: I'm going to speak in opposition to this amendment. The no targeting closures to the Bay are responding to unique environmental conditions there that increase release mortality. I'm more comfortable in that application for that reason right now. I was also reflecting on the Board's Workgroup that looked at this issue, and saw more reasons against them than for them at this time.

I also was struck by the fact that we keep on talking about anglers that harvest a fish and anglers that catch and release fish as two separate entities, and that is just not the case. We will impact many people in a more equitable way that I think some are thinking about it, as by making that distinction by having a no harvest closure.

CHAIR WARE: Emerson Hasbrouck.

MR. HASBROUCK: Thank you, Madam Chair, for the opportunity to comment again. Just to go along with what Adam just mentioned. Even though there is difficulty in enforcing no targeting closures, those anglers who are conservation minded, who really want to help to rebuild this resource, will abide by that.

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Will everybody abide by it? No. I'm not under any illusion that because we have a no targeting closure that everybody is going to abide by it. We don't have 100 percent of the people abiding by minimum sizes and bag limits and so forth. But I think that conservation minded anglers will abide by it, and I wouldn't be surprised if we get 75 or 80 percent of anglers who might otherwise fished for striped bass in a closed season, who would now consider no targeting.

CHAIR WARE: We're going to take one comment from the public. The next hand I see is Thomas Matulonis, I apologize if I mispronounced your last name. Then we're going to caucus and vote. Thomas, it looks like you're unmuted and I just ask you to speak to the motion to amend.

MS. KERNS: Thomas, we cannot hear you. I would recommend checking your microphone, and we'll keep you in the queue for public, and Megan can go to a different member of the public.

CHAIR WARE: Next on the webinar I have Paul Haertel, again this is a comment on the motion to amend.

MS. KERNS: Paul, you should be able to unmute yourself now.

MR. PAUL HAERTEL: Okay, thank you. Yes, I support the motion. I believe that all sectors should have to cut back equally, including the catch and release guys. However, I would like to see it closed to no targeting during the time period when other fish are available to catch, because to close, say during November and December in New Jersey, it would be devastating to our tackle stores, because there is nothing else to fish for, particularly from the shore. Thank you.

CHAIR WARE: Thanks, Paul. All right, we're going to do a 30 second caucus, and then we're going to vote. All right, we are ready to vote. **We are voting on the motion to amend. All those in favor of the motion to amend, please raise your hand.**

MS. KERNS: Rhode Island, Connecticut, New York, New Jersey, Virginia, Potomac River Fisheries Commission, Maryland, Delaware, District of Columbia.

CHAIR WARE: All those opposed.

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

CHAIR WARE: Any abstentions?

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

CHAIR WARE: Any null votes? The motion to amend passes 9 to 5 with 2 abstentions. Give us a second to update that and we'll carry on. While we are updating the motion on the board, I think we had a question/comment from Rhode Island, so we'll go to you guys, and I would just ask if there are any other motions to amend the substitute motion, please see me now.

DR. McNAMEE: I originally had a motion to amend. However, the motion that just passed took care of what I was attempting to do, so there is no need for that anymore. I'll just take a moment though. The flexibility is what I was after, and that last motion kind of allowed us a little more flexibility in when the closures happen. I also wanted to note, this is going to sting for Rhode Island, being in this northern region, but you know, I feel it is the right thing to do.

Our fishery is more like those fisheries, and if we had been put into that other group. I think the idea here is to do something meaningful. This is a lot more meaningful for Rhode Island than it would have been in the other regions. I just wanted to kind of acknowledge that and get that on the record. Thanks to the makers of the last motion that took some heat off of what I was trying to do, so thanks.

CHAIR WARE: I have not seen any hands or received anyone coming up for a motion to amend. What I'm going to have us do now, we perfected both motions, congratulations. We are now going to debate the underlying motion versus the motion to substitute, so the Addendum versus the Board Action. I am going to do two in favor, two opposed, and then we'll just keep repeating that. I'll ask for new comments, so something that is new to the discussion, and we'll work that way until we are ready to vote. Could I see folks who are interested in commenting in favor of the motion to substitute, raise your hand, and those looking to comment in opposition to the motion to substitute. Great, thank you, we have a question from Max, we'll start with a question.

MR. APPELMAN: It's not written in the motion, motion to substitute. The overall intent to achieve a 9 percent reduction, which I think I heard when the motion was made. Now that the percentages have changed, I suspect it's a minor shift in what that total would be. But I don't know if that needs to be recalculated or reaffirmed with this motion to substitute, because the percentages for the commercial reduction have changed, commercial and recreational have changed.

MS. FRANKE: Thanks, Max. Can you clarify, you're asking.

MR. APPELMAN: The overall intent of this motion was to achieve a percent reduction, I believe. It's not written in there, but I think I heard 9 percent, which is why it was originally proposed as 9 percent for recreational season closures, and 9 percent for commercial quotas. Now that the commercial quota percentage has dropped to 5 percent, does that overall intent change? I suspect it is negligible, but I just want to put it out there, in case it needs to be recalculated.

CHAIR WARE: Max, as I read the motion, it doesn't say what the overall percent reduction is, it just says 9 percent for the recreational through season closures and 5 percent for commercial quotas. I don't think we have to update anything; I think your point is correct. The total overall reduction may be

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impacted, but that's not in the motion. We are going to move to two in favor, two opposed, so I'll start with Doug Grout, and then Matt Gates, speaking in favor of the motion to substitute.

MR. GROUT: Yes, thank you, Madam Chair, and thank you all for coming here to work on this difficult decision. As has been stated, the reason we're doing this is to try and increase the probability that we will get our SSB back up to target by 2029. But one of the reasons we had this special meeting was because the Technical Committee was estimating that we were going to have an increase in our catch in 2025, by up to 17 percent.

That was going to throw us off our schedule of meeting our target, or at least decrease the probability of meeting our target by 2029. They also indicated that there were a couple things that we needed to decide on, and what our risk tolerance was. The first thing that I looked at was what is going to be the catch in 2024.

Originally, I was a little bit uncertain, but now that we have not only Waves 2 through 4 and Waves 2 through 5 estimates, I think there is a fairly good probability we're going to have a low catch in 2024, which will mean that our overall reduction that is needed, I think is going to be somewhat less. We're not sure whether it's going to be not taking anything or whether it's going to be 8 or 9 percent. I think that if we don't approve action today, we will do nothing to try and address the potential increase in harvest that is going to happen in 2025. We're going to be relying on trying to get an Addendum passed that will try to stabilize the effort, and F in 2026 to 2029, at a very low level. We like to try to, I think I'm going to support moving forward with this, because I think we need to try and do something right now to temper the increase in harvest that we're foreseeing in 2017. That is my reason and rationale for supporting this motion.

CHAIR WARE: Next, I have Matt Gates.

MR. MATTHEW GATES: The Board gave itself the ability to take action in the event that the assessment came back and said, we're not going to get to the target by 2029. That assessment came back and it did indicate that. Now we've had some subsequent analysis after that that says we may or may not get there.

It's not clear to me that we're really getting there, and given the current condition of the stock, the low recruitment we've had, I just think that taking Board action is the right thing to do now. That leaves us in a better position to achieve our target and leave us in a better position for the future, so thanks.

CHAIR WARE: We're going to move now to two opposed. I'll start with Joe Cimino and then Mike Luisi.

MR. CIMINO: Going from strongly opposed to opposed. I think it was important to include the no targeting closures. I think before that action was just a half measure, almost by definition, since we were ignoring 50 percent of the mortality. But I still think this needs to be done through an addendum process.

You know one of the things that I have seen for being several years on a TC for fluke and black sea bass, changing regulations constantly. Noncompliance, you know there were times where we were looking at a need for 10 or 12 percent reduction that we could have got it, just by people knowing what the regulations were.

People are allowing their fish to be measured by APAIS intercepts, if we just had compliance with the current regulations we would have met those reductions, and now we're talking about pushing this forward for, you know Wave 2 closure for states like New York and New Jersey, who now have to decide all of this at a regional level on, what are the right days, and are we doing nontargeting or no harvest closures.

That is really not the information that we got from the public yet. I'm strictly opposed to this now,

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because I think the timing is such that we need to do this through an Addendum process, and I think the TC has made it clear that you know the stock can handle that, but it's just a matter of Board decision.

CHAIR WARE: Mike Luisi.

MR. LUISI: Madam Chair, I'll pass my comment on to Dave Sikorski, he beat me fair and square with his hand. I would like to speak in support of the main motion, or in some reverse way if we get around again to that, I would be happy to jump in. But I'm going to give Dave the opportunity.

MR. SIKORSKI: Thank you, Mike. I started the day, or headed into this meeting thinking about, what can we do to set something in motion that leaves us there until we are guided by the Benchmark Stock Assessment, which should be November of '27. I think that a cut is necessary. After all the discussion we've just had, I'm okay with adding in the no targeting stuff, even though I don't think it's a meaningful way to manage this fishery.

I said a lot about that on the record last meeting. But ultimately, I don't support this because of the first line. You're going to talk about equity and pretend like 9 and 5 equal each other all of a sudden, we've made a mistake. It further undermines the Board's support of us, our ability to do our jobs, and it's just simple math.

Commercial caught fish, recreational caught fish, fish caught on a charter boat or all dead or they are all alive, and until we have a data system and a management system that can better shape our sectors, which we might get to eventually. I think doing it in these meetings with a need that this fishery has right now is embarrassing.

I would support this motion with equal percent reductions that are probably greater than 9 percent. But instead, I would rather we have an

addendum. Give us the tools in Maryland specifically, to solve some of the problems that we've created over the last 5 years in our fishery, because trust me, you're going to want more fish leaving the Chesapeake Bay in good condition, to support the growth in our fisheries.

Right now, it's just not happening. I think we're overharvesting a depleted stock. I think the difference between a recreational and commercial efficacy and efficiency in the water is playing out in the water, waters of the Chesapeake. Commercial fisheries are catching their quotas and our recreational fisheries, which are really highly skilled people in some cases, aren't catching fish day to day.

Some of our Board members went fishing with a really popular guide, Matt Filbert, and caught three fish on a full day fishing in the Chesapeake Bay. We need to save more fish. I think this is a less-than-ideal way of doing it. I prefer to focus on the Addendum, even though I wish we could really save a lot more fish in 2025. I opposed this as up there today.

CHAIR WARE: All right, we're going to go back to two in favor. Next, I had Emerson Hasbrouck and then Chris Batsavage. Looking for new types of comments.

MR. HASBROUCK: As the TC/SAS Memo points out, there are a lot of uncertainties going forward here, and it also has us question what our risk tolerance is going forward with striped bass. We can't predict the future, but we don't even know as of today where we are for 2024, much less going forward in the future. Therefore, I think we need to do something here today to reduce removals by some amount starting in 2025. I'm not in favor of putting it off for another year. I'm also thinking beyond 2029, in terms of the small year classes in recent years, both in the Chesapeake and the Hudson. I think that doing what we can here today to help improve spawning stock biomass is going to help us long term. Also, relative to the question I raised whenever it was, a couple of hours ago, I guess,

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about updates, in terms of where we are with removals.

I'm hoping that the rest of the Board is supportive, and we will probably have this conversation, I guess in October, in February, sorry, of providing us with removal updates, so we'll have a better idea of how things are going on that and we move forward. But anyhow, I support this substitute motion.

CHAIR WARE: Chris Batsavage.

MR. BATSAVAGE: Yes, many of the reasons that I support the substitute motion have already been said. There are certain aspects of the substitute motion that I don't particularly favor, but I think the bottom line for me is, do we have the 2018-year class entering the Ocean recreational slot limit pretty much right in the middle of it next year.

It's the last good year class we have indefinitely, until we hopefully see another good year class in the future. That is the main thing, and as a result, we're going to need to focus on just maintaining the spawning stock biomass that we have, because we could be looking at some pretty lean times after 2029 if we don't get a little boost in recruitment in the next several years.

CHAIR WARE: Next, I'll go to two opposed, so I have Mike and then John Clark, just for folks in the public, I am going to go to the public after those two comments, so if you could raise your hand either in the room or online that you would like to comment, that would be helpful. Mike.

MR. LUISI: I'm going to speak in opposition to this motion in comments that support the main motion to initiating an addendum today. If we look back over time throughout the recreational striped bass management, there were many, many, many years in the early 2000s when things were just stable.

There was a long period of time where there was stability in the recreational fishery. As we have managed the fishery to reduce fishing mortality, we have continually added to the complexity of the regulations, that the states or the regions are having to deal with their recreational anglers and their public.

I see this motion, the substitute motion, which is taking action now, as just another level of complicated analyses piecemealed together to try to accomplish and strive to achieve a certain value, whether it's 9 percent, I guess it's 9 percent here, trying to get to a 9 percent mark on reducing the level of removals.

I don't support just a continued effort to add on to that complexity. What I would like to do, or what I think the Addendum does, is it provides us an opportunity to implement the things that we have learned over time. A few years ago, Maryland closed April to no targeting. We did it for reasons back then. We're looking at that fishery now thinking what we know about catch and release mortality, you know maybe the access to the fishery during that particular time of year is more important. Maybe it's something that we should be considering as we evolve and have to deal with the onset of the environmental conditions and the climate affects that are occurring throughout the East Coast and along the Mid-Atlantic and New England areas. This approach before us on the screen right now doesn't give us any ability to be creative, to rethink, to step back and to take what we've learned and apply it.

All it does is provides a prescriptive next step that we'll need to go back and start to work with our partners within the regions that we've been identified to be in, to come up with a strategy that might work. I don't know if Maryland and Virginia are going to be able to agree on whether we do a no targeting or a no harvest closure.

That is a conversation we'll still have to have. The other states in the ocean, those conversations are going to be had as well, based on the amendments that have happened to this. I'm very supportive of taking action in '26. Let's learn from what we've

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experienced in the past, and let's try to use some creative outlook into the future to establishing meaningful rules that apply during the times of the year.

You know it's that balancing act that was brought up earlier in the main motion, the balancing act of the impacts to the effects on the resource. I don't think we achieved that with this, I think we achieved it by taking a step back and looking at it holistically, comprehensively, and coming up with a strategy that works for 2026. Those are my comments, thank you.

CHAIR WARE: Next, I have John Clark.

MR. CLARK: Holy Cow, I see we're already at the ending time for this conference, so I guess I'll keep it as short as possible. But not much I can add, just saying that I think if we had had the data through even Wave 4, we probably wouldn't even be here right now, because it would have shown the probability of meeting the SSB in 2029 would have been over 50 percent.

I think this is unnecessary to take this action now. We'll have better data if we stick with the regulations we have through 2025, and we can take our time and come up with a good addendum that addresses all aspects of both the recreational and commercial fishery. Thank you.

CHAIR WARE: Emilie is going to just provide one quick clarification, and then we're going to go to the public. Two on the webinar, one in the room.

MS. FRANKE: I just want to remind the Board that if this motion passes and if regions were to pursue no targeting closures for their implementation plans, there are two sets of assumption for no targeting closures. The TC provided one where you assume striped bass only trips would be eliminated; they would no

longer occur. That is the shortest possible closure.

The other assumption is that those trips would still occur, but they would target a different species, so it would be a slightly longer closure. The TC can provide all of that information, both sets of assumptions. I think it would be up to the region to propose to the Board which assumption they would propose as most appropriate. At that point it would be back to the Board to review the region proposals. Just a reminder, there are two assumptions for no targeting closures. In the motion right now for the Maryland no targeting closure, one of those assumptions is specified, but for the other regions it's not specified, so it would be up to the regions to look at both of those assumptions and go from there.

CHAIR WARE: Okay, so the first two hands I saw on the webinar were Patrick Paquette and then Rick Bellavance, so we'll start with Patrick.

MR. PATRICK PAQUETTE: Thank you for the opportunity to comment. I first want to appreciate the hard work that the Board wrestling with this comment. I've been doing this for a really long time, interacting with ASMFC management, and I see nothing but a dark reality for the future of the striped bass fishery.

More citizens want to catch these fish than I believe the stock can handle. All the long-term science points to a shrinking stock. The environmental conditions appear to be the problem, not any one sector or proportion of the sector. I see a future in the long term with seasons. I see the motion before you as the beginning of getting our way toward what is going to happen as we get to coming out of the next assessment.

I urge the Board to consider the Atlantic striped bass as being at high risk of overfishing in 2025. I urge you to consider that risk as the TC urged you to consider risk. I urge you to pass this motion and to begin transitioning all of us, all sectors into the reality of a smaller striped bass fishery, until the environment changes, and I just don't see that

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future in anywhere close to the near terms.
Thank you for your work today.

CHAIR WARE: Thanks, Patrick. Next is Rick Bellavance.

MR. RICK BELLAVANCE: Thank you, Madam Chair, appreciate the opportunity to comment, and I thank the Board for their work, particularly Mr. Nowalsky and his amendment to put in no targeting closures. I think that is a move forward, but I still oppose this motion. The substitute, I think it singles out Rhode Island a little more than the other states, and being from Rhode Island, I don't like that.

I think there is a lot of confusion about how these negotiations are going to work in the different regions. I think that should have been clarified a little bit more, and I think it feels to me like a rush job. I feel Mr. Luisi's comments about taking the time to do it right and thinking through all of these different management strategies is a better alternative, so I would oppose it, and thanks for the time to comment.

CHAIR WARE: Thanks, Rick. We're going to go to the room now, so I saw Mike Waine with his hand up, and then I think there is maybe one more hand, and then we'll come back to the Board.

MR. WAINE: Thank you, Madam Chair, Mike Waine with the American Sportfishing Association. I oppose the substitute and support the main motion. I think the public process is really important for such a significant decision of season closures, and it seems like on the fly the Board has chopped up this motion to look a lot like the conservation equivalency process that I think everyone had opposed moving forward with, given the status of the resource. I think giving the Addendum the opportunity to consider this more thoroughly, really develop options out that the public can consume and provide input on is the best path forward. You guys know that I'm part of a lot of these fishery management discussions and this

is probably the most unique fishery that ASMFC manages, especially recreationally.

I look at the public comments and I know there are millions of striped bass anglers out there, millions, and I'm only seeing 25-2800 comments from a lot of the same people that we know have been commenting. As an organization, we're going to work with our members to try to get more people integrated into this process.

We know that the recreational fishery is very diverse, and I don't feel like the public comments really are a good reflection of that diversity. Where is the opportunity to get those individuals into this process? Where is the opportunity to give folks the chance to get involved and engaged? I don't think it's on the fly with this substitute motion.

I challenge the Board to go the addendum route and reach out to the constituents that they haven't heard from. Don't talk to the same folks that you've been talking to the same all the time. Find the people who care about this resource, and value it in a way that their voices should be heard too, and as will reward you as an association yourself. Thank you, Madam Chair.

CHAIR WARE: Thanks, Mike. Is there one more hand in the room, because I saw a person with a hat. I saw your hand first. I forget your name, I apologize.

CAPTAIN VICTOR HARTLEY: I'm from New Jersey, Captain Victor Hartley. I don't paint a doom and gloom on this fishery, and I don't think anyone in this room has a crystal ball, because I would like to know why people think we're going to catch more next year. The Chesapeake Bay is not the primary source for this fishery anymore.

When I was younger, we fished in the Delaware Bay and we caught a ton. Those fish moved; we don't catch them there no more. Now we're in North Jersey, we see a ton of little fish coming out of the Chesapeake Bay or out of the weir. We have released more fish this year than we ever have, with the new rule, which hurt us.

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If we shut down for any amount of time, that will probably take a half of our business away. Your own numbers say that there is a chance we might make it by 2029, there is a chance we might not. It's not much difference in any of these percentages. I don't understand also why we're just looking. What if we don't rebuild by 2029? What if it's 2030? A businessman is in business. The plan is you make out good in five years, so what, maybe it takes six years.

We are releasing more fish right now than we ever have before, along with November this year, we lost 15 days due to weather. We're a 75 per boat, we're not the only boat that lost those days due to weather, and we're catching more fish. We're not worried. One other thing I don't hear anybody here worrying about is the bunker that is getting taken out by the Omega fleet is affecting our bass, it's affecting the whales that are around this year. We need to start worrying about some of the bait. But another thing you should think about if we have to take a closure is looking outside the box. We're in the for-hire sector. If we have to close the season for 20 days, okay, let's close it Monday to Thursday, but let's give everybody Friday, Saturday and Sunday to fish. That means we're not closed down for a whole entire month or 37 days, whatever it's going to be. It will give us a chance to make money every week.

All you guys think the same way every single meeting I come to; you've got to start thinking outside the box. How can we protect these people who make a living. Let me tell you, I know a lot, because I've lost houses over this industry, based on decisions that have been made here, and I've rebuilt, and it gets harder and harder. Now my kids are doing this. But that is all I had. You've got to start thinking outside the box, I mean not the same ways we do every single year.

CHAIR WARE: Thank you, Victor. All right, so I'm going to bring it back to the Board. I've had two hands raised, and then we're going to go to

caucus. I had Jim Gilmore on the webinar and then Dennis, and then we're going to caucus.

MR. GILMORE: As much as I really would like to take some kind of reduction at this point, and when I was coming in there that was my mindset. By the way, Nichola has carried on the David Pierce tradition of motions that are just amazing. Anyway, the concern I have is really from a practical one now. When I look at the region that New York would be in, which Connecticut to North Carolina.

I look back, we were trying to do simple things like regional management for summer flounder and try to get consistent size, season, bag limits, and what we went through with that took years, and it resulted in noncompliance findings and lawsuits and a whole lot of other things. The big concern I have is that we're going to resolve those types of issues plus targeting/nontargeting, commercial/recreational blah, blah, blah, all the stuff that we talked about today, and do that in 6 to 7 weeks.

I think we're just getting ourselves into a real mess. For those reasons, as much as I am in really, I would like to vote in support of that substitute motion. I think the practicality of it, an addendum makes more sense. That was really stated by a lot of the other folks. We actually do this right and actually have something meaningful and sustainable changes.

CHAIR WARE: Dennis Abbott.

MR. ABBOTT: I guess I'm getting the last word.

CHAIR WARE: We'll see, we've had some hands go up, so we'll see how generous I'm feeling.

MR. ABBOTT: Okay, a lot of us are going to be leaving shortly, hopefully. Just stepping back, we're here because we took Board action a couple years ago that if we had recruitment failure or whatever, we fell below our rebuilding target we would take action. Here we come, we went out to public comment, we got 4,000 people. Contrary to Mike Waine, we'll never get a million people or a whole

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bunch more people. There are people who voice their opinions and there are people who trust us to do what is right. But right now, we're boiled down to making a choice. We have a choice in front of us to do something. The alternative is to do what the public blames us for not doing all the time, and that is kicking the can down the road. That will be the perception when we leave this meeting if we don't adopt this substitute motion. I don't think that anything I say is going to change anyone's mind.

I think people's minds are made up. They've probably been made up long before they got here. We've had a good discussion. Thank the Technical Committee for all the work that we put upon them, and hopefully we'll come to a conclusion here, whatever it is. Thanks.

CHAIR WARE: Okay, I'm looking towards the two people I saw hands go up. Robert, 30 seconds. Then we're definitely caucusing.

MR. BROWN: Yes, thank you, Ma'am. I'm making this very simple. We've got a lot of respect for the Technical Committee, and words I heard out of their mouth was rapid, analyzing it, not enough time for the project and they need more time. There are a number of things that I don't like with this motion that we're looking at now. I'm in favor of the main motion, and I just wanted to add that we've got to take our time and make sure we get it right this time, or as close to right as we possibly can. Thank you very much.

CHAIR WARE: Thanks, Robert, Max, 30 seconds.

MR. APPELMAN: I support action to ensure stock rebuilding, and what I'm really struggling with here is the process, and I was hesitant to raise my hand when asked for those in favor and those against, but given the credible range of projections, I'm just increasingly uncomfortable asking through this expedited process.

I commented and voted in favor of an Addendum back in October. I still support an Addendum as the next best appropriate step in

this process. I don't see it as kicking the can down the road, necessarily. I think that the option that has been developed in this substitute is a great example of something that could be flushed out a little bit more in an addendum, especially if it is a viable option. I'll leave it at that. I'm going to vote against this motion to substitute and support the main motion.

CHAIR WARE: Okay, does anyone need time to caucus? Yes, 30 seconds to caucus and then we're going to vote. As a reminder, this is the time, five minutes, no. You get two minutes. I'm a hard bargainer, Emerson, two minutes. We're voting on whether to vote up the substitute or not. All right, I'm going to call the Board back to order. If you took a bit of a walk during those two minutes. We are going to vote. Again, we're voting on the motion to substitute, so this is, are you in favor or opposed to the motion to substitute.

New York, you get one more minute, because I have to read this into the record, I guess. **Move to Substitute: to take Board action to implement in 2025 recreational seasonal closures to achieve a 9 percent reduction and decrease the commercial quotas by 5 percent. The recreational season closures will be implemented regionally, as follows. Maine through Rhode Island, no harvest closures and/or no targeting closures in Wave 3. Plus, the number of days needed in Wave 5, to achieve a combined 9 percent reduction across both waves be implemented in uniform dates across the region. Connecticut to North Carolina, no harvest closures and/or no targeting closures in Waves 2 and 6 needed to achieve a combined 9 percent reduction across both waves to be implemented in uniform dates across the region. Chesapeake Bay, Maryland, no targeting closure and/or no harvest closure in Wave 4 to lengthen the existing closure (9 percent reduction is calculated with the striped bass only trips eliminated assumption.) Virginia, no harvest closure and/or no targeting closures at the end of Wave 6 (9 percent reduction.)**

New York, Pennsylvania and Delaware area specific fisheries, seasonal closure or size limit changes to

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achieve 9 percent reductions. The regions/states will submit implementation plans for Board approval at the winter 2025 meeting week. If a region can't decide on uniform dates the Board will make the selection. The implementation deadline is April 1, 2025. Okay, all those in favor of the motion to substitute, please raise your hand.

MS. KERNS: Massachusetts, Rhode Island, Maine, New Hampshire.

CHAIR WARE: All those opposed to the motion to substitute.

MS. KERNS: Connecticut, New York, New Jersey, NOAA Fisheries, Pennsylvania, Virginia, Potomac River Fisheries Commission, Maryland, Delaware, District of Columbia and U.S. Fish and Wildlife Service.

CHAIR WARE: I think that is everyone, but I'll just check, any abstentions and any null votes.

MS. KERNS: North Carolina.

CHAIR WARE: That motion to substitute fails 4 to 11 with 1 null vote. That's going to bring us back to that main motion on the Addendum, so we'll give staff a second to update here. Okay, does anyone need time to caucus on this now main motion? Doug, do you need time to caucus?

MR. GROUT: I would like to make a comment on this.

CHAIR WARE: Okay, keep it quick, and it has to be something new.

MR. GROUT: Yes. From my perspective we're not going to be gaining much information between now and when we have to start initiating this Addendum, because we won't know, to me a very important piece of information on what we need to do next, because we won't have any information on the 2025 harvest, how much it went up.

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If we do make any kind of measures this year to try and have in place by the beginning of 2026, we're going to have to come back once we find out what the harvest is in 2025. I mean that's the key thing. What kind of impact are we going to have on the 2018-year class when it goes into that slot?

I'm going to oppose this too, because I think if we're not going to do something now, we should actually wait until the year 2026, once we have 2025 information on our harvest to put in an addendum to see what we now need to do to get to our final target of SSB. That is my, thank you Madam Chair.

CHAIR WARE: Any other quick comments just on, we don't need a motion for status quo, I'll say this failing would be status quo, so that is why we don't do that motion. 30 second caucus, is that difficult? Okay, you get a minute, because I have to read it into the record. **Move to initiate an addendum to support striped bass rebuilding by 2029, in consideration of 2024 recreational and commercial mortality while balancing socioeconomic impacts.**

Options should include, if needed, a range of overall reductions, consideration of recreational versus commercial contributions to those reductions, recreational season and size changes, taking into account regional variability of availability, and no harvest versus no target closures. Final action shall be taken by the annual 2025 meeting, to be in place for the 2026 recreational and commercial fishery.

Thirty second caucus. We are going to call the question; I appreciate everyone's allowing me a few seconds there extra. **We are voting on the main motion now; this is to initiate an addendum. All those in favor, please raise your hand.**

MS. KERNS: Massachusetts, Rhode Island, Connecticut, New York, New Jersey, NOAA Fisheries, Pennsylvania, North Carolina, Virginia, Potomac River Fisheries Commission, Maryland, Delaware, District of Columbia, U.S. Fish and Wildlife Service.

CHAIR WARE: All those opposed.

MS. KERNS: Maine and New Hampshire.

CHAIR WARE: Any abstentions? Any null votes? Motion passes 14 to 2. Okay, I think, Representative Hepler, you have a comment? Very quickly.

REPRESENTATIVE ALLISON HEPLER: Okay, thanks. I just want to be put on the record that the reason I voted no is because I think we need to do something sooner rather than later, and that was clearly what I heard from the public comments. Thank you.

CHAIR WARE: Thank you. Okay, I think we have accomplished what we were brought here today to accomplish, so we have a motion that passed for an addendum. I expect staff will be reaching out about Plan Development Team membership at some point.

MS. FRANKE: Yes, we will reach out as soon as possible about a Plan Development Team. I'm not sure if we can get a Plan Development Team meeting before the winter meeting. I hope we can, but I think at the winter meeting at the very least, we would be looking for some additional Board guidance on what different options to include.

I think from a staff perspective, maybe a helpful place to start is the TC Report. If you have a chance to review the TC Report again and consider what options that aren't in there, like regional breakdowns that weren't in there in the first place that you would like to see, other things that you thought are missing from the TC Report, in terms of options that you want to see. I think that would be a helpful place to start, thanks.

ADJOURNMENT

CHAIR WARE: Thank you, Emilie. Just a few things here. I want to thank MRIP staff. They were able to get us the preliminary Wave 5 striped bass data in advance, so a huge thanks top them for that. I want to thank obviously,

Emilie, for all her hard work, the TC, Tyler and Katie. We are blessed with some very good science communicators with this group.

That is not always the case, so I just want to thank them so much for their communication skills. I want to give a big shout out to Madeline, she is doing all of the motions, typing up all of your amendments and different ideas. She doesn't get a ton of credit, and I really want to highlight her today and thank her for her work. Emilie wants to say something.

MS. FRANKE: I also just want to say, it wasn't just me reviewing all the public comments, there were a lot of staff at the Commission who helped, so it was really a team effort.

CHAIR WARE: All right, I think we would just be looking for a motion to adjourn, made by John Clark, seconded by Dave Sikorski. Thanks everyone for coming and safe travels, happy holidays.

(Whereupon the meeting adjourned at 2:00 p.m. on Monday, December 16, 2024)

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Atlantic States Marine Fisheries Commission

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MEMORANDUM

TO: Atlantic Striped Bass Management Board

FROM: Emilie Franke, FMP Coordinator and Plan Development Team Chair

DATE: January 21, 2025

SUBJECT: Request for Board Guidance on Draft Addendum III for 2026 Management Measures

In December 2024, the Atlantic Striped Bass Management Board approved the following motion initiating Draft Addendum III to consider 2026 management measures:

Move to initiate an addendum to support striped bass rebuilding by 2029 in consideration of 2024 recreational and commercial mortality while balancing socioeconomic impacts. Options should include, if needed, a range of overall reductions, consideration of recreational versus commercial contributions to the reductions, recreational season and size changes taking into account regional variability of availability, and no harvest versus no target closures. Final action shall be taken by the annual 2025 meeting to be in place for the 2026 recreational and commercial fisheries.

As the Board discussed in December, the Plan Development Team (PDT) will work toward having a draft addendum ready for Board review at the 2025 Spring Meeting in May to consider approving for public comment. To meet the timeline of final action by the 2025 Annual Meeting in October, the latest the Board can approve the draft addendum for public comment is the 2025 Summer Meeting in August.

As specified in the motion, the PDT will consider potential reductions based on projections from the Technical Committee incorporating preliminary 2024 removals estimates. Projections will continue to be run with a target 50% probability of rebuilding unless the Board indicates otherwise. The PDT will also consider options for sector contributions to the reduction. For any commercial reduction options, the PDT will consider commercial quota reductions. For any recreational reduction options, the PDT will consider size limit changes and/or season closures. The PDT will discuss both no-harvest and no-targeting closures.

To inform the PDT's work, Board guidance at the 2025 Winter Meeting is needed to further outline the scope of potential management options:

Recreational Modes

- For recreational measures, should the PDT consider different measures for the for-hire modes vs. private/shore anglers (i.e., mode split options)?

M25-06

Recreational Size Limits

- Should the PDT consider recreational slot limits or minimum size limits? Or both?
- For slot limits or minimum size limits, how small and how large should the PDT consider? E.g., a 20-22" slot or 40-42" slot? What is too small or too big?
- For ocean size limits, should the PDT consider slot limits less than 28"?
- Is the Board's intent to protect the remaining strong year classes by having size limit options that avoid them?

Recreational Seasonal Closures

- What type of equity is the Board looking for in seasonal closure options? Equity in the estimated percent reduction for each region? Equity in closure length? Other type of equity?
- For ocean season closures, should the PDT consider coastwide and regional closure options? Or only regional closure options?
- Are there specific ocean regions the PDT should consider? The PDT can start with the regional breakdown discussed at the December 2024 Board meeting of Maine-Rhode Island and Connecticut-North Carolina.
- Should the PDT consider seasonal closure options that split a reduction between two Waves? E.g., closed for x days at the beginning of that region's fishing season (Wave 2) and then closed for y days at the end of the fishing season (Wave 6).
- How small should regions be? Can a single state be its own region?
- Should seasonal closure options prioritize the shortest possible closures to achieve the reduction (i.e., closures during Waves when most removals are occurring)? Are there other timing considerations the PDT should consider for closure options?

Other Topics

- Are there any other commercial or recreational management measures the PDT should consider?

From: [Joe Angelini](#)
To: [Comments](#)
Subject: [External] Stripper catch enforcements
Date: Tuesday, January 7, 2025 4:31:09 PM

Sent from my iphone

I am a resident of York Maine

I paddle board on long sands beach and witnessed numerous boats catching strippers and gutting/filleting them and tossing the remainder off the boats

The remainder of the fish washed ashore on the public beach and judging by the size of the heads they were clearly not within the slot limit.

Not an isolated case the boats were there for most of the 2024summer months along with the gutting of the fish and the washing up on shore

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From: [Gerard C. Addonizio](#)
To: [G2W2](#)
Subject: [External] striped bass
Date: Tuesday, December 17, 2024 2:30:20 PM

I agree with the asmfc's decision to not make any changes until more data is available. As with many other people I have spoken to, I disagree with the no targeting option as both drastic as a first step and also feel that it is totally unrealistic. When fishing from Cape Cod beaches, we use the same lures for blue fish that we use for striped bass. The only way this could work and avoid striped bass as collateral damage would be to totally ban fishing for periods of time, and I feel that this option should only be taken under very extreme circumstances. I have been surprised by your estimate for striper mortality with recreational fishing as my observation has been that the fish are being placed back into the water with much greater care than years ago. It seems to me that much greater research and attention needs to address the problem with juvenile development in the Chesapeake. Unless this is addressed, any kind of fishing restrictions will ultimately fail. I know that I speak for many people who are very concerned but fail to write to you about it. Thank you for addressing this important issue. Please alert me to any future webinars.
Gerard Addonizio

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From: paugustine3@verizon.net
To: [G2W2](#)
Subject: [External] Re: Thank you for attending Atlantic Striped Bass Management Board
Date: Wednesday, December 18, 2024 10:54:20 AM

I listened to the complete webinar; reviewed the recommendations to address the current issues and expected the Board "had the guts" to take some action for the 2025 fishing year.

The information presented to the Board relative to stock status, projections, and other pertinent information, clearly pointed to the fact, immediate action was required to protect or reduce pressure on the year classes as noted. In addition, the public's overwhelming comments to take some immediate action fell on deaf ears and blind eyes. Special interest groups seem to have won the day, again.

The motion that passed to create an addendum was the right action to take for 2026 and beyond. However, IN MY OPINION, it should have been in addition to action taken in 2025 to reduce effort/mortality. Sooner rather than later, kicking the can down the road is going to catch up.

Respectfully,
Pat Augustine

On Tuesday, December 17, 2024 at 02:01:27 PM EST, Webinar Staff 2
<customercare@gotowebinar.com> wrote:



Atlantic Striped Bass Management Board

Mon, Dec 16, 2024 10:00 AM - 2:00 PM EST

We hope you enjoyed our webinar.

Please send your questions, comments and feedback to:
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From: [Jonathan Barry](#)
To: [Bob Beal](#); [Emilie Franke](#)
Subject: [External] Striped bass no action
Date: Tuesday, December 17, 2024 9:58:34 AM

You're telling me grown men can't figure out a way to make money for a few years outside of striped bass commercial fishing, and you folks at the asmfc have absolutely zero backbone in doing your job restoring the stocks for striped bass when commercial guys bitch and moan for a few hours? The fish can't even breed anymore and you idiots say "No action".

Maybe it is time to shut your organization down and give your jobs to federal agencies.

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From: [Timothy Begin](#)
To: [William Hyatt](#); [Sen. Craig A. Miner](#); [Robert LaFrance](#); [Justin Davis](#); [Rep. Joseph P Gresko](#); [John Clark](#); [Roy Miller](#); [Rep. William J Carson](#); [Craig D Pugh](#); [Daniel Ryan](#); [Rese Cloyd](#); [Stephen R. Train](#); [Pat Keliher](#); [Megan Ware](#); [Rep. Allison Hepler](#); [Cameron Reny](#); [Lynn Fegley](#); [Russell Dize](#); [Michael Luisi](#); [Del. Dana Stein](#); [Max Appelman](#); [David Sikorski](#); [Dan Mckiernan](#); [Nichola Meserve](#); [Raymond Kane](#); [Rick Jacobson](#); [Jennifer Armini](#); [Dennis Abbott](#); [Cheri Patterson](#); [Doug Grout](#); [Renee Zobel](#); [Sen. David H. Watters](#); [Jeff Kaelin](#); [Heather Corbett](#); [Adam S. Nowalsky](#); [Sen. Vin Gopal](#); [Emerson Hasbrouck](#); [Marty Gary](#); [Jim Gilmore](#); [John Maniscalco](#); [Fred W. Thiele Jr.](#); [Chris Batsavage](#); [Kathy Rawls](#); [Chad Thomas](#); [Jerry Mannen Jr.](#); [Michael Wray](#); [Kristopher M Kuhn](#); [Loren W. Lustig](#); [Tim Schaeffer](#); [Tyler Grabowski](#); [Anita A Kulik](#); [David M. Deloso](#); [Jason E. Mcnamee](#); [David V. D. Borden](#); [Sen. Susan Sosnowski](#); [Lt. Jeff Mercer](#); [Eric Reid](#); [Patrick Geer](#); [Jamie Green](#); [Emilie Franke](#); [Ingrid Braun-Ricks](#); [Ron Owens](#); [James Minor](#); [Danny Diggs](#)
Subject: [External] Re: Another Failed Spawn
Date: Monday, December 23, 2024 2:21:09 AM

Hello - I'd like to start by thanking the representatives from Maine, New Hampshire, Massachusetts for trying to do the right thing last week and put in some practical measures in to help rebuild the striped bass stock. Those efforts are much appreciated.

I'm extremely disappointed in the outcome from last weeks meeting. You have kicked the can down the road yet again and I fear for the last time before the striped bass stock completely collapses, again.

There's not much else for me to say other than, as one of the many citizens who has entrusted you to manage this resource, I'm extremely disappointed. I'm disappointed for all my fellow anglers who love this fishery, I'm disappointed for my son who may never get to enjoy it and I'm sad for striped bass who now seem destined to be on their way out.

The die has been cast and you'll have to live the decision you've made regarding this fishery, I guess unfortunately for the citizens you serve we'll have to live with the outcomes.

Happy Holidays,
Tim Begin

North end fishing co

On Fri, Oct 18, 2024 at 1:49 PM Timothy Begin <northendfishingco@gmail.com> wrote:

Good Afternoon - as I'm sure the board is aware there has been another failed striped bass spawn in the Chesapeake Bay - see below. This has to be the last straw that wakes the board up to take drastic action.

THERE ARE NO STRIPED BASS FOR A SIX YEAR SPAN TO RECRUIT INTO THE COASTAL STOCK. Which is a stock that is already over fished. How in the world can we keep allowing striped bass to be killed at the rate we are knowing there aren't any coming down the pipeline?

It's basic resource management, the change in a resource quantity is equal to the difference in the rate resources are extracted vs the rate the resource is replenished. Our resource is not being replenished at all and yet we're still extracting from it. That is by black and white, mathematical definition, unsustainable.

I'm an avid fisherman in the Boston area and the owner of a small fly tying side business focused on saltwater flies. I fish five days a week during the season and have done so for 30 years and this was the worst season of my life. I caught ONE fish over a two month period

this season, fishing five days a week. Now you can go ahead and say I'm bad at fishing and that's probably true, but I've never had an issue catching fish and enjoying the fishery until the last 3 seasons. The fishery is not in good shape and if this season is any indication it has basically collapsed for shore based anglers like me.

There is no relief coming down the pipe. WE CANNOT WAIT.

I'm voluntarily deciding to not fish for striped bass next season and probably into the future. That's thousands of dollars of economic input from me lost.

Here is a list of things I won't be purchasing next year and into the future because of the state of striped bass.

1. guide trips
2. hotels along the coast for fishing trips.
3. meals at restaurants in areas I fish
4. tackle at tackle shops
5. fly tying materials
6. gas to get to my fishing spot.... and there is so much more.

I also won't be selling any flies for striped bass next year.

WE CANNOT WAIT ANY LONGER, WE JUST CAN'T!!!!

Please do the right thing and take drastic action to rebuild the striped bass stocks. I don't want to have to explain to my kids that striped bass went the way of buffalo because a few people decided to not do the right thing.

The specific things we need to pursue are listed below:

- No more commercial striped bass fishing.
- No more recreational retention. It should be a completely catch and release fishery.
- No targeting closures in major spawning areas during spawning periods
- A major study should be performed on the potential reasons for poor spawning.

Tim Begin

North End Fishing co

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From: [Bryce Budrow](#)
To: [Emilie Franke](#)
Subject: [External]
Date: Tuesday, December 17, 2024 8:35:53 AM

No change in the Atlantic striped bass regulations for 2025? I guess the ASMFC isn't really concerned about the declining fishery. Absolutely should've put a ban on all fish harvested. I guess too many people making \$ off this dying fishery to make any changes.

Regards,

Disappointed fisherman

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From: [Emilie Franke](#)
To: [Emilie Franke](#)
Subject: FW: [External] Stripe bass Management
Date: Thursday, January 16, 2025 2:40:07 PM

From: Anthony Cappuccio <anthony.cappuccio176@gmail.com>
Sent: Monday, December 16, 2024 4:21 PM
To: Emilie Franke <EFranke@ASMFC.org>
Subject: Re: [External] Stripe bass Management

Not taking action to is stupid. This fishery is in trouble, the stripe bass need help. This decision is ludicrous. How can the ASMFC need to do something, at least raise the size limit

From: [Info \(ASMFC\)](#)
To: [Emilie Franke](#)
Subject: FW: [External] Deeply Disappointed and Worried
Date: Friday, December 20, 2024 10:05:03 AM

-----Original Message-----

From: Steve Collins <steveperc@gmail.com>
Sent: Thursday, December 19, 2024 8:45 PM
To: Info (ASMFC) <info@ASMFC.ORG>
Subject: [External] Deeply Disappointed and Worried

With all due respect, as a responsible recreational fisherman, I am appalled by the lack of action taken to further protect and restore the striped bass population of the Atlantic states. I imagine there were plenty of passionate arguments on both sides of this issue and tough decisions are just that - tough. But what in the world is going on? Restore the biomass by 2029? That seems absolutely impossible at this point. You can't wait until it's too late.

I know your officials are in a very difficult position. But no action equals near death or maybe even extinction to our beloved fish. Shame. You need to do better.

Sent from Steve Collins' iPhone

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From: [Joe Deck](#)
To: [Emilie Franke](#)
Subject: [External] Striped bass management
Date: Thursday, December 19, 2024 2:19:47 PM

I can remember when I was child it was always a joy to catch a fish no matter the size. I guess that was the thrill of fishing, between the way it would pull and having to bring it in without line breaking and adjusting, when line broke it was always upsetting especially when don't know what was on other end. It was even more of experience when fish would jump out water.

I can remember the striped bass regulation was around 3 feet long could easily be measured if bigger then yard stuck can keep it. Also was catching many fish.

The regulation changed to a smaller size fish and then a smaller size and again a smaller size. The fishing went to barely catching anything at all during peak spring/summer migration.

With the regulation as only that slot size of fish that is now once those small fish are that size and caught they are going to be kept. The larger ones are going to survive but eventually too old to produce eggs, there is no way to create more as most of those eggs from the smaller ones are sterile eggs.

That is going to leave a smaller amount of striped bass. Due to fewer eggs being left and most sterile.

I am thinking if put regulation back to 3 feet or even go larger to 40 or 42 to keep, the amount of striped bass is going to increase.

You may say but those ones are the ones with lots of eggs, but those smaller barely produced any and those that are bigger then the slot size can eventually dry up but since increasing size to keep, which are barely caught at 40+, there is still the abundance of eggs from those smaller to be fertilized.

Maybe a regulation 36"+ or 38"+ commercial size limit and 40"+ or 42"+ recreational size limit can within 3-4 years create a more abundant amount of striped bass.

I noticed it with the flounder as increased size limit and lowered amount can keep, there was more flounder caught and even though undersized still a good time was had. Also the lowering of amount to keep of bluefish has given more bluefish caught.

It is what to do to increase population of the fish lower the amount to keep and increase the size to keep.

Lots of people fish just to catch fish and have a good time out. Which is more then those fishing to catch a trophy or to get food as instead of buying the fishing stuff and driving their distance could have bought food or even went to market and bought fish to eat. Bloodworms a common bait to catch striped bass are around \$20.00 USD a dozen and hooks since having to use circle hooks are around \$6 to get 6 and lead weights are around 50¢ each at a 2oz weight to use in river or calm bay or up to \$2 to get a 5oz weight to use in ocean, so there is money right there to get food from market.

[Yahoo Mail: Search, Organize, Conquer](#)

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From: [Thomas Devine](#)
To: [G2W2](#)
Subject: [External] Feedback striped bass webinar
Date: Tuesday, December 17, 2024 6:27:47 PM

I have high praise for the chairwoman of this webinar. She has the patience of a saint and kept to the topics, I.e. comment or question. I was only able to listen to the discussion on commercial reduction.

BTW one person's argument that the commercial quota is not filled was misleading. Since New Jersey has a commercial quota but has no commercial fishery, its quota is never filled. So the coast wide quota can never be filled.

New Jersey does use about 20% of the commercial quota for its Bonus Tag program. This still leaves 80% as an overall savings or conservation program.

Thank you,

Tom Devine

Hi-Mar Striper Club (NJ) Member

Sent from my iPhone

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From: [RomanAround5246](#)
To: [G2W2](#)
Subject: [External] Emergency Striped Bass Meeting
Date: Friday, December 20, 2024 10:18:50 AM

Hi ASMFC,

I am writing to you to voice my displeasure with the Board. For years we have heard about the shrinking population of Striped Bass. We have a council who's job it is to prevent the stock biomass from crashing like it did in the 80's.

Unfortunately, these bunch of clowns kick the can down the road instead of starting to take steps to rebuild the stock for 2029. All these board members should be fired. All they do is come up with excuses and they also look to favor one group.

Most of the board members at the beginning of the meetings claim they want and need to do something but when the final vote comes down after four and a half hours of bs, they vote to do nothing but kick the can down the road. Then there is the other members who constantly claim that they don't have enough time to implement new regulations for their commercial sector because the decision in October because they already placed their order for commercial tags all of a sudden claim that they will be able to accomplish this in October of 2025 and not one person questioned them about this issue. We in Connecticut don't have a commercial fishery for Striped Bass but we did have a select number of tags for recreational anglers. But because of the Striped Bass issue but they were taken away by the same person who doesn't want to see the commercial sector take a complete like the recreational sector.

What's going to happen is these pathetic board members are going to do nothing and in 2028 they are just going to say the numbers are impossible to get to and just change it to reflect their negligence. We have a Volunteer Angler Survey along with MRIP numbers but none of these clowns want to read them. They argued that they want the 2024 numbers but the population of Striped Bass that we are concerned about will be slot size in 2025. What makes you think that they won't wait until 2026 to get numbers so they can make a decision and put something into affect in 2027?

The board chairman is on the New England Fishery Council and look at the cod stock that she is in charge of? And we are letting her make decisions on Striped Bass? Can you say Gloom and Doom? So when the Striped Bass population crashes, does that mean everyone going to be happy with a No Target or No Harvest Striped Bass? In Connecticut, we did nothing when we saw the lobster population dwindling and the lobster men and women didn't want to do anything because of the economic impact. Well know there is no lobstering between September and November, those people just switched over to catching bluefish instead. All the hardship but they will just decimate another species.

Win for Striped Bass Conservation: Court Upholds ASMFC Regulations

I find this funny too. A court has to rule to keep the ASMFC to do the right thing against itself. This just makes this board look dumber.

I have a real question for the technical committee, New Jersey claims that by closing their Striped Bass Season towards the end of the year would decimate their economy, how many of those fish they catch are going to die because they are dragged across the sand before they can be unhooked and released? And what about all the fish that this is happening too?

I see dark times in many marine species from porgies to striped bass to whales. We have decision makers who have no clue and should not be where they are. Whether it's because of DEI or if it's politics, we just need the right people making the decisions.

Thank You for taking the time to listen to my rants and my two cents. You do a great job at these hearings especially with all the work.

Sincerely,

Roman Dudus

Sent via the Samsung Galaxy Z Flip3 5G, an AT&T 5G smartphone

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From: rfyogibear@aol.com
To: [G2W2](#)
Subject: [External] to emile franke
Date: Tuesday, December 17, 2024 5:13:06 PM

you did a great job navigating and moving through the meeting in a courteous, firm and timely way.

i do agree with the nj charter/party boat captain's views(toward's the 2:00 time of the meeting or so):

- don't black out an entire week for any closures. leave the weekend open where they have the most traffic. black out mon/tues or mon/tues/wed. to get the proposed 20(twenty) day closure. i would say do it early in the season before the migration and in dec. towards the end. you could even put more days closed in dec. as after thanksgiving fishing traffic drops.

- look at the commercial taking of bunker. no bunker no whales, dolphin and strippers. of course you know this.

- i saw the same conditions out of captree state park, long island, n.y. as he saw in his part of nj. alot of stripers, alot of bunker, alot of birds and whales.

- i believe these populations might be coming more from the hudson and raritan river then the chesapeake but it is just my guess.as the hudson river populations are not that strong either.

thanks again for the invite and please let me know about the next one. i hope my opinion helps. robert fackovec, massapequa park, n.y.

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From: [James Jewkes III](#)
To: [G2W2](#)
Subject: [External] Striped bass webinar feedback
Date: Tuesday, December 17, 2024 2:56:16 PM

As usual everyone did a great job presenting the information. The chairman did a great job handling situations as they rose. Problem I had was with the outcome of the meeting. We all know something has to be done with striped bass but as in the past things got kicked out to the future these fish are running out of time

Thank you
James Jewkes

[Sent from Yahoo Mail for iPhone](#)

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From: [Don Jones](#)
To: [G2W2](#)
Cc: [Don Jones](#)
Subject: [External] Atlantic Striped Bass Management Board
Date: Tuesday, December 17, 2024 7:18:14 PM

I could not attend the entire web meeting, but from what I did see and hear, everyone seemed to be aware of the data and very concerned about how to best handle the near term fishery.

The amount and the degree of detail in the scientific surveys is impressive. However there seems to be a severe disconnect between the scientific numbers and the actual number of fish in the wild in the Chesapeake Bay and its tributaries. I can only speak for the middle Bay area and the Little Choptank river and the mouth of the Choptank. In my area, we were at least catching some rockfish recreationally before the last total moratorium occurred. There were many more rock in my area after the fishery reopened.

However this time, there are very few rockfish in my area at all. For at least the last four months of season 2024, we could not find a single rockfish anywhere in the area mentioned above. Of any size. That is catastrophic. In addition, of the many boats I was near while fishing, I saw very few fish caught by anyone, at any time, in any of the above mentioned areas. To see zero rockfish over roughly a dozen trips in this area from June to December is concerning, to say the least.

I expected the board to increase the number of no fishing days in a major way for 2024. Instead we are doing nothing for 2024. I consider this to be a travesty. Having more complete data on harvest and dead loss for the last portion of 2024 will improve the accuracy of the numbers but will not increase the number of future rockfish.

If I was holding a thermometer while outside in the sun, and the thermometer read 65 degrees, yet my skin was severely burning from the heat of the sun, the numbers would show nothing wrong, but the symptoms would prove something else was going on. I feel we are putting far too much importance on the scientific numbers.

Ask 25000 or more commercial and recreational fishermen what their experience was when fishing for rockfish in 2024. Ask as many as humanly possible.

If the current processes are more than a little inaccurate, the striped bass population could collapse on short order. I think that point is in the near future, and we are moving too slowly to avoid it. I truly hope I am wrong.

thanks for listening,

Don Jones

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From: [tom.matulonis](#)
To: [G2W2](#)
Subject: [External] Recent webinar regarding Striped Bass management
Date: Wednesday, December 18, 2024 11:40:09 AM

Hello,

My feedback is that it was a total dog and pony show.

You ask for comments, but deep down you have already made your mind up.

What a total waste of time. People would have way more respect for your organization if you just told the truth instead of lying to them year after year.

You have no desire to fix the striped bass stock, this is pretty obvious.

Kicking the can down the road must be posted on the wall of your offices as it's certainly your business slogan.

Regards,

Tom Matulonis.

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From: [Parker Mauck](#)
To: [G2W2](#)
Subject: [External] Feed back on ASMFC SBMB Dec 16 2024
Date: Tuesday, December 17, 2024 4:54:45 PM

To whom it may concern,

I thought the moderator and the staff did a good job running the meeting.

However, it is hard to express my disappointment at the outcome. These boards are not fulfilling their duty. There was a CLEAR message sent by the overwhelming majority of comments asking the board to take action. Kicking the can down the road like they did is NOT action as one member suggested. It is a blatant move to reap another year of heavy removals before more drastic action will be needed. The claim that more data is needed to take action is complete BS. We have enough information now. What additional info will be available to the board that will outweigh six years of poor spawning?

Public confidence in these boards from people that truly care about conservation and protecting Striped Bass populations is at ZERO. The greedy states to the south have figured out how to game the system and every angler, both recreational and commercial, is going to pay the price. Less fish hurts everyone, more fish helps everyone. It is so simple. Honestly, can't we kill less fish for a few years to help counteract the poor spawns? Please listen to the people that take the time to comment and stop pandering to a small majority of selfish anglers who only see Striped Bass as short term money. If the Striped Bass populations crash it will cause widespread economic damage and the blame will rest on the shoulders of the ASMFC that had the information to act, but did not. Shame on the ASMFC.

Capt. Parker G. Mauck
pgmauck@gmail.com
(508) 496-8682
www.westportfly.com



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From: [Matt Mobley](#)
To: [G2W2](#)
Subject: [External] Atlantic Striped Bass Management Board mtg feedback
Date: Tuesday, December 17, 2024 3:29:54 PM

To whom this concerns: My name is Matt Mobley and I am a recreational fisherman from the state of Maryland. I listened to the webinar on Mon, Dec 16, 2024 and I am writing to provide feedback. To begin with, the purpose of the meeting was not clearly stated, up front. I recommend beginning these meetings with a problem statement or clear purpose of the meeting, and clearly state the desired goal or outcome so an outsider can understand the intent of the meeting.

I found many, perhaps too many, comments, questions and concerns to be disconnected from any specific, shared understanding of the overall goal. Is there a problem or not? If there's a problem, what is it? It is my observation that many speakers did not believe there's a problem with Striped bass. People speaking and/or asking questions seemed to be using time to state their personal agendas. It is my opinion, this meeting was not an effective use of time.

In my opinion there's a significant problem with the coastal striped bass population. As I have previously stated, YoY data is not a reliable measure of recruitment by any scientific definition of recruitment. Using YoY surveys to estimate the number of mature fish entering the ocean fishery is a leap of faith, at best. Fishing related mortality is poorly counted in the bay fisheries. Effort management has not been effective to manage actual recruitment to the spawning stock biomass. Actual recruitment from the bay to the ocean is the most important form of recruitment. Without good data to estimate true recruitment to the exploitable Ocean fishery, it is my opinion ASMFC will not effectively manage striped bass.

After many years of this unscientific mismanagement, I believe conservationists will be forced to challenge ASMFC's guesswork through legal means. I am calling for my fellow conservationists to denounce ASMFC and seek legal recourse.

Sincerely, Matt Mobley

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From: [Emilie Franke](#)
To: [Emilie Franke](#)
Subject: FW: [External] RE: Atlantic Striped Bass Board Initiates Addendum to Consider 2026 Management Measures
Date: Thursday, January 16, 2025 2:45:39 PM

From: mobileweighstation@gmail.com <mobileweighstation@gmail.com>
Sent: Saturday, December 21, 2024 4:27 PM
To: Tina Berger <TBerger@ASMFC.org>
Cc: Bob Beal <RBeal@ASMFC.org>; Alexander Law <ALaw@ASMFC.org>; Toni Kerns <TKerns@ASMFC.org>; Emilie Franke <EFranke@ASMFC.org>; Caitlin Starks <CStarks@ASMFC.org>; Chelsea Tuohy <CTuohy@ASMFC.org>; Tracey Bauer <TBauer@ASMFC.org>; James Boyle <JBoyle@ASMFC.org>
Subject: [External] RE: Atlantic Striped Bass Board Initiates Addendum to Consider 2026 Management Measures

Very disappointing. They continue to kick the can down the road. I have been writing letters to the ASMFC since 2013 and at time, the governors up and down the east coast asking for more meaningful regs to stop this latest decline which has been happening for close to 20 years now. I knew this was going to be an issue when they went to the 2 @ 28 many years ago. We're repeating history just like we did in the 80s. Now, the usual groups who do not represent me as a recreational angler, are fighting these regs just like they do every regulation. They don't seem to realize or care, their unwillingness to follow the best science we have available, leads to more stringent regs which is where we are now.

I and many others have zero faith in this process and those responsible. If you don't believe me, and if you are not familiar with this site, I suggest taking a look at the link below. Very disheartening.

<https://www.stripersonline.com/surftalk/topic/897118-asmfc-stripped-bass-board-to-consider-2025-fishing-restrictions-at-dec-16-meeting-today-10-am-to-2-pm-online/page/19/#comment-19054476>

From: [Joe Nicosia](#)
To: [G2W2](#)
Subject: [External] Management Meeting 12/16
Date: Tuesday, December 17, 2024 2:39:32 PM

Very dissatisfied with the results and no action for the 2025 season as the 2018 year class will most likely be wiped out as they enter the slot size.

Doesn't seem like the striped fishery is in the best interest for the ASMFC to be protected.

--

<https://www.instagram.com/onlyonthefly/>

[Instagram -at_ the_ vise](#)



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From: [Robert Tartaglia](#)
To: [G2W2](#)
Subject: [External] 12/16 meeting
Date: Tuesday, December 17, 2024 4:21:40 PM

I attended and listened to the entire meeting on Dec 16, 2024 from 10:00 AM - 2:00 PM EST.

It actually was quite enlightening but at the same time incredibly disappointing. I felt convinced that some action would be taken in order to affect changes that would reduce mortality while preserving opportunities for all stakeholders to enjoy and benefit from the fishery.

To me it seems like in the end, the outcome was manipulated by the special interests of some that once again lead to the kicking of the proverbial can down the road.

And please whoever tried to make the case that taking no action was actually taking action needs to really think how that came across.

Rob Tartaglia
Massachusetts

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From: [Bill Tyson](#)
To: [G2W2](#)
Subject: [External] Striped Bass Webinar
Date: Wednesday, December 18, 2024 3:41:27 PM

Thank you for extending an invitation to the recent webinar.

I believe the board's decision to refrain from immediate action was prudent. While the proposed slot change for 2023 appears to be yielding positive results, it is imperative that we continue to gather comprehensive data and conduct a thorough analysis. This will enable us to make an informed decision and mitigate any potential risks.

I was particularly impressed by the contributions of the Technical Committee team and their candid feedback. They rightly emphasized the need for additional data to support a definitive recommendation. It is crucial to maintain a realistic perspective and avoid hasty conclusions.

I would also like to express my gratitude to the Program Management team for organizing such a productive meeting. It provided an invaluable opportunity for all stakeholders to engage in a constructive discussion of the situation.

Thank you once again for your efforts. I wish you a joyous holiday season.

Sincerely,
Bill Tyson

Long Beach Township, New Jersey

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From: [Capt. Eric Wallace](#)
To: [Emilie Franke](#)
Subject: [External] Re: No Harvest Move the slot
Date: Monday, December 16, 2024 5:48:38 PM
Attachments: [image001.png](#)

Shameful!!!!!!!!!!

Capt. Eric Wallace
Ph 207-671-4330
coastalflyangler.com

From: Emilie Franke <EFranke@ASMFC.org>
Sent: Tuesday, December 10, 2024 9:42:45 PM
To: Capt. Eric Wallace <eric@coastalflyangler.com>
Subject: RE: No Harvest Move the slot

Thank you for providing input on striped bass management. Your comments will be shared with the Atlantic Striped Bass Management Board for consideration at its next Board meeting, which will occur on December 16.

[Emilie Franke](#) | Fishery Management Plan Coordinator
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 22201
Phone: 703.842.0716 | Fax: 703.842.0741
efranke@asmfc.org | www.asmfc.org

From: Capt. Eric Wallace <eric@coastalflyangler.com>
Sent: Tuesday, December 10, 2024 11:55 AM
To: G2W2 <G2W2@asmfc.org>
Subject: [External] No Harvest Move the slot

Dear ASMFC

What the hell are you guys doing?? chat about closer waves, talking about a unicorn class of fish that are not in the ocean, what is it you are after? doing nothing - is my guess, but to even mention a no-target time period within the season vs a no harvest is just BS and you know it!!!! But wait we could do something like maybe protect the class of fish that are in the spawning year classes, changing the slot range for a few years add in a 60 day no harvest during prime waves in different areas as pressure on the fish is deem the most....., But to manage by no target vs no harvest give me a break....

No Harvest !!!!!!!

Move the slot!!!!!!

Commercials get a no Harvest wave aswell!!!

*****How difficult is this??

Captain Eric Wallace

Coastal Fly Angler



COASTAL
FLYANGLER

207-671-4330

<http://www.coastalflyangler.com>

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From: [John Weinbuch](#)
To: [G2W2](#)
Subject: [External] Re: Thank you for attending Atlantic Striped Bass Management Board
Date: Tuesday, December 17, 2024 2:41:15 PM

Thank you for having me! Great job kicking that can down the road. Striped Bass are in trouble, but yet again we listened to the small bunch who want status quo.

Shameful.

On Tue, Dec 17, 2024 at 2:01 PM Webinar Staff 2 <customer@gotowebinar.com> wrote:



Atlantic Striped Bass Management Board

Mon, Dec 16, 2024 10:00 AM - 2:00 PM EST

We hope you enjoyed our webinar.

Please send your questions, comments and feedback to:

g2w2@asmfc.org

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Atlantic States Marine Fisheries Commission

Executive Committee

February 5, 2025

8:00 – 10:00 a.m.

Draft Agenda

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

A portion of this meeting may be a closed for Committee members and Commissioners only.

1. Welcome/Call to Order (*J. Cimino*)
2. Board Consent
 - Approval of Agenda
 - Approval of Meeting Summary from October 2024
3. Public Comment
4. NOAA Grants Management/CARES Update (*R. Beal*)
5. Review White Paper on Board Voting and Virtual Meeting Standard Operating Practices and Procedures (*R. Beal*)
6. Legislative Update (*A. Law*)
7. Future Annual Meetings Update (*L. Leach*)
8. Other Business/Adjourn

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

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

**The Westin Annapolis
Annapolis, Maryland**

October 23, 2024

INDEX OF MOTIONS

1. Approval of Agenda by Consent (Page 1)
2. On behalf of the Administrative Oversight Committee, move acceptance of the FY24 Audit. Motion by Dan McKiernan on behalf of the AOC. Motion passed unanimously. (Page 1)

ATTENDANCE

Committee Members

Pat Keliher, ME
Cheri Patterson, NH
Dennis Abbott, NH (LA Chair)
Dan McKiernan, MA, Vice Chair
Jason McNamee, RI
Justin Davis, CT
Marty Gary, NY
Joe Cimino, NJ, Chair
Kris Kuhn, PA

Roy Miller, DE (GA Chair)
John Clark, DE
Lynn Fegley, MD
Jamie Green, VA
Chris Batsavage, proxy for Kathy Rawls, NC
Ben Dyar, SC
Doug Haymans, GA
Erika Burgess, FL

Other Commissioners/Proxies

Pat Geer, VMRC AA proxy
Jim Gilmore, NY
Allison Hepler, ME LA
Gary Jennings, FL GA
Ray Kane, MA GA
Robert LaFrance, CT GA Proxy

John Maniscalco, NY DEC
Nichola Meserve, MA DMF
Eric Reid, RI LA proxy
Dave Sikorski, MD LA proxy
Megan Ware, ME DMR
Renee Zobel, NH F&G

Staff

Bob Beal
Alexander Law

Laura Leach
Madeline Musante

Guests

Margaret Conroy, DEDNREC
Chip Lynch, NOAA
Brian McManus, FFWC
Allison Murphy, NMFS
Ronald Owens, PRFC
Will Poston, ASGA

CALL TO ORDER

The Executive Committee of the Atlantic States Marine Fisheries Commission convened October 23, 2024 in the Capitol Ballroom at The Westin Annapolis in Annapolis, Maryland. The meeting was called to order at 8:05 a.m. by Chair Joe Cimino.

APPROVAL OF AGENDA

The agenda was approved with the addition of “declaration of interest and voting privileges” as requested by Doug Haymans.

APPROVAL OF SUMMARY MINUTES

The summary minutes from the August 7, 2024 meeting were approved as presented.

PUBLIC COMMENT

There was no public comment.

FY24 AUDIT

The FY24 Audit was reviewed by the Administrative Oversight Committee and forwarded to the Executive Committee with a recommendation for approval. “On behalf of the Administrative Oversight Committee, move acceptance of the FY24 Audit.” Motion by Dan McKiernan on behalf of the AOC. Motion passed unanimously.

LEGISLATIVE COMMITTEE UPDATE

Legislative Program Coordinator Alexander Law provided an update to the Executive Committee on the low level of productivity from Congress since his last update, future responsibilities they have for passage of appropriations bills and thanked the Commissioners for their engagement with him up on Capitol Hill.

FUTURE ANNUAL MEETING LOCATIONS

Mrs. Leach provided an update on future Annual Meeting locations. In October 2025 the Annual Meeting will be in Delaware; in 2026 Rhode Island; 2027 South Carolina; 2028 Massachusetts; 2029 Pennsylvania and 2030 Georgia.

DECLARATION OF INTEREST AND VOTING PRIVILEGES

At 8:15 the Executive Committee went into a closed session to discuss declaration of interest and voting privileges.

At the conclusion of the closed session, Staff was directed to develop a white paper detailing the options for declaration of interest and voting privileges, for review by the Executive Committee and ISFMP Policy Board at the Winter 2025 meeting.

ADJOURN

The Executive Committee adjourned at 10:10 a.m.



October 2, 2024

Robert Beal
Executive Director
Atlantic States Marine Fisheries Commission
1050 N. Highland Street, Suite 200 A-N
Arlington, VA 2220

Subject: Audit Resolution Determination

- State of New Jersey Office of the Comptroller Review of COVID-19 CARES Act Marine Fisheries Assistance Grant Program issued March 24, 2022, and supplemental issued June 20, 2023.
- CARES Act, Administrative Recovery Case No. 23-0758-P, NOAA Fisheries Cares Act and ACC.
- Independent Program Evaluation of National Oceanic and Atmospheric Administration (NOAA) Fisheries Pandemic Relief Program Final Report No. OIG-24-018-I, issued April 4, 2024.

Dear Mr. Beal,

The National Oceanic and Atmospheric Administration Grants Management Division (NOAA GMD) has reviewed the response submitted by the Atlantic States Marine Fisheries Commission (ASMFC) on August 8, 2024, in response to the Management Decision Letter (MDL) issued on June 6, 2024. NOAA GMD analyzed the documentation and found the responses inadequate to close the audit findings listed in the report. NOAA GMD has determined that ASMFC must repay \$7,351,697 in unallowed costs.

Debt and Demand for Payment

ASMFC will receive a billing notice from the NOAA Finance Services Division requesting the payment of \$7,351,697 for the unallowed costs. The payment of this debt is entitled to priority treatment following 31 U.S.C. § 3713, that the United States government will be paid first, and failure to satisfy NOAA's claims before paying the claims of other creditors may result in the personal liability of one or more of the ASMFC's officers, employees, or other ASMFC representatives.

Under the Debt Collection Act of 1982, as amended, 31 U.S.C. § 3701 et seq., interest will accrue on the principal, or any portion thereof, owing and unpaid from the date of this letter until the debt is paid in full or final disposition is concluded. Interest will automatically be waived on any portion of the principle that is paid within 30 calendar days from the date of this letter. Checks made payable to the Department of Commerce - NOAA referencing the award numbers NA20NMF4540217 and NA21NMF4540291, along with corresponding backup documentation, can be sent to the following Treasury addresses for processing:

- **United States Postal Service (USPS)**- Department of Commerce - NOAA, PO Box 979008 St. Louis, MO 63197-9000
- **FedEx or UPS**- Department of Commerce – NOAA, Attn: GA Lockbox 979008, 1005 Convention Plaza, Saint Louis, MO 63101
- **ACH**: Follow the instructions in the attached ACH form. Please send us the backup documentation via email.
- **Fedwire**: Follow the instructions in the attached Fedwire form. Please send us the backup documentation via email.

Collection Actions

NOAA is entitled to take all appropriate steps to collect delinquent debts and will do so if the debt is not satisfied within 30 days from the date of this letter. These steps may include:

- Referring the debt to the U.S. Department of the Treasury for an offset of ASMFC's income tax refunds, contractor/vendor payments, and any other Federal payments, including but not limited to certain benefit payments and loans that are not exempt from the offset;
- Referring the debt to a private collection agency;
- Reporting the debt to a credit bureau;
- Referring the debt to the U.S. Department of Justice for litigation;
- Reporting the debt, if discharged, to the Internal Revenue Service as potential taxable income;
- Referring the debt to the U.S. Department of the Treasury for any of the above-described actions, which referral is required when the debt has been delinquent for 120 days and
- Performing administrative offset or common law set-off of the debt against any payments or credits that may be owed to ASMFC by NOAA.

Repayment Agreement

ASMFC may apply to enter into a written repayment agreement with NOAA, including any interest, penalties, and administrative charges imposed thereon. To apply to enter into a repayment agreement, please submit the following documentation:

- Complete the U.S. Department of Justice Form OBD-500C, Financial Statement for Corporate Debtor.
- Complete the proposed repayment schedule, which will be at most three years.
- Submit the U.S. Department of Justice Form OBD-500C and proposed repayment schedule within 60 days from the date of this letter to Arlene Simpson Porter, Grants Management Director at Arlene.S.Porter@NOAA.gov.

NOAA will review all information and materials submitted on time, as well as information obtained from other sources, and will issue a written decision. See 31 C.F.R. parts 901 and 902.

Right to Appeal

ASMFC may submit a written appeal within 30 days from the date of this letter. The appeal package should include a detailed explanation concerning the pertinent facts, note any applicable legal authorities of your dispute, and provide information to supplement a dispute of the debt. The appeal package should be mailed to Jeffrey Thomas, Director, Acquisition and Grants Office, at Jeffrey.S.Thomas@NOAA.Gov. No other administrative appeals are available within

the Department of Commerce, and ASMFC would have to continue its dispute over the legal validity of the debt in court.

Right to Inspect and Copy Records

ASMFC may inspect and copy non-privileged NOAA records related to the debt. Please contact Nikole Duppins, Branch Chief in the Acquisition and Grants Office, Grants Management Division, by phone at (301) 628-1318 or Nikole.Duppins@NOAA.Gov.

NOAA GMD would like to thank ASMFC for its continued cooperation as we resolve the investigation findings. Please contact Andrea Sexton, Lead Audit Specialist, at Andrea.Sexton@NOAA.Gov with any questions about the documentation review.

Sincerely,

Arlene Simpson Porter
Director, Grants Management Division

cc: Laura Leach, Director of Finance & Administration

Attachment- Document Analysis

Documentation Analysis

State of New Jersey Office of the Comptroller Review of COVID-19 CARES Act Marine Fisheries Assistance Grant Program issued March 24, 2022, reported \$7,049,988 in unallowed expenditures.

Finding Summary: The Integrity Monitoring audit of the State of New Jersey and the September 2022 State of New Jersey's Department of the Comptroller audit reported that \$7,049,988 in unallowed costs must be returned to NOAA.

Recipient Response: A written response by Mr. Beal, Executive Director ASMFC, dated August 8, 2024, and a PDF titled Att#1 NOAA Mgmt Ltr NJ spreadsheet.

Audit Resolution Determination: The Integrity Monitoring audit of the State of New Jersey and the September 2022 State of New Jersey's Department of the Comptroller audit reported that \$7,049,988 in unallowed costs must be returned to NOAA.

Mr. Beal stated in the written response that the unallowable costs determination was made as part of the audits performed by New Jersey's Office of the State Comptroller (OSC) and the Vander Weele Group (VWG), New Jersey's Integrity Monitor for the CARES Act Marine Fisheries program. Unallowable costs were broken into three categories: more than whole, missing documentation, and not eligible.

Mr. Beal also stated, "The initial audit in New Jersey identified \$7,049,988 of unallowable or improper CARES Act payments. However, subsequent investigations in New Jersey determined that only \$4,808,985 of improper payments were issued." The Att#1 NOAA Mgmt Ltr NJ spreadsheet documents the reference number, business name, award amount, finding, the amount identified to be returned, adjusted amount to be returned, the amount returned, and outstanding balances for each audited recipient. The support documents for the adjusted amount to be returned or the amount returned column were not submitted for review.

ASMFC should submit appropriate documentation to support the recalculations to reduce the debt from \$7,049,988 to \$4,808,985. The support documentation must include the actual documentation that served as the basis for the recalculated debt amount, the support documentation for the calculation, and a certification from the New Jersey Office of the State Comptroller (OSC) or the Vander Weele Group (VWG) New Jersey's Integrity Monitor that the additional documentation would provide adequate support for a recalculation under their original audit methodology.

In the written response, ASMFC states that, to date, \$1,066,744 in improper payments have been returned. A review of the ASAP system shows that the following return payments were received, totaling \$1,159,545.51.

- NA20NMF4540217- September 11, 2023- \$1,036,487.15
- NA20NMF4540217- November 16, 2023- \$25,103.00
- NA21NMF4540291- September 11, 2023- \$97,955.36

ASMFC should provide supporting documentation to identify which recipients' recouped funds were returned in the September 11, 2023, and November 16, 2023, submission to ASAP.

Mr. Beal states in the written response, "As a process update, New Jersey sent final letters to all 18 businesses who owed money. They heard back from eight of these businesses; of the eight that responded, five requested an administrative hearing, and three are in the process of being settled. The other 10 have been referred to the Attorney General's office for action." ASMFC should keep NOAA informed as these cases are resolved through the state of New Jersey's Attorney General's Office.

GMD Determination:

- \$7,049,988 in unallowed costs identified in the State of New Jersey audit must be recouped.
- ASMFC should submit support documentation showing when the recouped payments were returned to the ASAP system.
- ASMFC should submit documentation that includes the actual documentation that served as the basis for the recalculated debt amount, the support documentation for the calculation, and a certification from the New Jersey Office of the State Comptroller (OSC) or the Vander Weele Group (VWG), New Jersey's Integrity Monitor, that the additional documentation would provide adequate support for a recalculation under their original audit methodology.
- Provide updates for the cases submitted to the state of New Jersey Attorney General's office.

Status: Open.

CARES Act, Administrative Recovery Memo 1, Case Number 23-0758-P, NOAA Fisheries Cares Act, and CAA, found \$25,266 in unallowed costs for two fishermen.

Finding Summary: OIG found one applicant should have included all revenue for the reporting period on the CARES application, resulting in revenue for 2020 being understated by \$42,363 that resulted in \$10,679 in unallowed costs and a second applicant should have reported all revenue in their CARES application that resulted in \$14,547 in unallowed costs.

Recipient Response: A written response by Mr. Beal, Executive Director ASMFC, dated August 8, 2024, and a spreadsheet titled Att #2 Florida CARES Audit Overpayments, and Attach #3 NOAA response Florida audit question.

Audit Resolution Determination: The OIG Memo for case number 23-0758-P states that these two recipients could not support a 35 percent loss in revenue and, therefore, were not eligible to receive direct assistance payments.

On June 3, 2024, ASMFC reached out to inform NOAA GMD that during their conversations with the state of Florida, it was discovered that case number 23-0758-P only referenced one payment these recipients received. The state showed that these recipients have received multiple

payments. NOAA GMD responded to ASMFC in a written response dated July 10, 2024, stating that recipients determined to be ineligible to participate in the direct assistance program must return all direct assistance payments. The attachment title Att #2 Florida CARES Audit Overpayment shows that the total Applicant One received was \$11,443, and Applicant Two received \$17,175. Moving forward, this corrective action will be changed to reflect the total amount of unallowed costs to recoup is \$28,618.

Mr. Beal stated in the written response, “Regarding the 11 CARES/CAA recipients in Florida who received an overpayment of funds, Florida Fish & Wildlife Conservation Commission, Division of Marine Fisheries Management, is working with their legal department to recover these funds. Florida is seeking to recover all the funds given to these recipients, not just the amounts identified in the OIG audit.”

GMD Determination:

- Recoup the unallowed costs of \$28,618 from two fishermen in Florida identified in the OIG Case Number 23-0758-P.

Status: Open.

CARES Act, Administrative Recovery Memo 2, Case Number 23-0758-P, NOAA Fisheries Cares Act, and CAA, found \$55,990 in unallowed costs for one fishery-related business.

Finding Summary: A business received \$55,990 in CARES financial assistance due to an in-house accountant's math error on the application. After correcting the math error, the calculation showed that the applicant had a 33 percent loss. Per the program, the percentage had to be above 35 percent to qualify for a payment, so the applicant did not qualify for a payment of \$55,990.

Recipient Response: A written response by Mr. Beal, Executive Director ASMFC, dated August 8, 2024, and a spreadsheet titled Att #2 Florida CARES Audit Overpayments, and Attach #3 NOAA response Florida audit question.

Audit Resolution Determination: OIG Case Number 23-0758-P states that a commercial fisheries business could not support a 35 percent revenue loss and, therefore, was not eligible to receive direct assistance payments. NOAA GMD responded to an inquiry by ASMFC on July 10, 2024, stating that recipients determined to be ineligible to participate in the direct assistance program must return all direct assistance payments received. Att #2 Florida CARES Audit Overpayment attachment shows that the recipient received \$59,995. Moving forward, this corrective action will be changed to reflect the total amount of unallowed costs to recoup is \$59,995.

Mr. Beal stated in the written response, “Regarding the 11 CARES/CAA recipients in Florida who received an overpayment of funds, Florida Fish & Wildlife Conservation Commission, Division of Marine Fisheries Management, is working with their legal department to recover these funds. Florida is seeking to recover all the funds given to these recipients, not just the amounts identified in the OIG audit.”

GMD Determination:

- Recoup the unallowed costs of \$59,995 for a commercial fisheries business in the state of Florida identified in the OIG Case Number 23-0758-P.

Status: Open.

Independent Program Evaluation of National Oceanic and Atmospheric Administration (NOAA) Fisheries Pandemic Relief Program Final Report No. OIG-24-018-I issued April 4, 2024.

Finding Summary: OIG Report Number OIG-24-018-I identified unallowed costs due to errors in the 35 percent calculation or payment calculation.

- Seven applicants claimed a greater than 35 percent loss for \$198,823 in questioned costs, but the calculated loss from the yearly data does not support a 35 percent loss.
- One applicant received an overpayment of \$458 due to a calculation error that showed a 54 percent loss, but the data supports a 46 percent loss.

Recipient Response: A written response by Mr. Beal, Executive Director ASMFC, dated August 8, 2024, and a spreadsheet titled Att #2 Florida CARES Audit Overpayments, and Attach #3 NOAA response Florida audit question.

Audit Resolution Determination: The OIG Final Report No. OIG-24-018-I states that seven recipients identified in the audit could not support a 35 percent revenue loss and, therefore, were not eligible to receive the direct assistance payments, and one recipient was eligible but was made more than whole. NOAA GMD responded on July 10, 2024, to an inquiry by ASMFC stating that recipients determined to be ineligible to participate in the direct assistance program must return all direct assistance payments received. Moving forward, this corrective action will be changed to reflect the total amount of unallowed costs to recoup is \$213,609.

The written response stated, “Regarding the 11 CARES/CAA recipients in Florida who received an overpayment of funds, Florida Fish & Wildlife Conservation Commission, Division of Marine Fisheries Management, is working with their legal department to recover these funds. Florida is seeking to recover all the funds given to these recipients, not just the amounts identified in the OIG audit.”

GMD Determination:

- Recoup the unallowed costs of \$213,096 from seven ineligible recipients who received payments in the direct assistance program.
- Recoup \$513 in unallowed costs identified from one recipient made more than whole.

Status: Open.

Atlantic States Marine Fisheries Commission

January 14, 2024

Discussion Paper on Declared Interests and Voting Privileges

Background

Fisheries management decisions at the Atlantic States Marine Fisheries Commission are primarily made through the use of species management boards. The voting membership of each management board is composed of the states, as well as the District of Columbia and Potomac River Fisheries Commission, with a declared interest in the fishery(ies) covered by the board¹. The Commission has a series of documented procedures on voting practices, declared interests, and other provisions of board conduct. These procedures have largely been unchanged since the approval of the Atlantic Coastal Fisheries Cooperative Management Act in 1993. It's a healthy practice for deliberative bodies to review and, if needed, modify their procedures and guidelines,

This review was prompted by several circumstances. Climate change is affecting the distribution and residency of many species managed by the Commission, which in turn has resulted in (and is anticipated to result in additional) interest by states to alter their participation on one or more species boards. In addition, the mechanisms for conducting management board meetings have expanded in recent years, with the emergence of virtual and hybrid meetings (in addition to in-person). At present, the Commission has limited guidance on the use and operation of these different meeting formats. Guidelines should be developed to better manage future Commission meetings.

Issue 1. Declared Interests

States have an opportunity to declare an interest in a fishery to participate as a voting member of a management board (see Table 1. Declared Interests by Species). The ISFMP Policy Board reviews declared interest requests to determine the membership of each board. The Commission's [Rules and Regulations](#) include the criteria used to determine interest in a species, the criteria are:

- (a) Such fish are found customarily in its territorial waters;
- (b) Such fish are customarily or periodically in the territorial waters of such state for the purpose of spawning or in transit to and from spawning grounds; or

¹ Federal partners such as NOAA Fisheries, can have a voting seat on a Board but they do not have to declare an interest in the fishery.

(c) The citizens of the state are recorded as having taken 5 percent or more of the total Atlantic coast catch of the species of fish in any of the five preceding years.

The Policy Board has generally accepted requests for declared interest if the requesting state provides basic evidence to support their request.

The Policy Board provides primary oversight of the Commission's fisheries management process and species management boards. Some decisions made by a species boards are recommendations to the Policy Board, such as approvals of Amendments or letters. The same votes that are made at the species board level are then made at the Policy Board level.

Discussion Questions

1. Should the declared interest criteria be modified or further defined?
2. Are changes needed for the Policy Boards' review process for declared interest requests?
3. Should Policy Board voting privileges change as an oversight body of species boards?

Issue 2. Voting Privileges

The ISFMP Charter states: "Each state with an interest in the fishery covered by the management board shall be a voting member". The Charter does not provide further guidance on voting privileges for states with a declared interest. Four topics for further discussion were raised at the Executive Committee meeting in October 2024.

1. Voting privileges for *de minimis* states
2. Voting privileges by stock unit of a species
3. Voting privileges for states outside the management unit defined in the FMP
4. Voting privileges for states on boards that manage multiple species

Issue 2.1. Voting privileges for *de minimis* states

*De minimis*² states that are members of a management board are currently able to vote on any issues before the board (see Table 2. *De minimis* States by Species). With the changing species distributions, some boards have an increasing number of member states that have *de minimis* status.

Discussion Questions

1. Are changes needed for voting privileges of *de minimis* states?

² *De minimis* is when fishing activity is so small in a state that its actions regarding a particular fish stock are considered to have a negligible impact on conservation.

Issue 2.2 Voting privileges by stock unit of a species

Many of the Commission-managed species are assessed and managed by stock units that are smaller than the management unit included in the FMP (see Table 3. Stock Units by Species). For example, horseshoe crab's species range extends from Maine through Florida and the stock is divided into four stock units (Northeast, New York, Delaware Bay, and Southeast). The current practice is for all members of a species board to vote on all stock units, rather limiting voting to only stock units off of their coast. The approach is generally used to foster consistency in management throughout the range of a species, as well as to account for mixing of stock units that often occurs at state borders.

Discussion Questions

1. Should voting privileges be modified for species with multiple stock units?

Issue 2.3 Voting privileges for states outside the management unit defined in the FMP

Given the distribution changes of many Commission-managed species, the management units defined in the FMPs may not align with the states with declared interests. For Example, the Atlantic Migratory Group Cobia management unit extends from the Florida-Georgia border through New York. However, due to recreational and commercial catches of cobia in Rhode Island, the Policy Board approved their request for a declared interest in cobia. The current stock distributions have created unique circumstances the Commission will need to consider.

Discussion Questions

1. When should management units in FMPs be adjusted to reflect changes in distribution?
2. Should voting be limited to states within the management unit?

Issue 2.4 Voting privileges for states on boards that manage multiple species

The Commission has a number of boards that manage multiple species. The states with declared interests can vary by species under the management of a single board. For example, the Summer Flounder, Scup and Black Sea Bass Board manages three species. The range of declared interests is not consistent for all three species (See Table 1. Declared Interests).

Discussion Question

1. What should the voting privileges be for multi-species boards?

Issue 3. Virtual and Hybrid Meeting Participation

The Commission adapted to the COVID pandemic by conducting its business virtually. Fortunately, the Commission is now able to meet in-person, but has retained the option to conduct fully virtual meetings or provide a virtual participation option for in-person meetings

(“hybrid meetings”). The Commission does not have guidelines on the conduct of hybrid or virtual meetings. Overall, the hybrid meeting process has worked well, but guidelines may be helpful to ensure a consistent approach across all meetings.

Discussion Questions

1. Should Commissioners be able to fully participate (e.g., make motions, vote) virtually if the meeting is held in-person?
2. How should the Commission handle factors outside of its control that impact board member participation? These factors could include weather events, travel issues, or illness. Does it matter by which mechanism the meeting is occurring?
3. What criteria should be used to cancel or postpone meetings if Commissioners are unexpectedly not able to participate?
4. Should Commissioners be expected to participate in-person unless there are extenuating circumstances?
5. Are there protocols that the Board chair could follow to identify Board members who are participating in the deliberation remotely – or are present and not serving on the Board (e.g., being represented by a proxy who is present).

Table 1. Declared Interest by Species as of February 2024

	ME	NH	MA	RI	CT	NY	NJ	PA	DE	MD	DC	PRFC	VA	NC	SC	GA	FL	NMFS	USFWS	Councils	
Managed Species																					
American Eel	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
American Lobster	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Atlantic Herring	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	NEFMC
Atlantic Menhaden	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Atlantic Striped Bass	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Atlantic Sturgeon	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Bluefish	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Coastal Sharks	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Horseshoe Crab	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	NEFMC
Jonah Crab	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Northern Shrimp	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Shad & River Herring	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Spiny Dogfish	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Tautog	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Weakfish	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Winter Flounder	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Summer Flounder, Scup and Black Sea Bass Board																					
Summer Flounder			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Scup			*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Black Sea Bass		*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Coastal Pelagics																					
Cobia				*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	SAFMC
Spanish Mackerel				*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	SAFMC
Sciaenids Board																					
Atlantic Croaker						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Black Drum						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Red Drum						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Spot						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Spotted Seatrout						*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Total # of Species	12	13	18	20	18	19	25	5	23	23	4	17	23	20	15	15	15	23	7		

Table 2. *De minimis* states and management unit by board and species

Board	Management Unit	Current <i>De minimis</i> States
American Eel	ME-FL	NH, MA, PA, DC, GA
American Lobster and Jonah Crab		
American Lobster	ME-NC	DE, MD, VA
Jonah Crab	ME-VA	DE, MD, VA
Sciaenids		
Atlantic Croaker	NJ-FL	Com: NJ, SC, GA; Rec: NJ
Black Drum	NJ-FL	None
Red Drum	NJ-FL	NJ, DE
Spot	NJ-FL	NJ, DE, GA
Spotted Seatrout	NJ-FL	NJ, DE
Atlantic Herring	ME-NJ	NY
Atlantic Menhaden	ME-FL	PA, SC, GA, FL
Atlantic Striped Bass	ME-NC	None
Atlantic Sturgeon	ME-FL	?? None, NA?
Summer Flounder, Scup, Black Sea Bass		
Black Sea Bass	ME-NC	N/A
Scup	ME-NC	DE
Summer Flounder	ME-NC	DE
Bluefish	ME_FL	ME, SC, GA
Coastal Sharks	ME-FL	MA
Coastal Pelagics		
Cobia	RI-NJ, DE-MD, PRFC-GA (excluding CT)	Com: RI, NJ, DE, MD, GA, FL; Rec: RI, NY, NJ, DE, MD, FL
Spanish Mackerel	NY-FL	RI, NJ, DE, GA
Horseshoe Crab	ME-FL	SC, GA, FL
Northern Shrimp	ME-MA	N/A
Shad & River Herring	ME-FL	Shad: ME, NH, MA, FL River Herring: NH, GA, FL
Spiny Dogfish	ME-FL	NY, DE
Tautog	MA-FL	DE, MD
Winter Flounder	ME-DE	Com: NJ
Weakfish	MA-FL	MA, GA, FL

Table 3. Management unit and stock units by species

Species	Management Unit	# of stock units	Stock Units
American Eel	ME-FL	1	ME-FL
American Lobster	ME-NC	2	GOM/GBK (ME-RI), SNE (MA-MD, VA)
Atlantic Croaker	NJ-FL	1	NJ-FL
Atlantic Herring	ME-NJ	1	ME-NJ
Atlantic Menhaden	ME-FL	1	ME-FL
Atlantic Striped Bass	ME-NC	1	ME-NC
Atlantic Sturgeon	ME-FL	5	Gulf of Maine, New York Bight, Chesapeake Bay, Carolina, South Atlantic
Black Drum	NJ-FL	1	NJ-FL
Black Sea Bass	ME-NC (north of Cape Hatteras)		ME-NC (north of Cape Hatteras)
Bluefish	ME-FL	1	ME-FL
Coastal Sharks	ME-FL	By species	
Cobia	RI-NJ, DE-MD, PRFC-GA (excluding CT)	1	RI-GA
Horseshoe Crab	ME-FL	4	NE (ME-RI), New York (CT-NY), Delaware Bay (NJ-VA), SE (NC-FL)
Jonah Crab	ME-VA	4	Inshore GOM & Offshore GOM (ME-MA), Inshore SNE & Offshore SNE (MA-VA)
Northern Shrimp	ME-MA	1	ME-MA
Red Drum	NJ-FL	2	Northern (NJ-NC) and Southern (SC-FL)
Scup	ME-NC (north of Cape Hatteras)	1	ME-NC (north of Cape Hatteras)
Shad & River Herring	ME-FL	1	ME-FL
Spanish Mackerel	NY-FL	1	RI-FL
Spiny Dogfish	ME-FL	1	
Spot	NJ-FL	1	
Spotted Seatrout	NJ-FL	NA	NA
Summer Flounder	ME-NC	1	ME-NC
Tautog	MA-FL	4	MARI (MA-RI), LIS (CT-NY), NJ-NYB (NY-NJ), DelMarVa (DE-MD, PRFC-VA)
Weakfish	MA-FL	1	MA-FL
Winter Flounder	ME-DE	2	GOM (ME-MA); SNE/MA (MA-DE)

Atlantic States Marine Fisheries Commission

ISFMP Policy Board

February 5, 2025

10:15 – 11:45 a.m.

Draft Agenda

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

- | | |
|---|------------|
| 1. Welcome/Call to Order (<i>J. Cimino</i>) | 10:15 a.m. |
| 2. Board Consent (<i>J. Cimino</i>) | 10:15 a.m. |
| • Approval of Agenda | |
| • Approval of Proceedings from October 2024 | |
| 3. Public Comment | 10:20 a.m. |
| 4. Executive Committee Report (<i>J. Cimino</i>) | 10:30 a.m. |
| 5. Review and Discuss 2024 Commissioner Survey Results (<i>A. Law</i>) | 10:40 a.m. |
| 6. Discuss White Paper on Board Voting and Virtual Meeting Standard Operating Practices and Procedures (<i>R. Beal</i>) | 11:00 a.m. |
| 7. Update on Ongoing Stock Assessments Action | 11:30 a.m. |
| 8. Review Noncompliance Findings (If Necessary) Action | 11:35 a.m. |
| 9. Other Business | 11:40 a.m. |
| 10. Adjourn | 11:45 a.m. |

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

Sustainable and Cooperative Management of Atlantic Coastal Fisheries

MEETING OVERVIEW

ISFMP Policy Board
Wednesday February 5, 2024
10:15 – 11: 45 a.m.

Chair: Joe Cimino (NJ) Assumed Chairmanship: 10/23	Vice Chair: Dan McKiernan (MA)	Previous Board Meetings: October 19, 2023
Voting Members: ME, NH, MA, RI, CT, NY, NJ, PA, DE, MD, DC, PRFC, VA, NC, SC, GA, FL, NMFS, USFWS (19 votes)		

2. Board Consent

- Approval of Agenda
- Approval of Proceedings from October 2025

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

4. Executive Committee Report (10:30-10:40 a.m.)

Background

- The Executive Committee will meet on February 4, 2025
-

Presentations

- J. Cimino will provide an update of the Executive Committee’s work

Board action for consideration at this meeting

- None

5. Review and Discuss 2024 Commissioner Survey Results (10:40-11:00 a.m.)

Background

- Commissioners completed a survey of Commission performance in 2024 (**Meeting Materials**). The survey measures Commissioner’s opinions regarding the progress and actions of the Commission in 2024.

Presentations

- A. Law will present the results of the 2024 Commissioner survey highlighting significant changes from the previous year.

Board discussion for consideration at this meeting

- Determine if any action is required based on the survey results

6. Discuss White Paper on Board Voting and Virtual Meeting Standard Operating Practices and Procedures (11:00-11:30 a.m.)

Background

- The Executive Committee will discuss a policy paper on Board voting procedures and Commission operating practices for virtual meetings (**Meeting Materials**).

Presentations

- R. Beal will present the white paper and guidance from the Executive Committee (if any)

Board action for consideration at this meeting

- Provide possible guidance on voting procedures or virtual meeting practices if needed

9. Update on Ongoing Stock Assessments Action

10. Review Non-Compliance Findings, if Necessary Action

10. Other Business

11. Adjourn



Atlantic States Marine Fisheries Commission

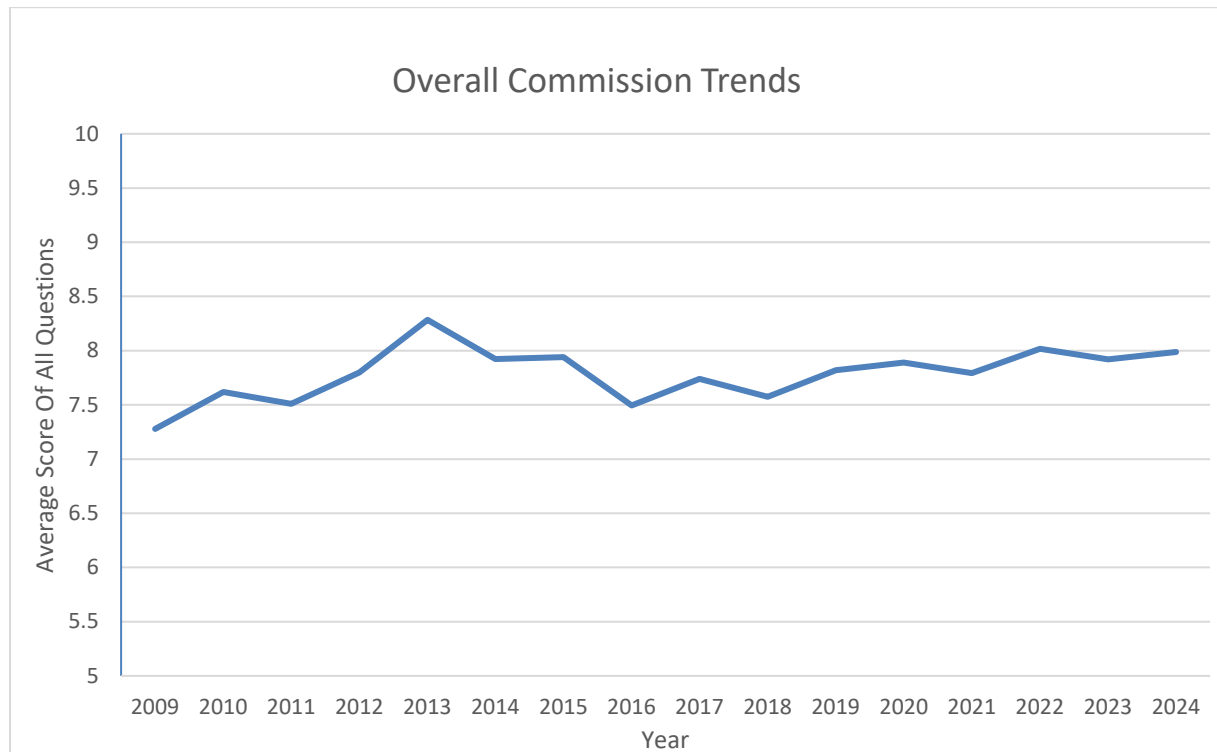
1050 N. Highland Street • Suite 200A-N • Arlington, VA 22201
703.842.0740 • www.asmfc.org

MEMORANDUM

SUBJECT: 2024 Commissioner Survey Results
TO: ISFMP Policy Board
FROM: Alexander Law
DATE: February 5, 2025

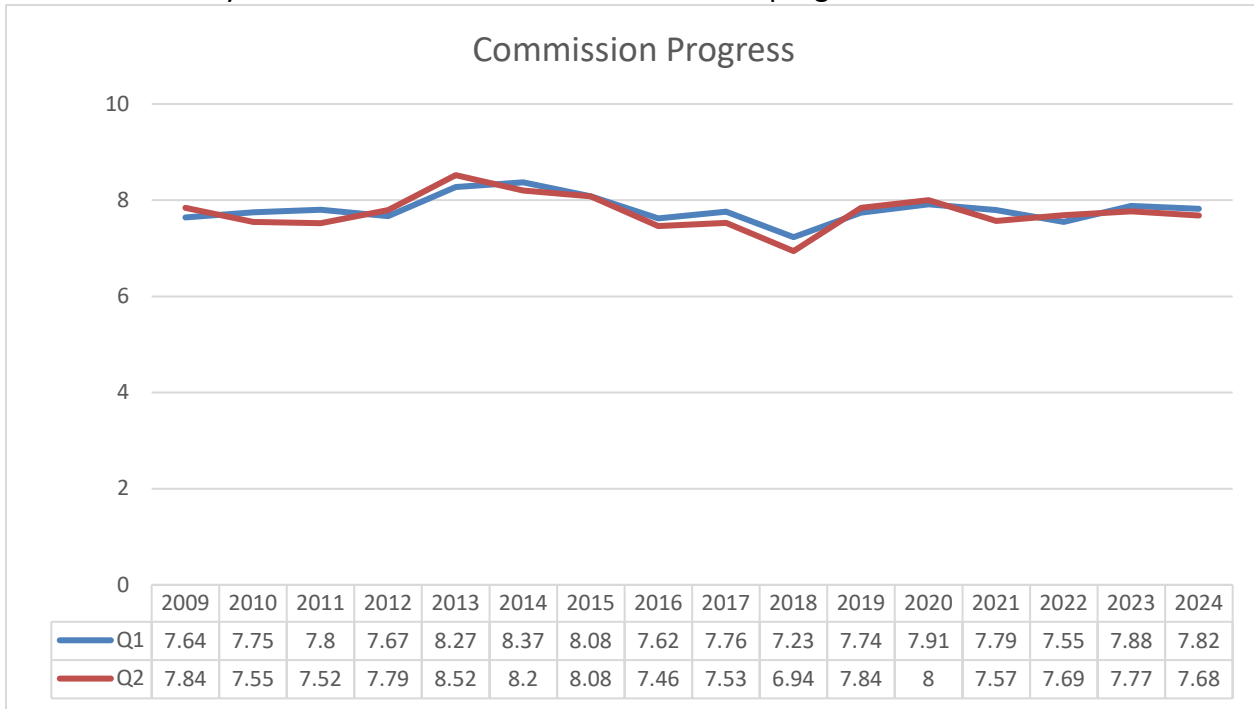
28 Commissioners and Proxies completed the 2024 ASMFC Commissioner Survey, which is based on the Commission’s 2024-2028 Strategic Plan. Questions 1-16 prompted respondents to rate their answers on a scale of 1 to 10 (ten-point Likert scale) and questions 17-21 prompted respondents to provide a written response. Questions 7, 8, 14, and 15 were new to the 2015 survey, and question 16 was added in 2020.

This memo includes graphs tracking responses for questions 1-16 throughout the time series (2009-2024), a summary of the five open-ended questions for 2024, and unabridged responses to the five open-ended questions.



Commission Progress

1. How comfortable are you that the Commission has a clear and achievable plan to reach the Vision (Sustainably managing Atlantic Coastal Fisheries)?
2. How confident are you that the Commission's actions reflect progress toward its Vision?



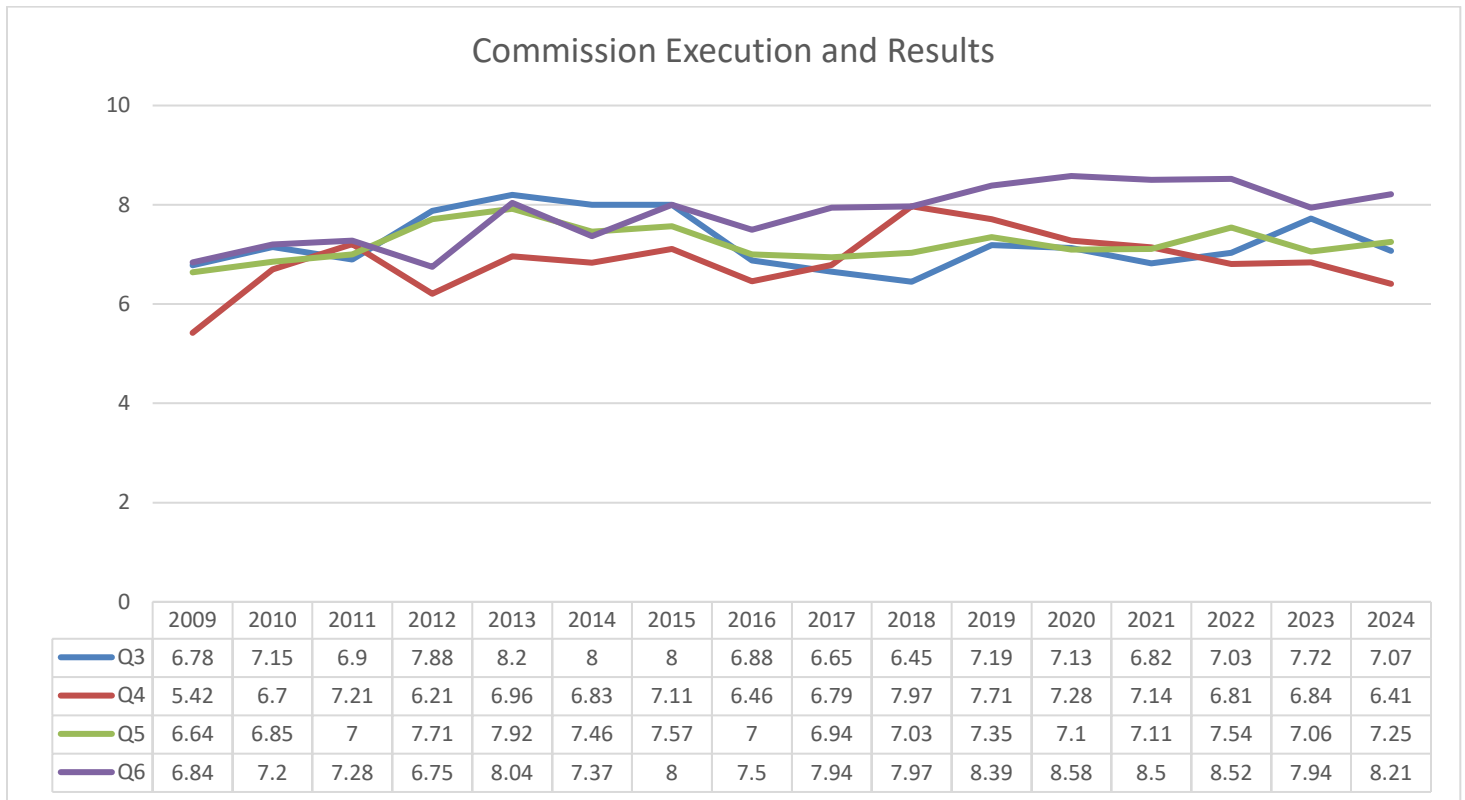
Commission Execution and Results

3. How satisfied are you with the cooperation between Commissioners to achieve the Commission's Vision?

4. How satisfied are you that the Commission has an appropriate level of cooperation with federal partners?

5. How satisfied are you with the Commission's working relationship with our constituent partners (commercial, recreational, and environmental)?

6. How satisfied are you with the Commission's effort and success in securing adequate fiscal resources to support management and science needs?



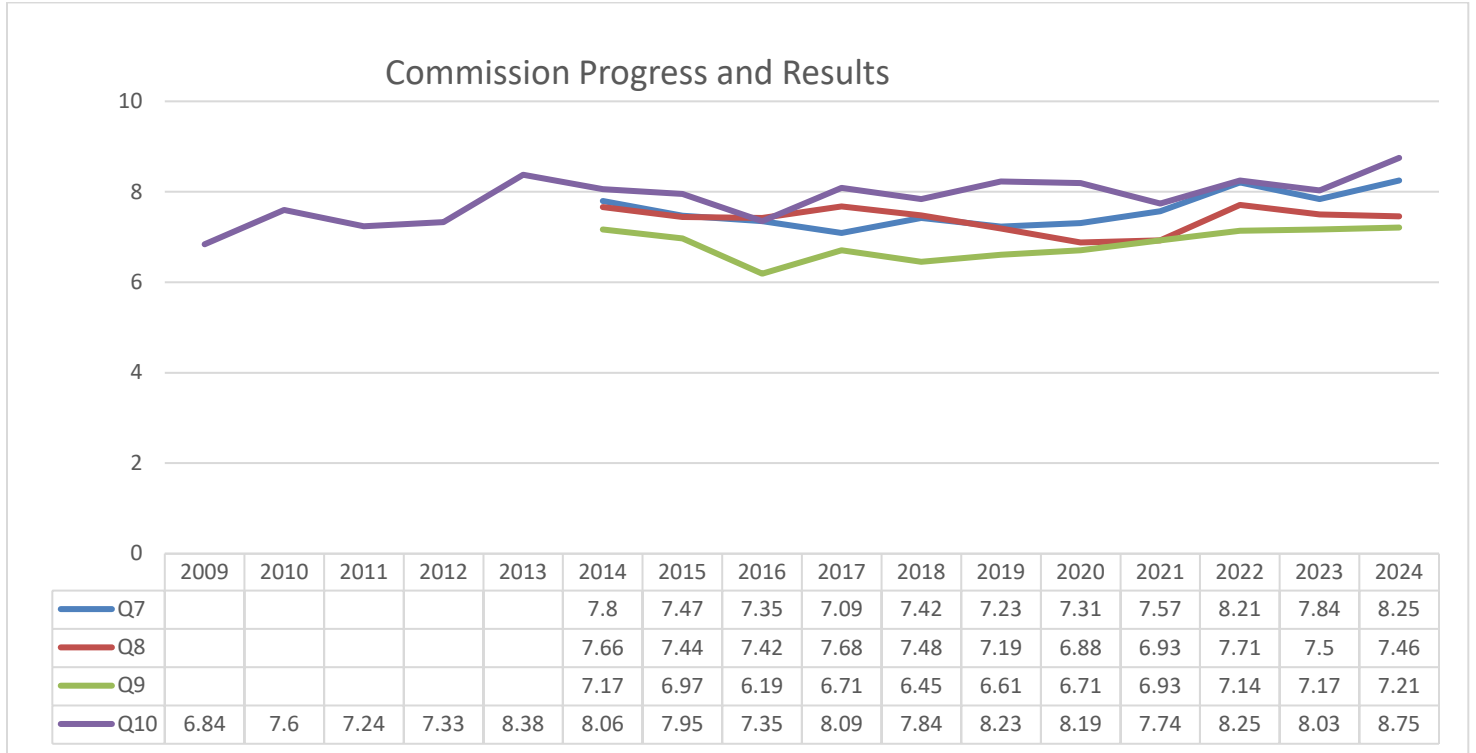
Commission Progress and Results

7. One of the metrics the Commission uses to measure progress is tracking the number of stocks where overfishing is no longer occurring. Is this a clear metric to measure progress?

8. How satisfied are you with the Commission's progress to end overfishing?

9. Are you satisfied with the Commission's ability to manage rebuilt stocks?

10. How satisfied are you with the Commission's efforts to engage with state legislators and members of Congress?

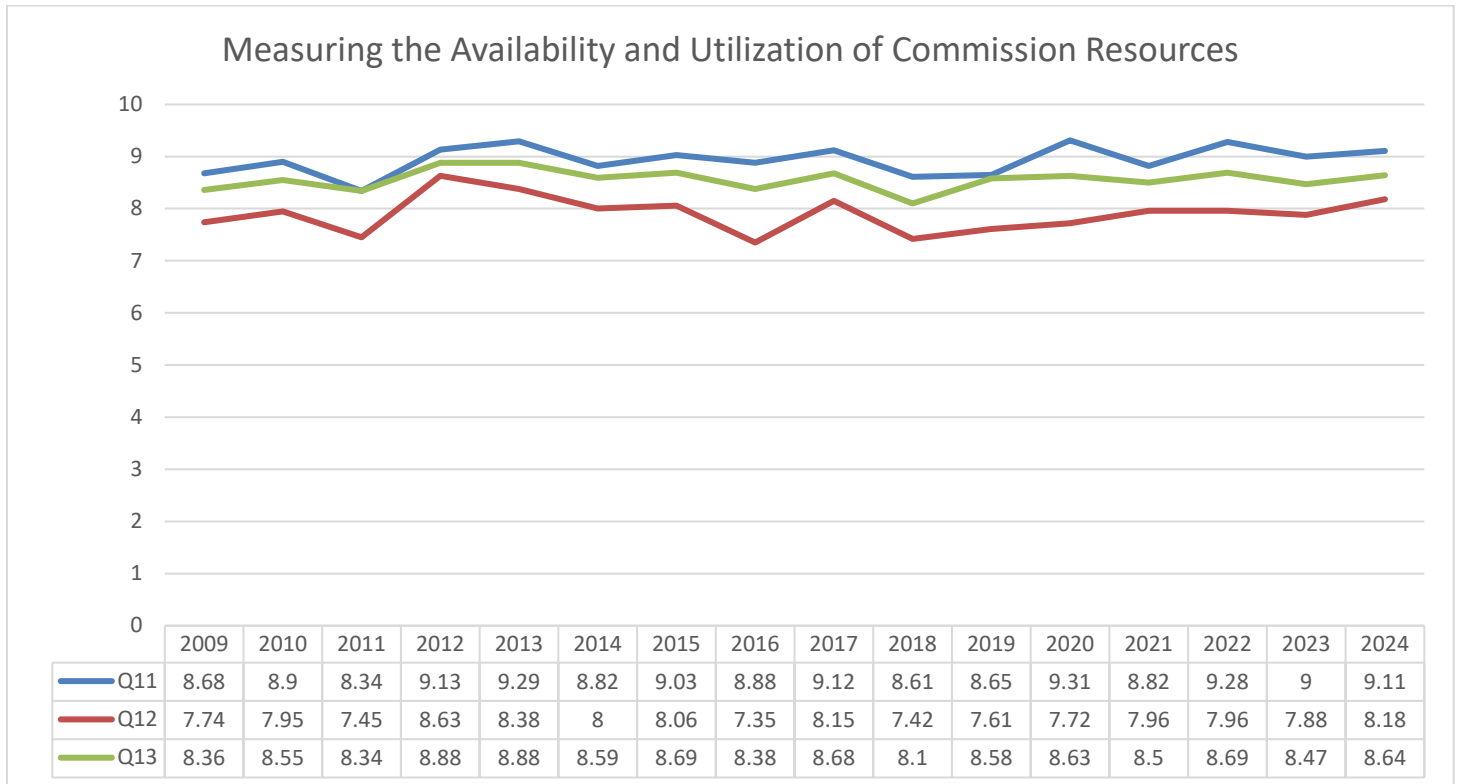


Measuring the Availability and Utilization of Commission Resources

11. How satisfied are you that the Commission efficiently and effectively utilizes available fiscal and human resources?

12. How comfortable are you with the Commission's performance in reacting to new information and adapting accordingly to achieve Commission Goals?

13. The Commission has a limited scope of authority. How comfortable are you that the Commission spends the appropriate amount of resources on issues within its control?



Commission Products

14. How satisfied are you with the products of the ISFMP Department?
 15. How satisfied are you with the products of the Science Department?
 16. How satisfied are you with the products ACCSP?



Highlights of the Ten-Point Scale Questions:

(Q4), Cooperation with Federal partners consistently, year after year, scores as our lowest question, with an average of 6.87 over 16 years. Sentiment had declined dramatically since a high of 7.97 in 2018.

(Q11-13), Utilization and availability of Commission resources consistently scores at the top of the survey. The efficient and effective utilization of available fiscal and human resources is a particular highlight with a 15-year average of 8.94.

(Q10), engagement with state legislators and members of Congress saw the largest score increase in the survey, a bump of 0.72. This may be caused by the Legislative Program Coordinator sending out the survey and a slightly lower response rate this year. Those who are more likely to read and engage with the coordinator may be more likely to view their activities favorably.

Discussion Question Summaries

Obstacles to the Commission's success in rebuilding stocks (Q17) answers to this question mentioned massive scale obstacles such as climate change, and degradation of the physical environment. Delays in decision making was mentioned multiple times. Other answers mentioned politics and stakeholder impacts being prioritized over resource management, included in this is state and regional protectionism. Politics was called out much more than in previous years.

The most **useful products produced by the Commission (Q18)** include; stock assessments, FMPs, press releases, public hearing webinars, distribution of federal funding, the legislative committee and legislative coordination, the commissioner manual, the website, the annual report, summaries of meetings, data

repository, trainings, contracting help, and overall staff support for a variety of issues that the Commission provides. All ASMFC products were mentioned.

Additional products the Commission could provide (Q19) Executive summaries of major changes and regulations, outreach products and environmental education materials written or produced for the public, and generally more written with the “layman” in mind.

Issues the Commission should focus on more (Q20) Some answers mentioned that we should innovate on communication strategies, stock assessment processes, and recreational data collection in order to address climate change impacts. Incorporation of socioeconomics was also mentioned multiple times.

Additional comments (Q21)

Many Commissioners declined to respond to this question. Those who did commented on how thankful they are for the staff. One comment showed concern about political influence over management of horseshoe crab and menhaden. Another mentioned concerns about keeping up with the demands for non-admin commissioners.

Unabridged Answers to Questions 17-20

Q17 What is the single biggest obstacle to the Commission's success in rebuilding stocks?

1. Regime shifts and conflicting needs of individual states.
2. While in a rebuilding phase one of the biggest obstacles is tempering constituents expectations and understanding for the need of continued regulations even they begin to see more fish in the water or catch them at increased numbers again but the stock may not have expanded enough to be rebuilt.
3. Interstate and regional differences.
4. Inability to constrain recreational effort, to avoid overfishing, as required by MSA...a systemic issue
5. The negative impacts on fish stocks which cannot be addressed because of the limited scope of authority of ASMFC. For example, anthropogenic degradation of the quality of the physical environment necessary for the life cycle requirements of fish and invertebrate stocks.
6. climate change resulting in changes in stock productivity, natural mortality, etc.
7. Stakeholder impacts prioritized over resource impacts
8. Political realities negate or compromise important conservation efforts
9. Environmental variables
10. Making management decisions based on the current stock assessment approach. The stock assessment process needs a contemporary overhaul. Constant delays in stock assessment timelines due to staffing shortages have become the norm and are now generally accepted as status quo. ASMFC should develop long-term solutions to this problem, including, if necessary, requesting formal funding from the states to strengthen the stock assessment process. Providing states with higher expectations (standards) as to how they should collect and report timely, statistically meaningful data to be used in stock assessments is needed. States are often too protective of longstanding historical surveys that ultimately do not provide necessary information to inform management; many of these surveys should be modified or discontinued in favor of better statistical designs.
11. state and regional protectionism
12. Differences in regional specific interests impacting management and allocation decisions.
13. Impact from climate change.

14. Making informed and difficult decisions based on the available data and science
15. Lack of action on moratoriums
16. some states not wanting to change status quo or waiting too long for change.
17. Choosing one is difficult, but the biggest obstacle that I see is that we only have one tool, control of fishing effort, for our attempts to rebuild a stock, yet stocks have more stressors on them now than ever and a stock may not respond to reducing fishing effort. This leads to frustration for the public and the perception that ASMFC couldn't find its collective rear end with both hands.
18. External drivers of mortality and productivity
19. Short-term economic interests of some constituents creates political pressure to avoid hard decisions that are in best interest of long-term sustainability, insufficient science capacity
20. Limited and inaccurate data
21. too much politics
22. Relying on history for wisdom about managing marine resources assumes the future will resemble the path
23. Reluctance on the part of the fishing community to do what is necessary to bring about rebuilding of a fish stock or stocks.
24. Selfishness

Q18 What are the most useful products the Commission produces for you?

1. Administrative support with distribution of federal funds and federal legislative coordination
2. Stock assessments and FMPs.
3. Commission and public press releases. Public hearing webinars.
4. Issue summaries and recommendations. A legislative committee to facilitate communication with Capitol Hill. A tremendous, hard working, and talented staff.
5. Fishery management plan supporting documents. Meeting preparation documents. Issue-specific "white" papers. The Habitat Management Series.
6. stock assessments, FMP Reviews, commissioner manual, and website for inventory
7. Meeting materials and summaries, FMPs, FMP Reviews
8. Annual report
9. Assessment summaries and the annual report
10. The meeting materials are thorough, and staff do a fantastic job of pulling together and distributing information prior to each meeting. Staff also do an incredible job of coordinating and planning each meeting.
11. all
12. Information and analysis via the web page, reports, and meeting materials.
13. Meeting materials. Excellent, thorough, and understandable!
14. Meeting materials. Summaries of meetings
15. Stock surveys
16. data repository, science, support
17. The assessments, the FMPs and FMP reviews, the meeting summaries, and the press releases and fact sheets - pretty much everything produced by ASMFC has been handy at one time or another.
18. Trainings, partnerships in contracting fisheries related hires, managing money through your much more nimble fiscal processes, despite the risk that we all now realize this poses; I hope we can continue this strategy though I would not blame you if you need to curtail this due to what happened in 2024.
19. Website, meeting documents, FMP reviews
20. After meeting summaries.
21. meeting materials are excellent

22. Technical reports and single species updates that summarize all the factors in a fisher
23. Annual fish stock performance reviews and other Commission reports.
24. All are useful

Q19 What additional products could the Commission create to make your job easier?

1. When major changes to FMP, addendum or amendment - Executive summary of problem, discussion, outcome and reasoning for outcome to assist with communications to state constituents and decision makers.
2. A clone
3. Cant think of anything. We appreciate the relatively new "Atlantic Coast Fisheries News".
4. Fishery performance reports for ASMFC-managed species (the ones not jointly or co-managed with federal Councils)
5. Additional environmental education productions to help the concerned citizen fully understand the complexity of various issues and the pathway for conservation efforts.
6. access to new literature and reports
7. One problem I occasionally have is that I'll be looking for info that I know is in a species document, but can't remember which one. The titles of the FMP documents, for example, often don't give enough information to distinguish which Amendment or Addendum took which action. Maybe a phrase or sentence to describe the document? For example, Addendum IV to Striped Bass Amendment 6 could be described as 'Required 25% reductions to both recreational and commercial removals'.
8. You do a lot for us, so I'm not sure what to add here. I feel very supported by the Commission.
9. Outreach products
10. current products work for me
11. Occasionally do a summary of the regulatory provisions that are currently in place. It is difficult for members of the industry to pick up a single document that summarizes all of the plan provisions because they're folded into numerous amendments and addendum
12. Stock assessment summaries in layman's terms and with appropriate definition of acronyms. Summaries that explain why some stocks remain depleted in spite of an apparent lack of overfishing.

Q20 What issue(s) should the Commission focus more attention/time on?

1. I believe its attention is focus appropriately.
2. Lack of forage fish throughout the mid and northeast coast.
3. I think our process provides us with an opportunity to help to establish a focus and commitment to issues as they arise.
4. Advocacy for continuing long-standing fishery-independent surveys while also supporting the implementation of new scientific surveys to address the changing nature of fish stock spatial and temporal distribution. Advocating for improvements in the timeliness, accuracy and precision of catch/effort data from the recreational fishery.
5. Pushing back against faulty "red-listings" of species under ASMFC management plans.
6. Management measures for species to minimize problems for the stock in the future
7. how climate change can impact each stock we manage
8. Innovations in regards to communication strategies, stock assessment processes, and recreational data collections are long overdue. The Commission is often mired in status quo ("we've always done it this way") and long-term vision is lacking. New ideas from new commissioners would be helpful and useful toward this pursuit. How things could be done better is a question that should constantly be asked.

9. changes in population distributions due to climate change; recreational accounting
10. It would be helpful if the Commission could gather and compile more human dimension and socioeconomic data to feed into the decision making process. However I realize that the Commission clearly lacks the resources to do this.
11. With some species, we need additional research to understand the specific cause(s) of poor recruitment despite SSB levels that have produced good year classes in the past (e.g. striped bass, Atlantic herring).
12. 1) Giving the technical committees appropriate guidance and sufficient time to complete assigned tasks. 2) The timing of final management decisions - all states should be considered regarding implementation dates.
13. Horseshoe crab protection
14. resiliency
15. Hard to say as there are more important issues than there is time available.
16. The "sector separation" topic should get a lot of focus in the coming year or two. Additionally, machine learning applications to fisheries should get some focus; There are lots of opportunities for efficiencies across what we do in fisheries with these types of approaches, and they are attainable (you don't need to be a rocket scientist anymore to use these types of techniques), so we should look for opportunities to implement some of these techniques.
17. development of alternatives to current NEFSC products.
18. Need to get two a place where we have multi year regulatory provisions versus setting regulations every year. ASMFC fishery management staff is constantly under the gun any other way to break out of that cycle is to do multi year specifications and stick to it to some extent weâ€™ve done that . But we need to do more of it
19. Climate change effects and other environmental challenges to managing fish stocks. How to incorporate socio-economic considerations in management decisions.

Q21 Additional comments.

1. Thank you for the opportunity to provide our comments each year, in this way, and for the opportunity for us to review Commissioners' comments as a group, as part of our workplan. Happy New Year!
2. Score on federal partner cooperation reflects NOAA Fisheries performance and not NOAA grants.
3. Appreciate the great work of the Commission staff!
4. The ASMFC staff is amazing to work with and very much appreciated!
5. As in previous years, the ASMFC staff, from Director Beal down to the support staff, just do a phenomenal job. The hard work of the ASMFC staff certainly makes the Board meetings go smoother. As for the Board meetings, as has always been the case, it is much easier to manage when stocks are increasing than when they are decreasing. Although I think all Commissioners recognize we have to work together and we all have to sacrifice, there is more pressure now for Commissioners to put their state/sector/interest group first. Finally, the increasingly aggressive stance taken by some interest groups and NGO is troubling. The continued attack on the ARM model and the science-based management ASMFC is using to effectively manage horseshoe crabs is a bad precedent that other groups are using, notably in the attacks on Atlantic menhaden management in the Chesapeake. Of course, given that expertise and science is under attack across the spectrum now, it isn't surprising that we face these additional difficulties in fisheries management.
6. The Commission and its staff are amazing and I am grateful for our partnership. You all help us out so much in the states, we appreciate you all!!
7. It is becoming increasingly challenging for non-administrative Commissioners to meet the ever increasing time demands of additional meetings and to keep with up reading materials. Sharing

management of select species with the fishery management councils has added meetings and obligations to the Commissioner's workload.

Atlantic States Marine Fisheries Commission

January 14, 2024

Discussion Paper on Declared Interests and Voting Privileges

Background

Fisheries management decisions at the Atlantic States Marine Fisheries Commission are primarily made through the use of species management boards. The voting membership of each management board is composed of the states, as well as the District of Columbia and Potomac River Fisheries Commission, with a declared interest in the fishery(ies) covered by the board¹. The Commission has a series of documented procedures on voting practices, declared interests, and other provisions of board conduct. These procedures have largely been unchanged since the approval of the Atlantic Coastal Fisheries Cooperative Management Act in 1993. It's a healthy practice for deliberative bodies to review and, if needed, modify their procedures and guidelines,

This review was prompted by several circumstances. Climate change is affecting the distribution and residency of many species managed by the Commission, which in turn has resulted in (and is anticipated to result in additional) interest by states to alter their participation on one or more species boards. In addition, the mechanisms for conducting management board meetings have expanded in recent years, with the emergence of virtual and hybrid meetings (in addition to in-person). At present, the Commission has limited guidance on the use and operation of these different meeting formats. Guidelines should be developed to better manage future Commission meetings.

Issue 1. Declared Interests

States have an opportunity to declare an interest in a fishery to participate as a voting member of a management board (see Table 1. Declared Interests by Species). The ISFMP Policy Board reviews declared interest requests to determine the membership of each board. The Commission's [Rules and Regulations](#) include the criteria used to determine interest in a species, the criteria are:

- (a) Such fish are found customarily in its territorial waters;
- (b) Such fish are customarily or periodically in the territorial waters of such state for the purpose of spawning or in transit to and from spawning grounds; or

¹ Federal partners such as NOAA Fisheries, can have a voting seat on a Board but they do not have to declare an interest in the fishery.

(c) The citizens of the state are recorded as having taken 5 percent or more of the total Atlantic coast catch of the species of fish in any of the five preceding years.

The Policy Board has generally accepted requests for declared interest if the requesting state provides basic evidence to support their request.

The Policy Board provides primary oversight of the Commission's fisheries management process and species management boards. Some decisions made by a species boards are recommendations to the Policy Board, such as approvals of Amendments or letters. The same votes that are made at the species board level are then made at the Policy Board level.

Discussion Questions

1. Should the declared interest criteria be modified or further defined?
2. Are changes needed for the Policy Boards' review process for declared interest requests?
3. Should Policy Board voting privileges change as an oversight body of species boards?

Issue 2. Voting Privileges

The ISFMP Charter states: "Each state with an interest in the fishery covered by the management board shall be a voting member". The Charter does not provide further guidance on voting privileges for states with a declared interest. Four topics for further discussion were raised at the Executive Committee meeting in October 2024.

1. Voting privileges for *de minimis* states
2. Voting privileges by stock unit of a species
3. Voting privileges for states outside the management unit defined in the FMP
4. Voting privileges for states on boards that manage multiple species

Issue 2.1. Voting privileges for *de minimis* states

*De minimis*² states that are members of a management board are currently able to vote on any issues before the board (see Table 2. *De minimis* States by Species). With the changing species distributions, some boards have an increasing number of member states that have *de minimis* status.

Discussion Questions

1. Are changes needed for voting privileges of *de minimis* states?

² *De minimis* is when fishing activity is so small in a state that its actions regarding a particular fish stock are considered to have a negligible impact on conservation.

Issue 2.2 Voting privileges by stock unit of a species

Many of the Commission-managed species are assessed and managed by stock units that are smaller than the management unit included in the FMP (see Table 3. Stock Units by Species). For example, horseshoe crab's species range extends from Maine through Florida and the stock is divided into four stock units (Northeast, New York, Delaware Bay, and Southeast). The current practice is for all members of a species board to vote on all stock units, rather limiting voting to only stock units off of their coast. The approach is generally used to foster consistency in management throughout the range of a species, as well as to account for mixing of stock units that often occurs at state borders.

Discussion Questions

1. Should voting privileges be modified for species with multiple stock units?

Issue 2.3 Voting privileges for states outside the management unit defined in the FMP

Given the distribution changes of many Commission-managed species, the management units defined in the FMPs may not align with the states with declared interests. For Example, the Atlantic Migratory Group Cobia management unit extends from the Florida-Georgia border through New York. However, due to recreational and commercial catches of cobia in Rhode Island, the Policy Board approved their request for a declared interest in cobia. The current stock distributions have created unique circumstances the Commission will need to consider.

Discussion Questions

1. When should management units in FMPs be adjusted to reflect changes in distribution?
2. Should voting be limited to states within the management unit?

Issue 2.4 Voting privileges for states on boards that manage multiple species

The Commission has a number of boards that manage multiple species. The states with declared interests can vary by species under the management of a single board. For example, the Summer Flounder, Scup and Black Sea Bass Board manages three species. The range of declared interests is not consistent for all three species (See Table 1. Declared Interests).

Discussion Question

1. What should the voting privileges be for multi-species boards?

Issue 3. Virtual and Hybrid Meeting Participation

The Commission adapted to the COVID pandemic by conducting its business virtually. Fortunately, the Commission is now able to meet in-person, but has retained the option to conduct fully virtual meetings or provide a virtual participation option for in-person meetings

(“hybrid meetings”). The Commission does not have guidelines on the conduct of hybrid or virtual meetings. Overall, the hybrid meeting process has worked well, but guidelines may be helpful to ensure a consistent approach across all meetings.

Discussion Questions

1. Should Commissioners be able to fully participate (e.g., make motions, vote) virtually if the meeting is held in-person?
2. How should the Commission handle factors outside of its control that impact board member participation? These factors could include weather events, travel issues, or illness. Does it matter by which mechanism the meeting is occurring?
3. What criteria should be used to cancel or postpone meetings if Commissioners are unexpectedly not able to participate?
4. Should Commissioners be expected to participate in-person unless there are extenuating circumstances?
5. Are there protocols that the Board chair could follow to identify Board members who are participating in the deliberation remotely – or are present and not serving on the Board (e.g., being represented by a proxy who is present).

Table 1. Declared Interest by Species as of February 2024

	ME	NH	MA	RI	CT	NY	NJ	PA	DE	MD	DC	PRFC	VA	NC	SC	GA	FL	NMFS	USFWS	Councils	
Managed Species																					
American Eel	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*		
American Lobster	*	*	*	*	*	*	*		*	*			*					*			
Atlantic Herring	*	*	*	*	*	*	*											*		NEFMC	
Atlantic Menhaden	*	*	*	*	*	*	*	*	*	*		*	*	*	*	*	*	*	*	*	
Atlantic Striped Bass	*	*	*	*	*	*	*	*	*	*	*	*	*	*				*	*		
Atlantic Sturgeon	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Bluefish	*	*	*	*	*	*	*		*	*		*	*	*	*	*	*	*	*		
Coastal Sharks			*	*	*	*	*		*	*			*	*	*	*	*	*	*		
Horseshoe Crab			*	*	*	*	*		*	*		*	*	*	*	*	*	*	*		
Jonah Crab	*	*	*	*	*	*	*		*	*			*					*		NEFMC	
Northern Shrimp	*	*	*																		
Shad & River Herring	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Spiny Dogfish	*	*	*	*	*	*	*		*	*			*	*				*			
Tautog			*	*	*	*	*		*	*			*					*			
Weakfish				*	*	*	*		*	*		*	*	*	*	*	*	*	*		
Winter Flounder	*	*	*	*	*	*	*											*			
Summer Flounder, Scup and Black Sea Bass Board																					
Summer Flounder			*	*	*	*	*		*	*		*	*	*				*			
Scup			*	*	*	*	*		*	*			*	*				*			
Black Sea Bass		*	*	*	*	*	*		*	*		*	*	*				*			
Coastal Pelagics																					
Cobia				*		*	*		*	*		*	*	*	*	*	*	*	*		SAFMC
Spanish Mackerel				*		*	*		*	*		*	*	*	*	*	*	*	*		SAFMC
Sciaenids Board																					
Atlantic Croaker							*		*	*		*	*	*	*	*	*	*	*		
Black Drum							*		*	*		*	*	*	*	*	*	*	*		
Red Drum							*		*	*		*	*	*	*	*	*	*	*		
Spot							*		*	*		*	*	*	*	*	*	*	*		
Spotted Seatrout							*		*	*		*	*	*	*	*	*	*	*		
Total # of Species	12	13	18	20	18	19	25	5	23	23	4	17	23	20	15	15	15	23	7		

Table 2. *De minimis* states and management unit by board and species

Board	Management Unit	Current <i>De minimis</i> States
American Eel	ME-FL	NH, MA, PA, DC, GA
American Lobster and Jonah Crab		
American Lobster	ME-NC	DE, MD, VA
Jonah Crab	ME-VA	DE, MD, VA
Sciaenids		
Atlantic Croaker	NJ-FL	Com: NJ, SC, GA; Rec: NJ
Black Drum	NJ-FL	None
Red Drum	NJ-FL	NJ, DE
Spot	NJ-FL	NJ, DE, GA
Spotted Seatrout	NJ-FL	NJ, DE
Atlantic Herring	ME-NJ	NY
Atlantic Menhaden	ME-FL	PA, SC, GA, FL
Atlantic Striped Bass	ME-NC	None
Atlantic Sturgeon	ME-FL	?? None, NA?
Summer Flounder, Scup, Black Sea Bass		
Black Sea Bass	ME-NC	N/A
Scup	ME-NC	DE
Summer Flounder	ME-NC	DE
Bluefish	ME_FL	ME, SC, GA
Coastal Sharks	ME-FL	MA
Coastal Pelagics		
Cobia	RI-NJ, DE-MD, PRFC-GA (excluding CT)	Com: RI, NJ, DE, MD, GA, FL; Rec: RI, NY, NJ, DE, MD, FL
Spanish Mackerel	NY-FL	RI, NJ, DE, GA
Horseshoe Crab	ME-FL	SC, GA, FL
Northern Shrimp	ME-MA	N/A
Shad & River Herring	ME-FL	Shad: ME, NH, MA, FL River Herring: NH, GA, FL
Spiny Dogfish	ME-FL	NY, DE
Tautog	MA-FL	DE, MD
Winter Flounder	ME-DE	Com: NJ
Weakfish	MA-FL	MA, GA, FL

Table 3. Management unit and stock units by species

Species	Management Unit	# of stock units	Stock Units
American Eel	ME-FL	1	ME-FL
American Lobster	ME-NC	2	GOM/GBK (ME-RI), SNE (MA-MD, VA)
Atlantic Croaker	NJ-FL	1	NJ-FL
Atlantic Herring	ME-NJ	1	ME-NJ
Atlantic Menhaden	ME-FL	1	ME-FL
Atlantic Striped Bass	ME-NC	1	ME-NC
Atlantic Sturgeon	ME-FL	5	Gulf of Maine, New York Bight, Chesapeake Bay, Carolina, South Atlantic
Black Drum	NJ-FL	1	NJ-FL
Black Sea Bass	ME-NC (north of Cape Hatteras)		ME-NC (north of Cape Hatteras)
Bluefish	ME-FL	1	ME-FL
Coastal Sharks	ME-FL	By species	
Cobia	RI-NJ, DE-MD, PRFC-GA (excluding CT)	1	RI-GA
Horseshoe Crab	ME-FL	4	NE (ME-RI), New York (CT-NY), Delaware Bay (NJ-VA), SE (NC-FL)
Jonah Crab	ME-VA	4	Inshore GOM & Offshore GOM (ME-MA), Inshore SNE & Offshore SNE (MA-VA)
Northern Shrimp	ME-MA	1	ME-MA
Red Drum	NJ-FL	2	Northern (NJ-NC) and Southern (SC-FL)
Scup	ME-NC (north of Cape Hatteras)	1	ME-NC (north of Cape Hatteras)
Shad & River Herring	ME-FL	1	ME-FL
Spanish Mackerel	NY-FL	1	RI-FL
Spiny Dogfish	ME-FL	1	
Spot	NJ-FL	1	
Spotted Seatrout	NJ-FL	NA	NA
Summer Flounder	ME-NC	1	ME-NC
Tautog	MA-FL	4	MARI (MA-RI), LIS (CT-NY), NJ-NYB (NY-NJ), DelMarVa (DE-MD, PRFC-VA)
Weakfish	MA-FL	1	MA-FL
Winter Flounder	ME-DE	2	GOM (ME-MA); SNE/MA (MA-DE)

Tina Berger

Subject: FW: 'Other' Comments

From: William Hairston <w.hairstonsr@gmail.com>

Sent: Tuesday, December 10, 2024 9:43 AM

To: Comments <comments@asmfc.org>

Subject: [External]

We need new people in this position,! that are for recreational fishing, no pencil pushing political puppets ! A real human being that actually goes fishing 🎣

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: [Comments](#)
To: [Tina Berger](#)
Subject: FW: ASMFC COMMISSIONERS
Date: Tuesday, December 10, 2024 1:34:00 PM

From: sophanara sim <sophanarasim@hotmail.com>
Sent: Tuesday, December 10, 2024 2:38 AM
To: Comments <comments@asmfc.org>
Subject: [External] ASMFC COMMISSIONERS

I am compelled to address a concern regarding the apparent lack of diversity among your commission members, which appears to be comprised solely of white males, potentially indicating bias and racial discrimination. I strongly recommend that this matter be reviewed by the human resources department, as it may be in contravention of the law and will not be tolerated. The Civil Rights Act of 1964 prohibits racial discrimination in the workplace, protecting all individuals from discrimination, regardless of race, including multi-racial and bi-racial individuals, which appears to have been compromised. I seek to have this matter addressed immediately. Also, I would like to request a follow-up regarding the actions to be taken to address this issue.

Sent from my T-Mobile 5G Device
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Atlantic States Marine Fisheries Commission

Commission Business Session

*February 5, 2025
11:45 a.m. – Noon*

Draft Agenda

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

1. Welcome/Call to Order (*J. Cimino*)
2. Board Consent
 - Approval of Agenda
 - Approval of Proceedings from October 2024
3. Public Comment
4. Consider Noncompliance Recommendations, if necessary
5. Other Business/Adjourn

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