

Atlantic States Marine Fisheries Commission

Atlantic Menhaden Plan Development Team (PDT) Meeting

September 14, 2021

1:00 – 3:00 p.m.

Please join my meeting from your computer, tablet or smartphone.

Webinar Link: <https://global.gotomeeting.com/join/693208717>

You can also dial in using your phone.

United States (Toll Free): 1-877-309-2073

Access Code: 693-208-717

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 (<i>K. Rootes-Murdy</i>) | 1:00 p.m. |
| <ul style="list-style-type: none">• Assign Note-taker• Review Discussion/Tasks from previous call• Review Updates to PDT members Confidential Data Access | |
| 2) Review work updates from PDT tasking | 1:10 a.m. |
| <ul style="list-style-type: none">• Allocation Management Alternatives<ul style="list-style-type: none">○ Jeff○ Melissa• Episodic Event Set Aside Management Alternatives (Jeff/Melissa)• Incidental Catch and Small-Scale Fisheries Updates (Nicole/Micah) | |
| 3) Consider Draft Addendum Outline (<i>K. Rootes-Murdy</i>) | 2:15 p.m. |
| <ul style="list-style-type: none">• <i>Document Sections</i>• <i>Current Management Alternatives</i>• <i>Tables and Figures for consideration</i> | |
| 4) Next Steps (<i>K. Rootes-Murdy</i>) | 3:00 p.m. |
| <ul style="list-style-type: none">• Assigning Tasks | |
| 5) Adjourn | 11:00 a.m. |

Atlantic States Marine Fisheries Commission

Atlantic Menhaden Plan Development Team

Meeting Summary

September 9, 2021

9:00 to 11:00 am

PDT Attendees: Kirby Rootes-Murdy (ASMFC Staff/Chair), Jeff Brust (NJ), Melissa Smith (ME), Harry Rickabaugh (MD), Nicole Lengyel Costa (RI), Micah Dean (MA), and Shanna Madsen (VA).

Other attendees: Ray Kane, Somers Smott, Megan Ware, Caitlyn Craig

Items in **red** indicate ToDo items for PDT members.

Confidential data access

KRM reviewed status of confidential data access for each member. Three members have access to all states and SEFSC, while three members are missing access to a few states. **KRM suggested they reach out to the data coordinators in those states to expedite approval.**

Summary of first meeting

KRM provided an overview of the discussion and decisions from the first PDT meeting. During the meeting, the team focused on the workgroup recommendations regarding state allocations and the incidental / small scale fisheries provisions.

Allocations:

- Allocation time frames should start no earlier than 2009.
- Timeframe for review of allocation defined in Amendment 3 does not need to be changed; could do sooner, but longer would not be helpful
- “Best year” approach would be problematic; recommend not pursuing
- Harry and Shanna will take lead on allocation section

Incidental / small scale:

- Need to review recent landings data to ID trends and alternatives
- Work group options need to be flushed out
- Consider splitting incidental and small scale into separate pieces
- Nicole and Micah will take lead

MS reminded the PDT that she was concerned about dropping options without investigating them first, so looked into some allocation options eg using 2nd best year. **She offered to show analysis, but the PDT decided to wait until she has confidential access to all states and can update the analysis with “official” data.**

Updates on allocation work (Harry, Shanna)

HR presented slides with preliminary alternatives for reallocation using various time frames, with and without the baseline of 0.5%. Several options were ones we discussed as a group, others he developed for comparison. He noted that the 2009-2011 timeframe does not match exactly with Amendment 2, perhaps because landings have since been updated (corrected). He will confirm once he has confidential access to all states. NC asked for an example of how the values are different. HR responded he doesn't remember the specifics but that they are not drastically different. It is primarily VA and NJ, but wouldn't notice differences for states with very small allocations (decimal places). SM confirmed that they were only off by a bit. Suggested it would be useful to compare the tables used to develop Amendment 3 with current data. KRM agreed it would be useful and he would dig out the old files. Also suggested adding a column in the table that shows the actual Am3 values.

HR suggested revisiting the methodology used in Am3 to allocate quota after the 0.5% had been distributed. There are several ways to do it and we should be consistent. **KRM agreed to find that methodology in his files.**

HR showed options for establishing allocations based on a moving average of landings. This would automatically reallocate as landings/availability shift, which could reduce the need for transfers (at least the size of them, if not frequency). There may be problems implementing this strategy, but it does seem to work in theory. For example, timing of data availability might require a 2 year lag (eg 2019-2021 data for 2023 allocation). One option could be to use an average but apply it for 2 years. **Doesn't seem to work as well (less responsive to change), but could explore further.** Presented examples with and without 0.5% baseline, based on percent of observed coastwide landings.

HR showed examples using a tiered baseline (not all states get 0.5%). Provides more fish to states that have consistently exceeded quota, by taking from states not using their current baseline. Tiers were "eyeballed" (not based on specific criteria), so would need to be revisited, but as an example, "small" states might get 0.05%, while the highest tier states receives 1.75%.. Under this scenario, some states look like they would exceed their quota, but that is artificial, since they would be restricted to their quota. If this is used, suggest using only bait landings and not include reduction. This method helps to minimize transfers, but only if lowest tiers are very low; otherwise, not enough percentage is moved to states that have been needing transfers. Used in conjunction with moving averages may reduce the need for reallocation discussions in the future. NC points out possible error in slide. **HR agrees and advocates for reviewing all examples before putting in document.**

NC is interested in method and suggests using fewer tiers. MD likes the idea of moving averages to minimize the need for reallocation, but cautions that as an area with currently increasing availability starts to wane, their allocation will go down, but if the availability increases again after that, they will be back in the same position as now. Seems like a one-way trip; landings are used to constrain landings for a state. HR indicates that is already happening, eg MD has been transferring to other states, so will get "penalized" in the reallocation for giving fish away. Happens whether you use transfers or a moving average. MD agrees and notes that that point makes this concept more tenable. HR notes that for it to work depends on states' willingness to transfer when they aren't using their quota. NC points out that the EESA will also be helpful during transitional period (eg before their allocation has increased). KRM notes that one benefit of the current management structure is that it does allow states to land more

than their allocation through transfers, EESA and I/SS fisheries. This allows us to see where shifting need is. Could factor in well with moving average approach. With other species, states are constrained by their allocation and there is no room to grow to show where the change is occurring. He also noted that the last year we include in calculation will be very important. Plan Review Teams use preliminary data, so there would need to be some flexibility in timing in terms of when the final allocations are determined. The examples we are looking today use validated landings, but moving forward, we will need to consider when data can be produced and validated to calculate the moving average.

SM noted that we will need to also consider what we use as the last year. For example, in VA 2020 was an abnormally low year due to COVID shutdowns. The reduction plant was closed for several weeks, and bait needs were also down because crab harvesters were less active.

MS, responding to MD's comment about the moving average being a one way trip, so long as we allow other mechanisms with flexibility for states to harvest above allocation, really like the idea of a moving average because it allows us to see where fish availability is moving. In addition, with respect to what are considered official landings, Maine has been improving reporting (eg monthly to daily), but data are still not final for up to 2 years, so there is a question on how to deal with that. For example, is there a time point when states are not allowed to update landings because they would adjust everyone allocation? Also, she agrees that 2020 was a very unusual year for everyone, so wondering how to account for that. This might be where the Working Group was leaning when they suggested using the best year; it would be the best representation of a state's fishery.

KRM acknowledges that 2020 was unusual year. Encourages PDT to focus on this from a data standpoint and not state specific standpoint. It is fair to flag the 2020 data as unusual for the Board, but unless we can show that the data can't be trusted, we shouldn't throw them out at the PDT level. That is more appropriate as a Board decision. He also noted that we are still in pandemic, and fisheries are still adjusting, so it would be difficult to put in a cut off for what the final year should be allocation options. As far as options, he agrees with NC's suggestion to maybe focus on 2-3 tiers, using landings to identify breaks. **He requested that HR and SM draft the report section to explain the logic and justification for the calculation, and KRM will look at how Am3 was developed.** HR acknowledge that 5 tiers is too many, but suggests 3 is minimum, and maybe 4 would work. With fewer tiers, it doesn't move enough from "small" states to minimize the need for transfers. KRM suggests looking at 3-4 tiers.

JB suggested an option that uses new (future) years to determine allocation. Recent harvest has not exceeded the TAC, so there is flexibility to open the fishery (for most states) without over harvesting. **PDT suggests updating analysis with final data after have confidential access in order to present next week. KRM also requested a write up of the methodology.**

Incidental catch from Micah and Nicole

NC reported that as they were working on the recommendations from the WG, they realized that some sounded reasonable, but were difficult to implement logistically and might want to be removed. She also noted that one suggestion was to remove separate small scale fisheries, so options she will show only include incidental harvest.

The first issue was timing of when incidental catch can begin. Several options were provided, including status quo (which has been interpreted by some states to mean when sector specific quotas are reached), when a state's full allocation has been reached, and no incidental harvest at all. It was noted that under the no incidental catch option, states could still allow it by eg using a set aside of their individual state quota, but it would not be a coastwide provision. JB asked for clarification between options 1 and 2 because they are worded similarly. NC responded that #1 implied a sector (eg gear specific) allocation within a state, but option #2 was the entire state quota. JB suggests a change in terminology to clarify. Both say "jurisdiction", which (to me at least) suggests state, so perhaps change "jurisdiction" to "sector" in #1. NC asked if the status quo option needs to be verbatim from Am3. KRM indicates it should be verbatim, so #1 has to stay the same, and suggests #2 should read "...regardless of sector allocations within the state." JB was concerned that the wording of #1 was still confusing; currently it is open to interpretation, and if the Board selects it, it will still be confusing. Proposes we try to get clarification from the Board one way or the other, either by getting them to clarify on record the #1 implies sector specific allocations, or by adding a new option that explicitly states that incidental catch can begin when the in-state sector specific allocation has been reached. SM agrees that adding a separate option would be preferred. This has been brought to the Board several times and they generally agree that the NJ/VA interpretation is OK, but getting explicit clarification through new language would prevent the question coming up again in the future. KRM agrees with the concern; the Board has not given a determination that what NJ/VA are doing is problematic. Suggests the PDT can't move forward developing options until have better direction from the Board on what their intent is. The current language seems clear cut, but the Board has not expressed concern when two states have implemented something different. There must be a decision from the Board before the PDT can move forward with drafting options. JB disagrees we need more direction from Board at this point. We can craft options that clarify the situation and provide justification for the Board to select one of them over the status quo because the intent is unclear. **NC commented that the WG report discusses how intent of status quo is unclear, so will add a new option that explicitly states sector specific allocations.**

HR agrees, but expresses concern that a state could create multiple sectors with low allocations as a loophole to begin harvesting incidental catch, which is not counted against the TAC. Perhaps we can set a maximum number of sectors and/or define which gears can participate. MD had similar concern, but it doesn't even need to be a large number of sectors. You could have two sectors with one of them having an allocation of 1 lb so all harvest in that sector would not count toward TAC. Even if we clarify the language, concerned it is not a reasonable approach to apply to all jurisdictions. NC noted that VA has never exceeded quota even when counting all incidental. Not sure about NJ. Had similar concerns to the other about states taking advantage of this, but it hasn't happened yet. To the point about limiting the number of sectors, VA and NJ are very different from other states, so not sure we can do that. She understands that it could become loophole, but the bigger concern is the uncertainty in the language and having to deal with it every year on the PRT. HR noted that MD has been interpreting the status quo at face value – the state needs to use their entire quota before incidental catch can begin, even though other states interpret it differently. But once we clarify and indicate that a state can make sectors states might create sectors. Even though it hasn't been a problem in the past, clarifying the language might encourage states to change how they operate, and it could become an issue NC agrees but is concerned that states might not appreciate being told how many sectors they can have. That is leaning into state management. HR one possibility is that sectors need to be approved by TC. For the sake of time, NC

suggested PDT think about this option a bit more for future discussion, but move on to other issues for today.

KRM agreed that it would be good to edit these options based on feedback, but also good to point out that there are considerations to be weighed for each of these options. There is no perfect option – everything is going to have advantages and disadvantages. Also questions how option 3 (no incidental catch) would work for fixed gears that can't avoid fish if they show up. Part of the rationale for having an incidental fishery was to utilize fish that were caught and prevent dead discards. NC indicate that under this option any catch would have to be discarded. This option was included for completeness, but we could take this option out and only have options that permit incidental catch. MD commented that that would put the onus on individual states to avoid incidental catch, such as through bycatch allocations or trip limits so fisheries don't close before the end of the year. HR indicated that if we prevented the incidental fishery, Maryland would be discarding large quantities and would also have to close other fisheries (striped bass) that are also primarily pound net fisheries. MD suggested a state could just count incidental harvest to count towards the TAC and create a set aside that would cover it. HR responded that that would be difficult because there is often high variability in annual landings (eg 3M lbs to 13M lbs in adjacent years). NC noted that the discussion was moving into Board level discussion. The option was included for completeness. That said, HR's concerns are valid and need to be raised to the Board where they can't have sector allocation and would result in closure or huge increase in discards.

MS asked whether the intent of these options was to be discussing non-directed incidental harvest, or directed harvest also? NC indicated that would be covered in a different set of options.

NC - Another suggestion from the WG was to change the incidental catch trip limit. Current limit is 6,000 lbs, so chose 2 other options of 4,500 and 3,000. The 2-person provision was kept, as well as the list of eligible stationary gears. These new options will definitely increase discards in some states, so that should be pointed out to the Board. Can add other options for trip limits and/or modify the 2-person and eligible gear provisions. MS asked what a typical max trip limit is from Maryland pound nets. HR indicated it could be 24K lbs of menhaden in a net, but that is rare. Prior to this rule, harvesters could make more than one trip per day so might bring as much as 48K lbs per day, but 24K per day is normal for one guy with multiple nets. MS suggests a possible sub-option that stationary gears stay at 6K, but other (lower) limits for non-stationary. NC noted that floating traps operate similarly to pound nets and could also bring in >20K lbs per day. We could add option to split fixed and mobile gears, but then the question becomes which gears to include in fixed vs mobile. One option would be to keep the current definition of eligible gears.

HR asked if, since small scale fisheries may be split out, will there be separate options for them? NC indicated they are captured on a subsequent slide, but perhaps that issue should be presented to the Board as an earlier decision than the trip limits to determine if small scale is included. KRM agrees that the discussion on trip limits would flow better if came after the decision on gear types.

NC then presented options for which gear would be eligible (status quo = incidental + small scale, status quo but remove pound nets, remove all small scale directed gears). KRM noted how this will be easier to look at once everyone has confidential access and we can look at data to see how different gear types

might be affected. HR noted that it will be important to show links between options, ie how decisions on one issue might affect other issues or concerns.

The next issue discussed incidental catch accountability (eg pay back). NC presented status quo plus 4 alternates. Two propose a catch cap on incidental harvest, while two propose a set aside. Each alternate has 3 sub options on the size of the cap/set aside (see slide). NC noted that many of the options sound reasonable in theory, but would be difficult to implement or enforce, so may need to be removed from consideration.

Option D: Catch Accounting for Incidental Catch Provision

- D1 (status quo): Not included in TAC, no catch cap or trigger.
- D2: Incidental catch fishery catch cap and trigger. Catch exceeds cap by 10% in single yr or any amount 2 yrs in a row, management action triggered.
- D3: Small-scale directed gear type component of Incidental catch fishery catch cap and trigger. Small-scale catch exceeds cap by 10% in single yr or any amount 2 yrs in a row, management action triggered.
- D4: Incidental catch fishery TAC set-aside. If set-aside exceeded, overage paid back following year.
- D5: Small-scale directed gear type component of Incidental catch fishery set-aside. If set-aside exceeded, overage paid back following year.
- Options D2 – D5 have sub-options for the cap or set-aside to be 1%, 2%, or 3.5 % of the TAC.

For catch caps, there would be no in season reporting requirements, but states would have to account for it in compliance reports. If reports show the cap was exceeded, the Board must take action to reduce it in subsequent years. Am3 states that if incidental catch appears to be increasing, the Board could consider action. These options would require action. NC also noted that the 1% limit is lower than the time series mean incidental catch. D2 applies to incidental and small scale; D3 just small scale. One concern is that not all states require dealers to report the gear, so accounting by gear in the compliance reports may be difficult or require changes to state reporting programs. (Applies to D5 as well.)

D4 and D5 similar to D2 and D3, but use annual set aside rather than a cap, so it is taken off the TAC at the beginning of the year. D3 and D5 only apply if earlier decisions do not exclude small scale gears from incidental catch.

MS asked if there is an option that separates directed from incidental such that incidental operates outside TAC, but small scale is held to some allocation. NC indicates that that could occur under #3 or #5. It might be easier to visualize if the **order of these issues is rearranged and draw a flow chart**. KRM agrees that a visual would be beneficial and that the gear type question be moved before the cap/trigger issue. NC suggested maybe a catch cap would be easier than a set aside because you can use estimated landings and there is no explicit pay back. A set aside would be difficult without gear specific reporting.

JB asked if it might be more appropriate to set the cap/set aside at the state level, rather than coastwide so the whole coast isn't penalized if the overage is due to only one or a few states. MD agrees that some states will be more responsible and might incentivize race to fish. Also agrees that monitoring at the gear level would be difficult since not all states reporting capture gear info reliably. HR noted that with

the cap and trigger, the Board must take action, so they could act on individual states or gears. On the other hand, with a set aside, everyone would have to pay it back. Prefers trigger option because you can look at why it was triggered and find equitable solution. MD expresses concern about having an unspecified management action after trigger. The Board already has that opportunity, but it is difficult to come up with what that action should be. It would be better to give them prescribed actions. NC agrees but points out the Board has the option to act now, but is not required to. We could add specific actions as options, but we were given no guidance on what those should be. Without knowing what the specific issue is (eg one state vs all states exceeding), it's hard to develop those options. KRM noted how this discussion is similar to development of American eel Addendum 5. The Board decided not to do state by state allocations so developed an appendix that outlined multiple scenarios. Given the complexity of the other issues in this addendum, he suggests we avoid doing what eel did. It would be better if management actions that must be taken are explicitly described in the report. Otherwise, it mandates that the has to act, but no guarantee how quickly they would act or what they would do. If/when they do come up with a plan, it would need to go through public comment. MS suggests that if there is a payback, then it would likely have to be a one year lag, as they do in the herring fishery. Also, in Maine, harvesters don't need to report to dealer, so harvester reporting is more accurate for gear info. We may want to allow states to choose whether to use harvester or dealer reporting.

Based on the discussion, NC repeats that these are examples of options that sounded good but might be difficult to implement. Asks whether we want to keep 3 and 5, recognizing not all states have gear specific landings? MS asked if state could characterize themselves as primarily small scale or incidental? Maine, for example, is mainly small scale with only a little incidental. NC responded that most probably could. RI is mostly incidental with floating traps. Other states like Maryland might be more of a mix.

HR requests clarification on the concern about not being able to split out landings between incidental and small scale. NC confirms that it might be difficult to determine if landings are eg from a purse seine or a dragger. KRM notes that these data are reported in the compliance reports. NC responded that those landings are often estimated and shouldn't be used to determine pay back. They could probably work for a cap because there is no payback, but not for the set aside. HR noted that MD, VA, and PRFC all use harvester reporting so gear info is accurate. It makes him nervous if small scale is included with incidental. One or two states with pound nets alongside everyone else's incidental gears, but all states may get penalized. MD responded that the difference between incidental and small scale gears, is that the incidental can't avoid the fish, but small scale you can stop doing it (eg passive vs active fishing). Suggests its OK leaving all the options now, but cap or set aside might not be best way to limit small scale fisheries. KRM agrees and points out the link between state allocations and how to handle small scale and incidental fisheries. Coastwide these fisheries accounted for 1-3% of total landings in recent years, but if we are trying to minimize transfers, that needs to be taken care of through allocations. Conversely, if we take a bigger chunk from TAC to as an incidental set aside, it exacerbates the problem.

NC asks if we want to remove these options and just note that, although they were requested by the WG, the PDT found that the logistics of implementing were too challenging. KRM suggested we don't remove them yet, but we do need to explain the complexities to the Board. Suggests keeping them but that the cap/set aside be no more than 1%. Further, the PDT needs to highlight the challenges (eg tracking, accountability, annual timing to evaluate) in the report. NC will remove sub-options higher

than 1% but notes that by setting it at 1% (4.5M lbs), we fall short of the recent coastwide average (>6M lbs). So if allocations don't fix the problem, these options won't really be solving anything. KRM agrees and stresses we need to make it clear to the Board. High incidental/small scale harvest has resulted from people fishing after reaching their allocation. So if we can fix allocations, it should help resolve the high incidental catches. HR agrees. The WG had an option that included everything but incidental under the TAC. Likes the 1% concept and that we need to shift the allocation so small scale fisheries are covered under the directed fishery. JB also agrees. Optimistic that if we can "fix" the allocation, then these problems go away. It will be important to highlight how the allocation options affect the subsequent decisions. MS agrees. If we could redirect the small scale landings to directed, then we wouldn't be in the situation that we are in. However, Maine has seen such a large increase in small scale landings recently, she is cautious about being the one to suggest solutions. Don't want to throw any options out without working through them. The Board needs to know the interaction between target, EESA, and incidental fisheries.

KRM notes that 32 and #3 are dependent on earlier decisions, so we should try to structure the document to show that dependence. NC indicates that # 3 and #5 are dependent on the decision from the previous issue, and that is explained in the write up. KRM confirms that if incidental and small scale fisheries are not separated, then these four options reduce to just two option (cap or set aside). If that is captured in the write up, then no additional changes are necessary.

NC asks if we want to drop the 2% and 3% sub options for all options, or just the ones with a set aside. For the options with a cap, there is no pay back, so a larger value will not affect the directed fishery. KRM suggests using only 1% for all sub options. **NC will remove those sub options and reorganize the options to keep the small scale options together**, which will improve flow if the Board removes the small scale from the incidental. Suggest revisiting after we look at how reallocation may affect this. Concern is that if we don't have allocation options that get Maine 10%, then we haven't fixed anything. **NC and MD will incorporate suggestions into options for next meeting.**

Episodic events

KRM reviewed the WG report regarding EESA. The main concern raised by the WG is that current set up creates incentive for states to use up allocation as soon as possible and move into EESA. Also, it has become a secondary regional quota, and the set aside may not match availability. One WG suggestion was to increase the EESA set aside (up to 5%) to allow higher landings; however, as that happens, regional states need to coordinate monitoring, and may require additional constraints (eg trip limits) to allow equitable use among states.

The WG also suggested allowing states with latent quota to transfer it to the EESA set aside instead of the coastwide pool. This would address the mismatch of latent allocation, and if it is not used, it would get redistributed across all states. One drawback would be uncertainty / variability in how large the EESA set aside would be each year, depending on which states transfer into it.

Another suggestion was to permanently reallocate some of the latent allocation into the EESA. This would increase the EESA without affecting states with established fisheries, but may not increase the EESA sufficiently to reduce transfers.

The WG also suggested an option reallocate unused EESA to all states prior to the current Oct 31 deadline. One problem with this is that in recent years the whole set aside has been used.

Another option was to put additional restrictions on the use of EESA, such as weekly limits, landings days, etc. Most states appear to be voluntarily using restrictions so that they harvest the EESA responsibly, but the Board could make some of them mandatory.

The last option suggested by the WG was to allow states to use the EESA before the state had used 100% of their quota. One concern would be that accounting for this option would be difficult – eg when the directed fishery and EESA are both open, are landings attributed to quota or EESA?

KRM asks PDT if any of these strategies can be eliminated or combined. Asks members to consider how to simplify these options with respect to how they link to state allocations. HR noted that several of the WG suggestions depend on increasing the EESA, but that would only work if it is increased substantially, and it may result in large unused quantities if the fish move out of New England. He also suggested that one way to simplify these options would be to make it go away (add the 1% to the other reallocation). JB agrees. Noted that the EESA has been used every year recently, and the graph MD provided showing availability in the Gulf of Maine suggests they might continue to be there for several more years, so is it still an “episodic event,” or can we do away with it. NC indicated that it depends on which allocation option is selected. She is not opposed to having an option to remove it, but noted that the program might still be useful if using the moving average allocation, to give states a bit of a buffer as availability shifts. Transfers would also work; She also noted that the Gulf of Maine might not be same as other states, such as RI) where they get pulses some years but not others, even with the large abundance in the Gulf. KRM suggested one option would be a phased in/out of EESA over a number of years. Use the reallocation to better address state needs and have the EESA phase out over 2-3 years. NC thought it wouldn’t help much. The episodes occur on an annual basis, and the phase out might not move fast enough to capture those events. really does change year to year; by the time it’s phased in, the fish might be gone again. HR noted that that will happen no matter what we do. There’s variable availability in Chesapeake Bay, and they aren’t eligible for the EESA, so they are likely disadvantaged during this reallocation. We can’t guard against every situation, so we need to allocate as best we can and rely on transfers to some extent. As was noted before, states must be willing to transfer to others for the process to work.

KRM asks Jeff and Melissa to work on EESA based on WG suggestions.

Next steps

KRM noted that the next meeting is Tuesday, so shorter turn around than between last meeting. Most members have confidential access. Asks HR to send the Excel file with bait and reduction landings to him and he will send to PDT members. If everyone has access by the next call, it will be closed to public so we can look at confidential data. Otherwise, we will go through write ups / graphs, etc. He acknowledges that it will be difficult to complete the document by briefing materials, but we should be able to have a solid draft ready for the Board to provide comments on.

For next call:

- JB and MS will present the options they mentioned earlier in today's call
- JB and MS will present on EESA options
- PDT will revisit some of the changes to allocations and incidental / small scale fisheries based on today's discussion

Follow up tasks from today

- HR and SM to write up allocation methodology
- KRM will look at landings data to compare differences between current and Am 3 percentages
- NC and MD to edit the incidental / small scale write up and send to KRM to distribute
- JB and MS to put together EESA presentation, write up, and description of options discussed earlier
- HR to look at ways to re-tier the baseline allocation